

MINUTES

A regular meeting of the Buchanan County Board of Supervisors was held on the 5th day of March 2018 starting at 10:00 o'clock a.m. on the 3rd 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
Earl Scott

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

ABSENT: Trey Adkins

----- 000 -----

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

----- 000 -----

IN RE: CONSIDER APPROVING MINUTES FOR BOARD OF SUPERVISORS MEETINGS ON FEBRUARY 5TH AND 12TH, 2018

After a general discussion by the board upon motion by Earl Scott seconded by Craig Stiltner and with a roll call vote of five (5) yeas, Earl Scott, Craig Stiltner, Harold H. Fuller, G. Roger Rife, J. Carroll Branham, zero (0) nays, one (1) abstentions, William P. Harris, one (1) absent, Trey Adkins, this board did hereby approve the minutes for February 5th and 12th, 2018.

----- 000 -----

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

Upon a motion by Harold H. Fuller seconded by Craig Stiltner and by a roll call vote of six (6) yeas, Craig Stiltner, G. Roger Rife, William P. Harris, Harold H. Fuller, Earl Scott, J. Carroll Branham, zero (0) nays and one (1) absent, Trey Adkins, this board agreed to convene in closed session as permitted by Virginia Code Section, 2.2-3711 (A)(7), consultation with legal counsel regarding Willowbrook Country Club, Inc.

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

This board's meeting resumed in open session after being in executive session for thirteen (13) minutes.

A motion by Craig Stiltner seconded by William P. Harris that the Board certify that in the closed session just concluded, nothing was discussed except the matter specifically identified in the motion to convene in closed session and lawfully permitted to be so discussed under the provisions of the Virginia Freedom of Information Act cited in that motion. The motion was agreed upon by the following roll call vote of six (6) yeas, William P. Harris, Harold H. Fuller, Craig Stiltner, Earl Scott, G. Roger Rife, J. Carroll Branham, zero (0) nays and one (1) absent, Trey Adkins.

000

IN RE: CONSIDER ACCEPTING DEED FROM WILLOW BROOK COUNTRY CLUB, INC. 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 WITH THE APPROVAL AS TO FORM BY THE COUNTY ATTORNEY

After a general discussion by the board upon motion by Harold H. Fuller seconded by Craig Stiltner with a roll call vote of six (6) yeas, William P. Harris, Harold H. Fuller, Craig Stiltner, Earl Scott, G. Roger Rife, J. Carroll Branham, zero (0) nays and one (1) absent, Trey Adkins, this board did hereby accept the following Deed from Willowbrook Country Club, Inc. and authorized 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 with the approval as to form by the County Attorney:

RESOLUTION

IN RE: ACCEPTANCE OF DEED BY AND BETWEEN WILLOWBROOK COUNTRY CLUB, INC. TO BUCHANAN COUNTY, VIRGINIA FOR PROPERTY LOCATED IN BUCHANAN AND DICKENSON COUNTIES

BE IT RESOLVED, by the Buchanan County Board of Supervisors that we approve acceptance of the property described in that Deed attached hereto between Willowbrook Country Club, Inc. 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 5th day of March, 2018.

Recorded vote:

Moved by: Harold H. Fuller

Seconded by: Craig Stiltner

G. Roger Rife Yea

J. Carroll Branham Yea

Earl Scott Yea

Trey Adkins Yea

Craig Stiltner Yea

William P. Harris Yea

Harold H. Fuller Yea

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

ATTEST:

Robert Craig Horn, County Administrator

THIS DEED, made and entered into on this the 5th day of March, 2018, by and between **WILLOWBROOK COUNTRY CLUB, INC.**, a non-profit corporation, chartered, organized and doing business under and by virtue of the laws of the Commonwealth of Virginia, 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, Willowbrook Country Club, Inc. acquired three tracts, one containing sixty (60) acres, more or less, one containing fifty (50) acres, more or less, and one containing ten (10) acres, more or less, all three tracts situate, on the waters of Grassy Creek, in Buchanan and Dickenson Counties, Virginia, from Willowbrook Realty and Recreation Corporation, by Deed dated the 30th day of June, 1967 and recorded in the Office of the Clerk of the Circuit Court of Buchanan County, Virginia, in Deed Book No. 181, at page 104 and recorded in the Clerk’s Office of the Dickenson County Circuit Court in Deed Book 135, page 590; and

WHEREAS, the aforesaid sixty (60) acre tract and the aforesaid fifty (50) acre tract were acquired by Willowbrook Realty and Recreation Corporation from Dallas Mullins and Janice Mullins, his wife, by Deed dated the 30th day of June, 1965 and recorded in the Office of the Clerk of the Circuit Court of Buchanan County, Virginia,

in Deed Book No. 168, at page 255; and

WHEREAS, the aforesaid ten (10) acre tract was acquired by Willowbrook Realty and Recreation Corporation from Dallas Mullins and Janice Mullins, his wife, by Deed dated June 30, 1965 and recorded in the Office of the Clerk of the Circuit Court of Buchanan County, Virginia, in Deed Book No. 168, page 260; and

WHEREAS, **approximately** two acres of the 60-acre tract lies in Dickenson County, Virginia and accordingly the deed June 30, 1967 to Willowbrook Country Club, Inc. was recorded in both Buchanan County, Va. (Deed Book 181, page 104) and in Dickenson County, (Deed Book 135, page 590); and

WHEREAS, included in the 60 acre tract is a two acre tract that was conveyed as a separate parcel by Dallas Mullins and Janice Mullins, his wife to Willowbrook Realty and Recreation Corporation by deed dated June 30, 1965 and recorded in Deed Book 168, page 260 in the Clerk's Office of the Buchanan County Circuit Court so to make it clear that said two acre tract was conveyed free and clear of the vendor's lien retained on the sixty acre (60) tract which said vendor lien was reserved by Dallas Mullins and Janice Mullins in the Deed dated June 30, 1965 for the sixty (60) acre tract and fifty (50) acre tract, which said deed is recorded in Deed Book 168, page 255 in the Clerk's Office of the Circuit Court of Buchanan County, Virginia; and

WHEREAS, the Grantor desires to convey and the Grantee desires to accept all three of the afore-described tracts, namely the sixty (60) acre tract (which also includes the two (2) acre parcel described above), the fifty (50) acre tract and the ten (10) acre tract as set forth and more particularly described below; and,

NOW THEREFORE, for and in consideration of the sum of **TEN DOLLARS (\$10.00)**, to be paid upon acceptance of this deed by the Buchanan County Board of Supervisors, cash in hand paid by the Grantee unto the Grantor, the receipt and sufficiency of which is hereby acknowledged, along with other good and valuable consideration as described in a contract between the parties for the conveyance of all the real and personal property of the Grantor to the Grantee, the Grantor does hereby bargain, sell, grant and convey unto the Grantee, **WITH GENERAL WARRANTY AND ENGLISH COVENANTS OF TITLE**, all of its right, title and interest in and to all of those three certain tracts described of land, including all improvements thereon, situate on the waters of Grassy Creek, in Buchanan and Dickenson Counties, Virginia, and being the same property which was acquired by the Grantor as set out in the premises herein, and with metes and bounds as set forth below:

BEGINNING at a point in the right of way of Rte. 609, thence down and with the said right of way the following courses and distances N 13-38 W 153.70', N 05-32 W 143.27', N 16-07 W 122.50', N 39-59 E 111.30', N 61-50 W 109.48', N 83-27 W 225.95', thence leaving the said right of way N 31-46 W 824.83' to a stk., thence N27-10 E 221.02' to a stk., thence N 29-43 E 210.57', to a stk. thence N 08-31 E 189.98', to a stk., thence N 01-32 W 189.29' to a stk., thence N 05-53 E 106.90' to a stk., thence N 07-36 E 139.95', to a stk., thence N 08-40 W 208.46' to a stk., thence N 10-31 E 179.27', to a stk., thence N 69-18 E 82.75', to a stk., thence N 66-08 E 196.20' to a stk.,

thence N 88-01 E 162.95' to a stk. Thence N 68-06 E 48.09' to a stk., thence S 58-25 E 51.30' to a stk., thence S 49-30 E 195.83' to a stk., thence S 36-09 E 119.83' to a stk., thence N 02-09 W 49.90' to a sourwood, thence S 67-00 E 171.37' to a chestnut oak, thence S 36-30 E 1341.65' to a sourwood, thence S 36-18 E 56.51' to a stake in the line of Clinchfield Coal Company, thence with the old Clinchfield line S 25-00 E 130.30' to a bl. oak, thence S 25-04 E 112.00' to "X" on a rock, thence S 24-58 E 104.19' to a double beech, thence S 88-30 E 503.61' to a dogwood, thence S 88-32 E 115.55' to a stk., thence S 89-52 E 380.77' to a dogwood, thence S 86-15 E 157.40' to a beech, thence S 88-42 E 141.27' to a poplar, thence S 88-10 E 121.80' to a poplar, thence S 33-32 W 115.38' to a stk., thence S 35-00 W 188.34' to a stk., thence S 35-14 W 101.40' to a black gum, thence S 76-27 W 177.98' to a stk., thence N 73-32 W 26.50' to a black gum, thence S 68-16 W 134.08' to a black gum, thence S 75-25 W 73.12, thence S 73-39 W 189.23' to a white oak, thence S 72-25 W 39.15' to a beech, thence S 71-17 W 173.20' to a beech, thence N 82-36 W 72.44' to a white oak, thence S 77-35 W 290.63' to a beech, thence N 64-06 W 134.67' to a beech, thence N 36-14 W 128.36' to a stk., thence S 66-22 W 110.77' to a stk., thence S 71-05 W 183.35' to a poplar stump, thence N 89-41 W 43.47' to a maple, thence S 75-32 W 106.16' to a dogwood, thence S 75-55 W 79.75' to a white oak, thence S 79-58 W 84.49' to a stk., thence S 77-22 W 179.01' to a beech, thence S 17-40 E 89.41' to a white oak, thence S 07-45 W 135.83' to a white oak, thence S 17-25 W 105.72' to a white oak, thence S 15-52 W 137.82' to a white oak, thence S 08-56 W 33.20' to a beech, thence N 70-40 W 109.01' to a stump, thence N 71-03 W 67.16' to a stump, thence S 89-28 W 104.87' to a pin oak, thence N 88-35 W 122.52' to a stk., thence N 89-11 W 156.57' to a wild cherry, thence N 87-30 W 270.19' to a stk., thence N 87-27 W 297.18' to the beginning and being that same three tracts as described in deed book 168, page 255 and deed book 168, page 260, containing 120 acres more or less.

Said property was acquired by the Grantor as set out in the premises herein.

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

There is hereby excepted and reserved from the operation of this conveyance such of the coal, oil, minerals, rights, privileges, etc., as may have been heretofore sold or excepted from said land by prior owners. 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 Offices of the Circuit Court of Buchanan County, Virginia and Dickenson County, Virginia.

That on the 5th day of March 2018, the Board of Directors of Willowbrook Country Club, Inc. adopted a resolution authorizing Virlo Stiltner, as the President of Willowbrook Country Club, Inc. to execute a deed of conveyance of all the real property described in this deed that is owned by Willowbrook Country Club, Inc. A copy of said resolution is attached and made a part of this deed by reference, as Exhibit "A".

That on the 5th day of March, 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 the acquisition of this real property. A copy of the Board of Supervisor's resolution accepting this deed is attached to this deed and made a part of this deed by reference, as Exhibit "B".

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 CONTRACT WITH WILLOW BROOK COUNTRY CLUB, INC. FOR CONVEYANCE OF ALL REAL AND PERSONAL PROPERTY TO COUNTY AND AUTHORIZE THE CHAIRMAN OF THE BUCHANAN COUNTY BOARD OF SUPERVISORS AND COUNTY ADMINISTRATOR FOR BUCHANAN COUNTY, VIRGINIA TO EXECUTE THE 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 a 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 following Resolution and Contract with Willowbrook Country Club, Inc. for conveyance of all real and personal property to county and authorized the Chairman of the Buchanan County Board of Supervisors and County Administrator for Buchanan County, Virginia to execute the Contract on behalf of Buchanan County with the approval as to form by the County Attorney. An executed copy of the Contract is located in the Buchanan County Administrator's Office for review.

RESOLUTION

IN RE: ACCEPTANCE OF ALL THE PERSONAL PROPERTY ASSETS OF WILLOWBROOK COUNTRY CLUB, INC. SAME BEING CONVEYED TO BUCHANAN COUNTY, VIRGINIA

BE IT RESOLVED, by the Buchanan County Board of Supervisors that we approve acceptance of all the personal property assets of the Willowbrook Country Club, Inc. referenced in the Contract for Sale and in that Bill of Sale documents attached hereto between Willowbrook Country Club, Inc. 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 Contract and Bill of Sale documents 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 5th day of March, 2018.

Recorded vote:

Moved by: Craig Stiltner
Seconded by: Harold H. Fuller

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

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

ATTEST:

Robert Craig Horn, County Administrator

CONTRACT TO CONVEY REAL AND PERSONAL ASSETS

THIS AGREEMENT is made this 5th day of March, 2018, between BUCHANAN COUNTY, VIRGINIA, a political subdivision of the Commonwealth of Virginia, hereinafter sometimes referred to as “County” and Willowbrook Country Club, Inc., a non-profit corporation incorporated pursuant to the laws of the Commonwealth of Virginia, hereinafter sometimes as referred to as “Willowbrook”.

WITNESSETH:

THAT WHEREAS, Willowbrook has operated a golf course as a private Country Club since 1967; and

WHEREAS, in recent years Willowbrook has experienced declining membership and revenue; and

WHEREAS, a private country club is no longer economically feasible due to the decline in population and employment in Buchanan County and the surrounding communities; and

WHEREAS, the Board of Willowbrook has a plan of dissolution with respect to the liabilities and assets of Willowbrook; and

WHEREAS, Buchanan County, by and through its Board of Supervisors, has agreed to accept all the assets of Willowbrook, including all the real property and personal property owned by Willowbrook; and

WHEREAS, Willowbrook is currently obligated to Yamaha Motor Finance Corporation, U.S.A. pursuant to Lease Agreement dated March 18, 2016, for approximately eighteen (18) golf carts in the amount of Two-Thousand Seven Hundred Sixty-Six Dollars and Ninety-Nine Cents (\$2,766.99) per month with an outstanding balance of Forty-Nine Thousand Eight Hundred Five Dollars and Eighty-Two Cents (\$49,805.82) as of December 5, 2017;

WHEREAS, Buchanan County is in a better position to maintain the property as public golf course; and

WHEREAS, the conveyance of Willowbrook’s real estate, personal property

assets and liabilities to Buchanan County, Virginia is in the best interest of the membership of Willowbrook and the general public in Buchanan County and surrounding communities; and

NOW, THEREFORE, in consideration of the aforementioned premises and the mutual covenants setforth herein, the parties agree as follows:

1. **Real Estate:**

Willowbrook shall convey all of its interest in its real property with improvement thereon to Buchanan County, Virginia, namely a sixty (60) acre tract, a fifty (50) acre tract and a ten (10) acre tract acquired by Willowbrook from Willowbrook Realty and Recreation Corporation by a deed dated June 30, 1967 and recorded in Deed Book 181, page 104 in the Clerk's Office of the Buchanan County Circuit Court and in Deed Book 135, page 590 in the Clerk's Office of the Dickenson County Circuit Court.

2. **Willowbrook's Personal Property Assets:**

Willowbrook shall convey to Buchanan County, Virginia all of Willowbrook's personal property assets by a Bill of Sale, a copy of which is attached to this contract and made a part hereof as Exhibit "A".

3. **Willowbrook's liabilities:**

Buchanan County, Virginia will assume Willowbrook's current liabilities, namely:

- a) Lease agreement to Yamaha Motor Finance Corporation for approximately eighteen (18) golf carts, a copy of said lease is attached to this contract and made a part hereof as Exhibit "B".
- b) A debt for a _____lawnmower in the amount of _____, a copy of such documentation is attached to this contract and made a part hereof as Exhibit "C".

4. **Proposed Green Fees, Membership Dues, etc.**

The County agrees to establish green fees, cart fees and membership dues as set forth in a schedule attached to this contract as Exhibit "D". However, it is understood and agreed by the parties that the continuation and/or modification of said schedule of green fees, cart fees and membership dues, etc. is totally within the discretion of the Buchanan County, Va. Board of Supervisors.

5. **Use:**

Although the County intends to use the real and personal property conveyed to the County pursuant to this agreement to operate a public golf course, the parties agree and understand that the future use of such real and personal property is completely within the discretion of the Buchanan County, Va. Board of Supervisors. The parties further understand and agree that the Board of Supervisors reserves the right to exercise that discretion at any time.

6. **Condition of Premises:**

The County understands that the real and personal property is being conveyed and accepted in "As Is" condition.

7. **Severability:**

The invalidity of any provision of this agreement as determined by a court of competent jurisdiction, shall in no way effect the validity of any other provision thereof.

8. **Documents to be executed:**

Willowbrook and the County agree to execute the necessary documents to complete the conveyance of the real and personal property contemplated by this agreement. Such documents to include but not be limited to this contract; the deed from Willowbrook to the County for Willowbrook's real property holdings; and a Bill of Sale from Willowbrook to the County conveying and transferring all the personal property belonging to Willowbrook to the County. The parties further agree to cooperate in the execution of any documents that may be required to complete the transactions as contemplated by this agreement.

9. **Binding Effect; Choice of Law:**

This Agreement shall be governed by the laws of the Commonwealth of Virginia. Any disputes arising hereunder, resulting in litigation, shall be resolved by the Circuit Court of Buchanan County, Virginia.

Witness the following signatures and seals, all duly authorized, effective as of the date first above written:

WILLOWBROOK COUNTRY CLUB, INC.

By: _____(SEAL)
Virlo Stiltner, President
Willowbrook Country Club, Inc.

ATTEST:

Drew Keene, Secretary
Willowbrook Country Club, Inc.

BUCHANAN COUNTY, VIRGINIA

By: _____(SEAL)
J. Carroll Branham, Chairman,
Buchanan County, Va. Board of Supervisors

ATTEST:

By: _____(SEAL)
Robert Craig Horn
County Administrator

APPROVED AS TO FORM ONLY:

Lawrence L. Moise III, Esq.
County Attorney

_____ 000 _____

IN RE: CONSIDER APPROVING AND ACCEPTING THE BILL OF CONVEYANCE OF PERSONAL PROPERTY ASSETS OF WILLOW BROOK COUNTRY CLUB, INC. TO THE COUNTY AND AUTHORIZE THE CHAIRMAN OF THE BUCHANAN COUNTY BOARD OF SUPERVISORS AND COUNTY ADMINISTRATOR FOR BUCHANAN COUNTY, VIRGINIA TO EXECUTE SUCH DOCUMENT 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 Harold H. Fuller seconded by Craig Stiltner and with a 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 and accept the following Bill of Conveyance of personal property assets of Willowbrook Country Club, Inc. to the county and authorized the Chairman of the Buchanan County Board of Supervisors and County Administrator for Buchanan County, Virginia to execute such document on behalf of Buchanan County with the approval as to form by the County Attorney. An executed copy of the Bill of Conveyance is located in the Buchanan County Administrator's Office for review.

**BILL OF SALE FOR CONVEYANCE AND TRANSFER
OF PERSONAL PROPERTY ASSETS FROM
WILLOWBROOK COUNTRY CLUB, INC. TO BUCHANAN COUNTY,
VIRGINIA**

WHEREAS, in a contract dated the 5th day of March 2018 between the Willowbrook Country Club, Inc and Buchanan County, Virginia, which a copy of said contract is attached to this Bill of Sale and made part hereof as Exhibit "A". Willowbrook Country Club, Inc. is to convey and transfer all the personal property assets of Willowbrook Country Club, Inc. to Buchanan County, Virginia; and

WHEREAS, by resolution dated the 5th date of March 2018, the Willowbrook Country Club, Inc. Board of Directors has authorized the conveyance and transfer of all the personal property assets of Willowbrook Country Club, Inc to Buchanan County, Virginia pursuant to the terms of the aforesaid contract (Exhibit "A"). A copy of said resolution is attached and made a part of this Bill of Sale as Exhibit "B"; and

WHEREAS, the personal property assets to be conveyed and transferred to Buchanan County, Virginia by Willowbrook Country Club, Inc. include but are not limited to the following:

- 1) All the equipment and golf carts listed on the attached list that is made a part of this Bill of Sale as Exhibit "C"; and
- 2) All personal property and fixtures located in the improvements on the real estate owned by Willowbrook Country Club, Inc. as described in a deed from Willowbrook Country Club, Inc. to Buchanan County, Virginia, a copy of said deed which is attached and made part of the Bill of Sale as Exhibit "D"; and
- 3) And any and all other personal property of Willowbrook Country Club, Inc. wherever such property may be located.

NOW THEREFORE, Willowbrook Country Club, Inc., hereinafter referred to as "Transferor", hereby sells, transfers, conveys, and gives to the Buchanan County, Virginia, hereinafter referred to as "Transferee", the following items of property:

- 1) All the equipment and golf carts listed on the attached list that is made a part of this Bill of Sale as Exhibit "C"; and
- 2) All personal property and fixtures located in the improvements on the real estate owned by Willowbrook Country Club, Inc. as described in a deed from

Willowbrook Country Club, Inc. to Buchanan County, Virginia, a copy of said deed which is attached and made part of the Bill of Sale as Exhibit "D"; and

- 3) And any and all other personal property of Willowbrook Country Club, Inc. wherever such property may be located.

Transferor: Willowbrook Country Club, Inc.
By: _____
Virlo Stiltner, President
Willowbrook Country Club, Inc.

ATTEST:

Andrew T. Keene, Secretary
Willowbrook Country Club, Inc.

Transferee:
Buchanan County, VA.:

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

ATTEST:

Robert Craig Horn,
County Administrator

_____ 000 _____

IN RE: DR. TOMMY WRIGHT, PRESIDENT OF SWCC

Dr. Tommy Wright, President of SWVV stated he was here today to introduce himself since he became President of SWVV. I'm looking forward to working with Buchanan County and hopes in getting a game plan for the Booth Center.

_____ 000 _____

IN RE: DENNIS BLANKENSHIP, RESIDENT – DISCUSS THE BUCHANAN COUNTY GOVERNMENT CENTER AND HANDICAP ACCESSIBLE

Dennis Blankenship wasn't present for the meeting.

_____ 000 _____

IN RE: JON RIFE, GRUNDY KIWANIS CLUB AND CHARLOTTE JUSTUS, COUNCIL KIWANIS CLUB – ANNUAL EASTER EGG HUNT

Jon Rife with Grundy Kiwanis Club and Charlotte Justus with Council Kiwanis Club, requested a contribution in the amount of \$2,800.00 to the Grundy Kiwanis

Foundation earmarked for the Annual Easter Egg hunt planned at the Miller Richardson playground and William P. Harris Park.

After a general discussion by the board upon motion by William P. Harris seconded by Harold H. Fuller with a roll call vote of six (6) yeas, William P. Harris, Earl Scott, J. Carroll Branham, G. Roger Rife, Craig Stiltner, Harold H. Fuller, zero (0) nays and one (1) absent, Trey Adkins, this board did hereby approve a contribution in the amount of \$2,800.00 to Grundy Kiwanis Foundation earmarked for their Annual Easter Egg Hunts for the Grundy and Council Kiwanis Clubs to be divided among the following district accounts:

South Grundy District

North Grundy District

Rocklick District

Prater District

Hurricane District

Garden District

Knox District

----- 000 -----

IN RE: BOBBY MAY, RESIDENT – DISCUSS ROADS AND JOBS

Bobby May, resident in the Knox Magisterial District thanked Craig Stiltner and Harold H. Fuller for speaking up against the Solsmart Resolution that was presented at the last board meeting. He thanked all the board members for putting a hold on the Resolution and not buying into it. This is from Appalachian Voices website; “We are regions grassroots advocate for healthy communities and environmental proportion for over 20 years and the leading force in Appalachia’s shift from fossil fuels to clean energy, he stated.

Appalachian Voices has been fighting the coal industry, coal jobs which employs my family, stated Mr. Fuller.

Ronald Regan said the most terrifying words in the English language are, “I’m from the government and I’m here to help you, commented Mr. May. If it’s coming from an environmental group, when they say they’re here to help you, run. Environmental groups are anti-coal, anti-jobs and anything we do to give them any support is hurting our families and hurting our county’s tax base, he stated.

I would like to request the board of supervisor to consider dedicating a section of Lester’s Fork Road in memory of John Franklin Smith, who recently passed away, requested Mr. May. We lost Mr. Smith and he’d been to this board many times.

We thought the world of Frankie stated J. Carroll Branham, Chairman. He brought us some good ideas that we worked with.

IN RE: KEN SMITH – RESIDENT

Ken Smith, stated I have a concern about Crystal Ball Road, located on State Route 460 below Grundy. The roadway has been in the county road system over 20 years, he stated. If the power pole would fall there would be a zipper effect.

I want to request the board to come and check on this road as soon as possible, stated Mr. Smith.

**IN RE: KEN SMITH WITH SONS OF CONFEDERATE VETERANS –
CONSIDER ADOPTING THE RESOLUTION DECLARING APRIL
2018 BE DESIGNATED AS CONFEDERATE HERITAGE AND
HISTORY MONTH**

Ken Smith with Sons of Confederate Veterans stated some people have argued that Buchanan County had nothing to do in the war of rebellion and had no place in history and that history doesn't need to be remembered, I think they need to be reminded.

In the past year we have placed headstones for Confederate veterans whose graves previously only had fieldstone markers, he stated. The Sons of Confederate Veterans has participated in multiple living history events and re-enactments in addition to other activities, stated Mr. Smith.

In January several members of the organization celebrated Lee-Jackson Day in front of the Buchanan County Courthouse where they displayed flags and fire a volley in remembrance of General Robert E. Lee and General Thomas "Stonewall" Jackson, stated Mr. Smith.

Mr. Smith invited the board to attend one of their meetings held on the fourth Tuesday every month at Food City. Also, I would like to request the board to consider adopting a Resolution declaring April 2018 be designated as Confederate Heritage and History Month.

After a general discussion by the board upon motion by William P. Harris seconded by Harold H. Fuller with a roll call vote of six (6) yeas, William P. Harris, Harold H. Fuller, G. Roger Rife, Earl Scott, Craig Stiltner, J. Carroll Branham, zero (0) nays and one (1) absent, this board did hereby adopt the following Resolution declaring that April 2018 be designated as Confederate Heritage and History Month:

CONFEDERATE HERITAGE AND HISTORY MONTH RESOLUTION

Be it hereby resolved that the Buchanan County Board of Supervisors in Commemoration of the Distinguished Service of the Confederate Veterans of Buchanan County declare that April 2018 be designated as Confederate Heritage and History Month.

The American Civil War was a difficult and trying time for this Nation and the Commonwealth of Virginia and this fledgling county.

The Recognition of the Service of these Buchanan County residents needs to be remembered and honored: As they fought and served to protect their homes and families.

Of over 500 men in 1860 from Buchanan County, nearly 400 served in the Confederate Army and another 100 served in the Federal Army and with this resolution the service of these men will be remembered and honored.

So, it is with great pride and honor that the Buchanan County Board of Supervisors do adopt this resolution sponsored by the Lt. Col. Vincent Addison Witcher Camp # 1863, Virginia Division, Army of Northern Virginia of the Sons of Confederate Veterans.

This resolution was adopted on the 5th day of March, 2018.

Chairman of the Buchanan County
Board of Supervisors

ATTEST:

County Administrator

_____ 000 _____

IN RE: PUBLIC HEARING – 10:15 A.M. – TO HEAR PUBLIC COMMENTS REGARDING A PROPOSED COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) APPLICATION TO BE SUBMITTED TO THE VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR THE PAW PAW WATERLINE EXTENSION PROJECT

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

Debbie Milton with Cumberland Plateau Planning District Commission stated the Paw Paw Waterline Extension Project is Phase IX of the Hurley Waterline Extension Project. We've already applied for AML money and will be submitting an application to the Virginia Department of Housing and Community Development (VDHCD), she stated.

There are 63 households representing the 60 percent that will be served, stated Ms. Milton.

Craig Stiltner, Rocklick District Supervisor asked how many households have signed up for public water?

Ms. Milton stated there's about 40 plus that's signed the User Agreement. Once the project gets started we always get more residents to hook up.

Upon motion by Harold H. Fuller seconded by Craig Stiltner and with a roll call vote of six (6) yeas, William P. Harris, Harold H. Fuller, G. Roger Rife, Earl Scott, Craig Stiltner, J. Carroll Branham, zero (0) nays and one (1) absent, this board did hereby approve to close the public hearing.

----- 000 -----

IN RE: DEBBIE MILTON WITH CUMBERLAND PLATEAU PLANNING DISTRICT – CONSIDER APPROVING THE FOLLOWING REGARDING THE PAW PAW WATERLINE EXTENSION PROJECT

Debbie Milton with Cumberland Plateau Planning District stated there are 12 phases of the Hurley Waterline Extension Project. We were going to try and do it in 8 phases, but the money ran out.

The average cost per household to run water is \$50,000 to \$55,000, stated Ms. Milton.

Craig Stiltner, Rocklick District Supervisor asked if grant money was being received for the Hurley Waterline Extension Project?

Yes, we've received over \$60,000 million to do the Hurley Waterline Extension Project in grant funds and approximately \$5 million from the county, stated Ms. Milton.

G. Roger Rife, South Grundy District Supervisor stated there's about 80 miles of waterline in the county and 8,000 paying customers. That's a lot of miles of waterline to keep up. Getting grants is good and we love, but we have to look at the cost of what it is to put in and keep up, he stated. We have a deficit in water and a deficit in garbage.

Ms. Milton requested the board to approve several documents related to the Paw Paw Waterline Extension Project. She stated the county through the Buchanan County Public Service Authority will be responsible for \$89,000.

After a general discussion by the board upon motion by William P. Harris seconded by Harold H. Fuller with a roll call vote of six (6) yeas, William P. Harris, Harold H. Fuller, Craig Stiltner, G. Roger Rife, J. Carroll Branham, Earl Scott, zero (0) nays and one (1) absent, Trey Adkins, this board did hereby approve the following documents for Paw Paw Waterline Extension Project and authorized the Chairman of the Buchanan County Board of Supervisors, the County Administrator to execute such documents on behalf of Buchanan County with the approval as to form by the County Attorney. A copy of the following documents is located in the Buchanan County Administrator's Office, 3rd floor of the Buchanan County Government Center for review.

- Resolution;
- General Assurance and Certification;
- Drug-Free Workplace Assurances and Certification;
- Applicant Disclosure Report;
- CDBG Citizens Participation;

- Citizen Participation Assurances and Certification.

RESOLUTION

WHEREAS, Buchanan County, Virginia has as its primary objective the provision of adequate water facilities; and

WHEREAS, the County wishes to apply for Virginia Community Development Block Grant funds in the 2018 Competitive Grant funding cycle; and

WHEREAS, the title of the County's grant project is the Paw Paw Waterline Extension Project; and

WHEREAS, the County is requesting \$787,500 Virginia Community Development Block Grant Funds; and

WHEREAS, the County has obtained or will obtain the \$889,076 in additional funds for this project through ARC (\$500,000 – will apply), SW W/WW (\$100,000 – will apply), CWDF (\$100,000 – committed), Thompson Foundation (\$100,000-committed) and local funds (\$89,076 - committed) through the Buchanan County Board of Supervisors for a total project cost of \$1,676,576; and

WHEREAS, 63 households representing 81 LMI persons (60%) will be served; and

WHEREAS, two public hearings have been advertised and properly conducted and one other form of public notice and necessary assurances executed; and

NOW, THEREFORE BE IT RESOLVED, that the Buchanan County Board of Supervisors authorizes the submission of this grant proposal in the amount of \$787,500 to the Virginia Department of Housing and Community Development for the Paw Paw Waterline Extension Project and designates the County Administrator as its representative to sign all documents pertaining thereto.

This 5th day of March, 2018.

Chairman
Buchanan County Board of Supervisors

ATTEST:

----- 000 -----

IN RE: CONSIDER ADOPTING THE SOLE SOURCE NOTICE AND RESOLUTION REGARDING THE MAINTENANCE SUPPORT SERVICE CONTRACT FOR CAD SOFTWARE PROVIDED BY SOUTHERN SOFTWARE, INC. AND AUTHORIZE THE CHAIRMAN OF THE BUCHANAN COUNTY BOARD OF SUPERVISORS AND COUNTY ADMINISTRATOR FOR BUCHANAN COUNTY, VIRGINIA TO EXECUTE THE 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 Earl Scott and with a roll call vote of six (6) yeas, William P. Harris, Harold H. Fuller,

Craig Stiltner, G. Roger Rife, J. Carroll Branham, Earl Scott, zero (0) nays and one (1) absent, Trey Adkins, this board did hereby adopt the following Sole Source Notice and Resolution regarding the General Maintenance Support Service Contract for Software in the amount of \$1,052.00 provided by Southern Software, Inc. and authorized the Chairman of the Buchanan County Board of Supervisors and County Administrator for Buchanan County, Virginia to execute the Contract on behalf of Buchanan County with the approval as to form by the County Attorney:

NOTICE

RE: PENDING AWARD OF CONTRACT TO SOUTHERN SOFTWARE, INC FOR ANNUAL SOFTWARE SUPPORT OF AMS FOR CAD SOFTWARE; SOUTHERN SOFTWARE INC. HAS BEEN DETERMINED TO BE SOLE SOURCE FOR THE CAD SOFTWARE PROVIDED BY SOUTHERN SOFTWARE, INC.

PLEASE TAKE NOTICE:

- 1) Due to issues of the unavailability of maintenance support services for Southern Software CAD software, it has been determined that Southern Software, Inc. is the sole source for an Annual Software Support of AMS contract for the County's Southern Software CAD software.
- 2) The Buchanan County, Va., Board of Supervisors will consider a Resolution to approve and award the contract to Southern Software, Inc. for an Annual Software Support of AMS contract for Southern Software CAD software, at its at its March 5th, 2018 Board meeting to be held in the Board of Supervisors meeting room on the 3rd floor of the Buchanan County Government Building, 4447 Slate Creek Road, Grundy, Virginia.

PLEASE CONDUCT YOURSELF ACCORDINGLY.

Issued by directive of the County Administrator this 5th day of March, 2018.

Robert Craig Horn, County Administrator
Buchanan County, Virginia

RESOLUTION

RE: PENDING AWARD OF CONTRACT TO SOUTHERN SOFTWARE, INC FOR MAINTENANCE SUPPORT FOR MAPPING SOFTWARE; SOUTHERN SOFTWARE INC. HAS BEEN DETERMINED TO BE SOLE SOURCE FOR THE MAPPING SOFTWARE PROVIDED BY SOUTHERN SOFTWARE, INC.

WHEREAS, prior to the issuance of an invitation to bid, Kenneth Ratliff, the Operations and Maintenance Manager conducted an investigation of potential vendors in regard to the contemplated procurement of an annual software support services contract for Software provided by Southern Software, Inc.; and

WHEREAS, after a thorough investigation, Kenneth Ratliff has concluded that Southern Software, Inc. is the only one source practicably available to provide the annual software support services contract for the software provided by Southern Software, Inc.; and

WHEREAS, it has been determined that due to issues of the unavailability of annual software support services for software provided by Southern Software, Inc. that Southern Software is the sole source to provide annual software AMS support services for CAD software provided by Southern Software, Inc.; and

WHEREAS, Southern Software, Inc. has provided a quote of One Thousand Fifty-Two Dollars and No Cents to provide annual AMS software support services for the CAD software provided by Southern Software for a term of one year; and

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Buchanan County, Va., Board of Supervisors and the County Administrator are hereby authorized to execute a Contract with Southern Software, Inc., as approved in form by the County Attorney, that provides for annual AMS software support services for the CAD software, from Southern Software, Inc. for the purchase price of One Thousand Fifty-Two Dollars and No Cents (\$1,052.00). Be It Furthermore Resolved that the County Administrator is directed to post a Notice as required by Virginia Code Section 2.2-4303(E) in the designated public area and on county website stating that the contract was awarded this day to Southern Software, Inc., in that only Southern Software, Inc. has been determined to be the only source practicably available for the purchase of annual AMS software support services contract for the CAD software provided by Southern Software, Inc.

This Resolution was adopted on the 5th day of March, 2018.

Recorded Vote:

Moved by: Craig Stiltner

Seconded by: Earl Scott

Yeas: Six

Nays: Zero

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

ATTEST:

Robert Craig Horn, County Administrator

----- 000 -----

**IN RE: CONSIDER APPROVING ADOPTING THE SOLE SOURCE
NOTICE AND RESOLUTION REGARDING THE
MAINTENANCE SUPPORT SERVICE CONTRACT FOR
MAPPING SOFTWARE PROVIDED BY SOUTHERN
SOFTWARE, INC. AND AUTHORIZE THE CHAIRMAN OF THE
BUCHANAN COUNTY BOARD OF SUPERVISORS AND
COUNTY ADMINISTRATOR FOR BUCHANAN COUNTY,
VIRGINIA TO EXECUTE THE 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 a roll call vote of six (6) yeas, William P. Harris, Harold H. Fuller, Craig Stiltner, G. Roger Rife, J. Carroll Branham, Earl Scott, zero (0) nays and one (1) absent, Trey Adkins, this board did hereby adopt the following Sole Source Notice and Resolution regarding the Maintenance Support Service Contract for Mapping

Software in the amount of \$4,035.00 provided by Southern Software, Inc. and authorized the Chairman of the Buchanan County Board of Supervisors and County Administrator for Buchanan County, Virginia to execute the Contract on behalf of Buchanan County with the approval as to form by the County Attorney.

NOTICE

**RE: PENDING AWARD OF CONTRACT TO
SOUTHERN SOFTWARE, INC FOR
MAINTENANCE SUPPORT FOR CAD SOFTWARE;
SOUTHERN SOFTWARE INC. HAS BEEN
DETERMINED TO BE SOLE SOURCE FOR THE CAD
SOFTWARE PROVIDED BY SOUTHERN
SOFTWARE, INC.**

PLEASE TAKE NOTICE:

- 3) Due to issues of the unavailability of maintenance support services for Southern Software CAD software, it has been determined that Southern Software, Inc. is the sole source for a maintenance support services contract for the County's Southern Software CAD software.
- 4) The Buchanan County, Va., Board of Supervisors will consider a Resolution to approve and award the contract to Southern Software, Inc. for a maintenance support services contract for Southern Software CAD software, at its at its March 5th, 2018 Board meeting to be held in the Board of Supervisors meeting room on the 3rd floor of the Buchanan County Government Building, 4447 Slate Creek Road, Grundy, Virginia.

PLEASE CONDUCT YOURSELF ACCORDINGLY.

Issued by directive of the County Administrator this 5th day of March, 2018.

Robert Craig Horn, County Administrator
Buchanan County, Virginia

RESOLUTION

**RE: SOUTHERN SOFTWARE AS SOLE SOURCE FOR
MAINTENANCE SUPPORT SERVICES CONTRACT
FOR MAPPING SOFTWARE PROVIDED BY SOUTHERN
SOFTWARE**

WHEREAS, prior to the issuance of an invitation to bid, Kenneth Ratliff, the Operations and Maintenance Manager conducted an investigation of potential vendors in regard to the contemplated procurement of a maintenance and support services contract for Mapping Software provided by Southern Software, Inc.; and

WHEREAS, after a thorough investigation, Kenneth Ratliff has concluded that Southern Software, Inc. is the only one source practicably available to provide a maintenance and support services contract for the Mapping software provided by Southern Software, Inc.; and

WHEREAS, it has been determined that due to issues of the unavailability of maintenance support services for mapping software provided by Southern Software, Inc.

that Southern Software is the sole source to provide maintenance support services for Mapping software provided by Southern Software, Inc.; and

WHEREAS, Southern Software, Inc. has provided a quote of Four Thousand Thirty-Five Dollars and No Cents to provide the maintenance and support services for the Mapping software provided by Southern Software for a term of one year; and

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Buchanan County, Va., Board of Supervisors and the County Administrator are hereby authorized to execute a Contract with Southern Software, Inc., as approved in form by the County Attorney, that provides for maintenance and support services for Mapping software, from Southern Software, Inc. for the purchase price of Four Thousand Thirty-Five Dollars and No Cents (\$4,035.00). Be It Furthermore Resolved that the County Administrator is directed to post a Notice as required by Virginia Code Section 2.2- 4303(E) in the designated public area and on county website stating that the contract was awarded this day to Southern Software, Inc., in that only Southern Software, Inc. has been determined to be the only source practicably available for the purchase of a maintenance and support services contract for Mapping software provided by Southern Software, Inc.

This Resolution was adopted on the 5th day of March, 2018.

Recorded Vote:

Moved by: Craig Stiltner
Seconded by: Harold H. Fuller
Yeas: Six
Nays: Zero

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

ATTEST:

Robert Craig Horn, County Administrator

----- 000 -----

IN RE: CONSIDER ADOPTING THE SOLE SOURCE NOTICE AND RESOLUTION REGARDING THE GENERAL MAINTENANCE SUPPORT SERVICE CONTRACT FOR SOFTWARE PROVIDED BY SOUTHERN SOFTWARE, INC. AND AUTHORIZE THE CHAIRMAN OF THE BUCHANAN COUNTY BOARD OF SUPERVISORS AND COUNTY ADMINISTRATOR FOR BUCHANAN COUNTY, VIRGINIA TO EXECUTE THE 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 Earl Scott and with a roll call vote of six (6) yeas, William P. Harris, Harold H. Fuller, Craig Stiltner, G. Roger Rife, J. Carroll Branham, Earl Scott, zero (0) nays and one (1) absent, Trey Adkins, this board did hereby adopt the following Sole Source Notice and Resolution regarding the Maintenance Support Service Contract in the amount of \$9,022.00 for CAD Software provided by Southern Software, Inc. and authorized the Chairman of the Buchanan County Board of Supervisors and County Administrator for Buchanan County, Virginia to execute the Contract on behalf of Buchanan County with the approval as to form by the County Attorney.

NOTICE

**RE: PENDING AWARD OF CONTRACT TO
SOUTHERN SOFTWARE, INC FOR
MAINTENANCE SUPPORT FOR CAD SOFTWARE;
SOUTHERN SOFTWARE INC. HAS BEEN
DETERMINED TO BE SOLE SOURCE FOR THE CAD
SOFTWARE PROVIDED BY SOUTHERN
SOFTWARE, INC.**

PLEASE TAKE NOTICE:

- 1) Due to issues of the unavailability of maintenance support services for Southern Software CAD software, it has been determined that Southern Software, Inc. is the sole source for a maintenance support services contract for the County's Southern Software CAD software.
- 2) The Buchanan County, Va., Board of Supervisors will consider a Resolution to approve and award the contract to Southern Software, Inc. for a maintenance support services contract for Southern Software CAD software, at its at its March 5th, 2018 Board meeting to be held in the Board of Supervisors meeting room on the 3rd floor of the Buchanan County Government Building, 4447 Slate Creek Road, Grundy, Virginia.

PLEASE CONDUCT YOURSELF ACCORDINGLY.

Issued by directive of the County Administrator this 5th day of March, 2018.

Robert Craig Horn, County Administrator
Buchanan County, Virginia

RESOLUTION

**RE: SOUTHERN SOFTWARE AS SOLE SOURCE FOR MAINTENANCE
SUPPORT SERVICES CONTRACT FOR CAD SOFTWARE PROVIDED BY
SOUTHERN SOFTWARE**

WHEREAS, prior to the issuance of an invitation to bid, Kenneth Ratliff, the Operations and Maintenance Manager conducted an investigation of potential vendors in regard to the contemplated procurement of a maintenance and support services contract for CAD Software provided by Southern Software, Inc.; and

WHEREAS, after a thorough investigation, Kenneth Ratliff has concluded that Southern Software, Inc. is the only one source practicably available to provide a maintenance and support services contract for the CAD software provided by Southern Software, Inc.; and

WHEREAS, it has been determined that due to issues of the unavailability of maintenance support services for CAD software provided by Southern Software, Inc. that Southern Software is the sole source to provide maintenance support services for CAD software provided by Southern Software, Inc.; and

WHEREAS, Southern Software, Inc. has provided a quote of Nine Thousand Twenty-Two Dollars and No Cents to provide the maintenance and support services for the CAD software provided by Southern Software for a term of one year; and

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Buchanan County, Va., Board of Supervisors and the County Administrator are hereby authorized to execute a Contract with Southern Software, Inc., as approved in form by the County Attorney, that provides for maintenance and support services for CAD software, from Southern Software, Inc. for the purchase price of Nine Thousand Twenty-Two Dollars and No Cents (\$9,022.00). Be It Furthermore Resolved that the County Administrator is directed to post a Notice as required by Virginia Code Section 2.2-4303(E) in the designated public area and on county website stating that the contract was awarded this day to Southern Software, Inc., in that only Southern Software, Inc. has been determined to be the only source practicably available for the purchase of a maintenance and support services contract for CAD software provided by Southern Software, Inc.

This Resolution was adopted on the 5th day of March, 2018.

Recorded Vote:

Moved by: Craig Stiltner

Seconded by: Earl Scott

Yeas: Six

Nays: Zero

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

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

- Additional appropriation to Garden District Park and Rec., account number 71040-5604-01 in the amount of \$10.00;
- Additional appropriation to Southwest Regional Recreation Authority account number 8101 0-5605 in the amount of \$200.00;
- Additional appropriation to Rocklick District Park and Rec., account number 71040-5604-06 in the amount of \$375.00;
- Additional appropriation to Garden District Park and Rec., account number 71040-5604-01 in the amount of \$300.00;
- Additional appropriation to Hurricane District Park and Rec., account number 71040-6022-02 in the amount of \$650.00;
- Additional appropriation to Circuit Court Clerk's Office, account number 21060-3320 in the amount of \$105.07;
- Additional appropriation to Commonwealth Attorney's Office, account number 22010-3100 in the amount of \$1,301.89.

----- 000 -----

IN RE: PUBLIC HEARING – 10:30 A.M. – TO HEAR PUBLIC COMMENTS REGARDING THE MERITS OF ENTERING INTO AN COMPREHENSIVE AGREEMENT WITH J. A. STREET & ASSOCIATES FOR THE RENOVATION AND EXPANSION OF THE BUCHANAN COUNTY COURTHOUSE. (THIS PUBLIC HEARING WILL BE CONTINUED UNTIL APRIL 2ND, AT 10:30 A.M.)

J. Carroll Branham, Chairman opened the public hearing for comments. Mr. Branham continued the public hearing until Monday, April 2nd, at 10:30 a.m.

----- 000 -----

IN RE: CONSIDER APPROVING THE QUOTE FROM CAS SEVERN FOR A 1000 LPM PRINTER IN THE AMOUNT OF \$15,252.30 AND AUTHORIZE THE COUNTY ADMINISTRATOR FOR BUCHANAN COUNTY, VIRGINIA TO EXECUTE THE 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 six (6) yeas, Craig Stiltner, Harold H. Fuller, William P. Harris, Earl Scott, J. Carroll Branham, G. Roger Rife, zero (0) nays and one (1) absent, Trey Adkins, this board did hereby approve the quote from CAS Severn for a 1000 LPM Printer in the amount of \$15,252.30 and authorized the County Administrator for Buchanan County, Virginia to execute the Contract on behalf of Buchanan County with the approval as to form by the County Attorney. A copy of this contract is located in the Buchanan County Administrator's Office, 3rd floor of the Buchanan County Government Center for review.

----- 000 -----

IN RE: PUBLIC HEARING – 10:45 A.M. – TO HEAR PUBLIC COMMENTS REGARDING THE PROPOSED ORDINANCE TO VACATE A PUBLIC RIGHT-OF-WAY IN THE JOHNSVILLE, VA. SUBDIVISION NEAR THE TWIN VALLEY ELEM./MIDDLE SCHOOL. (THIS PUBLIC HEARING WILL BE CONTINUED UNTIL APRIL 2ND, AT 10:45 A.M.) AFTER TAKING PUBLIC COMMENTS SO TO PROVIDE SEPARATE NOTICE TO AFFECTED PROPERTY OWNERS PURSUANT TO VIRGINIA CODE SECTION 15.2-2006

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

James D. Ribble, Surveyor stated the property is where the former Ike's Service Station and Little River Pipeline was located. JMB Investment Company, LLC plans on developing the property and building a Dollar General Store. The old subdivision has never existed and by abandoning the subdivision it will clear up the title so the store can be built, stated Mr. Ribble.

L. Lee Moise, County Attorney stated Virginia State Statute requires the county to notify all adjoining property owners of the abandonment of the subdivision. We have notified all property owners and they don't have a problem.

Upon motion by Harold H. Fuller seconded by Craig Stiltner and with a roll call vote of six (6) yeas, Craig Stiltner, Harold H. Fuller, William P. Harris, Earl Scott, J. Carroll Branham, G. Roger Rife, zero (0) nays and one (1) absent, Trey Adkins, this board did hereby approve to close the public hearing.

----- 000 -----

**IN RE: CONSIDER APPROVING THE ORDINANCE VACATING AND
 ABANDONING THAT STREET KNOWN AS THE JOHNSVILLE
 VIRGINIA SUBDIVISION**

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, Earl Scott, J. Carroll Branham, G. Roger Rife, zero (0) nays and one (1) absent, Trey Adkins, this board did hereby adopt the following Ordinance vacating and abandoning that street which runs across tax map nos: 2HH-0550-23; 2HH-0550-23A; 2HH-0550-23B and 2HH-0550-23c as shown on that plat entitled subdivision: Johnsville Virginia Subdivision, which is recorded in the Office of the Clerk of the Circuit Court of Buchanan County, Virginia in plat book 2 at page 47.

ORDINANCE

**“AN ORDINANCE VACATING AND ABANDONING THAT STREET WHICH
RUNS ACROSS TAX MAP NOS: 2HH-0550-23; 2HH-0550-23A; 2HH-0550-23B
AND 2HH-0550-23C AS SHOWN ON THAT PLAT ENTITLED SUBDIVISION:
JOHNSVILLE VIRGINIA SUBDIVISION, WHICH IS RECORDED IN THE
OFFICE OF THE CLERK OF THE CIRCUIT COURT OF BUCHANAN
COUNTY, VIRGINIA
IN PLAT BOOK 2 AT PAGE 47”**

The title of this Ordinance is “An Ordinance vacating and abandoning that street which runs across Tax Map Nos: 2HH-0550-23; 2HH-0550-23A; 2HH-0550-23B and 2HH-0550-23C as shown as a 25-foot-wide street on that plat entitled: Subdivision of Johnsville, Virginia Subdivision property which is recorded in the office of the Clerk of the Circuit Court of Buchanan County, Virginia in Plat Book 2 at page 47; and

WHEREAS, John W. Matney, Lydia Matney, his wife and W.H. Matney recorded a deed of subdivision on about October 21, 1937 with the Clerk's Office of Buchanan County, Va. Circuit Court in Deed Book 76, page 282; and

WHEREAS, along with said deed, a plat of the subdivision, entitled “Johnsville, Va.” was filed and recorded as well with the Clerk's Office of the Buchanan County Circuit Court in Plat Book, page 47; and

WHEREAS, a twenty-five (25) foot wide street depicted on said Plat ran across Tax Map Nos; 2HH-0550-23; 2HH-0550-23A; 2HH-0550-23B; and 2HH-0550-23C; and

WHEREAS, the aforementioned street has not been maintained as a part of the system of Buchanan County, Virginia nor has said street been used in connection with the

subdivision for many, many years with some structures actually having been constructed on part of said street; and

WHEREAS, Consolidated Leasing Service, LLC acquired part of lots 4 and 5, lots 6 through 12, part of lot 13 and lots 23 through 30 by deed dated August 14, 2007, recorded as Instrument No. 070003014 in the Clerk's Office of the Buchanan County Circuit Court; and

WHEREAS, JMB Investment Company, LLC and Consolidated Leasing Service, LLC is planning to develop a portion of the property in the afore-described old subdivision, namely part of lots 4 and 5; lots 6 through 12; lots, part lot 13, and lots 23 through 30 as depicted in the Plat recorded in Plat Book 14, page 246 in the Clerk's Office of the Buchanan County Circuit Court; and

WHEREAS, JMB Investment Company, LLC and Consolidated Leasing Service, LLC cannot develop the lots in question without the vacation and abandonment of the aforesaid twenty-five foot wide street as depicted on the Plat entitled "Johnsville, Va." recorded in Plat Book 2, page 47; and

WHEREAS, the street has never been maintained by Buchanan County; and

WHEREAS, the street is not necessary and appurtenant to the use, benefit, and enjoyment of the lots within the "Subdivision of Johnsville, Virginia" in as much as the same individuals own the majority of the lots and the remaining owners of lots in the former subdivision do not use said street; and

WHEREAS, notice of the intention of the Buchanan County Board of Supervisors to adopt this Ordinance and convey the abandoned street as aforesaid was duly advertised by law, in accordance with Va. Code Section 15.2-2006 once a week for two successive weeks prior to the passage of this Ordinance and prior to a public hearing being held concerning this Ordinance and where the second publication was made not sooner than one calendar week after the first publication of the public hearing was held upon such request as provided by law; and

WHEREAS, the property owners potentially affected by the vacation and abandonment of said street were notified of the request by representatives of JMB Investment Company, LLC and Consolidated Leasing Services, LLC, and/or Buchanan County; and

WHEREAS, JMB Investment Company, LLC and Consolidated Leasing Services, LLC, have agreed to pay all cost associated with the vacation and abandonment of the street within "Subdivision of Johnsville, Virginia"; and

NOW THEREFORE BE IT ORDAINED, that the street that runs across Tax Map Nos: 2HH-0550-23; 2HH-0550-23A; 2HH-0550-23B and 2HH-0550-23C as shown on that plat entitled: Subdivision of Johnsville, Virginia Subdivision property, which is recorded in the Office of the Clerk of the Circuit Court of Buchanan County, Virginia in Plat Book 2 at page 47, be and hereby is vacated, abandoned, or otherwise closed pursuant to Virginia Code Section 15.2-2006; and

BE IT FURTHER ORDAINED, that Buchanan County convey its interest, if any without consideration by quit claim deed(s) subject to the approval of the form of such deed(s) by the County Attorney and upon condition that the person or persons receiving such deeds pay the cost of preparation of such deeds; and

BE IT FURTHER ORDAINED, that the Chairman of the Buchanan County Board of Supervisors and the County Administrator be and hereby are authorized to execute such quit claim deed(s) subject to the approval of the form of such deed(s) by the County Attorney and upon condition that the person or persons receiving such deeds pay the cost of preparation of such deeds; and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect immediately and that a certified copy of this Ordinance shall be recorded as deeds are recorded and indexed in the name of Buchanan County; and

BE IT FURTHER ORDAINED, that this Ordinance not be printed in the Code of Buchanan County, Virginia.

The forgoing Ordinance was approved by the following vote of the members of the Buchanan County Board of Supervisors on the 5th day of March, 2018.

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

Chairman of the Buchanan County
Board of Supervisors

ATTEST:

Robert C. Horn, County Administrator

----- 000 -----

**IN RE: CONSIDER ADVERTISING THE REMOVAL OF ASBESTOS
AND DEMOLITION OF THE EARL HAROLD MCCOY
PROPERTY AT HURLEY, VIRGINIA**

After a general discussion by the board upon motion by Earl Scott seconded by Craig Stiltner and with the following roll call vote of six (6) yeas, Craig Stiltner, Harold H. Fuller, William P. Harris, Earl Scott, J. Carroll Branham, G. Roger Rife, zero (0) nays and one (1) absent, Trey Adkins, this board did hereby approve to readvertise for the removal of asbestos and demolition of the Earl Harold McCoy property at Hurley, Virginia.

----- 000 -----

**IN RE: CONSIDER APPROVING BID FOR REPLACEMENT AND
REDESIGN OF COMPLETE AIR DUCT SYSTEM LOCATED AT
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 THE
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 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, Earl Scott, J. Carroll Branham, G. Roger

Rife, zero (0) nays and one (1) absent, Trey Adkins, this board did hereby approve to rebid for the replacement and redesign of complete air duct system located at the Buchanan County Health Dept.

----- 000 -----

IN RE: CONSIDER APPROVING THE VENDOR SERVICE AGREEMENT FROM CHILDRESS ENTERPRISE CORP.

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, Earl Scott, J. Carroll Branham, G. Roger Rife, zero (0) nays and one (1) absent, Trey Adkins, this board did hereby approve the Vendor Service Agreement from Childress Enterprise Corp.

----- 000 -----

IN RE: CONSIDER APPROVING TO ISSUE A CHECK FOR COYOTE CLAIMS

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

- Clayton Stevens (Four Claims)
- Terry Compton (Two Claims)
- Shawn Woosley
- Wayne Clevinger
- Chris Wolford (Two Claims)
- Buckey Looney (Three Claims)
- Mary Ratliff
- Harold Woods
- Austin Looney (Two Claims)

----- 000 -----

IN RE: CONSIDER APPROVING TO ADVERTISE IN THE ATV & S X S ILLUSTRATED FOR FOUR ISSUES AT A RATE OF \$95.00 PER ISSUE FROM THE BUCHANAN COUNTY TOURISM LINE ITEM ACCOUNT

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, Earl Scott, J. Carroll Branham, G. Roger Rife, zero

(0) nays and one (1) absent, Trey Adkins, this board did hereby approve to advertise in the ATV & S x S Illustrated for four issues at a rate of \$95.00 per issue from the Buchanan County Tourism line item account.

----- 000 -----

IN RE: BILLIE CAMPBELL WITH TERRA TECH ENGINEERING SERVICES, INC.

Billie Campbell with Terra Tech Engineering Services, Inc. stated there is some grant funding available if awarded it could be used to connect the Jewell Valley ATV Trail to Grundy. It's a 100% grant funding and applications are due within the next few weeks.

Harold H. Fuller, Garden District Supervisor stated this is a multi-use trail which could be used for emergency access.

After a general discussion by the board upon motion by Harold H. Fuller seconded by Earl Scott and with the following roll call vote of six (6) yeas, Craig Stiltner, Harold H. Fuller, William P. Harris, Earl Scott, J. Carroll Branham, G. Roger Rife, zero (0) nays and one (1) absent, Trey Adkins, this board did hereby approve for Terra Tech Engineering Services to apply for a grant for the Grundy to Jewell Valley Multi-Use Trail either through the Buchanan County Board of Supervisors or the ATV Authority.

----- 000 -----

IN RE: CONSIDER BID FOR ROOF REPAIRS NEEDED FOR POPLAR GAP PARK GYMNASIUM AND AUTHORIZE THE CHAIRMAN OF THE BUCHANAN COUNTY BOARD OF SUPERVISORS AND COUNTY ADMINISTRATOR FOR BUCHANAN COUNTY, VIRGINIA TO EXECUTE THE CONTRACT ON BEHALF OF BUCHANAN COUNTY WITH THE APPROVAL AS TO FORM BY THE COUNTY ATTORNEY

Kenneth Ratliff, Maintenance Dept. stated the current roof on the Poplar Gap Park gymnasium is metal. If we replace the roof with another metal roof it will cost approximately \$90,000.00.

A membrane roof was put on the roof at the Buchanan County Public Library several years ago and it's doing great, stated Mr. Ratliff. There's a 20-year warranty on that roof.

Robert C. Horn, County Administrator stated that's the same roof that we put on the Buchanan County Dept. of Social Services about ten (10) years ago and we've not had any problems.

L. Lee Moise, County Attorney stated the warranty on the gymnasium when it was built had so many exceptions to it. I don't know how that compares to the bid that was received today.

Mr. Ratliff stated the company that submitted the bid is a reputable company.

G. Roger Rife, South Grundy District Supervisor stated we need to make sure we're getting what we're paying for. If we don't fix the roof soon, then we're going to be fixing the floor soon.

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, Harold H. Fuller, G. Roger Rife, Earl Scott, William P. Harris, J. Carroll Branham, Craig Stiltner, zero (0) nays and one (1) absent, this board did hereby approve the bid for roof repairs needed for Poplar Gap Park Gymnasium in the amount of \$59,470.00 and authorized the Chairman of the Buchanan County Board of Supervisors and County Administrator for Buchanan County, Virginia to execute the following Contract on behalf of Buchanan County with the approval as to form by the County Attorney. This will be paid from the South Grundy and Prater District accounts.

CONTRACT

THIS AGREEMENT, made and entered into this the _____ day of _____, 2018 by and between **BUCHANAN COUNTY, a political subdivision of the Commonwealth of Virginia**, party of the first part, and **LAFERNEY, INC.** party of the second part, hereinafter referred to as "**Contractor**".

WITNESSETH:

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

I

The Contractor agrees to provide a "turn-key" job, which will include materials, labor, equipment and any miscellaneous materials needed to complete roof repairs pursuant scope of services contained within "**THE INVITATION TO BID**" which said Invitation to Bid is made a part of this contract by reference as **Exhibit "A"**.

II

The Contractor agrees to perform and complete or cause to be performed or completed all such construction in accordance with the techniques and methods of construction provided for by applicable law, the standards of the construction industry, and the specifications referenced above. The Contractor further agrees that all equipment and materials used in the installation shall meet all those requirements and specifications in compliance with the laws of the United States and the Commonwealth of Virginia.

III

The Contractor shall, at his own cost and expense, obtain and pay for all licenses, permits, certificates and surveys required for the completion of the work under this Agreement.

IV

The Contractor shall, at his own cost and expense, procure and maintain insurance

required under the Virginia Workers' Compensation Act as well as liability insurance covering damages to person and property in the minimum amount of \$1,000,000.00 and shall furnish a Certificate of Insurance to the Board verifying proof of such insurance coverage.

The Contractor agrees to perform all the work required of him under this Agreement in a good and workmanlike manner under the supervision and direction of Buchanan County or its designated agents or employees. The Contractor will not subcontract any of the work described herein without the prior written approval of the Buchanan County Board of Supervisors. The Contractor will guarantee any work which would be performed by the sub-contractors. The Contractor further agrees to notify the County Administrator at least 24 hours before commencing work hereunder.

V

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

VI

The Board shall pay the Contractor for the performance of the work and the furnishing of the material under this Agreement the sum of \$59,470.00 upon the satisfactory completion of the aforesaid project. No partial performance payments will be made.

VII

A. Anything in this Agreement to the contrary notwithstanding, the final payment above set forth shall not become due and payable to the Contractor until thirty (30) days after the satisfactory completion of such project and until after the said Contractor has delivered to the Board satisfactory evidence that all claims, liens, and claims for liens and assignments of any sums due hereunder of Contractor's laborers, workmen and material men or any other persons, firms, associations, or corporations who may have performed any labor or furnished any materials under, or in connection with the performance of this Agreement have been paid in full.

B. The County shall notify the Contractor in writing of any defect or impropriety, which could prevent payment by the payment date within twenty (20) days of the completion of the project and the receipt of the materials described in Paragraph 7 A herein.

C. In the event of a dispute between the Contractor and a subcontractor and regardless of any other language herein, the Contractor may still be paid in full if he provides the County with written notice of the reason for nonpayment. Upon being paid in full the Contractor shall take one of the two following actions within seven (7) days after having received payment from the County:

1. Pay the subcontractor for the proportionate share of the total payment received

from the agency attributable to the work performed by the subcontractor under the contract; or

2. Notify the County and subcontractor, in writing, of his intention to withhold all or a part of the subcontractor's payment with the reason for nonpayment.

D. An individual contractor shall provide his social security number to the County and proprietorships, partnerships, and corporations shall provide their federal employer identification numbers to the County.

E. The contractor shall be obligated to pay interest to any subcontractor on all amounts owed by the contractor that remain unpaid after seven (7) days following receipt by the contractor of payment from the County for work performed by the subcontractor under this contract, except for amounts withheld as allowed in subdivision C2 of this section.

F. Interest shall accrue at the legal rate.

G. The contractor shall include in each of its subcontracts a provision requiring each subcontractor to include or otherwise be subject to the same payment and interest requirements with respect to each lower-tier subcontractor.

H. The contractor's obligation to pay an interest charge to a subcontractor pursuant to the payment clause in this section may not be construed to be an obligation of the County. A contract modification may not be made for the purpose of providing reimbursement for such interest charge. A cost reimbursement claim may not include any amount for reimbursement for such interest charge.

VIII

The Contractor shall indemnify and save harmless Buchanan County and its Board of Supervisors, officers and employees against all losses, or damages on account of injury to persons or property occurring in the performance of this Agreement together with any and all attorneys' fees incurred by Buchanan County on account of any thereof.

IX

In the event that the Contractor fails to complete the work required of him under this Agreement or abandons the said work or in any other way is in default of performance hereunder, the Board and its agents shall have the right to enter upon the premises upon, which the work is being done and take possession thereof and of any material thereon, whether supplied by the Contractor or otherwise, and use such material and complete the said Agreement through workmen or contractors or subcontractors employed by the Contractor and in every way perform the Agreement as is required to be done by the Contractor. In the event that the cost of such work and the furnishing of such material as may be required to be furnished exceeds the amount then remaining due the Contractor under the said Agreement, the Contractor shall pay to the Board the amount of such deficiency. But if such amount remaining in the hands of the Board under this Agreement at the time of the default of the Contractor exceeds the amount required to

complete the said Agreement, then upon such completion the Buchanan County Board of supervisors shall pay such surplus to the Contractor.

X

In the performance of the work under this Agreement, the Contractor shall conform to all applicable laws, ordinances, rules and regulations now in force or hereafter adopted and shall obtain all permits, licenses and consents required by such laws, ordinances, rules and regulations.

XI

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

- A. 1. The Contractor will not discriminate against any employee or applicant
 - 1. for employment because of race, religion, color, sex or national origin, except where religion, sex or national origin is a bona fide occupational qualification reasonably necessary to the normal operation of the Contractor. The Contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause.
 - 2. 2. The Contractor, in all solicitations or advertisements for employees placed by or on behalf of the Contractor, will state that such Contractor is an equal opportunity employer.
 - 3. 3. Notices, advertisements and solicitations placed in accordance with federal law, rules or regulations shall be deemed sufficient for the purpose of meeting the requirements of this section.
- B. The Contractor will include the provisions of the foregoing paragraphs a, b, and c 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 Contractor will:
 - 1. Provide a drug-free workplace for the Contractor's employees;
 - 4. 2. Post in conspicuous places, available to employees and applicants for employment, a statement notifying employees that the unlawful manufacture, sale, distribution, dispensation, possession, or use of a controlled substance or marijuana is prohibited in the Contractor's workplace and specifying the actions that will be taken against employees for violations of such prohibition;
 - 5. 3. State in all solicitations or advertisements for employees placed by or on behalf of the Contractor that the Contractor maintains a drug-free workplace;
 - and 4. Include the provisions of the foregoing clauses in every subcontract or purchase order of over \$10,000.00 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 contractor

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

XII

The Contractor shall, at all times, keep all roads, in the construction area, open and passable to normal traffic, considering short delays, which may be necessary in the performance of the work covered by the Agreement.

XIII

No extra work, not required by the plans and specifications hereinbefore mentioned, shall be performed or other material furnished unless on written order of the Board certifying that the performance of such extra work has been approved and authorized by it and such modification is in compliance with Va. Code section 2.2-4309.

XIV

No extra compensation not specified in this Agreement shall be demanded or received by the Contractor for any changes or alterations in the work performed under this Agreement, or for any extra work unless the foregoing provisions of this Agreement have been complied with strictly and modification of said contract is compliant with Va. Code section 2.2-4309.

XV

The Contractor shall commence work under the terms of this Agreement on or before _____ following the date of execution of this Agreement and shall complete all such work on or before thirty (30) calendar days (weather permitting) after the execution of this Agreement. However, in the event the contractor is unable to complete said project within thirty (30) calendar days, contractor is hereby required to request in writing an extension for an additional period not to exceed twenty (20) days, from the Board. It shall be in the sole discretion of the Board to either grant or not to grant an extension of the time to complete the construction of the project. No extension shall be granted for contractor's failing to properly plan or anticipate the actual time required to complete the project nor for contractor's overextension of labor and materials or failure of subcontractor or supplier to timely perform. A penalty for failing to meet project deadlines or extensions thereof shall accrue as follows: 5% of contract amount upon the first day of default and an additional 1% of the contract balance for each weekday (holidays excluded) thereafter until the project is completed and approved by the Board.

XVI

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

The Contractor shall not assign his rights or obligations under this Agreement, nor have more than fifty percent (50%) of the work required by this Agreement performed by sub-contractors. Subcontractors must be approved in advance by the Board of Supervisors or the County Administrator acting on behalf of the Board of Supervisors prior to the Board's next regular monthly meeting.

XVII

Claims by the Contractors shall be made in accordance with Section 11-69 of the 1950 Code of Virginia, as amended, and shall include a sworn written statement of facts substantiating such claims, together with copies of all documents and photographs which tend to substantiate such claims. The Contractor shall be allowed to appear before the Board of Supervisors within thirty (30) days after having filed such claim to present its argument in support of such claim. The Board of Supervisors shall rule on such claim in writing within sixty (60) days of the time set for such hearing.

XVIII

The parties agree that in the event the Contractor defaults in its performance of this Agreement or in the event that any money is paid by the Contractor's surety for the completion of this Contract, that the Contractor shall be disqualified from bidding on any future county construction projects for a period of two (2) years.

XIX

The County may cancel this Agreement at any time based upon a decision by the Buchanan County Board of Supervisors that such cancellation is in the best interest of the County. Any such decision shall be a discretionary decision of the Board. In the event of a cancellation pursuant to this paragraph, then the County shall not be liable to the Contractor for his bidding cost or for any amount other than the fair market value of the construction work completed by the Contractor pursuant to this Contract as of the time of the cancellation.

XX

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 any litigation hereunder whether or not such alleged breach involves Federal law or jurisdiction.

XXI

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.

XXII

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 BOARD OF SUPERVISORS

By: _____
J. Carroll Branham, Chairman

ATTEST:

Robert Craig Horn, County Administrator

CONTRACTOR: LAFERNEY, INC.

By: _____
Don Laferney, President of Laferney, Inc.

APPROVAL

The form of the foregoing Agreement by and between the Buchanan County Board of Supervisors and Laferney Inc. is here by approved.

Witness the following signature and seal:

ATTORNEY FOR THE COUNTY OF BUCHANAN
DATE: _____

_____ 000 _____

**IN RE: CONSIDER APPROVING THE PROCLAMATION
 PROCLAIMING MARCH 2018 AS THE 16TH ANNUAL MARCH
 FOR MEALS MONTH**

Renae Matney, Business Development and Public Relations Manager for Appalachian Agency for Senior Citizens requested the board to adopt a Proclamation proclaiming March 2018 as the 16th Annual March for Meals Month.

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, William P. Harris, J. Carroll Branham, Earl Scott, Craig Stiltner, G. Roger Rife, zero (0) nays and one (1) absent, Trey Adkins, this board did hereby adopt the following Proclamation proclaiming March 2018 as the 16th Annual March for Meals Month:

**A PROCLAMATION PROCLAIMING MARCH 2018 AS THE
16th ANNUAL MARCH FOR MEALS MONTH**

WHEREAS, on March 22, 1972, President Richard Nixon signed into law a measure that amended the Older Americans Act of 1965 and established a national nutrition program for seniors 60 years and older; and

WHEREAS, Meals on Wheels America established the March for Meals campaign in March 2002 to recognize the historic month, the importance of the Older Americans Act Nutrition Programs, both congregate and home-delivered, and raise awareness about the escalating problem of senior hunger in America; and

WHEREAS, the 2018 observance of March for Meals celebrates 16 years of providing an opportunity to support Meals on Wheels and Appalachian Agency for Senior Citizens programs that deliver vital and critical services by donating, volunteering and raising awareness about senior hunger and isolation; and

WHEREAS, Meals on Wheels programs and Appalachian Agency for Senior Citizens Nutrition Program, both congregate and home-delivered, have served our communities admirably for more than 40 years; and

WHEREAS, volunteers for Meals on Wheels and employees of Appalachian Agency for Senior Citizens are the backbone of the programs and they not only deliver nutritious meals to seniors and individuals with disabilities who are at significant risk of hunger and isolation, but also show caring concern and attention to their welfare; and

WHEREAS, Meals on Wheels and Appalachian Agency for Senior Citizens programs provide nutritious meals to seniors throughout the four-county area of Tazewell, Russell, Dickenson and Buchanan that help them maintain their health and independence, thereby preventing unnecessary falls, hospitalizations and/or premature institutionalization; and

WHEREAS, Meals on Wheels and Appalachian Agency for Senior Citizens programs provide a powerful socialization opportunity for seniors to help combat loneliness and isolation; and

WHEREAS, Meals on Wheels and Appalachian Agency for Senior Citizens programs deserve recognition for the contributions they have made and will continue to make to local communities, our state and our nation.

NOW, THEREFORE, the Buchanan County Board of Supervisors do hereby proclaim March 2018 as the 16th Annual March for Meals Month and urge every citizen to take this month to honor the Meals on Wheels and Appalachian Agency for Senior Citizens nutrition programs, the seniors they serve and the volunteers who care for them. Our recognition of, and involvement in, the national 2018 March for Meals can enrich our entire community and help combat senior hunger and isolation in America.

Dated this 5th day of March, 2018.

J. Carroll Branham, Chairman
Buchanan County Board of Supervisors

----- 000 -----

IN RE: CONSIDER APPROVING BID FOR MATERIALS AND INSTALLATION OF POLES AND LIGHTS AROUND THE SOFTBALL FIELD AT THE WILLIAM P. HARRIS PARK AND AUTHORIZE THE CHAIRMAN OF THE BUCHANAN COUNTY BOARD OF SUPERVISORS AND COUNTY ADMINISTRATOR FOR BUCHANAN COUNTY, VIRGINIA TO EXECUTE THE CONTRACT ON BEHALF OF BUCHANAN COUNTY WITH THE APPROVAL AS TO FORM BY THE COUNTY ATTORNEY

This was tabled at this time. No action taken.

----- 000 -----

IN RE: CONSIDER ACCEPTING THE 2010 FORD EXPLORER, VIN# 1FMEU7D82AUA64369 USED BY THE BUCHANAN COUNTY SHERIFF'S OFFICE, DUE TO THE VEHICLE BEING UNREPAIRABLE

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, Harold H. Fuller, William P. Harris, J. Carroll Branham, Earl Scott, Craig Stiltner, G. Roger Rife, zero (0) nays and one (1) absent, Trey Adkins, this board did hereby accept the 2010 Ford Explorer, VIN# 1FMEU7D82AUA64369 used by the Buchanan County Sheriff's Office, due to the vehicle being unrepairable.

----- 000 -----

IN RE: CONSIDER REQUEST FROM GRUNDY VOLUNTEER FIRE DEPARTMENT REGARDING THE 2010 FORD EXPLORER, VIN# 1FMEU7D82AUA64369 THAT WAS USED BY THE BUCHANAN COUNTY SHERIFF'S OFFICE

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, William P. Harris, J. Carroll Branham, Earl Scott, Craig Stiltner, G. Roger Rife, zero (0) nays and one (1) absent, Trey Adkins, this board did hereby approve the request from Grundy Volunteer Fire Department regarding the 2010 Ford Explorer, VIN# 1FMEU7D82AUA64369 that was used by the Buchanan County Sheriff's Office.

----- 000 -----

IN RE: CONSIDER APPROVING TRANSFERS TO APPALACHIAN JUVENILE COMMISSION, ACCOUNT NUMBER 33040-5606

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, Harold H. Fuller, William P. Harris, J. Carroll Branham, Earl Scott, Craig Stiltner, G. Roger Rife, zero (0) nays and one (1) absent, Trey Adkins, this board did hereby approve the following transfers to Appalachian Juvenile Commission, account number 33040-5606:

- Transfer \$18,000 from account number 94100-7010;
- Transfer \$16,908 from account number 43020-3310.

----- 000 -----

IN RE: RAY FOSTER, SHERIFF – TO REQUEST ADDITIONAL FUNDING TO HIRE THREE ADDITIONAL SRO’S FOR THE SCHOOLS

Ray Foster, Sheriff stated we’ve got a very serious matter going through the schools the past two (2) weeks. The school board and superintendent have discussed with me they would like to have more SROs in the schools. They would like to have one (1) per school, he stated. We’ve have ten (10) schools in the county and I have only five (5) SROs. Also, a lot of the SROs have two (2) school, stated Sheriff Foster.

The school system would like to have a permanent fix of having more SROs to guard our kids and make it a safer place, stated Sheriff Foster. The Florida school shooting has brought a lot of this up again.

This is very serious even with the economy’s growth, stated Sheriff Foster. Any businesses coming in will notice whether the schools are protected or not.

State legislation will be asking for state and federal funding for SRO’s, stated Sheriff Foster.

We’ve charged four (4) kids for making threats to the school or using electronic devices to make threats to kill or cause bodily harm, stated Sheriff Foster. My office in the past two (2) weeks has visited the schools in the county.

Craig Stiltner, Rocklick District Supervisor stated SROs once was a state funded program. Retired police officers can be hired as part-time SROs for school system. As well as, off duty police officers, he commented. Someone hired for 180 days per year at \$14 to \$15 per hour.

G. Roger Rife, South Grundy District Supervisor commented we are losing more and more population in the county. If we consolidate schools, we would need less SROs.

Our schools are not populated as before, but it would be devastating to lose five (5) kids besides seventeen (17) or so, like Florida, stated Sheriff Foster.

J. Carroll Branham, Chairman stated we need to sit down and talk about this.

The board agreed to form a committee with two (2) school board members, Mr. Branham, Mr. Stiltner, Sheriff Foster, Deputy Eddie Stiltner, L. Lee Moise, County Attorney, Mr. Horn and Mrs. Hibbitts to discuss the issue for SRO’s.

----- 000 -----

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

Upon a motion by Craig Stiltner seconded by Harold H. Fuller and with a roll call vote of six (6) yeas, Harold H. Fuller, Craig Stiltner, Earl Scott, William P. Harris, G. Roger Rife, J. Carroll Branham, zero (0) nays and one (1) absent, Trey Adkins, 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.; Virginia Code Section, 2.2-3711 (A)(7), consultation with legal counsel regarding a request from Bill Keene, Treasurer to accept property; Virginia Code Section, 2.2-3711 (A)(7), consultation with legal counsel regarding the conveyance of Route 744 right-of-way to the Virginia Department of Transportation.

Motion was made by Earl Scott to return from closed session seconded by William P. Harris 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, Trey Adkins, 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 forty-two (42) minutes

A motion by Craig Stiltner seconded by William P. Harris with J. Carroll Branham, Chairman of the Buchanan County Board of Supervisors announcing during such session the board had also discussed Virginia Code Section, 2.2-3711 (A)(1), a personnel matter regarding Maintenance Code Officer; Virginia Code Section, 2.2-3711 (A)(1), a personnel matter regarding the operation of Willowbrook Country Club; Virginia Code Section, 2.2-3711 (A) (3), a matter involving the acquisition of property for public purposes; Virginia Code Section, 2.2-3711 (A)(3), a matter involving the acquisition of property regarding the recycling issues; Virginia Code Section, 2.2-3711 (A)(7), consultation with legal counsel regarding the Assign a Highway Program and Virginia Code Section, 2.2-3711 (A)(7), consultation with legal counsel regarding the trail system right-of-way.

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.

IN RE: Consider an additional appropriation and to establish a line item budget for Willowbrook Country Club

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, William P. Harris, Craig Stiltner, G. Roger Rife, J. Carroll Branham, Earl Scott, zero (0) nays and one (1) absent, Trey Adkins, this board did hereby approve an additional appropriation in the amount of \$50,000.00 and to establish a line item budget for Willowbrook Country Club.

----- 000 -----

IN RE: CONSIDER HIRING EMPLOYEES AT WILLOWBROOK COUNTRY CLUB, INC.

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, William P. Harris, Craig Stiltner, G. Roger Rife, J. Carroll Branham, Earl Scott, zero (0) nays and one (1) absent, Trey Adkins, this board did hereby approve to hire the following for employment at Willowbrook Country Club, Inc.:

- One part-time employee at \$10.00 per hour;
- One full-time employee at \$16.48 per hour;
- One full-time employee at \$11.00 per hour;
- One full-time employee at \$15.00 per hour.

----- 000 -----

IN RE: CONSIDER AUTHORIZING THE COUNTY ADMINISTRATOR TO MAKE PAYMENTS THAT ARE DUE FOR WILLOWBROOK COUNTRY CLUB

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, William P. Harris, Craig Stiltner, G. Roger Rife, J. Carroll Branham, Earl Scott, zero (0) nays and one (1) absent, Trey Adkins, this board did hereby authorize the County Administrator to make payments that are due for Willowbrook Country Club.

----- 000 -----

IN RE: CONSIDER APPROVING THE TREASURER TO TAKE ALL ACTIONS WHICH HE DEEMS NECESSARY TO RESOLVE THE COUNTY'S DELINQUENT TAX CLAIMS ON SUCH PROPERTY IN THE BANKRUPTCY CASE OF CATHIE B. SOWLES

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

zero (0) nays and one (1) absent, Trey Adkins, this board did hereby adopt the following Resolution accepting property in lieu of tax claims and authorizes the Treasurer to take all actions which he deems necessary to resolve the County's delinquent tax claims on such property in the bankruptcy case of Cathie B. Sowles.

RESOLUTION

IN RE: PROPERTY TAXES OWED BY CATHIE B. SOWLES

THAT WHEREAS, Cathie B. Sowles is indebted to Buchanan County, Virginia for property taxes and has filed a Chapter 13 Bankruptcy case in the U.S. Bankruptcy Court for the Northern District of Georgia, case no. 17-72165MGD; and that the Chapter 13 Plan has proposed that Ms. Sowles one-sixth (1/6) undivided interest in property described in deeds recorded in the Clerk's Office of the Buchanan County Circuit Court in Deed Book 67, page 265 and in Deed Book 74, page 345 is to be surrendered to Buchanan County, Virginia in satisfaction of the property tax claims of Buchanan County, Virginia; and

NOW THEREFORE, BE IT RESOLVED, by the Buchanan County Board of Supervisors that Buchanan County accepts such property in lieu of tax claims and authorizes the Treasurer to take all actions which he deems necessary to resolve the County's delinquent tax claims on such property in the bankruptcy case of Cathie B. Sowles.

This Resolution was adopted on the 5th day of March 2018 by the following roll call vote:

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

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

ATTEST:

Robert Craig Horn, County Administrator

----- 000 -----

**IN RE: CONSIDER APPROVING TO CONVEY STATE ROUTE 744 IN
BUCHANAN COUNTY TO VIRGINIA DEPARTMENT OF
TRANSPORTATION**

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, Harold H. Fuller,

William P. Harris, Craig Stiltner, G. Roger Rife, J. Carroll Branham, Earl Scott, zero (0) nays and one (1) absent, Trey Adkins, this board did hereby approve to convey State Route 744 in Buchanan County to the Virginia Department of Transportation (From the intersection of State Route 604, Poplar Creek Road to 0.76 miles north of Route 604 length 0.74 miles).

----- 000 -----

IN RE: CONSIDER AUTHORIZING THE COUNTY ATTORNEY AND THE COUNTY ADMINISTRATOR TO MOVE FORWARD REGARDING THE ACQUISITION OF PROPERTY FROM N & S RAILWAY, WHICH WILL BE UTILIZED FOR A RECYCLING CENTER

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, Harold H. Fuller, William P. Harris, Craig Stiltner, G. Roger Rife, J. Carroll Branham, Earl Scott, zero (0) nays and one (1) absent, Trey Adkins, this board did hereby authorize L. Lee Moise, County Attorney and the County Administrator to move forward regarding the acquisition of property from N & S Railway, which will be utilized for a recycling center.

----- 000 -----

IN RE: CONSIDER DESIGNATING BART CHAMBER AS THE MAINTENANCE CODE ENFORCEMENT OFFICIAL

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, Harold H. Fuller, William P. Harris, Craig Stiltner, G. Roger Rife, J. Carroll Branham, Earl Scott, zero (0) nays and one (1) absent, Trey Adkins, this board did hereby designate Bart Chambers as the Maintenance Code Enforcement Official and allow Mr. Chambers 18 months to obtain his certification.

----- 000 -----

IN RE: CONSIDER APPROVING THE DIVERSION PROGRAM TO PUT UP GARBAGE BAGS ALONG THE STATE HIGHWAY

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, Harold H. Fuller, William P. Harris, Craig Stiltner, G. Roger Rife, J. Carroll Branham, Earl Scott, zero (0) nays and one (1) absent, Trey Adkins, this board did hereby approve the Diversion Program to pick up garbage bags along state highways as one of the job requirements.

----- 000 -----

IN RE: CONSIDER APPROVING CONTRIBUTIONS

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

Council Volunteer Fire Department	\$8,225.39
Prater Vol. Rescue Squad, Inc.	\$8,210.00
Prater Vol. Fire Dept.	\$8,405.97
Grundy High School	\$167.69
J. M. Bevins Elementary School	\$395.00
Twin Valley High School	\$2,000.00
Slate Creek Volunteer Fire Dept.	\$11,384.00
Twin Valley Elementary/Middle School	\$1,000.00

----- 000 -----

IN RE: CONSIDER RATIFYING PAYROLL AFTER REVIEW

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, William P. Harris, Craig Stiltner, G. Roger Rife, J. Carroll Branham, Earl Scott, zero (0) nays and one (1) absent, Trey Adkins, 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 8TH, 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 of six (6) yeas, , Harold H. Fuller, William P. Harris, Craig Stiltner, G. Roger Rife, J. Carroll Branham, Earl Scott, zero (0) nays and one (1) absent, Trey Adkins, this board did hereby approve to ratify the payment of bills by Resolution adopted on January 8th, 2018. (Including the Buchanan County Head Start ratified bill list and bill list)

----- 000 -----

IN RE: CONSIDER SCHEDULING A BUDGET WORK SESSION

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

zero (0) nays and one (1) absent, Trey Adkins, this board did hereby approve to schedule a budget work session for Tuesday, March 20th at 4:00 p.m.

----- 000 -----

IN RE: CONSIDER APPROVAL TO ISSUE A CHECK FOR STOCKING THE DISMAL RIVER IN JEWELL VALLEY

After a general discussion by the board upon motion by Harold H. Fuller seconded by Earl Scott and with the following roll call vote six (6) yeas, Harold H. Fuller, William P. Harris, Craig Stiltner, 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 for stocking the Dismal River in the Jewell Valley area to be paid from the Garden District.

----- 000 -----

IN RE: CONSIDER ADOPTING RESOLUTION ENDING THE DECLARATION OF LOCAL EMERGENCY

After a general discussion by the board upon motion by Earl Scott seconded by William P. Harris and with the following roll call vote six (6) yeas, Harold H. Fuller, William P. Harris, Craig Stiltner, G. Roger Rife, J. Carroll Branham, Earl Scott, zero (0) nays and one (1) absent, Trey Adkins, this board did hereby adopt the following Resolution ending the declaration of Local Emergency effective March 18th, 2018:

RESOLUTION

IN RE: ENDING DECLARATION OF LOCAL EMERGENCY

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

WHEREAS, the circumstances supporting the local emergency ended on the 18th day of March, 2018; and

NOW THEREFORE, BE IT RESOLVED, by the Buchanan County Board of Supervisors that such declaration of a local emergency is declared concluded on the 18th day of March, 2018.

This Resolution was adopted by the Buchanan County Board of Supervisors on this the 5th day of March, 2018.

Recorded Vote:

Moved: Earl Scott
Seconded: William P. Harris
Yeas: Six
Nays: Zero

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

ATTEST:

Robert Craig Horn, County Administrator

_____ 000 _____

**IN RE: CONSIDER APPROVING APPLICATION FOR PUMP AND HAUL
FROM FEEDING MY SHEEP**

After a general discussion by the board upon motion by Earl Scott seconded by Craig Stiltner and with the following roll call vote six (6) yeas, Harold H. Fuller, William P. Harris, Craig Stiltner, G. Roger Rife, J. Carroll Branham, Earl Scott, zero (0) nays and one (1) absent, Trey Adkins, this board did hereby approve the application for pump and haul from the Buchanan County Health Department for Feeding My Sheep.

_____ 000 _____

**IN RE: GENERAL DISCUSSION REGARDING THE CONSOLIDATED
HEALTH INSURANCE GROUP**

G. Roger Rife, South Grundy District Supervisor stated it has come to my attention that all agencies in the county have different policies regarding hospitalization. I thought it was the same with each group.

J. Carroll Bramham, Chairman stated we've negotiated regarding our health insurance and there's no increase. I understand that there's one (1) person from an entity staying on the plan if they pay.

L. Lee Moise, County Attorney stated this has to be approved by the plan administrator.

Each board should know what they can and cannot do, stated Mr. Rife.

Craig Stiltner, Rocklick District Supervisor stated each board has two (2) representatives on the insurance committee. Everybody understands all the regulations.

All the county should have a uniform policy, stated Mr. Rife. We should show them the policy before they vote, but still there's no penalty if they break the policy.

L. Lee Moise, County Attorney stated each entity that receives local funding from the county should sign off a document each year and that they'll comply with certain policies. I don't think this is an unreasonable request.

_____ 000 _____

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

Upon a motion by Earl Scott seconded by William P. Harris and by a roll call vote of six (6) yeas, William P. Harris, Harold H. Fuller, Earl Scott, G. Roger Rife, Craig

Stiltner, J. Carroll Branham, zero (0) nays and one (1) absent, Trey Adkins, this board agreed to convene in closed session as permitted by Virginia Code Section, 2.2-3711 (A)(1), a personnel issues regarding the Diversion Program.

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

This board's meeting resumed in open session after being in executive session for ten (10) minutes.

A motion by Craig Stiltner seconded by Harold H. Fuller that the Board certify that in the closed session just concluded, nothing was discussed except the matter specifically identified in the motion to convene in closed session and lawfully permitted to be so discussed under the provisions of the Virginia Freedom of Information Act cited in that motion. The motion was agreed upon by the following roll call vote of six (6) yeas, Earl Scott, G. Roger Rife, William P. Harris, Harold H. Fuller, Craig Stiltner, J. Carroll Branham, zero (0) nays and one (1) absent, Trey Adkins.

----- 000 -----

IN RE: ADJOURNMENT

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

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

Robert Craig Horn, County Administrator