

**MINUTES**

A regular meeting of the Buchanan County Board of Supervisors was held on the 5<sup>th</sup> day of February 2018 starting at 10:00 o'clock a.m. on the 3<sup>rd</sup> floor boardroom of the Buchanan County Government Center, located at 4447 Slate Creek Road, Grundy, Virginia.

**PRESENT:** J. Carroll Branham  
G. Roger Rife  
Harold H. Fuller  
William P. Harris  
Craig Stiltner  
Trey Adkins

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

**ABSENT:** Earl Scott

----- 000 -----

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

----- 000 -----

**IN RE: CONSIDER APPROVAL OF MINUTES FOR ORGANIZATIONAL MEETING ON JANUARY 8<sup>TH</sup>, 2018 AND SPECIAL CALLED MEETING ON JANUARY 11<sup>TH</sup>, 2018**

Trey Adkins, Knox District Supervisor stated he knew it was impossible to put every part of a conversation in the minutes. I would like to request at the end of the January 8<sup>th</sup> meeting that it's included that I informed the board that I couldn't be present if they decided to have a meeting Wednesday through Friday that week, due to being out of town.

After a general discussion by the board upon motion by Trey Adkins seconded by William P. Harris and with a roll call vote of six (6) yeas, G. Roger Rife, Trey Adkins, J. Carroll Branham, Harold H. Fuller, Craig Stiltner, William P. Harris, zero (0) nays and one (1) absent, Earl Scott, this board did hereby approve the minutes for January 8<sup>th</sup>, 2018.

Upon motion by Craig Stiltner seconded by Harold H. Fuller and with a roll call vote of three (3) yeas, Craig Stiltner, Harold H. Fuller, G. Roger Rife, three (3) abstentions, Trey Adkins, William P. Harris, J. Carroll Branham and one (1) absent, Earl Scott, this board did hereby approve the minutes for the Special Called Meeting on January 11<sup>th</sup>, 2018.

----- 000 -----

**IN RE: LYDIA GRAVES WITH APPALACHIAN VOICES – TO  
CONSIDER ADOPTING A RESOLUTION SUPPORTING THE  
SOLSMART DESIGNATION PROGRAM**

Lydia Graves, New Economy Field Coordinator with Appalachian Voices stated Appalachian Voices is a non-profit organization. I'm working with the seven (7) counties for the past six (6) months to aid in the shared economic development goals through the SolSmart free program from the Department of Energy.

The SolSmart is a free program from the Department of Energy that awards designations to qualifying communities to signal to solar companies that they are "open for business" helping to attract a booming industry and encourage economic growth. Participation in the SolSmart Designation program would boost the likelihood of the department of energy providing an "intensive technical adviser" for the region in its effort to embrace solar industry partners, stated Ms. Graves. It's designed to help local governments make it cheaper and easier for solar energy businesses to locate here and establish new energy infrastructure, she stated.

The counties of Dickenson, Wise, Lee, Russell, St. Paul and the City of Norton have already entered the application process to become a SolSmart designated locality, stated Ms. Graves. We hope to get all the seven Southwest Virginia counties on board by adopting the program.

The SolSmart program is one of the fastest-growing industries in the nation, she stated. The cost on average for solar installations have fallen about 40 percent in the last year, she stated. The SolSmart designation would label Buchanan County as a SolSmart county, stated Ms. Graves. It would signal businesses that we're open for solar businesses.

There's 260,000 solar workers in the United States now, commented Ms. Graves. The SolSmart program helps save businesses money so they're able to hire more people.

The SolSmart program is not a grant and won't cost the county anything, stated Ms. Graves. The goals of the federal program include making obtaining solar energy options faster, easier and more affordable for Americans.

Ms. Graves requested the board to consider adopting the Resolution initiating the SolSmart application processes with technical assistance from National Association of Counties and Appalachian Voices.

Craig Stiltner, Rocklick District Supervisor stated if you do some research Solar's not actually cheaper. It may be cheaper now, per se, if you want to look at it in black and white numbers. If you take the invested tax credits, the state tax credits the cash rebate, and all the government and state funding that goes to solar, actually, it's not cheaper, he stated. It may be cheaper to the rate-payers, but it's no cheaper to the taxpayer.

You are correct, stated Ms. Graves. The 30 percent federal tax credit is what makes, is where the statistic that solar is the cheapest for of energy.

Actually, it's somewhat higher, because solar has been as high as 88 cents per kilowatt hour, stated Mr. Stiltner.

Not in the last, probably 18 months, stated Ms. Graves.

Harold H. Fuller, Garden District Supervisor asked if Appalachian Voices was considered an environmental group?

Yes, an environmental and economic development group, stated Ms. Graves.

That fought against the largest coal fired plant, which is the most efficient coal fired plant probably in the country, stated Mr. Stiltner.

Ms. Graves stated Appalachian Voices has had a history of suing coal companies.

We've had enough people fighting us for the last eight years, stated Mr. Fuller. We don't need anymore.

We're not here to fight, we're here to create jobs, stated Ms. Graves.

What you are dealing with is the federal and state government is subsidizing one source of energy, stated J. Carroll Branham, Chairman. Your gas, coal and your energies out here are not being subsidized. Solar power would be cheaper because the government's paying the biggest part of it, he stated.

After a general discussion by the board upon motion by Harold H. Fuller seconded by Trey Adkins and with a roll call vote of six (6) yeas, Harold H. Fuller, Trey Adkins, G. Roger Rife, William P. Harris, J. Carroll Branham, Craig Stiltner, zero (0) nays and one (1) absent, Earl Scott, this board did hereby approve to table this issue until next months' meeting.

----- 000 -----

**IN RE:           STEPHANIE JUSTUS WITH BUCHANAN COUNTY HUMANE SOCIETY**

Stephanie Justus, President of the Buchanan County Humane Society stated Dr. Catherine Rasnake, local Veterinarian has been working with the humane society to make a difference in the lives of animals in our community. Dr. Rasnake has been instrumental in helping us save numerous amounts of lives, she stated.

The numbers are looking better in our county, but they're still not acceptable, stated Ms. Justus. Some animals lose their lives because of not being wanted.

The Buchanan County Animal Shelter is a wonderful facility, stated Ms. Justus. I've visited many animal shelters across the United States and that's one thing I'm very proud of, is the maintenance and upkeep of that facility is top-notch. The employees at the animal shelter go an extra mile.

In 2017 the Buchanan County Animal Shelter took in 1,656 animals, stated Ms. Justus. There were 904 euthanized and 191 through pet adoptions. We are euthanizing at 55 percent at the shelter. That's more animals being euthanized than there are students at our largest school in the county, Riverview Elementary/Middle School with 877 students, stated Ms. Justus.

There needs to be more spay and neutering surgeries for family pets in the county, stated Ms. Justus. We would like to have funding to do a low-cost spay or neuter clinic for the community.

The county has an agreement with another veterinarian when pets are adopted from the shelter, they have 90 days to get the pet spayed or neutered, stated Ms. Justus.

Dr. Catherine Rasnake, Veterinarian stated I'd love to schedule to maybe be on the agenda at a later date to take about a plan that I have. I would like to be considered as the vet for the shelter, and I have a copy of the shelter's budget, she stated. I could do just a little bit of arranging there to be able to pay myself and a staff member to go up and work with the Animal Control Officers.

We would like to have funding to do a low-cost spay and neuter clinic for the community, stated Ms. Justus. If we receive \$1,500 we could have a spay and neuter clinic for 22 cats or 24 dogs.

When we have these low-cost spay and neuter clinics, we really need to do four (4) a year, one for female dogs, one for female cats, one for male dogs and one for male cats, stated Dr. Rasnake.

The board invited Dr. Rasnake and Ms. Justus to attend a budget work session to discuss the matter further.

After a general discussion by the board upon motion by Craig Stiltner seconded by Harold H. Fuller and with a roll call vote of six (6) yeas, G. Roger Rife, Trey Adkins, J. Carroll Branham, Harold H. Fuller, Craig Stiltner, William P. Harris, zero (0) nays and one (1) absent, Earl Scott, this board did hereby approve a contribution in the amount of \$3,000.00 to the Buchanan County Humane Society to be divided equally among the seven (7) district accounts. The funding is earmarked for two (2) spade and neutering clinics.

----- 000 -----

**IN RE:            CONSIDER ADOPTING THE RESOLUTION ACCEPTING THE DEED OF GIFT BY AND BETWEEN NORMA JEAN MATNEY TO BUCHANAN COUNTY REGARDING MATNEY ROAD LOCATED IN THE KNOX MAGISTERIAL DISTRICT AND AUTHORIZE THE CHAIRMAN OF THE BUCHANAN COUNTY BOARD OF SUPERVISORS AND 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**

Marcus Stiltner, Coal Haul Road Engineer stated Matney Road located in the Knox Magisterial District does meet the requirements. It's an extension of the current county road.

L. Lee Moise, County Attorney stated the committee appointed by the board did the review and found that the proposed extension does meet the County's Road and Bridge Policy as an extension.

After a general discussion by the board upon a motion by upon motion by Trey Adkins seconded by William P. Harris with a roll call vote of six (6) yeas, Trey Adkins, William P. Harris, G. Roger Rife, J. Carroll Branham, Harold H. Fuller, Craig Stiltner, zero (0) nays and one (1) absent, Earl Scott, this board did hereby adopt the following Resolution accepting the Deed of Gift by and between Norma Jean Matney to Buchanan County regarding Matney Road located in the Knox Magisterial District and authorize the Chairman of the Buchanan County Board of Supervisors and 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 NORMA JEAN MATNEY TO BUCHANAN COUNTY, VIRGINIA REGARDING MATNEY ROAD LOCATED IN THE KNOX MAGISTERIAL DISTRICT, COUNTY ROAD NUMBER 2460**

**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 Norma Jean Matney 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 5<sup>th</sup> day of February, 2018 by a roll call vote of six 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 5<sup>th</sup> day of February, 2018, by and between **NORMA JEAN MATNEY**; hereinafter sometimes referred to as "**GRANTOR**", 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 extend an existing county road to include a turning area which is a part of the public road in the Knox Magisterial District for the traveling public, named Matney Road, County Road # 2460; and

**WHEREAS**, the Grantor desires 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 Matney Road, County Road # 2460; and,

**NOW THEREFORE**, for and in consideration of promoting the public interest by providing a road extension with turn around area which is part of a public road known as Matney Road, County Road # 2460 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 the Knox 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 public road extension and turning area is described as follows:

**BEGINNING** at a point on the proposed Eastern right-of-way extension of Matney Road, said point has an approximate NAD 1983 Virginia South Zone coordinate value of N=3,695,791.453 and E=10,472,957.833; thence leaving said proposed Eastern right-of way and crossing the end of the existing pavement of the existing Matney Road S 77°52'03" W a distance of 20.02' to a point on the proposed Western right-of-way extension of Matney Road; Thence with the proposed Western right-of-way the following, S 10°44'48" E a distance of 64.56' to a point; thence S 11°30'27" E a distance of 98.99' to a point; thence S 12°00'38" E a distance of 31.09' to a point; thence S 18°10'59" E a distance of 24.11' to a point; thence S 32°59'48" E a distance of 38.53' to a point on a proposed turn around area; thence with said proposed turn around area the following S 80°51'59" E a distance of 40.00' to a point; thence N 09°08'01" E a distance of 40.00' to a point; thence N 80°51'59" W a distance of 40.00' to a point; thence S 09°08'01" W a distance of 11.53' to a point on the proposed Eastern right-of-way; thence leaving the proposed turn around area and with the proposed Eastern right-of-way the following N 29°56'11" W a distance of 14.31' to a point; thence N 18°10'59" W a distance of 20.98' to a point; thence N 11°35'07" W a distance of 60.61' to a point; thence N 11°39'31" W a distance of 68.30' to a point; thence N 10°44'07" W a distance of 64.69'; to the point of beginning, having an area of 6460.127 square feet, and containing 0.148 acres more or less.

Source and title for Grantor: Norma Jean Matney (widow) acquired a portion of

the land affected by this right-of-way deed by a deed conveyance recorded in Deed Book 260, Page 196 along with Instrument No. 100003407, 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 # 014 Tax Map # 2HH-042.

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 5<sup>th</sup> day of February, 2018, 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.

----- 000 -----

**IN RE: CONSIDER APPROVING TO ISSUE A CHECK IN THE AMOUNT OF \$212,161.50 FROM CHR PLAN FOR 2017/2018 TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION EARMARKED FOR THE RT. 680 BILL YOUNG ROAD PROJECT. (UPC 112691) (PROJECT NO: 0680-013-964-N501)**

After a general discussion by the board upon a motion by Harold H. Fuller seconded by Craig Stiltner and with a roll call vote of six (6) yeas, G. Roger Rife, Trey Adkins, J. Carroll Branham, Harold H. Fuller, Craig Stiltner, William P. Harris, zero (0) nays and one (1) absent, Earl Scott, this board did hereby approve to issue a check in the amount of \$212,161.50 from CHR Plan for 2017/2018 to the Virginia Department of Transportation earmarked for the Rt. 680 Bill Young Road Project. (UPC 112691) (Project No: 0680-013-964-N501).

----- 000 -----

**IN RE: CONSIDER ADOPTING THE RESOLUTION SUPPORTING OF SENATE BILL NO. 780 REGARDING THE CONSTRUCTION OF HYDROELECTRIC PUMP STORAGE FACILITIES IN THE VCEDA REGION OF SOUTHWEST VIRGINIA**

J. Carroll Branham, Chairman stated the county where the facility is built would get about 20 percent of the tax revenue and the other six (6) entities in the region would share the rest of that on a proportion basis. Buchanan County gets a pretty good portion and it's a win-win situation for everyone concerned.

After a general discussion by the board upon motion by Harold H. Fuller seconded by Trey Adkins and with a roll call vote of six (6) yeas, G. Roger Rife, Trey Adkins, J. Carroll Branham, Harold H. Fuller, Craig Stiltner, William P. Harris, zero (0) nays and one (1) absent, Earl Scott, this board did hereby adopt the following Resolution supporting of Senate Bill No. 780 regarding the construction of Hydroelectric pump storage facilities in the VCEDA region of Southwest Virginia:

**VIRGINIA: AT A REGULARLY HELD MEETING OF THE BOARD OF SUPERVISORS OF BUCHANAN COUNTY, VIRGINIA HELD AT THE BUCHANAN COUNTY ADMINISTRATION BUILDING AT 4777 SLATE CREEK ROAD IN GRUNDY, VIRGINIA AT 10:00 AM, ON THE 5TH DAY OF FEBRUARY, 2018, THE FOLLOWING RESOLUTION WAS ADOPTED, UPON A MOTION AND SECOND:**

Date: February 5, 2018



**RESOLUTION IN SUPPORT OF SENATE BILL NUMBER 780**

**WHEREAS**, the Board desires to improve the economy and expand the tax base within the County so as to decrease the tax burden on individual residents;

**WHEREAS**, the General Assembly acted in 2017 to authorize special, private funding for the construction of Hydroelectric pump storage facilities in the VCEDA region of Southwest Virginia with the specific intent that any such construction would benefit the entire region;

**WHEREAS**, the Board approved a resolution in 2017 supporting a revenue sharing agreement among the Counties of the VCEDA region with respect to the anticipated revenue from a Hydroelectric Pumped storage facility;

**WHEREAS**, the Board now supports a bill to establish the parameters of the terms of any such agreement and intends to enter into such agreement pursuant thereto as may be beneficial to the County;

**WHEREAS**, Senator Chaffin has introduced Senate Bill Number 780 into the Virginia General Assembly for consideration in the 2018 session, which seeks to require a regional revenue sharing agreement as above described according to certain terms therein set forth;

**WHEREAS**, Delegate Pillion has introduced House Bill 1555 which is identical to Senate Bill 780;

**WHEREAS**, the Board intends to enter into such agreement in accordance with the general terms as set forth in Senate Bill 780 and House Bill 1555;

**WHEREAS**, the Board desires to support said legislation;

**NOW THEREFORE**, the Board of Supervisors for Buchanan County, Virginia, does hereby **RESOLVE** to support Senate Bill Number 780 and House Bill 1555, in the form as hereto attached for the purposes of broadening the tax base for Buchanan County.

**IT IS SO RESOLVED** this the 5th day of February, 2018.

Present: Six  
Absent: One  
Ayes: Six  
Nays: Zero  
Abstentions: Zero

\_\_\_\_\_  
J. Carroll Branham, Chairperson

Attest: \_\_\_\_\_  
Robert Craig Horn, County Administrator

\_\_\_\_\_ 000 \_\_\_\_\_

**IN RE: CONSIDER APPROVING ADDITIONAL APPROPRIATIONS**

After a general discussion by the board upon motion by Harold H. Fuller seconded by William P. Harris with a roll call vote of six (6) yeas, Harold H. Fuller, G. Roger Rife, Trey Adkins, Craig Stiltner, J. Carroll Branham, William P. Harris, zero (0)

nays and one (1) absent, Earl Scott, this board did hereby the following additional appropriations:

- Additional appropriation to Miscellaneous Expense, account number 22020-5899 in the amount of \$600.00;
- Additional appropriation to Garden District Park and Rec., account number 71040-5604-01 in the amount of \$150.00;
- Additional appropriation to Hurricane District Park and Rec., account number 71040-6022-02 in the amount of \$750.00;
- Additional appropriation to Rowe Community Center, account number 53050-5604-02 in the amount of \$175.00;
- Additional appropriation to Rocklick Park and Recreation, account number 71040-5604-06 in the amount of \$825.00.

----- 000 -----

**IN RE: CONSIDER ACCEPTING THE 1998 CHEVROLET IMPALA, VIN 2G1WL52MXW9137095, OWNED BY THE BUCHANAN COUNTY SOCIAL SERVICES, DUE TO THE VEHICLE NO LONGER SAFE TO BE USED**

After a general discussion by the board upon a motion by William P. Harris seconded by Harold H. Fuller and with a roll call vote of six (6) yeas, Harold H. Fuller, Craig Stiltner, G. Roger Rife, William P. Harris, J. Carroll Branham, Trey Adkins, zero (0) nays and one (1) absent, Earl Scott, this board did hereby accept the title to the 1998 Chevrolet Impala, VIN 2G1WL52MXW9137095 owned by the Buchanan County Social Services, due to the vehicle no longer safe to be used.

----- 000 -----

**IN RE: CONSIDER APPROVING THE AGREEMENT TO REIMBURSE THE COUNTY FOR SPECIAL CONSERVATOR OF THE PEACE APPLICATIONS AND TRAINING COSTS**

After a general discussion by the board upon a motion by Harold H. Fuller seconded by Craig Stiltner and with a roll call vote of six (6) yeas, Trey Adkins, Craig Stiltner, Harold H. Fuller, G. Roger Rife, William P. Harris, J. Carroll Branham, zero (0) nays and one (1) absent, Earl Scott, this board did hereby approve the Agreement to reimburse the county for Special Conservator of the Peace Applications and Training Costs.

**AGREEMENT TO REIMBURSE COUNTY FOR SPECIAL CONSERVATOR OF THE PEACE APPLICATION AND TRAINING COSTS**

I, \_\_\_\_\_, understand that Buchanan County will incur substantial costs in connection with my application to DCJS and training to become a Special Conservative of the Peace. I agree that upon successful completion of the training to become a Special Conservator of the Peace, that I agree to serve as a Special Conservator of the Peace for the Buchanan County Board of Supervisors for at least three (3) years from the date I am first sworn in as a Special Conservator of the Peace. I further agree that if I do not serve as a Special Conservator of the Peace for the Buchanan County, Va.

Board of Supervisors for the minimum period of three (3) years as stated herein, I will reimburse Buchanan County through its Board of Supervisors for all the application costs and all the training costs the County incurred as a result of my becoming a Special Conservator of the Peace.

\_\_\_\_\_(signature) \_\_\_\_\_  
Date  
\_\_\_\_\_(name, print)

----- 000 -----

**IN RE: CONSIDER ADOPTING THE RESOLUTION RESCINDING APPOINTMENTS OF MEMBERS OF THE BOARD OF SUPERVISORS TO THE BUCHANAN COUNTY PUBLIC SERVICE AUTHORITY BOARD**

Craig Stiltner, Rocklick District Supervisor stated I've never liked this board sitting on the Buchanan County Public Service Authority Board (PSA). We are the funding agency for the PSA.

Trey Adkins, Knox District Supervisor stated it should be up to the elected official if he wants to sit on the PSA Board. They should be able to represent their district if they want.

G. Roger Rife, South Grundy District Supervisor stated there's no difference between a supervisor sitting on a board or if they appointment someone to that board. That person does exactly what the supervisor wants them to do. I think if you appoint someone to a board, you should have enough confidence in them that they'll do what's best for the district, he stated.

William P. Harris, Hurricane District Supervisor stated I've never told anyone how to vote on a board.

Mr. Stiltner stated I want to wait until the March meeting with Mr. Scott is here and is able to vote.

This issue was tabled, no action taken at this time.

----- 000 -----

**IN RE: CONSIDER ADOPTING APPROVING THE REQUEST FROM BUCHANAN COUNTY PUBLIC SCHOOLS TO ISSUE PAYMENT FOR INVOICES FROM VANESSA HURLEY, AGENT OF RECORD FOR BUCHANAN COUNTY PUBLIC SCHOOLS FROM FUND 37**

Trey Adkins, Knox District Supervisor asked are we paying double?

J. Carroll Branham, Chairman stated yes.

Then we shouldn't be double paying for an agent of record, stated Mr. Adkins. The school system is asking us to pay and we gave them about \$10 million this fiscal year.

L. Lee Moise, County Attorney stated this issue should be tabled and discussed in closed session.

**IN RE:            CONSIDER APPROVING BID AND CONTRACT REGARDING  
THE ABATEMENT OF ASBESTOS CONTAINING MATERIAL IN  
THE BUCHANAN COUNTY COURTHOUSE 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**

L. Lee Moise, County Attorney stated three (3) bids were received for the abatement of asbestos project in the courthouse. The bids were from E. Luke Greene Company, Inc. in the amount of \$23,580.00; Waco, Inc. in the amount of \$25,400.00 and W.E.L., Inc. in the amount of \$87,564.00.

Trey Adkins, Knox District Supervisor stated I thought we had a contract with J.A. Street & Associates.

Mr. Moise stated the interim agreement contract with J.A. Street & Associates covers the design and architectural work. The parties are still working on the comprehensive agreement which will cover the demolition and renovation activities.

J. Carroll Branham, Chairman asked if this bid amount was included in the total projected cost of \$12.5 million for the courthouse renovation project?

Robert C. Horn, County Administrator stated yes.

After a general discussion by the board upon motion by Trey Adkins seconded by William P. Harris and with the following roll call vote six (6) yeas, Trey Adkins, William P. Harris, Harold H. Fuller, G. Roger Rife, Craig Stiltner, J. Carroll Branham, zero (0) nays and one (1) absent, Earl Scott, this board did hereby approve the bid in the amount of \$23,580.00 from E. Luke Greene Company, Inc. and Contract regarding the abatement of asbestos containing material in the Buchanan County Courthouse 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. This bid was approved providing this amount is included in the funding for the courthouse project.

**IN RE:            CONSIDER APPROVING TO ISSUE A CHECK FOR THE  
COYOTE CLAIMS IN THE AMOUNT OF \$50.00**

After a general discussion by the board upon motion by Harold H. Fuller seconded by Craig Stiltner and with the following roll call vote six (6) yeas, Trey Adkins, William P. Harris, Harold H. Fuller, G. Roger Rife, Craig Stiltner, J. Carroll Branham, zero (0) nays and one (1) absent, Earl Scott, this board did hereby approve to issue a check for the following coyote claims in the amount of \$50.00 from Fund 10, livestock claims account number 35010-8104:

- Johnny Childress
- Charles Compton (Two claims)
- Chris Wolford (Seven claims)
- Lisa Stiltner
- Bucky Looney (Two claims)
- Elevene Compton
- Dennis McGlothlin
- Bethney Hess (Two claims)
- Morgan Hall
- David Justus (Two claims)
- Terry Compton
- Shawn Woosley (Three claims)
- Austin Looney

----- 000 -----

**IN RE:            CONSIDER APPOINTMENTS AND/OR REAPPOINTMENTS TO  
THE BUCHANAN COUNTY PUBLIC LIBRARY BOARD OF  
TRUSTEES. (CURRENT MAE BROYLES, PHILLIP JUSTICE,  
RACHEL RIGGSBY AND ELIZABETH GARNETT OWENS)**

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 six (6) yeas, Harold H. Fuller, G. Roger Rife, Trey Adkins, Craig Stiltner, William P. Harris, J. Carroll Branham, zero (0) nays and one (1) absent, Earl Scott, this board did hereby reappointed Mae Broyles, Phillip Justice, Rachel Riggsby to the Buchanan County Public Library Board of Trustees for a four-year term ending December 2021. Also, reappointed Elizabeth (Garnett) Owens to the Library Board of Trustees for a two- year term ending April 2020.

----- 000 -----

**IN RE:            CONSIDER APPROVING THE VENDOR SERVICE  
AGREEMENT FOR SNOW REMOVAL WITH TORQUE  
ENTERPRISES, LLC.**

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 six (6) yeas, Harold H. Fuller, G. Roger Rife, Trey Adkins, Craig Stiltner, William P. Harris, J. Carroll Branham, zero (0) nays and one (1) absent, Earl Scott, this board did hereby approving the Vendor Service Agreement for Snow Removal with Torque Enterprises, LLC.

----- 000 -----

**IN RE:            CONSIDER AUTHORIZING THE PUBLIC WORKS CREW TO  
DEMOLISH AND REMOVE THE ZAM ZAM ABANDONED  
STRUCTURE AT 1050 CHLOE ROAD, GRUNDY, VA.**

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 six (6) yeas, Harold H. Fuller, G. Roger Rife, Trey Adkins, Craig Stiltner, William P. Harris, J. Carroll Branham,

zero (0) nays and one (1) absent, Earl Scott, this board did hereby authorize the Public Works crew to demolish and remove the Zam Zam abandoned structure at 1050 Chloe Road, Grundy, Virginia.

----- 000 -----

**IN RE:            CONSIDER AUTHORIZING THE COUNTY ADMINISTRATOR TO HIRE A PART-TIME EMPLOYEE TO MAINTAIN THE GIS SYSTEM AT AN HOURLY RATE OF \$12.00**

Harold H. Fuller, Garden District Supervisor stated I've heard complaints about the GIS system, there's partials that's not mapped on the system. The system needs to be upgraded after we've spent \$250,000 on it.

J. Carroll Branham, Chairman stated something is wrong with GIS, people can be looking for this place and end up at Poplar Gap Park. We need to make this accurate.

After a general discussion by the board upon motion by Harold H. Fuller seconded by Craig Stiltner and with the following roll call vote six (6) yeas, Harold H. Fuller, G. Roger Rife, Trey Adkins, Craig Stiltner, William P. Harris, J. Carroll Branham, zero (0) nays and one (1) absent, Earl Scott, this board did hereby authorize the County Administrator to hire a part-time employee to maintain the GIS System at an hourly rate of \$12.00.

----- 000 -----

**IN RE:            CONSIDER ADOPTING THE RESOLUTION AUTHORIZING OVERTIME FOR JOE KEEN, PARK MANAGER WHEN ENGAGING IN SNOW REMOVAL DUTIES FOR THE GARDEN MAGISTERIAL DISTRICT**

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 six (6) yeas, Harold H. Fuller, G. Roger Rife, Trey Adkins, Craig Stiltner, William P. Harris, J. Carroll Branham, zero (0) nays and one (1) absent, Earl Scott, this board did hereby adopt the following Resolution authorizing overtime for Joe Keen, Park Manager when engaging in snow removal duties for the Garden Magisterial District:

**RESOLUTION**

**RE: AUTHORIZATION FOR OVERTIME FOR JOE KEEN  
PARK MANAGER WHEN ENGAGING IN SNOW REMOVAL  
DUTIES FOR THE GARDEN MAGISTERIAL DISTRICT**

**WHEREAS** Joe Keen is the Park Manager for Keen Mountain Park in Garden Magisterial District; and

**WHEREAS**, Joe Keen also engages in snow removal duties in Garden District; and;

**WHEREAS**, so that Joe Keen may maintain his duties as Park Manager it will be necessary for Mr. Keen to work more than forty hours per week in weeks when he also engages in snow removal duties; and

**NOW THEREFORE BE IT RESOLVED**, that the Buchanan County, Va. Board of Supervisors authorizes over-time for Joe Keen for weeks in which he engages in snow removal duties so to permit him to put in 40 hours per week as Park Manager in addition to snow removal duties. **FURTHERMORE, BE IT RESOLVED**, said over-time pay shall be paid from the Garden Magisterial District Highways, Streets and Bridges account.

This resolution was adopted on the 5<sup>th</sup> day of February 2018.

Recorded Vote:

Motion made by: Harold H. Fuller

Second by: William P. Harris

Yeas: Seven

Nays: Zero

\_\_\_\_\_  
J. Carroll Branham, Chairman

Buchanan County Board of Supervisors

ATTEST:

\_\_\_\_\_  
Robert Craig Horn, County Administrator

----- 000 -----

**IN RE:            CONSIDER ADOPTING THE RESOLUTION REGARDING THE  
DISSOLUTION OF THE ADMINISTRATIVE BOARD OF THE  
BUCHANAN COUNTY DEPARTMENT OF SOCIAL SERVICES**

This issue was tabled, no action taken.

----- 000 -----

**IN RE:            CONSIDER ADOPTING THE RESOLUTION REGARDING THE  
APPOINTMENT OF AN ADVISORY BOARD FOR THE  
BUCHANAN COUNTY DEPARTMENT OF SOCIAL SERVICES**

This issue was tabled, no action taken.

----- 000 -----

**IN RE:            CONSIDER APPROVING DOCUMENTS REGARDING THE  
SWAN FORK WATERLINE PROJECT**

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

- Memorandum of Understanding for ARC Projects;
- Certification regarding Drug-Free Workplace Requirements;

- Application for Federal Assistance;
- Assurances-Construction Programs.

Also, approved the \$50,000 local match, providing the local funds come from the Coal Haul Road budget for the Buchanan County Public Service Authority.

----- 000 -----

**IN RE:            CONSIDER APPROVING IRS STANDARD MILEAGE RATES FOR 2018**

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 six (6) yeas, Harold H. Fuller, G. Roger Rife, Trey Adkins, Craig Stiltner, William P. Harris, J. Carroll Branham, zero (0) nays and one (1) absent, Earl Scott, this board did hereby approve the IRS Standard Mileage Rates for 2018 at \$.54.5 cents for every mile of business travel driven.

----- 000 -----

**IN RE:            CONSIDER APPROVING APPENDIX A REGARDING THE BULL CREEK TRAIL PROJECT, PHASE II**

Billie Campbell, with Terra Tech Engineering Services stated Appendix A from Virginia Department of Transportation is the final approval to move forward with the second phase of the Bull Creek Trail Project. The next step will be to advertise for construction.

Robert C. Horn, County Administrator stated the local funding for the project is budgeted.

After a general discussion by the board upon motion by Craig Stiltner seconded by Harold H. Fuller and with the following roll call vote six (6) yeas, Harold H. Fuller, G. Roger Rife, Trey Adkins, Craig Stiltner, William P. Harris, J. Carroll Branham, zero (0) nays and one (1) absent, Earl Scott, this board did hereby authorize L. Lee Moise, County Attorney and Project Manager to execute Appendix A regarding the Bull Creek Trail Project, Phase II and approved to advertise the project upon approval from the Virginia Department of Transportation.

----- 000 -----

**IN RE:            CONSIDER APPROVING THE ADDITIONAL BUDGET APPROPRIATION IN THE AMOUNT OF \$16,290.00 TO THE BUCHANAN COUNTY SHERIFF'S OFFICE**

After a general discussion by the board upon motion by Trey Adkins seconded by Harold H. Fuller and with the following roll call vote six (6) yeas, Harold H. Fuller, G. Roger Rife, Trey Adkins, Craig Stiltner, William P. Harris, J. Carroll Branham, zero (0) nays and one (1) absent, Earl Scott, this board did hereby approving the additional budget



appropriation in the amount of \$16,290.00 to the Buchanan County Sheriff's Office, upon grant funding being received:

- Additional appropriation in the amount of \$10,898.73 to account number 31010-1150 (salaries and wages);
- Additional appropriation in the amount of \$5,391.27 to account number 31020-7003 (DMV Grant).

----- 000 -----

**IN RE:           DISCUSSION CONCERNING THE BUCHANAN COUNTY  
                  DEPARTMENT OF SOCIAL SERVICES**

Guy Dillow, resident in the Knox District stated I understand that this board, the Buchanan County Public Service Authority and Department of Social Services Board operates under the Roberts Rules of Order.

J. Carroll Branham, Chairman stated yes, we do.

Mr. Dillow stated the phone calls that I've got about the Buchanan County Department of Social Services (DSS) was disturbing because people are afraid to voice their opinions and be deliberate in meetings because people are afraid of losing their jobs. If there's a situation going on where people can't do their job without being concerned about what a selective group of board members is going to do, or any action they take against them in their job, then there's a problem somewhere, he stated. I feel there's adjustments that needs to be made, stated Mr. Dillow.

Trey Adkins, Knox District Supervisor stated I couldn't agree with that more.

G. Roger Rife, South Grundy District Supervisor stated the board of supervisors takes turn about attending the CSA meetings at the DSS Office. I try to attend these meetings if I'm invited, but not invited I won't.

I was at one of those meetings and someone took my picture of me at my vehicle talking to a citizen, stated Mr. Rife. You cannot dictate who anybody talks to or tell them who they can be associated with. I've had pictures taken at my house, which is called stalking, he stated. Whose business is it where I park my vehicle, as long as it's not illegal. I think this is an attempt to intimidate or harass me, he stated. I'm going to stand up for what I think is right and I'm not going to be harassed or intimidated.

J. Carroll Branham, Chairman stated each member of the board of supervisors is periodically invited to attend the meetings of the CSA board for the DSS.

James "Pete" Stiltner, resident stated I'm the person that they took the picture of with Mr. Rife. I was attending a FACT'S meeting as a volunteer at the DSS. Somebody that works in the DSS must of took the picture of us standing out there in the parking lot and sent it to Mr. Adkins.

I think Mr. Adkins then sent the picture to Craig Stiltner, saying that Joan, (my wife) and I am the problem at the DSS, stated James Stiltner. I few weeks ago Mr.

Adkins called Joan to go out and do stuff on the weekend and she wasn't even on call, stated Mr. Stiltner. He praised her for it and was going to promote her for doing such a good job.

Trey Adkins, Knox District Supervisor stated Joan Stiltner has helped me out when I've called her.

You've called me several times wanting me to influence my wife's vote on the DSS board to split up two (2) units, which I have no control over, stated Mr. Adkins. Also, you told me your wife's background and education. How would I know this if you haven't told me?

I did get a text of you and Mr. Rife outside, and I told that person that you two were outside because of the rumors are going around about abolishing the DSS Administrative Board. I informed Craig Stiltner because I felt he needs to know what's going on behind his back, stated Mr. Adkins.

What started all of this was that someone at DSS got their feelings hurt, stated Mr. Adkins. I didn't go to DSS fighting for somebody out of my district. I went there because they were in the wrong, he stated.

She forged a federal document and falsified another one to get income and she kicked that woman who got the promotion, who's lives in poverty all of her life, off of Medicaid and her child has had a lifelong disability. If anybody here thinks I give a rat's ass who likes me, I don't, voiced Mr. Adkins.

I do what I think is right and I stand by it, stated Mr. Adkins. When this issue was investigated, she got her Medicaid back.

There was three (3) Hurley residents conspired together, to find out how to kick her off Medicaid, stated Mr. Adkins. I found out about this from the lady because she couldn't stand up and tell the truth. I was asked to service as an advocate for the individual and agreed to appear before the DSS board on her behalf at the December 21 meeting, he stated.

There have been many laws broken, regarding this issue, stated Mr. Adkins. The matter still remains under investigation internally by DSS.

I don't have a problem with Joan, stated Mr. Adkins. The complaint I received, is she's tormenting Buddy Fuller's member's daughter on the DSS board. Whether she's doing that or not, I don't know. Not a smart move, if you want promoted.

What does any of this got to do with me or Joan, asked James Stiltner?

I think you know she's had her nose in it since it started, stated Mr. Adkins.

All these lies and trying to turn Craig Stiltner against me, it's poke, poke etc., stated Mr. Adkins.

After the confrontation, courthouse security requested the issue be discontinued.

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

Upon a motion by Trey Adkins seconded by Harold H. Fuller and with a roll call vote of six (6) yeas, Harold H. Fuller, Craig Stiltner, Trey Adkins, William P. Harris, G. Roger Rife, J. Carroll Branham, zero (0) nays and one (1) absent, Earl Scott, this board agreed to convene in closed session as permitted by Virginia Code Section, 2.2-3711 (A)(1), a personnel matter involving compensatory time; Virginia Code Section, 2.2-3711 (A)(3), a matter involving the disposition of publicly owned property and acquisition of property for a school bus garage; Virginia Code Section, 2.2-3711 (A)(7), consultation with legal counsel regarding the pending case of Jewell Smokeless Coal Corp.; Virginia Code Section, 2.2-3711 (A)(7), consultation with legal counsel regarding the proposal from Rescue 33; Virginia Code Section, 2.2-3711 (A)(7), consultation with legal counsel regarding dissolving the Buchanan County Department of Social Services Administrative Board; Virginia Code Section, 2.2-3711 (A)(7), consultation with legal counsel regarding the request from J. A. Street & Associates to mobilize on Buchanan County Courthouse renovation project; Virginia Code Section, 2.2-3711 (A)(7), consultation with legal counsel Willow Brook Golf Course project; Virginia Code Section, 2.2-3711 (A)(7), consultation with legal counsel regarding procurement issues with County Road Engineer; Virginia Code Section, 2.2-3711 (A)(7), consultation with legal counsel regarding the settlement proposal from Central Van & Storage on damage claims from move; Virginia Code Section, 2.2-3711 (A)(7), consultation with legal counsel regarding the Record of Agent issue concerning the Consolidated Health and Dental Insurance Group; Virginia Code Section, 2.2-3711 (A)(7), consultation with legal counsel regarding reimbursement of \$3.00 charge on Appalachian Power bills and Virginia Code Section, 2.2-3711 (A)(7), consultation with legal counsel regarding the Roberts Rules of Order.

---

Motion was made by William P. Harris to return from closed session seconded by Harold H. Fuller and with the following roll call vote of (6) yeas, Harold H. Fuller, William P. Harris, G. Roger Rife, Earl Scott, Craig Stiltner, J. Carroll Branham, zero (0) nays and one (1) absent, Earl Scott this board did hereby approve to return from closed session.

This board meeting resumed in open session after being in executive session for two (2) hours and twenty-eight (28) minutes

---

A motion by William P. Harris seconded by Trey Adkins 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 an issue with machine and tool tax; Virginia Code Section, 2.2-3711 (A) (7), consultation with legal counsel regarding the Land Use

Permit and Virginia Code Section, 2.2-3711 (A)(7), consultation with legal counsel regarding the conflict of interest act issue with county fair procurement.

The board of supervisors ratified the discussion of the additional matters 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, Craig Stiltner, William P. Harris, G. Roger Rife, J. Carroll Branham, Harold H. Fuller, Trey Adkins, zero (0) nays and one (1) absent, Earl Scott.

----- 000 -----

**IN RE: BROOKE BOYD, PARK MANAGER - CONSIDER 2018  
BUCHANAN COUNTY FAIR AND AUTHORIZE THE COUNTY  
ADMINISTRATOR TO SIGN OFF ON IFB ETC. FOR THE FAIR**

Brooke Boyd, Park Manager requested approval for the County Administrator to sign off on IFB etc. for the 2018 County Fair, which would be ratified at the next board of supervisors meeting.

After a general discussion by the board upon motion by Trey Adkins seconded by William P. Harris and with the following roll call vote six (6) yeas, Craig Stiltner, William P. Harris, G. Roger Rife, J. Carroll Branham, Harold H. Fuller, Trey Adkins, zero (0) nays and one (1) absent, Earl Scott, this board did hereby authorize the County Administrator to sign off on IFB etc. for the fair, which will be ratified at the next board of supervisors meeting.

Linda Stiltner, resident asked how much does the county fair cost? Why doesn't the county join Spirit Fest in the Town of Grundy?

Ms. Boyd stated the fair is doing much better than before. I have around \$19,000 in the fair account now from the previous year.

----- 000 -----

**IN RE: CONSIDER APPROVING TO ALLOW J. A. STREET &  
ASSOCIATES, INC. TO MOBILIZE BY SETTING UP A TRAILER  
AT THE BUCHANAN COUNTY COURTHOUSE**

After a general discussion by the board upon motion by Harold H. Fuller seconded by Craig Stiltner and with the following roll call vote six (6) yeas, Craig Stiltner, William P. Harris, G. Roger Rife, J. Carroll Branham, Harold H. Fuller, Trey Adkins, zero (0) nays and one (1) absent, Earl Scott, this board did hereby approve to allow J. A. Street & Associates, Inc. to mobilize by setting up a trailer at the courthouse to begin selective demolition activities, subject to said selective demolition activities being covered in the budget to be part of the comprehensive agreement and not to cause said budget to exceed the previously stated budget cap.

----- 000 -----

**IN RE:            CONSIDER APPROVING SETTLEMENT OFFER FROM  
CENTRAL VAN & STORAGE, INC.**

After a general discussion by the board upon motion by Trey Adkins seconded by Harold H. Fuller and with the following roll call vote six (6) yeas, Craig Stiltner, William P. Harris, G. Roger Rife, J. Carroll Branham, Harold H. Fuller, Trey Adkins, zero (0) nays and one (1) absent, Earl Scott, this board did hereby approve the offer of settlement from Central Van & Storage, Inc. in the amount of \$2,870.00 for damages to the glass, desks and file cabinet during the relocation of the offices in the courthouse to the Buchanan County Government Center on Slate Creek.

----- 000 -----

**IN RE:            CONSIDER APPROVING THE REQUEST FROM BUCHANAN  
COUNTY PUBLIC SCHOOLS TO ISSUE PAYMENT FOR  
INVOICES FROM VANESSA HURLEY, AGENT OF RECORD  
FOR BUCHANAN COUNTY PUBLIC SCHOOLS FROM FUND 37**

After a general discussion by the board upon motion by Trey Adkins seconded by Harold H. Fuller and with the following roll call vote six (6) yeas, Craig Stiltner, William P. Harris, G. Roger Rife, J. Carroll Branham, Harold H. Fuller, Trey Adkins, zero (0) nays and one (1) absent, Earl Scott, this board did hereby approve the request from Buchanan County Public Schools to issue payment for invoices from Insurance Services, LLC, (Vanessa Hurley, Agent of Record) regarding the Consolidated Group for Health Insurance for Buchanan County Public Schools from Fund 37.

Craig Stiltner, Rocklick District Supervisor stated we need to work with the agent of record and get an invoice before the budget is approved.

----- 000 -----

**IN RE:            CONSIDER REQUEST FROM KEITH BALDWIN, PUBLIC  
WORKS DIRECTOR FOR PAYMENT OF HIS COMPENSATORY  
TIME ACCRUED WHILE HE WAS AN HOURLY EMPLOYEE AT  
THE BUCHANAN COUNTY SANITATION DEPT.**

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 six (6) yeas, Craig Stiltner, William P. Harris, G. Roger Rife, J. Carroll Branham, Harold H. Fuller, Trey Adkins, zero (0) nays and one (1) absent, Earl Scott, this board did hereby approve to pay Wesley Keith Baldwin, Public Works Director for 176 hours and twenty (20) minutes of compensatory time accrued while he was an hourly employee at the sanitation dept.

----- 000 -----

**IN RE: CONSIDER APPROVING CONTRIBUTIONS**

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

Council Elementary/Middle School                 \$700.00  
(Cub Scout Pack 755 and Troop 700)

Southwest Regional Recreation Authority     \$1,500.00  
dba "Spearhead Trails"

----- 000 -----

**IN RE: CONSIDER RATIFYING PAYROLL AFTER REVIEW**

After a general discussion by the board upon motion by Trey Adkins seconded by William P. Harris and with the following roll call vote six (6) yeas, Craig Stiltner, William P. Harris, G. Roger Rife, J. Carroll Branham, Harold H. Fuller, Trey Adkins, zero (0) nays and one (1) absent, Earl Scott, this board did hereby approve to ratify the payroll after review.

----- 000 -----

**IN RE: CONSIDER RATIFYING THE PAYMENT OF BILLS BY RESOLUTION ADOPTED ON JANUARY 8<sup>TH</sup>, 2018. (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 Craig Stiltner and with the following roll call vote six (6) yeas, Craig Stiltner, William P. Harris, G. Roger Rife, J. Carroll Branham, Harold H. Fuller, Trey Adkins, zero (0) nays and one (1) absent, Earl Scott, this board did hereby ratify the payment of bills by Resolution adopted on January 8<sup>th</sup>, 2018. (including the Buchanan County Head Start ratified bill list and bill list)

----- 000 -----

**IN RE: CONSIDER APPROVING POINT OF ORDER BY TREY ADKINS, KNOX DISTRICT SUPERVISOR CHALLENGING THE LEGALITIES OF THE SPECIAL CALLED MEETING HELD ON JANUARY 11<sup>TH</sup>, 2018 AND CONSIDER RESCINDING ALL ITEMS TO AVOID PENDING INJUNCTION OF VIOLATION OF ROBERT RULES OF ORDER AND BOARD MEMBERS RIGHTS AS ELECTED OFFICIALS**

This issue was tabled, no action taken.

----- 000 -----

**IN RE:            CONSIDER THE ITEMS FROM THE SPECIAL  
                         CALLED MEETING HELD ON JANUARY 11<sup>TH</sup>, 2018:**

- Consider appointment of two (2) members from the Town of Grundy electorate from the two (2) list of three (3) names provided by the town regarding the Revised Joinder Agreement between Buchanan County, Virginia; Town of Grundy and Buchanan County Public Service Authority.
- Consider appointment to the Buchanan County Public Service Authority for the Prater District regarding the Revised Joinder Agreement.
- Consider authorizing the Chairman of the Buchanan County Board of Supervisors, County Administrator and County Attorney to take whatever action necessary to assist the Town of Grundy in regards to the Town's Joinder Application to the Virginia State Corporation Commission.
- Consider contribution to Rocklick Food Pantry.
- Consider contribution to Feeding My Sheep, Inc.

This issue was tabled, no action taken.

----- 000 -----

**IN RE:            CONSIDER POINT OF ORDER BY TREY ADKINS, KNOX  
                         DISTRICT SUPERVISOR REQUESTING THAT THE ROCKLICK  
                         SUPERVISOR APOLOGIZE TO THE COUNTY EMPLOYEE,  
                         ANDREA SCHMIDT FOR UNJUSTIFIED AND DISRESPECTFUL  
                         COMMENTS ABOUT HER MADE BY MR. STILTNER DURING  
                         THE MOTION TO HIRE HER**

This issue was tabled, no action taken.

----- 000 -----

**IN RE:            CONSIDER STANDING RULES FOR BOARD OF SUPERVISORS  
                         FOR SPECIAL CALLED AND EMERGENCY MEETINGS TO  
                         HAVE THREE (3) CALENDAR DAYS FOR THE SPECIAL  
                         CALLED AND 24-HOUR NOTICE FOR EMERGENCY  
                         MEETINGS**

This issue was tabled, no action taken.

----- 000 -----

**IN RE:            CONSIDER RUSSELL PRATER ELEMENTARY SCHOOL**

This issue was tabled, no action taken.

----- 000 -----

**IN RE:            CONSIDER SETTING A PUBLIC HEARING FOR MONDAY,  
                         MARCH 5<sup>TH</sup> AT 10:30 A.M. REGARDING THE  
                         COMPREHENSIVE AGREEMENT IN REGARDS TO THE  
                         COURTHOUSE RENOVATION PROJECT**

After a general discussion by the board upon motion by Trey Adkins seconded by Harold H. Fuller and with the following roll call vote six (6) yeas, Craig Stiltner, William

P. Harris, G. Roger Rife, J. Carroll Branham, Harold H. Fuller, Trey Adkins, zero (0) nays and one (1) absent, Earl Scott, this board did hereby approve to set a public hearing for Monday, March 5<sup>th</sup>, 2018 at 10:30 a.m. regarding the Comprehensive Agreement in regards to the courthouse renovation project.

----- 000 -----

**IN RE: CONSIDER ADOPTING THE RESOLUTION FOR APPOINTMENT OF WORKING GROUP TO MAKE RECOMMENDATION TO THE BOARD OF SUPERVISORS AS TO APPROVAL AND EXECUTION OF COMPREHENSIVE AGREEMENT**

After a general discussion by the board upon motion by Harold H. Fuller seconded by Craig Stiltner with a roll call vote of six (6) yeas, Craig Stiltner, William P. Harris, G. Roger Rife, J. Carroll Branham, Harold H. Fuller, Trey Adkins, zero (0) nays and one (1) absent, Earl Scott, this board did hereby adopt the following Resolution for appointment of working group to make recommendation to the board of supervisors as to approval and execution of Comprehensive Agreement:

**RESOLUTION**

**IN RE: APPOINTMENT OF WORKING GROUP TO MAKE RECOMMENDATION TO BOS AS TO APPROVAL AND EXECUTION OF COMPREHENSIVE AGREEMENT**

**THAT WHEREAS**, the Buchanan County Board of Supervisors pursuant to the County's PPEA Guidelines needs to appoint a working group to make a recommendation to the Board of Supervisors as to whether to approve and execute the Comprehensive Agreement in regard to the Courthouse Renovation Project: and

**NOW THEREFORE, BE IT RESOLVED**, by the Buchanan County Board of Supervisors, pursuant to the County's PPEA Guidelines the following individuals are appointed to a working group to make a recommendation to the Board of Supervisors as to whether to approve and execute the Comprehensive Agreement in connection with the Courthouse Renovation Project: Curtis Elswick, Skanska, Inc.; Judge Pat Johnson; Craig Horn, County Administrator; and Carroll Branham, Chairman of the Board of Supervisors.

**FURTHERMORE, BE IT RESOLVED**, that said working group shall make said recommendation to the Board of Supervisors following the 30-day public comment period after the Public Hearing on the draft Comprehensive Agreement.

This Resolution was adopted on the 5<sup>th</sup> day of February 2018 by the following roll call vote:

G. Roger Rife	Yea
J. Carroll Branham	Yea
Earl Scott	Absent
William P. Harris	Yea



Trey Adkins            Yea  
Craig Stiltner        Yea  
Harold H. Fuller      Yea

\_\_\_\_\_  
J. CARROLL BRANHAM, CHAIRMAN of the  
Buchanan County Board of Supervisors

ATTEST:

\_\_\_\_\_  
Robert Craig Horn, County Administrator  
and Clerk to the Board

----- 000 -----

**IN RE:            CONSIDER ADOPT THE RESOLUTION FINDING TO PROCEED UNDER PARAGRAPH (2) OF VIRGINIA CODE SECTION 56.575.16 IN REGARD TO PROCUREMENT PURSUANT TO THE PPEA IN REGARDS TO THE COURTHOUSE RENOVATION PROJECT UPON MOTION BY TREY ADKINS SECONDED BY WILLIAM P. HARRIS WITH A ROLL CALL VOTE OF SIX (6) YEAS, ZERO (0) NAYS AND ONE (1) ABSENT, THIS BOARD DID HEREBY ADOPT THE ENCLOSED RESOLUTION FINDING TO PROCEED UNDER PARAGRAPH (2) OF VIRGINIA CODE SECTION 56.575.16 IN REGARD TO PROCUREMENT PURSUANT TO THE PPEA IN REGARDS TO THE COURTHOUSE RENOVATION PROJECT.**

After a general discussion by the board upon motion by Trey Adkins seconded by William P. Harris with a roll call vote of six (6) yeas, Craig Stiltner, William P. Harris, G. Roger Rife, J. Carroll Branham, Harold H. Fuller, Trey Adkins, zero (0) nays and one (1) absent, Earl Scott, this board did hereby adopt the following Resolution finding to proceed under paragraph (2) of Virginia Code Section 56.575.16 in regard to procurement pursuant to the PPEA in regards to the Courthouse Renovation Project:

**RESOLUTION**

**IN RE: FINDING TO PROCEED UNDER PARAGRAPH (2) OF VA. CODE SECTION 56-575.16 IN REGARD TO PROCUREMENT PURSUANT TO THE PPEA IN REGARD TO THE COURTHOUSE RENOVATION PROJECT**

**THAT WHEREAS**, the Buchanan County Board of Supervisors having determined it likely to be advantageous to the County and the public to enter into a Comprehensive Agreement in regard to the Courthouse Renovation Project pursuant to Va. Code section 56-575.16(2) based on the probable scope and complexity of the project and risk sharing including guaranteed cost or completion guarantees; and

**NOW THEREFORE, BE IT RESOLVED**, by the Buchanan County Board of Supervisors that it finds pursuing procurement of a Comprehensive Agreement pursuant to the provisions of Va. Code section 56-575.16(2) will be likely be advantageous to the County and the public based on the scope and complexity of the Courthouse Renovation

Project along with risk sharing issues, including guaranteed cost or completion guarantees for said Project.

This Resolution was adopted on the 5<sup>th</sup> day of February 2018 by the following roll call vote:

G. Roger Rife	Yea
J. Carroll Branham	Yea
Earl Scott	Absent
William P. Harris	Yea
Trey Adkins	Yea
Craig Stiltner	Yea
Harold H. Fuller	Yea

---

J. CARROLL BRANHAM, CHAIRMAN of  
the Buchanan County Board of Supervisors

ATTEST:

---

Robert Craig Horn, County Administrator  
and Clerk to the Board

----- 000 -----

**IN RE:            CONSIDER ACCEPTING THE TITLE TO THE 1999 GMC  
SUBURBAN, VIN GKFK16R2XJ791463, OWNED BY THE  
BUCHANAN COUNTY SOCIAL SERVICES, DUE TO THE  
VEHICLE NO LONGER SAFE TO BE USED**

After a general discussion by the board upon motion by Harold H. Fuller seconded by William P. Harris with a roll call vote of six (6) yeas, Craig Stiltner, William P. Harris, G. Roger Rife, J. Carroll Branham, Harold H. Fuller, Trey Adkins, zero (0) nays and one (1) absent, Earl Scott, this board did hereby accept the title to the 1999 GMC Suburban, VIN GKFK16R2XJ791463, owned by the Buchanan County Social Services, due to the vehicle no longer safe to be used.

----- 000 -----

**IN RE:            CONSIDER APPLICATION FOR VACATING PUBLIC RIGHT OF  
WAY IN THE OLD JOHNSVILLE, VA. SUBDIVISION AS PER  
THE ATTACHED LETTER FROM ATTORNEY PHILLIP HEARL,  
ALONG WITH THE SCHEDULING OF A PUBLIC HEARING ON  
MONDAY, MARCH 5<sup>TH</sup>, AT 10:45 A.M. FOR A PROPOSED  
ORDINANCE TO VACATE THE PUBLIC RIGHT OF WAY IN  
QUESTION**

After a general discussion by the board upon motion by William P. Harris seconded by Trey Adkins with a roll call vote of six (6) yeas, Craig Stiltner, William P. Harris, G. Roger Rife, J. Carroll Branham, Harold H. Fuller, Trey Adkins, zero (0) nays and one (1) absent, Earl Scott, this board did hereby approve application for vacating public right of way in the old Johnsville, Virginia subdivision as per the attached letter from Attorney Phillip Hearl, along with the scheduling of a public hearing on Monday,

March 5<sup>th</sup>, at 10:45 a.m. for a proposed ordinance to vacate the public right of way in question.

----- 000 -----

**IN RE:            CONSIDER ADOPTING THE RESOLUTION REGARDING THE  
DISSOLUTION OF THE ADMINISTRATIVE BOARD OF THE  
BUCHANAN COUNTY DEPARTMENT OF SOCIAL SERVICES**

This issue was tabled, no action taken.

Trey Adkins, Knox District Supervisor requested that this agenda item and the next agenda item to not be included on the agenda for the March 5<sup>th</sup> board meeting, due to him being out of town.

----- 000 -----

**IN RE:            CONSIDER ADOPTING THE RESOLUTION REGARDING THE  
APPOINTMENT OF AN ADVISORY BOARD FOR THE  
BUCHANAN COUNTY DEPARTMENT OF SOCIAL SERVICES**

This issue was tabled, no action taken.

----- 000 -----

**IN RE:            CONSIDER APPROVING TO ISSUE A REFUND TO STEVE AND  
HAZEL RIDDLE, RESIDENT ON DAVE BRANCH FOR PAYING  
TOWN GARBAGE AND ALSO BEING COLLECTED ON HIS  
UTILITY BILLS**

Trey Adkins, Knox District Supervisor stated if we do this, then we're going to have to do it for everybody in town. I think it opens up Pandora's Box and you're going to have a thousand people out of the town request a \$3.00 a month refund.

L. Lee Moise, County Attorney stated the \$3.00 is a consumer utility tax.

G. Roger Rife, South Grundy District Supervisor stated I'll vote for this, because we've done it in the past. This isn't the first time.

My recommendation would be to go ahead and do this one because you've done them in the past, but then adopt a policy that you're not going to do it any further, stated Mr. Moise.

After a general discussion by the board upon motion by G. Roger Rife seconded by Harold H. Fuller with a roll call vote of five (5) yeas, Craig Stiltner, William P. Harris, G. Roger Rife, J. Carroll Branham, Harold H. Fuller, one (1) nay, Trey Adkins and one (1) absent, Earl Scott, this board did hereby approve to issue a refund to Steve and Hazel Riddle, resident on Dave Branch in the amount of \$36.00 for paying town garbage and also being collected on their utility bill for one year.

----- 000 -----

**IN RE:            CONSIDER APPROVING A POLICY TO NO LONGER ISSUE  
REIMBURSEMENT OF CONSUMER UTILITY TAX  
COLLECTED ON APPCO BILLS TO TOWN OF GRUNDY  
RESIDENTS**

After a general discussion by the board upon motion by Harold H. Fuller seconded by William P. Harris with a roll call vote of five (5) yeas, Craig Stiltner, William P. Harris, G. Roger Rife, J. Carroll Branham, Harold H. Fuller, one (1) nay, Trey Adkins and one (1) absent, Earl Scott, this board did hereby approve a policy to no longer to issue reimbursement of the \$3 per month consumer utility tax collected on APPCO bills to Town or County residents who pay trash pick-up fees to the Town of Grundy.

----- 000 -----

**IN RE:            CONSIDER REQUEST FROM THE VIRGINIA MOUNTAINEER**

After a general discussion by the board upon motion by Harold H. Fuller seconded by Trey Adkins with a roll call vote of six (6) yeas, zero (0) nays and one (1) absent, this board did hereby approve to allow The Virginia Mountaineer and The Voice to place a newspaper distribution box on the premises near the Buchanan County Government Center at 4447 Slate Creek Road, Grundy, VA.

----- 000 -----

**IN RE:            CONTINUED MEETING AND/OR ADJOURNMENT**

After a general discussion by the board upon motion by Harold H. Fuller seconded by Craig Stiltner and with a roll call vote of (6) yeas, Trey Adkins, Harold H. Fuller, Craig Stiltner, G. Roger Rife, William P. Harris, J. Carroll Branham, zero (0) nays and one (1) absent, this board did hereby to continue this meeting until Monday, February 12<sup>th</sup> at 4:00 p.m.

\_\_\_\_\_  
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 12<sup>th</sup> day of February 2018 starting at 4:00 o'clock p.m. at the boardroom 3<sup>rd</sup> floor of Buchanan County Government Center located at 4447 Slate Creek Road, Grundy, Virginia:

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

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

**ABSENT:** Earl Scott

----- 000 -----

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

----- 000 -----

**IN RE: CONSIDER ADOPTING THE RESOLUTION RATIFYING THE STATE OF EMERGENCY DECLARED ON SUNDAY, FEBRUARY 11<sup>TH</sup>, 2018 AT 9:00 A.M.**

After a general discussion by the board upon motion by Harold H. Fuller seconded by G. Roger Rife and with the following roll call vote of five (5) yeas, Harold H. Fuller, G. Roger Rife, William P. Harris, J. Carroll Branham, Trey Adkins, zero (0) nays and two (2) absent, Craig Stiltner and Earl Scott, this board did hereby adopt the following Resolution ratifying the State of Emergency declared on Sunday, February 11<sup>th</sup>, 2018 at 9:00 a.m.

**RESOLUTION**

**IN RE: DECLARATION OF LOCAL EMERGENCY ON FEBRUARY 11<sup>th</sup>, 2018**

THAT WHEREAS, Buchanan County sustained substantial costs as the result of a heavy rainfall which occurred on or about February 10<sup>th</sup> through February 11<sup>th</sup>, 2018; and

WHEREAS, on February 11<sup>th</sup>, 2018 Robert Craig Horn, Buchanan County Emergency Management Director, declared a local emergency effective as of 9:00 a.m. February 11<sup>th</sup>, 2018 a result of the heavy rainfall that occurred on February 10<sup>th</sup> through February 11<sup>th</sup>, 2018; and

THEREFORE, BE IT RESOLVED, by the Buchanan County Board of Supervisors that such declaration of a local emergency is confirmed and ratified pursuant to Section 44-146.21 of the 1950 Code of Virginia, as amended.

This Resolution was adopted by the Buchanan County Board of Supervisors on this the 12<sup>th</sup> day of February, 2018.

Recorded Vote:

Moved: Harold H. Fuller  
Seconded: G. Roger Rife  
Yeas: Five  
Nays: Zero  
Absent: Two

---

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

ATTEST:

---

Robert Craig Horn, County Administrator

----- 000 -----

**IN RE:            CONSIDER ADOPTING RESOLUTION IN OPPOSITION TO HB  
786 AND HB 787**

L. Lee Moise, County Attorney stated House Bill's 786 and 787 has already been passed by the House of Delegates and now it's with the Senate Finance Committee. These HB's would remove the manifest error requirement thereby gutting the long-standing presumption of correctness afforded to real property assessment. The manifest error has been in effect since the 30's, he stated. These HB's would be a major blow to localities in the commonwealth, stated Mr. Moise.

After a general discussion by the board upon motion of Harold H. Fuller seconded by Trey Adkins and with a roll call vote of five (5) yeas, Harold H. Fuller, Trey Adkins, G. Roger Rife, J. Carroll Branham, William P. Harris, zero (0) nays and two (2) absent, Craig Stiltner and Earl Scott, this board did hereby adopt the following Resolution in opposition to HB 786 and HB 787:

**RESOLUTION  
IN RE: OPPOSITION TO HB 786 AND HB 787**

**WHEREAS**, well established case law in the Commonwealth requires the taxpayer to prove that manifest error has been committed in a local tax assessment case before relief can be granted; and

**WHEREAS**, requiring the taxpayer to prove that manifest error has occurred maintains the presumption of correctness of the assessment; and

**WHEREAS**, the Supreme Court of Virginia has stated clearly in many cases that the presumption of correctness and its accompanying manifest error standard is good public policy for the Commonwealth, its localities and its courts, for otherwise courts would be converted into assessing boards "thereby arrogating to themselves the function of the duly constituted tax authorities"; and

**WHEREAS**, HB 786 and HB 787 would remove the manifest error requirement thereby gutting the long-standing presumption of correctness afforded to real property

assessments; and

**WHEREAS**, the result of HB 786 and HB 787 will be to convert Circuit Courts into boards of assessment resulting in increased litigation thereby resulting in costs to the Commonwealth and to localities; and

**WHEREAS**, by maintaining the manifest error standard and the presumption of correctness of real estate assessments a balance is maintained in providing taxpayers the opportunity to challenge assessments while affording the appropriate deference to the duly constituted tax authorities in regard to real estate assessments; and

**WHEREAS**, the Buchanan County, Va. Board of Supervisors wishes to confirm its vigorous opposition to HB 786 and HB 787; and

**NOW THEREFORE, BE IT RESOLVED**, by the Buchanan County, Virginia Board of Supervisors that for the above stated reasons, the Board states and confirms its vigorous opposition to House Bill 786 and HB 787 that would abrogate the manifest error standard and thereby increasing litigation with heavy costs to both the Commonwealth and her localities.

This Resolution was adopted by the Buchanan County Board of Supervisors on this the 12<sup>th</sup> day of February 2018.

Recorded Vote:

Moved: Harold H. Fuller  
Seconded: Trey Adkins  
Yeas: Five  
Nays: Zero  
Absent: Two

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

ATTEST:

\_\_\_\_\_  
Robert Craig Horn, County Administrator

----- 000 -----

**IN RE:            CONSIDER FLOOD DAMAGE ISSUES**

Marcus Stiltner, Coal Haul Road Engineer stated due to the recent flooding in the county, I've been getting at least five (5) to six (6) telephone calls every thirty (30) minutes. A lot of these telephone call are from residents with private road issues.

As of today, I've estimated damages due to flooding on county roads at \$120,000 to \$150,000, stated Mr. Stiltner. Also, the road list is growing daily. Usually, when we have an event like this past weekend, it hits only one (1) district, but this flooding event hit the entire county, he stated.

Trey Adkins, Knox District Supervisor stated Bart Chambers, Chris Cline and Mr. Stiltner have done a good job. Someone from Richlands brought bottle water to Hurley this past weekend.

I've been utilizing the two (2) county crews; Ben and Benji Looney and the bridge crew with the recent flooding, stated Mr. Stiltner. Also, Pacer Construction, K &

K Construction; Torque Enterprises; Bobby Taylor; Cline's Construction Terry Horn's Construction; Short & Son Paving; Looney's Trucking and Construction and Walter Honaker to repair several county roads that were damaged.

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 five (5) yeas, Harold H. Fuller, Trey Adkins, G. Roger Rife, J. Carroll Branham, William P. Harris, zero (0) nays and two (2) absent, Craig Stiltner and Earl Scott, this board did hereby approve to utilize the DSR Funds to pay invoices due to the flooding throughout the county on February 10<sup>th</sup> and 11<sup>th</sup> providing Marcus Stiltner, Coal Haul Road Engineer signs off on all invoices and all drainage easements.

----- 000 -----

**IN RE:           CLOSED SESSION CONSULTATION WITH LEGAL COUNSEL  
REGARDING THE JEWELL SMOKELESS COAL  
CORPORATION CASE ---VA. CODE SECTION 2.2-3711 (A)(7)  
AND FLOOD DAMAGE ISSUES VA. CODE SECTION 2.2-3711 (A)(7)**

Upon a motion by Harold H. Fuller seconded by Trey Adkins and with a roll call vote of five (5) yeas, Harold H. Fuller, Trey Adkins, William P. Harris, G. Roger Rife, J. Carroll Branham, zero (0) nays and two (2) absent, Earl Scott and Craig Stiltner, this board agreed to convene in closed session as permitted by Virginia Code Section, 2.2-3711 (A)(7), consultation with legal counsel regarding the pending case of Jewell Smokeless Coal Corp. Case and Virginia Code Section, 2.2-3711 (A)(7), consultation with legal counsel regarding the recent flood damage to county roads.

-----

Motion was made by Craig Stiltner to return from closed session seconded by William P. Harris and with the following roll call vote of five (5) yeas, William P. Harris, G. Roger Rife, Craig Stiltner, J. Carroll Branham, Trey Adkins, zero (0) nays and two (2) absent, Earl Scott and Harold H. Fuller, this board did hereby approve to return from closed session.

This board meeting resumed in open session after being in executive session for one (1) hour and eleven (11) minutes

-----

A motion by Craig Stiltner seconded by Trey Adkins 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 issue regarding the Buchanan County Sanitation Dept.

The board of supervisors ratified the discussion of the additional matters 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, Craig Stiltner, William P. Harris, G. Roger Rife, J. Carroll Branham, Trey Adkins, zero (0) nays and two (2) absent, Earl Scott and Harold H. Fuller.

----- 000 -----

**IN RE:            CONSIDER APPROVING TO HIRE A SANITATION  
DEPARTMENT HELPER**

After a general discussion by the board upon motion by Craig Stiltner seconded by Trey Adkins and with the following roll call vote of five (5) yeas, Craig Stiltner, William P. Harris, G. Roger Rife, J. Carroll Branham, Trey Adkins, zero (0) nays and two (2) absent, Harold H. Fuller and Earl Scott, this board did hereby approve to hire Ronald E. Charles, as a Sanitation Department Helper at the same pay rate as the current helper positions with a ninety (90) day trial period.

----- 000 -----

**IN RE:            ADJOURNMENT**

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