

MINUTES

A regular meeting of the Buchanan County Board of Supervisors was held on Monday the 6th day of November, 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 OCTOBER 2nd AND 20th, 2017

After a general discussion by the board upon motion by Trey Adkins seconded by Earl Scott and with a roll call vote of six (6) yeas, G. Roger Rife, Harold H. Fuller, Earl Scott, J. Carroll Branham, Craig Stiltner, Trey Adkins, zero (0) nays and one (1) abstention, William P. Harris, this board did hereby approve the minutes for October 2nd and 20th, 2017.

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IN RE: DEPUTY M. A. HATFIELD - CONSIDER APPROVING THE REQUEST FROM THE BUCHANAN COUNTY SHERIFF'S OFFICE FOR AUTOMATED EXTERNAL DEFIBRILLATORS (AED) IN THE AMOUNT OF \$6,505.00

Deputy M.A. Hatfield with the Buchanan County Sheriff's Office stated he was seeking funds to purchase five (5) automated external defibrillators (AEDs) for the sheriff's office. I first thought the 4-For-Life funding could be used to purchase the AEDs, but found out the sheriff's office didn't qualify for the funding, he stated.

The AEDs that I've got quoted would be compatible with the ones the school system has now, he stated.

Harold H. Fuller, Garden District Supervisor stated the county administrator has informed us there's no money for the AEDs.

Robert C. Horn, County Administrator stated there's funding in the sheriff's office budget for the purchase of the AEDs.

J. Carroll Branham, Chairman asked who would be getting the five (5) AEDs?

One (1) unit would be left in the office and the four (4) other AEDs deputies would have, stated Deputy Hatfield. The deputies that are on patrol may get to the resident in need before the rescue squad does, he stated.

At this time, no action was taken.

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IN RE: MELANIE HIBBITTS, SUPERINTENDENT OF BUCHANAN COUNTY PUBLIC SCHOOLS

Melanie Hibbitts, Superintendent of Buchanan County Public Schools stated in the past two (2) months, the school system has lost 36 students. Due to the reduction of students, the school system will lose \$304,607.00 in funding. This certainly wasn't something we wanted to see or anticipated, she stated.

Cheryl Tester, Finance Director for Buchanan County Public Schools stated the school system is receiving additional federal funds for school lunch. There is no local match required. The total amount to be received is \$1,192,048.98.

Robert C. Horn, County Administrator stated a public hearing is required before the additional appropriation could be done.

Upon motion by Trey Adkins seconded by Earl Scott and with a roll call vote of seven (7) yeas and zero (0) nays, this board did hereby approve to set a public hearing for Monday, December 4th at 10:15 a.m. to hear public comments regarding the additional appropriation/transfer in the amount of \$1,192,048.98 to the Buchanan County Public Schools for federal funding received for the school system.

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IN RE: MELANIE HIBBITTS, SUPERINTENDENT OF BUCHANAN COUNTY PUBLIC SCHOOLS – DISCUSS CAPITAL IMPROVEMENT PLAN

Melanie Hibbitts, Superintendent of Buchanan County Public Schools stated there's several capital improvement projects in the school system that needed to be done. The first is

a building for the school bus garage, second the gymnasium floor repair at Riverview Elementary/Middle School. Third, the need for asbestos abatement at Council High School, Hurley High School and Grundy High School, she stated. Also, the sewer lines need to be replaced at J. M. Bevins Elementary School and Grundy High School.

The school bus garage is considered a “state of emergency”, stated Ms. Hibbitts. I’ve talked to Mr. Horn and a metal shell building with a concrete slab would do. Something they can pull all the buses in and service them, she stated.

The gymnasium floor at Riverview needs to be sanded and resealed, stated Ms. Hibbitts. The company that’s replacing the Council Elementary/Middle School has given us a quote on the repairs in the amount of \$21,397.00.

The asbestos abatement needs to be done this summer at Council High School, Hurley High School and Grundy High School, stated Ms. Hibbitts. Also, the sewer repairs can be done in the summer.

L. Lee Moise, County Attorney stated depending on the costs of the repairs the repairs to the gymnasium floor at Riverview Elementary/Middle School could be done through small purchase procurement.

Ms. Hibbitts stated it would be January 2018 before the gymnasium floor could be done.

Robert C. Horn, County Administrator stated I don’t recommend making any additional budget appropriations at this time.

G. Roger Rife, South Grundy District Supervisor stated we was looking at building a school bus garage four (4) to six (6) years ago. That school bus garage has been there longer than I have.

We talked about building a school bus garage at Southern Gap several years ago, stated Mr. Stiltner. Also, discussed Messer’s Manufacturing building, which would’ve been at no cost. This is frustrating, because they need a school bus garage.

Ms. Hibbitts stated the school bus garage is in a “state of emergency” now.

Mr. Horn stated we’ve discussed the school bus garage and putting a building back to where it is now.

Yes, it can be put back where it is now, stated Ms. Hibbitts. A new school bus garage doesn’t need to be a big and fancy building, just a metal shell building with concrete slab to pull all the buses in and service them, she stated.

Mr. Horn stated once the renovation at the optometry school building on Slate Creek is completed, it’ll free up some of the county’s building crew to work on other projects.

I think we need to hire someone that knows what needs to be done, stated Trey Adkins, Knox District Supervisor. The county crew can finish up the walls and any painting, but not the beams.

Mr. Rife stated I think we should use our park and recreational funds to fix the gymnasium floor, instead of all the contributions we do for trips etc.

I disagree with this, I have five (5) parks in my district and I have no way of making any money to help keep these parks up, stated Mr. Stiltner.

J. Carroll Branham, Chairman stated he was working on the softball field at his park. I'm spending about \$7,000 to keep the weeds cut in my district, stated Mr. Adkins.

After a general discussion by the board upon motion by Craig Stiltner seconded Earl Scott and a roll call vote of seven (7) yeas, Craig Stiltner, Earl Scott, G. Roger Rife, J. Carroll Branham, William P. Harris, Trey Adkins, Harold H. Fuller and zero (0) nays, with Craig Stiltner and Harold H. Fuller stating they have family members employed by the school system, this board did hereby approve an additional appropriation in the amount of \$21,397.00 to Buchanan County Public Schools, account number 93100-9220. Please transfer/appropriate the \$21,397.00 to Fund 20 and move the same amount of cash from the general fund to fund 20.

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IN RE: GENERAL DISCUSSION CONCERNING CONSOLIDATION

Scotty Owens, Prater District School Board Member and Chairman of the school boards consolidation committee stated there's three (3) different suggestions regarding consolidations. First closing J. M. Bevins, consolidating Grundy High, Hurley High and Twin Valley High Schools and combining Council High and Council Elementary schools.

The consolidation committee recommended that an outside opinion and extensive study is conducted to see what's involved, especially with finances, stated Mr. Owens.

J. Carroll Branham, Chairman seeking an outside opinion will tell you exactly what you want to hear.

There's more to look at than finances, stated Mr. Owens. That's why we believe a company that specializes in areas dealing with school closing and consolidation is needed to do a thorough study to provide us with information so we can make the best decision for our school system, he stated. Mr. Owens stated the cost to conduct the study is \$21,711.

When Russell Prater Elementary School was closed the school system hired back more than those who retired, stated Craig Stiltner, Rocklick District Supervisor. The school

system didn't save anything.

The company that bid on conducting the study is willing to come to the December board meeting to get ideas from the board, stated Mr. Owens.

This is your problem, not ours, stated Mr. Branham.

Trey Adkins, Knox District Supervisor stated if the school board gets lucky enough to secure enough votes to approve another round of consolidation, you will never get a vote to lay people off. So why should this board fund a consolidation study, asked Mr. Adkins. It would be a waste of money.

Mr. Stiltner asked Melanie Hibbitts how many schools had closed in the past two (2) years.

Ms. Hibbitts stated we haven't closed any schools.

Then how many students have you lost in two (2) years, asked Mr. Stiltner.

We've lost over 100 students, stated Ms. Hibbitts.

Do you have less employees now after Russell Prater Elementary School closed, asked Mr. Stiltner.

Yes, stated Ms. Hibbitts.

Is the school system operating on the same amount of funding, asked Mr. Stiltner.

Yes, stated Ms. Hibbitts.

The day Russell Prater Elementary School closed, there was 40 plus employees that retired, stated Mr. Stiltner. The school system hired back over 40 employees. You hired back more than those who retired, he stated. There would've been a savings of \$600,000 to \$700,000 for the school system if the school board hadn't approved to fill the vacancies, stated Mr. Stiltner. Russell Prater's closure would've resulted in a substantial savings for the following fiscal year budget for the school system, he stated.

All I'm asking is for funding to conduct the study, stated Mr. Owens. We want to find out the facts and the truth.

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

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IN RE: PUBLIC HEARING – 10:15 A.M. – TO HEAR PUBLIC COMMENTS REGARDING THE ABANDONMENT OF BLUE TICK ROAD, COUNTY ROAD NUMBER 2401 LOCATED IN THE KNOX MAGISTERIAL DISTRICT

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

Trey Adkins, Knox District Supervisor stated the property owner of Blue Tick

Road has requested that we abandon the road from the county road system.

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

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**IN RE: CONSIDER ADOPTING THE ORDER REGARDING THE
 ABANDONMENT OF BLUE TICK ROAD, COUNTY ROAD NUMBER
 2401 LOCATED IN THE KNOX MAGISTERIAL DISTRICT**

After a general discussion by the board upon motion by Trey Adkins seconded by Earl Scott and with the following roll call vote of seven (7) yeas, Trey Adkins, Craig Stiltner, William P. Harris, G. Roger Rife, Earl Scott, J. Carroll Branham, Harold H. Fuller and zero (0) nays, this board did hereby adopt the following Order regarding the abandonment of Blue Tick Road, County Road Number 2401 located in the Knox Magisterial District:

**BUCHANAN COUNTY, VIRGINIA BOARD OF SUPERVISORS
ORDER**

Whereas, November 6th, 2017 the Buchanan County, Virginia Board of Supervisors conducted a public hearing to consider the abandonment of Blue Tick Road, County Road/Bridge # 2401, located in the Knox Magisterial District of Buchanan County; and

Whereas, said public hearing was conducted after compliance with the notice provisions required by Va. Code sections 33.2-914 through 33.2-926; and

Whereas, after the public hearing, the Buchanan County, Va. Board of Supervisors voted to abandon Blue Tick Road, County Road/Bridge # 2401; and

Whereas, the Buchanan County, Va. Board of Supervisors having found that no public necessity exists for the continuance of Blue Tick Road and that the public would be served by abandoning Blue Tick Road it is now ordered by the Board of Supervisors:

That the Blue Tick Road, County Road/Bridge # 2401 is hereby abandoned pursuant to Virginia Code sections 33.2-914 through 33.2-926; and

That the Clerk of the Board is hereby directed to place this order in the minutes of the Board of Supervisors for its regular monthly meeting of November 6th, 2017.

Date

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

ATTEST:

Robert Craig Horn, County Administrator

IN RE: MARCUS STILTNER, COAL HAUL ROAD ENGINEER - CONSIDER APPROVING BID AND CONTRACT FOR COUNTY ROAD PAVING OPERATIONS AND AUTHORIZE THE CHAIRMAN OF THE BUCHANAN COUNTY BOARD OF SUPERVISORS AND COUNTY ADMINISTRATOR FOR BUCHANAN COUNTY, VIRGINIA TO EXECUTE SUCH CONTRACT ON BEHALF OF BUCHANAN COUNTY WITH THE APPROVAL AS TO FORM BY THE COUNTY ATTORNEY

Marcus Stiltner, Coal Haul Road Engineer stated no bids were received for county asphalt projects. I've been having problems with the company that has the contract now and told them I was going to rebid out the county asphalt projects. The company called me this morning and said they're ready to work.

J. Carroll Branham, Chairman stated we go through this all the time. We'd be better off to get a paver and roller and do our own work.

Since, it's so late in the year to rebid, we'll see if Shortt & Son will get the asphalt projects completed before winter, stated Mr. Stiltner.

IN RE: CONSIDER ADOPTING RESOLUTION FOR SLEEP DRIVE ROAD, COUNTY ROAD NUMBER 3231 AND DEED OF GIFT BETWEEN GERALD STILTNER AND DANA DALES STILTNER, HUSBAND AND WIFE AND BUCHANAN COUNTY, VIRGINIA AND AUTHORIZE 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 TO ACKNOWLEDGE ITS ACCEPTANCE OF SUCH PROPERTY WITH THE APPROVAL AS TO FORM BY THE COUNTY ATTORNEY

After a general discussion by the board upon motion by G. Roger Rife seconded by Earl Scott and with the following roll call vote of seven (7) yeas, G. Roger Rife, Earl Scott, William P. Harris, Trey Adkins, Craig Stiltner, Harold H. Fuller, J. Carroll Branham and zero (0) nays, this board did hereby adopt the following Resolution for Sleep Drive Road, County Road number 3231 and Deed of Gift between Gerald Stiltner and Dana Dales Stiltner, Husband and Wife and Buchanan County, Virginia and authorized 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 to

acknowledge its acceptance of such property with the approval as to form by the County Attorney:

RESOLUTION

IN RE: ACCEPTANCE OF DEED OF GIFT BY AND BETWEEN GERALD STILTNER AND DANA DALES STILTNER, HUSBAND AND WIFE, TO BUCHANAN COUNTY, VIRGINIA REGARDING SLEEPY DRIVE ROAD LOCATED IN THE SOUTH GRUNDY MAGISTERIAL DISTRICT, COUNTY ROAD NUMBER 3231

BE IT RESOLVED, by the Buchanan County Board of Supervisors that we approve acceptance of the property described in that Deed of Gift attached hereto between Gerald Stiltner and Dana Dales Stiltner, Husband and Wife and Buchanan County, Virginia and authorized 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 to acknowledge its acceptance of such property with the approval as to form by the County Attorney.

This Resolution was adopted by the Buchanan County Board of Supervisors on this the 6th day of November, 2017 by a roll call vote of seven for and zero against.

J. Carroll Branham, 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 6th day of November, 2017, by and between **GERALD STILTNER and DANA DALES STILTNER, husband and wife**; hereinafter sometimes referred to as “**GRANTORS**”, and **BUCHANAN COUNTY, VIRGINIA**, a Political Subdivision of the Commonwealth of Virginia, hereinafter sometimes referred to as “**GRANTEE**”. [Exempt from recordation taxes pursuant to Code §58.1-811 (A) (3).]

WITNESSETH:

WHEREAS, the Grantee wishes to maintain a road with turning area which is a part of the public road in the South Grundy Magisterial District for the traveling public, named Sleepy Drive Road, County Road # 3231 ; and

WHEREAS, the Grantors desire to give and donate and the Grantee desires to accept such property as set forth in this deed of conveyance to provide the right of way

for a road which is part of the public road known as Sleepy Drive Road, County Road # 3231; and,

NOW THEREFORE, for and in consideration of promoting the public interest by providing a road with turning area which is part of a public road known Sleepy Drive Road, County Road # 3231 in the South Grundy Magisterial District for use of the traveling public, the Grantors do hereby give, donate, grant and convey unto the Grantee, **WITH GENERAL WARRANTY AND ENGLISH COVENANTS OF TITLE** , all their right, title and interest in and to all of those certain tracts or parcels of land situate in South Grundy Magisterial District, in Buchanan County, Virginia, and being a portion of the same property which were acquired by the Grantors as set out in the sources of title herein, and being more particularly bounded and described as follows:

THEREFORE the existing road and turning area is described as follows:

BEGINNING at a point on the proposed Northern right-of-way of Sleepy Drive, said point has an approximate NAD 1983 Virginia South Zone coordinate value of N=3,633,598.359 and E=10,431,413.956; thence continuing with said Northern right-of-way the following N 87°32'40" E a distance of 19.90' to a point; thence N 76°12'39" E a distance of 74.40' to a point; thence N 85°58'17" E a distance of 83.39' to a point; thence S 13°15'40" E a distance of 3.94' to a point; thence N 58°42'01" E a distance of 54.45' to a point; thence N 24°36'42" E a distance of 11.02' to a point; thence N 16°11'05" W a distance of 21.49' to a point; thence N 41°19'11" E a distance of 18.34' to a point; thence N 60°50'49" E a distance of 19.30' to a point; thence leaving said Northern Right-of-way S 28°35'08" E a distance of 30.00' to a point on the proposed Southern right-of-way of Sleepy Drive; thence continuing with said right-of-way the following S 61°24'52" W a distance of 20.95' to a point; thence S 09°26'58" W a distance of 22.50' to a point; thence S 24°35'25" W a distance of 10.09' to a point; thence S 58°42'01" W a distance of 65.85' to a point; thence N 13°15'40" W a distance of 4.13' to a point; thence S 85°58'17" W a distance of 86.14' to a point; thence S 76°12'39" W a distance of 74.64' to a point; thence S 87°19'40" W a distance of 30.82' to a point; thence N 21°24'49" E a distance of 21.99'; to the point of beginning, having an area of 6370.71 square feet, and containing 0.146 acres more or less.

Source and title for Grantor: Gerald Stiltner and Dana Dales Stiltner, husband and wife, acquired a portion of the land affected by this right-of-way deed by a deed conveyance recorded in Deed Book 445, Page 95, in the Clerk's Office of the Circuit Court of Buchanan County, Virginia. For a more particular description of said conveyance reference is made to the recorded deed. Said land affected by this right-of-way deed is shown as parcel # 084 Eng. B Tax Map # 2HH-183.

Included in this deed of conveyance is the permanent right and easement to use such additional areas for cut and/or fill slopes as being required for the proper execution of the work to be performed. Said work shall include location and construction of, or other improvement to, a public road to be used and utilized by the general public at large for all public transportation purposes. Said permanent easement will be utilized for maintenance of cut and/or fill slopes created as a requirement for the proper execution of the work to be performed.

Included in this deed of conveyance is the right and easement to construct, improve, relocate and maintain any creek, drain, drainage ditch or other drainage facilities that may exist on the lands of the Grantors or that may be needed or convenient for the proper and adequate drainage of the aforesaid road and surrounding property and/or location, construction, reconstruction or other improvement of a road within the property to be conveyed.

AND FURTHER WITNESSETH: That the Grantors, 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 they, the said Grantors, will give, grant and convey unto such public utility company or corporation an easement in, over and across the lands of the Grantors lying adjacent to the lands herein conveyed for the relocation, construction, operation and maintenance of said facilities.

The Grantors covenant to and with the Grantee that they will warrant generally the title to the property hereby conveyed; that they have the right to convey same to the Grantee; that the Grantee shall have quiet possession of same, free from encumbrances, that Grantors have done no act to encumber same; and, that Grantors 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. Additionally, this conveyance is subject to all exceptions, limitations or conditions contained in any document which constitutes a muniment of title to the property being conveyed herein and that have been heretofore been recorded in the Clerk's Office of the Circuit Court of Buchanan County, Virginia.

That on the 6th day of November, 2017, the Buchanan County Board of Supervisors, at a duly held meeting of the Board, approved the acquisition 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 property acquisition.

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.

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IN RE: CONSIDER ADOPTING THE RESOLUTION REGARDING THE VIRGINIA DEPARTMENT OF TRANSPORTATION FISCAL YEAR 2018-2019, REVENUE SHARING PROGRAM

After a general discussion by the board upon motion by Trey Adkins seconded by Harold H. Fuller and with a roll call vote of seven (7) yeas, Harold H. Fuller, Craig Stiltner, Trey Adkins, J. Carroll Branham, G. Roger Rife, Earl Scott, William P. Harris and zero (0) nays, this board did hereby adopt the following Resolution regarding the Virginia Department of Transportation Fiscal Year 2018/2019, Revenue Sharing Program:

RESOLUTION

At a regularly scheduled meeting of the Buchanan County Board of Supervisors held on November, 6th 2017, a motion by Trey Adkins, seconded by Harold H. Fuller the following resolution was adopted by a vote of Seven yeas and Zero nays:

WHEREAS, the Buchanan County Board of Supervisors desires to submit an application for an allocation of funds of up to \$1,000,000 through the Virginia Department of Transportation Fiscal Year 2018-2019, Revenue Sharing Program; and,

WHEREAS, \$1,000,000 of these funds are requested to fund structural rehabilitation projects along various routes and distances throughout the seven (7) magisterial districts of Buchanan County; and,

WHEREAS: The Buchanan County Board of Supervisors hereby supports this application for an allocation of \$1,000,000 through the Virginia Department of Transportation Fiscal Year 2018-2019 Revenue Sharing Program.

NOW THEREFORE BE IT RESOLVED, that the Buchanan County Board of Supervisors hereby commits to fund its local share of preliminary engineering, right-of-way and construction (as applicable) of the project(s) under agreement with the Virginia Department of Transportation in accordance with the project financial document(s).

BE IT FURTHER RESOLVED, that the County Administrator is authorized to execute all agreements and/or addendums for any approved projects with the Virginia Department of Transportation.

ADOPTED this 6th day of November, 2017.

A COPY ATTEST

Robert C. Horn, County Administrator

**IN RE: CONSIDER REQUESTING THE COAL HAUL ROAD COMMITTEE
 TO PURCHASE AN ASPHALT SPREADER AND ROLLER TO BE
 USED FOR COUNTY ROAD PROJECTS**

After a general discussion by the board upon motion by William P. Harris seconded by Earl Scott and with the following roll call vote of seven (7) yeas, William P. Harris, Earl Scott, Craig Stiltner, G. Roger Rife, J. Carroll Branham, Trey Adkins, Harold H. Fuller and zero (0) nays, this board did hereby approve to request the Coal Haul Road Committee to purchase an asphalt spreader and roller to be used for county road projects.

**IN RE: CONSIDER APPROVING THE PUBLIC NOTICE REGARDING FAIR
 HOUSING RESOLUTION FOR THE COMMUNITY DEVELOPMENT
 BLOCK GRANT FUNDS**

After a general discussion by the board upon motion by Trey Adkins seconded by Earl Scott with a roll call vote of seven (7) yeas, William P. Harris, Earl Scott, Craig Stiltner, G. Roger Rife, J. Carroll Branham, Trey Adkins, Harold H. Fuller and zero (0) nays, this board did hereby approve the following Public Notice regarding Fair Housing Resolution for the Community Development Block Grant funds:

**PUBLIC NOTICE
FAIR HOUSING RESOLUTION**

Be it known by all persons, that the following resolution of endorsing the concept of FAIR HOUSING was duly adopted and approved on November 6th, 2017.

WHEREAS, Buchanan County wishes to ensure equal opportunity to all persons residing in County to live in decent housing facilities, and

WHEREAS, discrimination on the basis of race, color, religion, national origin, sex, age, familial status or handicap in connection with the sale, purchase, leasing, or financing of housing facilities will be prohibited by the County, and

WHEREAS, the County does hereby designate the County Administrator as the Fair Housing Administrator to investigate all complaints of fair housing discrimination.

NOW, THEREFORE, BE IT RESOLVED that the County endorses the concept of fair housing within the County and the County Administrator, Craig Horn, as the designated Fair Housing Administrator, is hereby authorized to further the County's efforts in this regard.

R. Craig Horn, County Administrator

IN RE: CONSIDER ADOPTING THE RESOLUTION REGARDING RT. 83, LOVERS GAP ROAD PROJECT. (PREVIOUSLY APPROVED ON JULY 17TH, 2017)

After a general discussion by the board upon motion of Earl Scott seconded by Harold H. Fuller and with a roll call vote of seven (7) yeas, William P. Harris, Earl Scott, Craig Stiltner, G. Roger Rife, J. Carroll Branham, Trey Adkins, Harold H. Fuller and zero (0) nays, this board did hereby adopt the following Resolution regarding Rt. 83, Lovers Gap Road, project number 0083-013-113, C501:

The Board of Supervisors of Buchanan County, in regular meeting on the 6th day of November, 2017, adopted the following:

RESOLUTION

WHEREAS, the Virginia Department of Transportation has constructed Route 83 on a new alignment under Project 0083-013-113, C501 (UPC 76507), and

WHEREAS, the project sketch and VDOT Form(s) AM4.3, attached and incorporated herein as a part of this resolution, defines adjustments required in the secondary system of state highways as a result of that construction, and

WHEREAS, the new road serves the same citizens as served by those portions of old road identified in the project sketch to be abandoned, which portions no longer serve a public need, and

WHEREAS, the portion of old road identified to be discontinued is deemed by the Virginia Department of Transportation to no longer provide a public convenience sufficient to warrant maintenance at public expense as a part of the secondary system of state highways,

NOW, THEREFORE, BE IT RESOLVED, this Board requests the Virginia Department of Transportation to add segment(s) G-D, D-H, and E-J to the secondary system of state highways, pursuant to §33.2-705 of the Code of Virginia, for which sections this Board hereby guarantees the right of way to be clear and unrestricted, including any necessary easements for cuts, fills and drainage, and

BE IT FURTHER RESOLVED, this Board concurs with the Commonwealth Transportation Board's discontinuance of segment(s) I-F as a part of the primary system of state highways, pursuant to §33.2-901 of the Code of Virginia, and

BE IT FURTHER RESOLVED, this Board requests that segment(s) C-G and H-I be transferred from the primary system of state highways to the secondary system of state highways and accordingly renumbered as part of the secondary system of state highways, and

BE IT FINALLY RESOLVED, this Board orders that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Recorded Vote
Moved By: Earl Scott
Seconded By: Harold H. Fuller
Yeas: Seven
Nays: Zero

A Copy Teste:

Robert C. Horn, County Administrator

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IN RE: CONSIDER ADOPTING THE LAND USE PERMIT RESOLUTION FROM THE VIRGINIA DEPARTMENT OF TRANSPORTATION FOR THE BUCHANAN COUNTY PUBLIC SERVICE AUTHORITY

After a general discussion by the board upon motion by Earl Scott seconded by Harold H. Fuller and with a roll call vote of five (5) yeas, Earl Scott, Harold H. Fuller, J. Carroll Branham, Craig Stiltner, William P. Harris, one (1) nay, G. Roger Rife and one (1) abstention, Trey Adkins, with Mr. Adkins stating he was employed by the Buchanan County Public Service Authority, this board did hereby adopt the following Land Use Permit Resolution from the Virginia Department of Transportation for the Buchanan County Public Service Authority:

LAND USE
PERMIT
RESOLUTION
November 6th, 2017

*Buchanan County,
Virginia*

“RESOLUTION”

WHEREAS, it becomes necessary from time to time for the Buchanan County Public Service Authority to obtain land use permits from the Virginia Department of Transportation to install, construct, maintain and operate certain public works and public utilities projects along, across over and upon highway systems of the Commonwealth of Virginia; and,

WHEREAS, expense, damage or injury may be sustained by the Commonwealth of Virginia growing out of granting to the Buchanan County Public Service Authority by the Virginia Department of Transportation of said permits for the work aforesaid;

NOW, THEREFORE, BE IT RESOLVED by the Buchanan County Board of Supervisors this 6th day of November, 2017:

Section 1: That in accordance with the provisions of Section 24VAC30-151-720 of the Land Use Permit Regulations of the Virginia Department of Transportation, the Buchanan County Board of Supervisors does hereby grant assurances to the Virginia Department of Transportation (VDOT) that it shall in all respects comply with all of the conditions of the permit or permits that have been, or will be, granted to the Buchanan County Public Service Authority and guarantees the successful completion of the work, or, if appropriate, restoration of the right of way to its original condition.

Section 2: That the County Administrator, City or Town Mayor, or their designee, be, and hereby is authorized to execute on behalf of the Buchanan County Public Service Authority all land use permits and related documents of the Virginia Department of Transportation.

Section 3: That this resolution shall be a continuing resolution and shall not be revoked unless and until sixty (60) days written notice of any proposed revocation be submitted to the Virginia Department of Transportation.

Section 4: That the Buchanan County Public Service Authority shall, if requested by the Virginia Department of Transportation, provide a letter that commits to using the surety provided by its contractor or to have the contractor execute a dual obligation rider that adds the Virginia Department of Transportation as an additional obligee to the surety bond provided to the locality, with either of these options guaranteeing the work performed within state maintained right-of-way under the terms of the land use permit for that purpose.

BE IT STILL FURTHER RESOLVED that the County Administrator, City or Town Mayor, or their designee, be, and hereby is authorized and directed to procure insurance required by Section 1 herein.

The foregoing Resolution was adopted by the Buchanan County Board of Supervisors at its regular meeting held on Monday, November 6th, 2017 in Buchanan County, Grundy Virginia.

J. Carroll Branham, Chairman

Attest:

Robert C. Horn, County Administrator

_____ 000 _____

IN RE: CONSIDER APPROVING BIDS FOR PURCHASE OF EIGHT (8) 40 YARD ROLL OFF CONTAINERS AND AUTHORIZE THE CHAIRMAN OF THE BUCHANAN COUNTY BOARD OF SUPERVISORS AND COUNTY ADMINISTRATOR FOR BUCHANAN COUNTY, VIRGINIA TO EXECUTE SUCH CONTRACT ON BEHALF OF BUCHANAN COUNTY WITH THE APPROVAL AS TO FORM BY THE COUNTY ATTORNEY

After a general discussion by the board upon motion by Trey Adkins seconded by Earl Scott and with the following roll call vote of seven (7) yeas, Trey Adkins, Earl Scott, G. Roger Rife, William P. Harris, Craig Stiltner, Harold H. Fuller, J. Carroll Branham and zero (0) nays, this board did hereby approve the bid from Wastequip in the amount of \$35,040.00 for the purchase of eight (8) 40 yard roll-off rectangular containers 8 ft. wide and authorized the Chairman of the Buchanan County Board of Supervisors and County Administrator for

Buchanan County, Virginia to execute such Contract on behalf of Buchanan County with the approval as to form by the County Attorney:

CONTRACT

THIS AGREEMENT, made and entered into this the 6th day of November, 2017, by and between **Buchanan County**, a Political Subdivision of the Commonwealth of Virginia, party of the first part; hereinafter sometimes referred to as “**County**,” and **Wastequip**, party of the second part, hereinafter referred to as “**Vendor**”.

WITNESSETH:

THAT for and in consideration of the mutual covenants and agreements herein contained, the parties hereto do hereby agree as follows:

I.

The Vendor agrees to sell and the County agrees to buy 8 Roll-Off Rectangular Containers to be used by the Buchanan County Sanitation Department, as described in the Invitation to Bid made a part of this contract by incorporation by reference as Exhibit “A”.

II.

The Vendor warrants to County and to the County’s successors, assigns that:

- 1) Eight (8) 40 Yard Roll-Off Rectangular Containers, 22 ft. Long and 8 ft. Wide;
- 2) All Stand Specs and all painted medium blue;
- 3) Delivery Fee;
- 4) The (8) 40 Yard Roll-Off Rectangular Containers are free of any defect in material and/or workmanship; and
- 5) The (8) 40 Yard Roll-Off Rectangular Containers are hereunder shall be delivered free from any security Interest or other lien or encumbrance; and
- 6) The goods sold hereunder conform to the description and specifications set forth in the specification incorporated into the invitation to bid which resulted in the award of this contract.

III.

County shall pay the Vendor for providing the 8 Roll-Off Containers in Exhibit “A” at the purchase price of:

Purchase bid price is **\$35,040.00.**

Payment of the purchase price shall be made within thirty (30) days of delivery of the 8 Roll-Off Rectangular Containers to the County.

IV.

Vendor warrants and guarantees that title to the 8 roll-off containers, will pass to County no later than the time of payment free and clear of all liens.

V.

In the event that the Vendor fails to complete the performance required of it under this Agreement or in other way is in default of performance hereunder, County shall have the right to the remedies set forth at Virginia Code section 8.2-711, 8.2-712, 8.2-713, 8.2-714, 8.2-715, 8.2-716 and 8.2-717, along with any other remedies provided by either statutory or common law that may be applicable.

VI.

During the performance of this Agreement, the Vendor agrees as follows:

A. i. The Vendor will not discriminate against any employee or applicant for employment because of race, religion, color, sex, national origin, age, disability, or other basis prohibited by state law relating to discrimination in employment, except where there is a bona fide occupational qualification reasonably necessary to the normal operation of the vendor. The Vendor agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause.

ii. The vendor, in all solicitations or advertisements for employees placed by or on behalf of the vendor, will state that such vendor is an equal opportunity employer.

iii. Notices, advertisements and solicitations placed in accordance with federal law, rules or regulation shall be deemed sufficient for the purpose of meeting the requirements of this section.

B. The vendor will include the provisions of the foregoing paragraphs A(i), A(ii), and A(iii) in every subcontract or purchase order of over \$10,000.00, so that the provisions will be binding upon each subcontractor or vendor.

C. During the performance of this contract, the vendor will:

i. Provide a drug-free workplace for the vendor's employees;

ii. Post in conspicuous places, available to employees and applicants for employment, a statement notifying employees that the unlawful manufacture, sale, distribution, dispensations, possession, or use of a controlled substance or marijuana is prohibited in the Vendor's workplace and specifying the actions that will be taken against employees for violations of such prohibition;

iii. State in all solicitations or advertisements for employees placed by or on behalf of the Vendor that the vendor maintains a drug-free workplace; and

iv. Include the provisions of the foregoing clauses in every subcontract or purchase order of over \$10,000, so that the provisions will be binding upon each subcontractor or vendor.

For the purposes of this section, "drug-free workplace" means a site for the performance of work done in connection with a specific contract awarded to a vendor in accordance with this chapter, the employees of whom are prohibited from engaging in the unlawful manufacture, sale, distribution, dispensation, possession or use of any controlled substance or marijuana during the performance of the contract.

D. The Contractor does not and shall not during the performance of this contract knowingly employ an unauthorized alien as defined in the federal Immigration Reform and Control Act of 1986.

E. In the event of the Vendor's noncompliance with this section of this Contract, (Section XII), this Agreement may be canceled, terminated, or suspended, in whole or in part, and the Vendor may be declared ineligible for further Agreements and such other sanctions may be imposed and remedies invoked as otherwise provided by law.

VII.

Time is of the essence in the completion of this contract. The Vendor shall deliver 8 Roll-Off Containers within seven (7) days of execution of this agreement. However, the County may extend this deadline upon a good cause showing of the Vendor.

VIII.

Not modification of any of the terms of this Agreement, nor any extension of the length of time allowed for the completion of performance governed by this Agreement, shall be valid without the advance written approval of the Buchanan County and/or compliance with Virginia Code section 2.2-4309.

IX.

The Vendor shall not assign his rights or obligations under this Agreement. The Vendor represents that he does not intend to use any subcontractors to complete performance of this contract.

X.

County may cancel this Agreement at any time prior to complete performance by the Vendor based upon a decision by County that such cancellation is in the best interest of County. Any such decision shall be a discretionary decision of County.

XI.

This Agreement shall be construed in accordance with the laws of the Commonwealth of Virginia. The parties agree that the Circuit Court for Buchanan County shall be the proper venue for litigation hereunder whether or not such alleged breach involves Federal law or jurisdiction and that disputes between the parties which are not settled by the parties shall be settled by the Circuit Court of Buchanan County.

XII.

If any provisions of this Agreement shall be deemed by a court of competent jurisdiction to be invalid, the remainder of this Agreement shall nevertheless remain in full force and effect. This Agreement shall be construed in accordance with the laws of the Commonwealth of Virginia.

XIII.

The Contractor if organized as a stock or nonstock corporation, limited liability

company, business trust, or limited partnership or registered as registered limited partnership shall be authorized to transact business in the Commonwealth as a domestic or foreign business entity.

EXECUTED IN DUPLICATE ORIGINALS.

WITNESS the following signatures and seals:

BUCHANAN COUNTY

By: _____
Chairman of the
Buchanan County Board of Supervisors

ATTEST:

Robert Craig Horn, County Administrator
for Buchanan County, Virginia

VENDOR: WASTEQUIP

BY: _____
Sales Representative

APPROVED AS TO FORM:

Lawrence L. Moise III, County Attorney
for Buchanan County, Virginia

_____ 000 _____

IN RE: CONSIDER APPROVING VENDORS FOR SNOW REMOVAL

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 seven (7) yeas, Harold H. Fuller, Earl Scott, Craig Stiltner, Trey Adkins, William P. Harris, J. Carroll Branham, G. Roger Rife and zero (0) nays, this board did hereby approve the following vendors for snow removal:

- B & B Plowing
- Andy Bailey
- Jimmy Billiter
- Andre Deel
- Nellma Hensley
- Looney's Trucking & Construction
- R & S Auto Repair
- Bobby Taylor
- Kelley Vance
- Cline Construction
- Gerald Jackson

IN RE: CONSIDER APPROVAL TO HIRE SAMUEL ROSE AS A PART-TIME EMPLOYEE FOR THE HURRICANE MAGISTERIAL DISTRICT

After a general discussion by the board upon motion by William P. Harris seconded by Trey Adkins and with the following roll call vote of seven (7) yeas, Harold H. Fuller, Earl Scott, Craig Stiltner, Trey Adkins, William P. Harris, J. Carroll Branham, G. Roger Rife and zero (0) nays, this board did hereby approve to hire Samuel Rose as a part-time employee for the Hurricane Magisterial District at an hourly rate of \$15.00 to be paid from Hurricane District Highways, Streets and Bridges.

IN RE: CONSIDER APPROVING ADDITIONAL APPROPRIATIONS

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

- Additional appropriation to Hurricane District Park and Rec., account number 71040-6022-02 in the amount of \$887.00;
- Additional appropriation to Rocklick District Park and Rec., account number 71040-5604-06 in the amount of \$400.00;
- Additional appropriation to Athletic Fields, account number 71040-5604-09 in the amount of \$367.58;
- Additional appropriation to Athletic Fields, account number 71040-5604-09 in the amount of \$85.31;
- Additional appropriation to Hurricane District Park and Rec., account number 71040-6022-02 in the amount of \$280.00;
- Additional appropriation to Rowe Community Center, account number 53050-5604-02 in the amount of \$150.00;
- Additional appropriation to William P. Harris Community Center, account number 71040-7010-02 in the amount of \$1,830.00;
- Additional appropriation to Treasurer's Office, (office supplies) account number 12130-6001 in the amount of \$29.50;
- Additional appropriation to Circuit Court Clerk's Office, (repair and maint.) account number 21060-3320 in the amount of \$98.13.

IN RE: CONSIDER APPROVING TO ISSUE A CHECK FOR THE FOLLOWING COYOTE CLAIMS IN THE AMOUNT OF \$50.00 FROM FUND 10, LIVESTOCK CLAIMS

After a general discussion by the board Upon motion by Harold H. Fuller seconded Trey Adkins and a roll call vote of seven (7) yeas, Harold H. Fuller, Earl Scott, Craig Stiltner, Trey Adkins, 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:

- Mike Young
- David Rife
- Chris Wolford (two claims)
- Gary Hughes
- Morgan Hall

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IN RE: CONSIDER APPROVING TO SET THE CUT-OFF DATE FOR AGENDA ITEMS FOR THE JANUARY 2018 BOARD OF SUPERVISOR MEETING TO DECEMBER 11TH, 2017, DUE TO THE RELOCATION OF THE OFFICE

After a general discussion by the board upon motion by Trey Adkins seconded by Earl Scott and with the following roll call vote of seven (7) yeas, Harold H. Fuller, Earl Scott, Craig Stiltner, Trey Adkins, William P. Harris, J. Carroll Branham, G. Roger Rife and zero (0) nays, this board did hereby approve to set the cut-off date for agenda items for the January 2018 board of supervisor meeting to December 11th, 2017, due to the relocation of the office.

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IN RE: CONSIDER APPOINTING A COMMITTEE TO CONDUCT COMPREHENSIVE REVIEW OF THE EMERGENCY OPERATIONS PLAN (EOP) AND MAKE RECOMMENDATIONS OF THE REVISION TO THE BOARD

After a general discussion by the board upon motion upon motion by Harold H. Fuller seconded by Craig Stiltner and with the following roll call vote of seven (7) yeas, Harold H. Fuller, Earl Scott, Craig Stiltner, Trey Adkins, William P. Harris, J. Carroll Branham, G. Roger Rife and zero (0) nays, this board did hereby approve to appoint the following to conduct a comprehensive review of the Emergency Operations Plan (EOP) and make a recommendation of the revisions to the board:

Bart Chambers
Sonny Riggsby
L. Lee Moise

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IN RE: CONSIDER APPROVING BID AND CONTRACT FOR THE REPLACEMENT AND REDESIGN OF COMPLETE AIR DUCT SYSTEM FOR THE BUCHANAN COUNTY HEALTH DEPT. AND AUTHORIZE THE CHAIRMAN OF THE BUCHANAN COUNTY BOARD OF SUPERVISORS AND COUNTY ADMINISTRATOR FOR BUCHANAN COUNTY, VIRGINIA TO EXECUTE SUCH CONTRACT ON BEHALF OF BUCHANAN COUNTY WITH THE APPROVAL AS TO FORM BY THE COUNTY ATTORNEY

Robert C. Horn, County Administrator stated the Buchanan County Health Departments duct system was installed in the late 50's or 60's and is starting to have issues. We've advertised this project two (2) times. The low bid on this project is \$26,250.00 he stated.

After a general discussion by the board, this board did hereby approve to rebid the project for the replacement and redesign of complete air duct system for the Buchanan County Health Department.

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IN RE: CONSIDER APPROVING BID AND CONTRACT BETWEEN BUCHANAN COUNTY AND TWPC, LLC. REGARDING PEST CONTROL IN THE ROCKLICK MAGISTERIAL DISTRICT AND AUTHORIZE THE CHAIRMAN OF THE BUCHANAN COUNTY BOARD OF SUPERVISORS AND COUNTY ADMINISTRATOR FOR BUCHANAN COUNTY, VIRGINIA TO EXECUTE SUCH CONTRACT ON BEHALF OF BUCHANAN COUNTY WITH THE APPROVAL AS TO FORM BY THE COUNTY ATTORNEY

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, Harold H. Fuller, Earl Scott, Craig Stiltner, Trey Adkins, William P. Harris, J. Carroll Branham, G. Roger Rife and zero (0) nays, this board did hereby approve the bid and the following Contract between Buchanan County and TWPC, LLC. regarding pest control in the Rocklick Magisterial District and authorized the Chairman of the Buchanan County Board of Supervisors and County Administrator for Buchanan County, Virginia to execute such Contract on behalf of Buchanan County with the approval as to form by the County Attorney:

CONTRACT

THIS AGREEMENT, made and entered into this the 6th day of November, 2017, by and between **Buchanan County**, a Political Subdivision of the Commonwealth of Virginia, party of the first part; hereinafter sometimes referred to as “**County**,” and **TWPC, LLC.**, party of the second part, hereinafter referred to as “**Vendor**”.

WITNESSETH:

THAT for and in consideration of the mutual covenants and agreements herein contained, the parties hereto do hereby agree as follows:

I.

The Vendor agrees to provide pest control services on a monthly basis based on the specifications set forth on the Invitation for Bid attached to this contract and made a part thereof by incorporation by reference as Exhibit “A” for the period of November 1st, 2017 to June 30th, 2018. This contract shall automatically renew annually for three (3) one-year renewals unless one of the parties notifies the other in writing of an intent not to renew the contract. Such written notice of an intent not to renew shall be mailed no later than thirty (30) days prior to the last day of an annual contract period.

II.

The Vendor agrees that in providing pest control services on a monthly basis to the building set forth on Exhibit “A”:

III.

County shall pay the Vendor for providing the services described in Exhibit “A” and further specified in this agreement the purchase price of:

Purchase bid price is: **\$180.00 per month, attached hereto as Exhibit “B”**.

Payment of the purchase price shall be made within thirty (30) days of receipt of the monthly invoice submitted by the Vendor to the County.

IV.

During the performance of this Agreement, the Vendor agrees as follows:

A. i. The Vendor will not discriminate against any employee or applicant for employment because of race, religion, color, sex, national origin, age, disability, or other basis prohibited by state law relating to discrimination in employment, except where there is a bona fide occupational qualification reasonably necessary to the normal operation of the vendor. The Vendor agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause.

ii. The vendor, in all solicitations or advertisements for employees placed by or on behalf of the vendor, will state that such vendor is an equal opportunity employer.

iii. Notices, advertisements and solicitations placed in accordance with federal law, rules or regulation shall be deemed sufficient for the purpose of meeting the requirements of this section.

B. The vendor will include the provisions of the foregoing paragraphs A(i), A(ii), and A(iii) in every subcontract or purchase order of over \$10,000.00, so that the provisions will be binding upon each subcontractor or vendor.

C. During the performance of this contract, the vendor will:

- i. Provide a drug-free workplace for the vendor's employees;
- ii. Post in conspicuous places, available to employees and applicants for employment, a statement notifying employees that the unlawful manufacture, sale, distribution, dispensations, possession, or use of a controlled substance or marijuana is prohibited in the Vendor's workplace and specifying the actions that will be taken against employees for violations of such prohibition;
- iii. State in all solicitations or advertisements for employees placed by or on behalf of the Vendor that the vendor maintains a drug-free workplace; and
- iv. Include the provisions of the foregoing clauses in every subcontract or purchase order of over \$10,000, so that the provisions will be binding upon each subcontractor or vendor.

For the purposes of this section, "drug-free workplace" means a site for the performance of work done in connection with a specific contract awarded to a vendor in accordance with this chapter, the employees of whom are prohibited from engaging in the unlawful manufacture, sale, distribution, dispensation, possession or use of any controlled substance or marijuana during the performance of the contract.

D. The Contractor does not and shall not during the performance of this contract, knowingly employ an unauthorized alien as defined in the federal Immigration Reform and Control Act of 1986.

E. In the event of the Vendor's noncompliance with this section of this Contract, (Section XII), this Agreement may be canceled, terminated, or suspended, in whole or in part, and the Vendor may be declared ineligible for further Agreements and such other sanctions may be imposed and remedies invoked as otherwise provided by law.

V.

No extra work, not required by the Quote document attached hereto as Exhibit "B" and hereinbefore mentioned shall be performed or other material furnished unless on written order of County certifying that the performance of such extra work or other material furnished has been approved and authorized by it.

VI.

Upon good cause shown by the Vendor, the County may in its discretion extend any deadline or time requirement set forth in this agreement.

VII.

No modification of any of the terms of this Agreement, nor any extension of the length of time allowed for the completion of performance governed by this Agreement, shall be valid without the advance written approval of the Buchanan County Board of Supervisors and compliance with Virginia Code Section 2.2-4309.

VIII.

The Vendor shall not assign his rights or obligations under this Agreement. The Vendor represents that he does not intend to use any subcontractors to complete performance of this contract.

IX.

County may cancel this Agreement at any time based upon a decision by County that such cancellation is in the best interest of County. Any such decision shall be a discretionary decision of County. If the County elects to cancel this contract, the County shall only be liable for goods and service supplied immediately prior to cancellation.

X.

This Agreement shall be construed in accordance with the laws of the Commonwealth of Virginia. The parties agree that the Circuit Court for Buchanan County shall be the proper venue for litigation hereunder whether or not such alleged breach involves Federal law or jurisdiction and that disputes between the parties which are not settled by the parties shall be settled by the Circuit Court of Buchanan County.

XI.

If any provisions of this Agreement shall be deemed by a court of competent jurisdiction to be invalid, the remainder of this Agreement shall nevertheless remain in full force and effect. This Agreement shall be construed in accordance with the laws of the Commonwealth of Virginia.

XII.

The vendor acknowledges that the privilege to submit bids to provide the County future goods and services shall be dependent upon the complete and strict adherence to the requirements set forth in this agreement.

XIII.

The Contractor if organized as a stock or nonstock corporation, limited liability company, business trust, or limited partnership or registered as registered limited partnership shall be authorized to transact business in the Commonwealth as a domestic or foreign business entity.

EXECUTED IN DUPLICATE ORIGINALS.

WITNESS the following signatures and seals:

BUCHANAN COUNTY

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

ATTEST:

Robert C. Horn, County Administrator
for Buchanan County, Virginia

VENDOR: TWPC, LLC.

BY: _____
Mikey Elswick, Owner

APPROVED AS TO FORM:

Lawrence L. Moise III, County Attorney
For Buchanan County, Virginia

_____ 000 _____

IN RE: CONSIDER APPOINTMENT AND/OR REAPPOINTMENT TO THE JOHN FLANNAGAN WATER AUTHORITY FOR A FOUR-YEAR TERM, WHICH WILL EXPIRE OCTOBER 31ST, 2021

After a general discussion by the board upon motion by G. Roger Rife seconded by Harold H. Fuller with a roll call vote of seven (7) yeas, G. Roger Rife, Earl Scott, William P. Harris, Trey Adkins, Craig Stiltner, J. Carroll Branham, Harold H. Fuller and zero (0) nays, this board did hereby reappoint Earl Scott to the John Flannagan Water Authority Board of Directors, for a four (4) year term ending on October 31st, 2021.

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IN RE: CONSIDER APPOINTMENT AND/OR REAPPOINTMENT TO THE BUCHANAN GENERAL HOSPITAL BOARD OF DIRECTORS FOR THE KNOX AND PRATER MAGISTERIAL DISTRICTS AND THE AT-LARGE MEMBER

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 seven (7) yeas, G. Roger Rife, Earl Scott, William P. Harris, Trey Adkins, Craig Stiltner, J. Carroll Branham, Harold H. Fuller and zero (0) nays, this board did hereby reappoint the following to the Buchanan General Hospital Board of Directors:

- Willis Smith, representative for the Knox Magisterial District for the term ending February 24th, 2023;
- Roger Coleman, representative for the Prater Magisterial District for the term ending February 24th, 2023;
- James W. Childress, Member At-Large for the term ending February 24th, 2023.

_____ 000 _____

IN RE: CONSIDER ADVERTISING FOR A FULL-TIME SANITATION TRUCK HELPER

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, G. Roger Rife, Earl Scott, William P. Harris, Trey Adkins, Craig Stiltner, J. Carroll Branham, Harold H. Fuller and zero (0) nays, this board did hereby approve to advertise for a full-time sanitation truck helper.

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IN RE: CONSIDER APPROVING THE REQUEST FROM THE BUCHANAN COUNTY TOURISM COMMITTEE

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, G. Roger Rife, Earl Scott, William P. Harris, Trey Adkins, Craig Stiltner, J. Carroll Branham, Harold H. Fuller and zero (0) nays, this board did hereby approve for the Buchanan County Tourism Committee to donate ten (10) bales of hay to the Big Rock Volunteer Fire Department. The hay was purchased by the tourism committee for the Fall Festival at the Coal Canyon Trail.

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IN RE: CONSIDER ADOPTING THE RESOLUTION REGARDING THE SPEARHEAD TRAILS (COAL CANYON TRAIL)

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

RESOLUTION

WHEREAS, Buchanan County and Southwest Regional Recreational Authority has expended hundreds of thousands of dollars to connect scenic mountain ATV trails to downtown Grundy; and

WHEREAS the Buchanan County Board of Supervisors have increased their efforts to develop additional commerce and trade in the Town of Grundy and in Buchanan County; and

WHEREAS the Buchanan County Board of Supervisors recognizes the potential for these businesses to grow through the efforts of Spearhead Trails and others to bring ATV traffic to the Town of Grundy, Buchanan County's county seat; and

WHEREAS both Buchanan County and the Town of the Grundy have worked diligently toward diversifying the county and town and recognize the value tourism

dollars through ATV traffic bring to the areas where riders have access to goods and services; and

WHEREAS access to Railroad Avenue and the Town Center from old Rt. 460, Riverside Drive, is necessary in order to connect ATV traffic to fuel and food, which in turn will assist the businesses in those areas to grow; and

NOW THEREFORE, we ask that the Virginia Department of Transportation cooperate by taking whatever action is needed to allow for the connection of Spearhead Trails Coal Canyon Trail 48 to Railroad Avenue.

This Resolution was adopted by the Buchanan County Board of Supervisors on this the 6th day of November, 2017.

Recorded vote:

Moved: Craig Stiltner

Seconded: Earl Scott

Yeas: Seven

Nays: Zero

J. Carroll Branham, Chairman

Buchanan County Board of Supervisors

ATTEST:

Robert Craig Horn, County Administrator

_____ 000 _____

IN RE: CONSIDER APPROVING A CONTRIBUTION TO TWIN VALLEY MIDDLE SCHOOL EARMARKED FOR THE BUCHANAN COUNTY BAND PROGRAM

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, G. Roger Rife, Earl Scott, William P. Harris, J. Carroll Branham, Craig Stiltner, Trey Adkins and zero (0) nays, this board did hereby approve a contribution to Twin Valley Middle School in the amount of \$2,100.00 earmarked for the Buchanan County Band Program to be divided equally among the seven (7) district accounts.

_____ 000 _____

IN RE: CONSIDER RATIFYING PAYROLL AFTER REVIEW

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, Harold H. Fuller, G. Roger Rife, Earl Scott, William P. Harris, J. Carroll Branham, Craig Stiltner, Trey Adkins and zero (0) nays, this board did hereby ratify the payroll after reviewing.

**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 Craig Stiltner seconded by Harold H. Fuller and with the following roll call vote of seven (7) yeas, Harold H. Fuller, G. Roger Rife, Earl Scott, William P. Harris, J. Carroll Branham, Craig Stiltner, Trey Adkins 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)

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

Upon a motion by Earl Scott seconded by Harold H. Fuller 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)(1), a personnel matter involving the Buchanan County Sanitation Dept.; Virginia Code Section, 2.2-3711 (A)(7), consultation with legal counsel regarding legal matters involving the proposed settlement from Lusk on the offset against the demolition contract; Virginia Code Section, 2.2-3711 (A)(3)(7), consultation with legal counsel regarding the new food pantry in the Rocklick District; Virginia Code Section, 2.2-3711 (A)(7), consultation with legal counsel and Michie Hamlett Law Firm and Ben Street, Esq. regarding the representation in the opioid case; Virginia Code Section, 2.2-3711 (A)(7), consultation with legal counsel regarding the Geopliant Data Sharing Agreement; Virginia Code Section, 2.2-3711 (A)(7), consultation with legal counsel regarding the Roberts Rules or Order issue (request for roll call vote when motion doesn't receive a second); Virginia Code Section, 2.2-3711 (A)(7), consultation with legal counsel regarding the proposal about Willow Brook Golf Course; Virginia Code Section, 2.2-3711 (A)(7), consultation with legal counsel regarding contributions to non-profit organizations and Virginia Code Section, 2.2-3711 (A)(7), consultation with legal counsel regarding the Bull Creek Trail.

Motion was made by William P. Harris to return from closed session seconded by Earl Scott and with a roll call vote of six (6) yeas, Harold H. Fuller, Craig Stiltner, William P.

Harris, J. Carroll Branham, G. Roger Rife, Earl Scott, zero (0) nays and one (1) absent, Trey Adkins.

This board's meeting resumed in open session after being in executive session for two (2) hours and twenty-four (24) minutes.

A motion by William P. Harris 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) (7), consultation with legal counsel regarding the resolution to the Virginia Department of Transportation that was on the agenda.

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 six (6) yeas, Harold H. Fuller, Craig Stiltner, William P. Harris, J. Carroll Branham, G. Roger Rife, Earl Scott, zero (0) nays and one (1) absent, Trey Adkins.

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**IN RE: CONSIDER ADOPTING THE RESOLUTION REGARDING THE
 OPIOID EPIDEMIC, WHICH IS PLAGUING BUCHANAN COUNTY**

After a general discussion by the board upon motion by William P. Harris seconded by Harold H. Fuller and with the following roll call vote of six (6) yeas, Harold H. Fuller, Craig Stiltner, William P. Harris, J. Carroll Branham, G. Roger Rife, Earl Scott, zero (0) nays and one (1) absent, Trey Adkins, this board did hereby adopt the following Resolution regarding the opioid epidemic, which is plaguing Buchanan County:

VIRGINIA: THE BUCHANAN COUNTY BOARD OF SUPERVISORS

RESOLUTION

THAT WHEREAS this honorable Board desires to retain legal counsel to pursue claims related to opioids on the terms set forth below, as agreed to by the Street Law Firm and MichieHamlett.

NOW THEREFORE, IT IS HEREBY RESOLVED that the County of Buchanan through its Board of Supervisors hereby retains the Street Law Firm, LLP

and MichieHamlett to investigate, prosecute, and litigate claims related to marketing, distribution, use, and/or sale of opioid(s) on a forty- percent contingency fee basis, calculated as 40% of the net recovery after costs and expenses are repaid.

Dated this the 6th day of November, 2017

BUCHANAN COUNTY BOARD OF SUPERVISORS

Chairman

ATTEST:

Robert C. Horn, County Administrator

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IN RE: DEPUTY M. A. HATFIELD - CONSIDER APPROVING THE REQUEST FROM THE BUCHANAN COUNTY SHERIFF'S OFFICE FOR AUTOMATED EXTERNAL DEFIBRILLATORS (AED) IN THE AMOUNT OF \$6,505.00

Deputy M. A. Hatfield with the Buchanan County Sheriff's Office stated refurbished automated external defibrillators (AEDs) would be cheaper than new units. The new units will have a five (5) year warranty. The lowest quote for the AEDs is \$6,505.00.

Robert C. Horn, County Administrator stated the sheriff's office has a supplies budget line item that has funding to purchase items such as the AEDs. We don't need to do any additional appropriations.

After a general discussion by the board upon motion by William P. Harris seconded by Earl Scott and with the following roll call vote of six (6) yeas, Harold H. Fuller, Craig Stiltner, William P. Harris, J. Carroll Branham, G. Roger Rife, Earl Scott, zero (0) nays and one (1) absent, Trey Adkins, this board did hereby approve to purchase five (5) automated external defibrillators (AEDs) from Heartsmart for the Buchanan County Sheriff's Office in the amount of \$6,505.00 from the E-911 account.

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IN RE: CONSIDER APPROVING LETTER TO MATT WEAVER WITH THE VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT REGARDING THE SWAN FORK WATERLINE EXTENSION PROJECT

After a general discussion by the board upon motion by Harold H. Fuller seconded by William P. Harris and with the following roll call vote of five (5) yeas, Harold H. Fuller, William P. Harris, J. Carroll Branham, G. Roger Rife, Earl Scott, one (1) nay, Craig Stiltner and one (1) absent, Trey Adkins, this board did hereby approve to submit a letter to Matt Weaver with the Virginia Department of Housing and Community Development regarding the Request for Prior Authorization of Costs for the Swan Fork Waterline Extension Project.

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IN RE: CONSIDER APPROVING THE ADDITIONAL BUDGET APPROPRIATIONS FOR THE BUCHANAN COUNTY SHERIFF'S OFFICE

After a general discussion by the board upon motion by G. Roger Rife seconded by Craig Stiltner and with the following roll call vote of six (6) yeas, Craig Stiltner, Harold H. Fuller, William P. Harris, J. Carroll Branham, G. Roger Rife, Earl Scott zero (0) nays and one (1) absent, Trey Adkins, this board did hereby approve the following for the Buchanan County Sheriff's Office:

- Additional budget appropriation and transfer of funds in the amount of \$12,000 from the Buchanan County Sheriff's Office Revenue Account #3-1-18990-124 to the budget expense account, line item 31020-6030 (restitution);
- Additional budget appropriation and transfer of funds in the amount of \$7,675.57 from Asset Forfeiture account, Fund 35 to Sheriff's Office, account 31020-1150 (salaries and wages) for overtime.

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IN RE: CONSIDER APPROVING THE DATA SHARING AGREEMENT BETWEEN GEOPLIANT AND BUCHANAN COUNTY.

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 six (6) yeas, Craig Stiltner, Harold H. Fuller, William P. Harris, G. Roger Rife, J. Carroll Branham, Earl Scott, zero (0) nays and one (1) absent, Trey Adkins, this board did hereby approve the Data Sharing Agreement between Geopliant and Buchanan County and authorized the Chairman of the Buchanan County Board of Supervisors and County Administrator for Buchanan County, Virginia to execute such agreement with the approval as to form by the County Attorney.

IN RE: CONSIDER APPROVING A CONTRIBUTION TO ROCK LICK FOOD PANTRY

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, Harold H. Fuller, William P. Harris, G. Roger Rife, J. Carroll Branham, Earl Scott, zero (0) nays and one (1) absent, Trey Adkins, this board did hereby approve to issue a check in the amount of \$5,000.00 to Rock Lick Food Pantry from account number (81120-5605).

IN RE: CONSIDER APPROVING TO REDUCE THE OFFSET TO EMPIRE SALVAGE & RECYCLING, INC. FOR THE DEMOLITION OF THE OLD JUDGE WILLIAMS BUILDING

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 six (6) yeas, Craig Stiltner, Harold H. Fuller, William P. Harris, G. Roger Rife, J. Carroll Branham, Earl Scott, zero (0) nays and one (1) absent, Trey Adkins, this board did hereby approve to reduce the offset to Empire Salvage & Recycling, Inc. from \$9,630.00 to \$4,140.00 regarding the application and certificate for payment in the amount of \$66,369.85 for the demolition of the Old Judge Williams Building, which was offset in the amount of originally \$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 at the October board of supervisors meeting. Therefore a check in the amount of \$5,490.00 shall be issued to Empire Salvage & Recycling, Inc. as a result of the reduction in the offset to \$4,140.00.

IN RE: CONSIDER TRANSFERRING THE GENERATOR AT THE BUCHANAN COUNTY COURTHOUSE TO THE SLATE CREEK VOLUNTEER FIRE DEPARTMENT

After a general discussion by the board upon motion William P. Harris seconded by Harold H. Fuller and with the following roll call vote of six (6) yeas, Craig Stiltner, Harold H. Fuller, William P. Harris, G. Roger Rife, J. Carroll Branham, Earl Scott, zero (0) nays and one (1) absent, Trey Adkins, this board did hereby approve to transfer the generator at the Buchanan County Courthouse to the Slate Creek Volunteer Fire Department, which will be

used to set up an emergency shelter if it becomes necessary contingent upon the fire department providing their State Corp. Commission information to the county.

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IN RE: CONSIDER APPROVING TO ISSUE A CHECK TO EMPIRE SALVAGE IN THE AMOUNT OF \$5,490.00

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 six (6) yeas, Craig Stiltner, Harold H. Fuller, William P. Harris, G. Roger Rife, J. Carroll Branham, Earl Scott, zero (0) nays and one (1) absent, Trey Adkins, this board did hereby approve issue a check in the amount of \$5,490.00 to Empire Salvage & Recycling, Inc. regarding the demolition of the Old Judge Williams Building.

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IN RE: CONTINUED MEETING FOR MONDAY, NOVEMBER 27TH, 2017 AT 10:00 A.M. REGARDING THE PUBLIC HEARING FOR THE PROPOSED JOINDER AGREEMENT.

Upon motion by Harold H. Fuller seconded by Earl Scott and with the following roll call vote of six (6) yeas, Harold H. Fuller, Craig Stiltner, William P. Harris, G. Roger Rife, Earl Scott, J. Carroll Branham, zero (0) nays and one (1) absent, Trey Adkins, this board did hereby approve to continue this meeting until Monday, November 27th at 10:00 a.m. regarding the public hearing for the proposed Joinder Agreement between Buchanan County, Virginia; Town of Grundy, Virginia and Buchanan County Public Service Authority.

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

Robert Craig Horn, County Administrator

MINUTES

A continued meeting of the Buchanan County Board of Supervisors was held on the 27th day of November 2017 starting at 10:00 o'clock a.m. at the boardroom of Buchanan County Courthouse located in Grundy, Virginia:

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

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

ABSENT: William P. Harris

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

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IN RE: PUBLIC HEARING – 10:00 A.M. – TO HEAR PUBLIC COMMENTS ON THE PROPOSED JOINDER AGREEMENT BY WHICH TERMS THE TOWN OF GRUNDY, VIRGINIA WOULD JOIN AND BECOME A MEMBER OF THE BUCHANAN COUNTY PUBLIC SERVICE AUTHORITY PURSUANT TO THE PROCEDURE AND REQUIREMENTS OF VIRGINIA CODE SECTIONS, 15.2-5112, 15.2-5104 AND 15.2-5105

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

L. Lee Moise, County Attorney stated the Town of Grundy has voiced some concerns about the provisions for future contributions to the Buchanan County Public Service Authority (PSA) from the town. We worked on a formula, myself, James Keen, Town Manager and Jason Gallagher, Attorney for the Town of Grundy, which I thought someone from the town council would be here today to discuss, he stated.

The town, PSA and board of supervisors have already agreed to the general terms of the settlement, stated Mr. Moise. Now, we're hung up again with the town not agreeing to the financial contribution.

J. Carroll Branham, Chairman asked do we have to do another public hearing if we change the joinder agreement?

Mr. Moise stated yes, if you approve something today and it's not what was advertised. First, it needs to go back to the PSA and the town. They would need to have another public hearing too.

What would be have to do to turn this issue over to the judge, asked Craig Stiltner, Rocklick District Supervisor?

I don't think this needs to be done, since we're close to getting a major issue resolved in this county, stated Mr. Moise.

Why did the town turn down the proposed Joinder Agreement, asked Mr. Stiltner?

Mr. Branham stated the town council doesn't like the financial contribution part of the agreement.

Earl Scott, Prater District Supervisor asked if the county receives all the revenue generated from the PSA?

Mr. Moise stated yes, this board has provided additional funds to the PSA for several years. According to the Joinder Agreement once the town's base revenue increases above two million five hundred dollars in a fiscal year, the town agrees to pay the authority ten (10%) percent of the base revenue over and above the two million five hundred dollars the following year, he stated. Apparently, the town wasn't a set number for this in the agreement.

G. Roger Rife, South Grundy District Supervisor asked who was the negotiating committee?

The attorneys for the town, county and PSA have been discussing the agreement, as well as it being discussed in closed session with the board, stated Mr. Moise.

Why should the town make a contribution to the authority, asked Mr. Rife?

This is at the will of the board if the part of the financial contribution is taken out, stated Mr. Moise.

Mr. Stiltner asked the board if there was anyone having a problem with taking it out?

There were no responds from the board.

Harold H. Fuller, Garden District Supervisor stated I was elected to this board in 1995 and Wayne Watts was the director of the PSA. During the time Mr. Watts was director, the county didn't have to supplement the PSA with additional funding. I think it's time the PSA gets things in order up there, he stated.

Guy Dillow, resident agreed with Mr. Fuller.

Upon motion by Craig Stiltner seconded by Harold H. Fuller and with a roll call vote of five (5) yeas, Craig Stiltner, Harold H. Fuller, Earl Scott, G. Roger Rife, J. Carroll

Branham, zero (0) nays, one (1) abstention, Trey Adkins and one (1) absent, William P. Harris, this board did hereby approve to close the public hearing.

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IN RE: CONSIDER APPROVING TO REMOVE THE PERCENTAGE PORTION FROM THE PROPOSED JOINDER AGREEMENT BETWEEN BUCHANAN COUNTY, VIRGINIA, TOWN OF GRUNDY, VIRGINIA AND 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 five (5) yeas, Craig Stiltner, Harold H. Fuller, Earl Scott, G. Roger Rife, J. Carroll Branham, zero (0) nays, one (1) abstention, Trey Adkins and one (1) absent, William P. Harris, this board did hereby approve to remove the paragraph 2.5 Financial Contribution from the Town to the Authority from the proposed Joinder Agreement between the Town of Grundy, Virginia, the Buchanan County Public Service Authority and Buchanan County, Virginia.

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IN RE: CONSIDER APPROVING THE JOINDER AGREEMENT AMONG BUCHANAN COUNTY, VIRGINIA, TOWN OF GRUNDY, VIRGINIA AND 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 five (5) yeas, Craig Stiltner, Harold H. Fuller, Earl Scott, G. Roger Rife, J. Carroll Branham, zero (0) nays, one (1) abstention, Trey Adkins and one (1) absent, William P. Harris, this board did hereby accept the Joinder Agreement after it has been revised by removing paragraph 2.5 Financial Contribution from the Town to the Authority from the Joinder Agreement.

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IN RE: CONSIDER APPROVAL TO ISSUE A CHECK TO THE BUCHANAN COUNTY PUBLIC SERVICE AUTHORITY FROM BUDGETED FUNDS

Robert C. Horn, County Administrator stated the \$250,000 is in the county's budget for the Buchanan County Public Service Authority.

After a general discussion by the board upon motion by Harold H. Fuller and with no seconded to his motion, Mr. Fuller requested a roll call vote as follows: five (5) yeas, Harold H. Fuller, Craig Stiltner, Earl Scott, J. Carroll Branham, G. Roger Rife, zero (0) nays, one (1) abstention, Trey Adkins and one (1) absent, William P. Harris, this board did hereby approve to issue a check in the amount of \$250,000.00 to the Buchanan County Public Service Authority (PSA) for funding allocated in the budget for fiscal year 2017/2018 and requested that an audit be done as quickly as possible on the PSA.

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IN RE: GENERAL DISCUSSION

Trey Adkins, Knox District Supervisor stated the school system has lost 36 students this year already. This will be a lost of funding estimated at \$450,000 in state funding. Once we approve the budget for the school system, we'll have to make up the difference that they lose in funding, he stated.

We took \$8 million from the CNX Gas account earmarked for the courthouse construction project, stated Mr. Adkins. I don't feel comfortable about this. I don't think we should be taking money from the rainy-day fund to fund the courthouse, he stated.

If we borrow the money for the courthouse project, at least we'll still have the rainy-day fund, stated Mr. Adkins. It'll be hard to borrow money if we're broke.

Robert C. Horn, County Administrator stated the way the budget works for the school system, they'll only spend up to the local contribution and what they get from state and federal funds this year. The treasurer stated in the past the school system adjusts their budget based on the amount of funding they'll receive, he stated.

It bothers me at the high number of kids that we're losing, stated Mr. Adkins.

We have \$1.8 million in the CNX Gas account now, stated Mr. Horn. I agree with Mr. Adkins, we do need a rainy-day fund.

Harold H. Fuller, Garden District Supervisor asked who closed the courthouse on Wednesday afternoon?

Mr. Horn stated the board of supervisor voted on this in January 2017.

Craig Stiltner, Rocklick District Supervisor stated regarding the school system, it's a guessing game when it comes to enrollment. It's not anyone fault, because you cannot predict these things is going to happen.

I've been told by the treasurer, the county is overspending based upon the amount of revenue coming in, stated Mr. Horn.

Mr. Fuller asked whose decision was it to purchase new vehicles for employees? Also, who decides who gets the older vehicles that are handed down.

Mr. Horn stated Mr. Adkins requested Mr. Moises's vehicle and Keith Baldwin makes the decision.

I'm having to use an old vehicle to push snow in my district, stated Mr. Fuller.

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IN RE: CONSIDER APPROVING TO SET A PUBLIC HEARING REGARDING A PROPOSED EASEMENT AT THE HARMAN GYMNASIUM FOR A WALK BRIDGE

Upon motion by Craig Stiltner seconded by Harold H. Fuller and with a roll call vote of six (6) yeas, Craig Stiltner, Harold H. Fuller, Trey Adkins, G. Roger Rife, Earl Scott, J. Carroll Branham, zero (0) nays and one (1) absent, William P. Harris, this board did hereby approve to schedule a public hearing for Monday, January 8th, 2018 at 10:15 a.m. regarding the proposed easement at the Harman gymnasium for a walk bridge to be constructed.

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IN RE: CONSIDER APPROVING FUNDING FOR BUCHANAN COUNTY PUBLIC SCHOOLS EARMARKED FOR ASBESTOS ABASEMENT

Craig Stiltner, Rocklick District Supervisor stated Buchanan County Public Schools has three (3) high schools in the county that's needing asbestos abatement, Grundy High School, Hurley High School and Council High School. The total cost for the asbestos abatement is estimated at \$52,000.

Currently, Grundy High School has the band room sealed off, stated Mr. Stiltner. There's a sign on the door, "Do Not Enter" "Asbestos". This is another reason to look at consolidation, he stated.

This county is to politically motivated to consolidate, stated Mr. Stiltner. Our kids need to be in a safe environment.

The courthouse has a sewer smell and now we're going to built a new building, stated Mr. Stiltner.

I have no problem to spend money when it comes to our kids and we could give up all our park and recreations, park and development accounts to assist in building a new school, stated Mr. Stiltner.

This issue needs to be done as soon as possible and there's funding in the Bull Creek Trail project that could be transferred to the school system, stated Mr. Stiltner.

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 six (6) yeas, zero (0) nays and one (1) absent, this board did hereby approve to transfer/appropriation in the amount of \$51,213.42 from Bull Creek Trail, account number 94100-7015 to Fund 20, Buchanan County Public Schools operating account earmarked for the three schools needing asbestos abatement, (Grundy High School, Council High School and Hurley High School).

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IN RE: CONSIDER APPROVING CONTRIBUTIONS

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 six (6) yeas, Harold H. Fuller, Craig Stiltner, Trey Adkins, G. Roger Rife, Earl Scott, J. Carroll Branham, zero (0) nays and one (1) absent, William P. Harris, this board did hereby approve the following contributions:

Twin Valley High School (Drama Team)	\$1,000.00
Davenport Live Saving Crew, Inc.	\$16,000.00
Council Volunteer Fire Department	\$18,000.00
Whitewood Volunteer Fire Department	\$2,504.00
Twin Valley High School (Library)	\$1,600.00
Riverview Elem./Middle School (Cross Country Team)	\$700.00
Harman Vol. Fire Department	\$8,666.00
Harman Vol. Fire Department	\$292.29
Slate Creek Volunteer Fire Department	\$18,450.00
Davenport Live Saving Crew, Inc.	\$6,065.00
Council Volunteer Fire Department (Octoberfest)	\$2,200.00
Council Elementary/Middle School (White Christmas Program)	\$1,500.00
Hurley High School (varsity Girls Basketball)	\$1,000.00

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IN RE: ADJOURNMENT

After a general discussion by the board upon motion by Trey Adkins seconded by Craig Stiltner and with a unanimous voice vote by the board, 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