

MINUTES

A regular meeting of the Buchanan County Board of Supervisors was held on Monday the 18th day of September, 2017 starting at 10:00 o'clock a.m. in the boardroom of the Buchanan County Courthouse located in Grundy, Virginia.

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

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

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

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IN RE: CONSIDER APPROVING MINUTES FOR AUGUST 7th, 2017

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

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IN RE: JOE SNEAD, REQUEST FOR CONTRIBUTION FOR BACKPACK BLESSINGS

Joe Snead, representative for Backpack Blessings stated the 501(c)(3) organization is short about \$8,000 this year. We send up to 250 backpacks home each weekend with elementary school students. In each backpack there's two (2) breakfast, two (2) suppers and snacks.

After a general discussion by the board upon motion by Craig Stiltner seconded Harold H. Fuller and a roll call vote of seven (7) yeas, William P. Harris, G. Roger Rife, Harold H. Fuller, Earl Scott, J. Carroll Branham, Craig Stiltner, Trey Adkins and zero (0) nays, this board did hereby approve a contribution and to issue a check in the amount of \$5,000 to Backpack Blessings to be divided equally among the seven (7) district accounts.

**IN RE: TOM HOLLAND, SECRETARY FOR THE ELECTORAL BOARD –
REQUEST FUNDING FOR THE PURCHASE OF NEW VOTING
EQUIPMENT**

Tom Holland, Secretary for the Electoral Board stated the registrar’s office is required by the state to purchase new voting equipment by July 1st, 2018. It was July 1st, 2020, but has been moved up. The Department of Elections stated the DRE Voting Equipment that is currently being used could be easily hacked. The current machines we are using doesn’t leave a paper trail. As for Buchanan County, we don’t see any problems here like they could in Northern Virginia, he stated.

The Governor of Virginia has acknowledged that he would see that each county is reimbursed for the machines and training, stated Mr. Holland.

After a general discussion by the board upon motion by Craig Stiltner seconded Harold H. Fuller and a roll call vote of seven (7) yeas, William P. Harris, G. Roger Rife, Harold H. Fuller, Earl Scott, J. Carroll Branham, Craig Stiltner, Trey Adkins and zero (0) nays, this board did hereby approve a to transfer \$185,705.00 from Fund 1, Capital Outlay, account number 94100-7000 to Voting Machines account number 13040-8101.

**IN RE: CONSIDER SENDING A LETTER TO THE GOVERNOR OF
VIRGINIA REQUESTING FUNDING FOR THE PURCHASE OF THE
NEW VOTING MACHINES**

After a general discussion by the board upon motion by William P. Harris seconded Harold H. Fuller and Trey Adkins and a roll call vote of seven (7) yeas, William P. Harris, G. Roger Rife, Harold H. Fuller, Earl Scott, J. Carroll Branham, Craig Stiltner, Trey Adkins and zero (0) nays, this board did hereby approve to request the Governor to assist in reimbursing localities in the State of Virginia the cost of the purchase of new voting equipment, which has been mandated by the Virginia Department of Elections.

**IN RE: RAY FOSTER, SHERIFF -REQUEST ADDITIONAL FUNDING TO
PURCHASE SIX (6) NEW 2017 FORD POLICE INTERCEPTOR
UTILITY VEHICLES**

Ray Foster, Sheriff stated I’ve been put-off and put-off in purchasing some new vehicles for the sheriff’s office. We’re going to end up hitch hiking to get where we need to go. Some of the vehicles have more miles on them than they’re worth, he stated.

Last month, we had four (4) at the county garage at the same time and if a sanitation truck comes in, then the sheriff's office vehicles are put second to these trucks, commented Sheriff Foster. Some of the vehicles will take \$1,100 to \$2,100 to get fixed, stated Sheriff Foster.

When I became sheriff fourteen (14) years ago, I was told the county would purchase four (4) new sheriff's offices vehicles each year, he commented. The vehicles have been cut out of my budget the past two (2) years.

If the county is trying to get new businesses and industry into the county, they are going to check the criminal activity before they make a decision, stated Sheriff Foster.

William P. Harris made a motion to purchase two (2) new vehicles for the sheriff's office.

Craig Stiltner, Rocklick District Supervisor asked what the oldest vehicle that was being used at the Sheriff's Office now?

Eddie Stiltner, Deputy Sheriff stated 2007 models and they have approximately 200,000 miles on them.

Purchasing the vehicles is better than leasing vehicles, stated Sheriff Foster.

Robert C. Horn, County Administrator stated at the end of a lease you still have to pay \$6,000 or so for the vehicles.

We would like to go through state procurement for the Virginia Sheriff's Association instead of procurement, stated Sheriff Foster.

William P. Harris made a motion to purchase two (2) vehicles for the sheriff's office seconded by Trey Adkins.

G. Roger Rife, South Grundy District Supervisor stated we work on a budget for the county and approve it. I think we should hash these things out at budget time. We've made over \$350,000 in additional appropriations since July 2017. When we run out of funds in capital outlay, what are we going to do, he commented. We should have an emergency fund.

Mr. Stiltner stated there's \$150,000 set aside for maintenance and upkeep of the Booth Center.

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IN RE: CONSIDER RESCINDING THE MOTION TO APPROVE ISSUING A CHECK TO THE BUCHANAN COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY IN THE AMOUNT OF \$150,000 FOR MAINTENANCE AND EXPENSE FOR THE APPALACHIAN SCHOOL OF LAW

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

William P. Harris, G. Roger Rife, Earl Scott, J. Carroll Branham and one (1) nay, Harold H. Fuller, this board did hereby approve to rescind the motion on May 8th, 2017 to provide funding for the Appalachian School of Law maintenance and expenses for the Booth Center.

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IN RE: CONSIDER APPROVING TO PURCHASE TWO NEW VEHICLES FOR THE SHERIFF’S OFFICE

After a general discussion by the board upon motion by William P. Harris seconded by Trey Adkins and with the following roll call vote of seven (7) yeas William P. Harris, G. Roger Rife, Harold H. Fuller, Earl Scott, J. Carroll Branham, Craig Stiltner, Trey Adkins and zero (0) nays, this board did hereby approve to transfer \$80,000 from the IDA account number 81020-5641 to the Buchanan County Sheriff’s Office, account number 31020-8107 to purchase two (2) new 2017 Ford Police Interceptor Utility vehicles.

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IN RE: PUBLIC HEARING – 10:10 A.M. – TO HEAR PUBLIC COMMENTS REGARDING THE PROPOSED UPDATED COMPREHENSIVE PLAN OF BUCHANAN COUNTY

J. Carroll Branham, Chairman opened the joint public hearing, which is being held with the Buchanan County Planning Commission Board of which four (4) members were present, Robert Hibbitts, Melissa Keene, Ruby R. Hale and Lyle Mutter. The Planning Commission Chairman, Robert Hibbitts called the Planning Commission meeting to order and then opened the public hearing for the Planning Commission.

With no comments from the public upon motion by William P. Harris seconded by Craig Stiltner and the following roll call vote of seven (7) yeas William P. Harris, G. Roger Rife, Harold H. Fuller, Earl Scott, J. Carroll Branham, Craig Stiltner, Trey Adkins and zero (0) nays, this board did hereby approve to close the public hearing. The Planning Commission voted to close the Public Hearing. The Planning Commission by a roll call vote of 4 yeas, 0 nays and 2 absent then voted to approve the proposed Updated Comprehensive Plan and to also recommend the approval of same by the Board of Supervisors. Robert Hibbitts, Chairman and Ruby Hale, Secretary for the Planning Commission executed the resolution and certification of the resolution and Updated Comprehensive Plan.

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**IN RE: CONSIDER ADOPTING THE RESOLUTION APPROVING THE
UPDATED COMPREHENSIVE PLAN OF BUCHANAN COUNTY,
VIRGINIA**

After a general discussion by the board upon motion by Craig Stiltner seconded by Trey Adkins and with the following roll call vote of seven (7) yeas William P. Harris, G. Roger Rife, Harold H. Fuller, Earl Scott, J. Carroll Branham, Craig Stiltner, Trey Adkins and zero (0) nays, this board did hereby approve the adopt the following Resolution approving the updated Comprehensive Plan of Buchanan County, Virginia. A copy of the Comprehensive Plan of Buchanan County, Virginia is located in the Buchanan County Administrator's Office for review.

RESOLUTION

**IN RE: APPROVAL OF UPDATED COMPREHENSIVE PLAN
OF BUCHANAN COUNTY, VIRGINIA**

WHEREAS, pursuant to Va. Code section 15.2-2204, the Board of Supervisors conducted a joint public hearing with the Planning Commission on September 18, 2017 to consider approval of the Updated Comprehensive Plan; and

WHEREAS, the Buchanan County Planning Commission after conducting a joint public hearing with the Board of Supervisors adopted a resolution approving the Updated Comprehensive Plan and also recommending to the Board of Supervisors to approve same; and

WHEREAS, the Planning Commission has caused to be issued to the Board of Supervisors a certified copy of the Updated Comprehensive Plan and a certified copy of the Resolution of the Planning Commission approving the Updated Comprehensive Plan and recommending approval of same; and

WHEREAS, the proposed updated Comprehensive Plan of Buchanan County has been posted the on the County's website as required by Va. Code sections 15.2-2225 and 15.2-2226; and

THEREFORE BE IT RESOLVED, by the Buchanan County, Va. Board of Supervisors hereby approves the Updated Comprehensive Plan and directs the County Administrator to cause this resolution and the approved Updated Comprehensive Plan to be posted on the County's website. The foregoing Resolution was adopted by the Buchanan County Board of Supervisors on this the 18th day of September, 2017.

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

J. Carroll Branham, Chairman
Buchanan County Board of Supervisors

ATTEST:

Robert Craig Horn, County Administrator

L. Lee Moise, County Administrator stated Matthew Arnold, graduate of the Appalachian School of Law has been working on this project as part of his community service projects. Mr. Arnold has been working diligently with Marcus Stiltner, Coal Haul Road Engineer, Cumberland Plateau Planning District and the Buchanan County Planning Commission. He's done an outstanding job.

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**IN RE: CONSIDER ADOPTING RESOLUTIONS FOR THE VIRGINIA
COALFIELD REGIONAL TOURISM DEVELOPMENT AUTHORITY
D/B/A HEART OF APPALACHIA TOURISM AUTHORITY**

After a general discussion by the board upon motion by Craig Stiltner seconded by Trey Adkins and with the following roll call vote of seven (7) yeas, Craig Stiltner, Harold H. Fuller, Trey Adkins, J. Carroll Branham, G. Roger Rife, Earl Scott, William P. Harris and zero (0) nays, this board did hereby adopt the Resolution for the Virginia Coalfield Regional Tourism Development Authority d/b/a Heart of Appalachia Tourism Authority requesting the Virginia General Assembly to support changes and updates in the Virginia Coalfields Regional Tourism Development Authority:

RESOLUTION

This RESOLUTION is for the Virginia Coalfield Regional Tourism Development Authority dba Heart of Appalachia Tourism Authority, a political subdivision of the Commonwealth of Virginia, with a mailing address of P.O. Box 186, St. Paul Virginia 24283, (herein called "HOA")

WHEREAS, HOA was created by the Virginia General Assembly in 1993 to promote, expand, and develop the tourism industries of the coal-producing region including the counties of Scott, Lee, Wise, Dickenson, Russell, Buchanan, Tazewell and the City of Norton, as a whole; and,

WHEREAS, since 1993, most of the localities have hired or will be hiring tourism directors in the near future to improve the economic impact of tourism for each locality, and

WHEREAS, the legislative language approved in 1993 does not include seats on the Board of Directors to Tourism Directors, nor mandates representation of the tourism industry for seats on the Board. Therefore, hotels, restaurants, attractions, major events, state parks, interstate parks, nor federal parks are seated on the HOA Board of Directors, and

WHEREAS, to strengthen the HOA Board of Directors to improve capacity as a tourism marketing and development authority, the Board of Directors elected to submit updates and changes to the existing Legislative Language to increase the number of board members to 18 seats.

WHEREAS, eight seats will be available for Tourism Directors from each locality who shall have a permanent seat on the HOA Board of Directors. If a community does not have an official Tourism Director, the governing shall appoint a member of the government staff, chamber of commerce director, or community leader with tourism ties to serve as on the Board and report to the governing body.

WHEREAS, the Tourism Directors shall present a slate of nominees from tourism industry businesses such as lodging, restaurants, attractions, parks, outdoor recreation, community leaders or events to fill a second seat for each locality. These eight seats shall be appointed by the local governing body to serve a two-year term which can be extended one more year if desired by the local governing body.

WHEREAS, one seat on the HOA Board shall be filled by a representative of Virginia State Parks, Federal Parks, or Breaks Interstate Park for a two-year term which can be extended to one more year if desired by the partners representing the Parks in the HOA Region and,

WHEREAS, one seat on the HOA Board is reserved for an at-large tourism representative that would serve for two-years which may be extended to one more year if desired by the Board and,

WHEREAS, the HOA Board of Directors shall have the authority to create non-voting seats to represent the tourism industry, or major regional tourism projects, and determine additional seats they deem necessary as the region continues to grow and,

WHEREAS, the HOA Board of Directors may remove from the board any appointed member in the event that the board member is absent from any three consecutive board meetings or is absent from any four board meetings within any 12-month period. In either such event, the local governing body shall appoint a successor for the unexpired portion of the member who has been removed and,

WHEREAS, ten (10) members of the Board of Directors shall constitute a quorum. Directors are allowed to tele-conference into the meetings and maintain complete voting rights via phone or computer participation such as email or for example, Skype, and

WHEREAS, each locality shall appoint a Tourism Advisory Committee (TAC) to represent the tourism industry. The Tourism Director shall provide a slate of nominees to the governing body to appoint at least five, and more if desired, tourism representatives from lodging, restaurants, attractions, outdoor recreation, events or parks with terms determined by the Tourism Director and,

WHEREAS, the Tourism Director of each locality shall facilitate regular meetings of the local Tourism Advisory Committee to complete the work of the tourism plan and represent the tourism industry of the locality.

NOW THEREFORE, BE IT SO RESOLVED, that Buchanan County Board of Supervisors supports the request to the Virginia General Assembly to support changes and updates in the Virginia Coalfields Regional Tourism Development Authority as stated in the Legislative Language Bill for 2018-2019 General Assembly Session.

J. Carroll Branham

Chairman

Date

Robert C. Horn

County Administrator

Date

After a general discussion by the board upon motion by Craig Stiltner seconded by Trey Adkins and with the following roll call vote of seven (7) yeas ,Craig Stiltner, Harold H. Fuller, Trey Adkins, J. Carroll Branham, G. Roger Rife, Earl Scott, William P. Harris and zero (0) nays, this board did hereby adopt the Resolution for the Virginia Coalfield Regional Tourism Development Authority d/b/a Heart of Appalachia Tourism Authority requesting the Virginia General Assembly for funding at \$100,000 for 2018 and 2019:

This RESOLUTION is for the Virginia Coalfield Regional Tourism Development Authority dba Heart of Appalachia Tourism Authority, a political subdivision of the Commonwealth of Virginia, with a mailing address of P.O. Box 186, St. Paul Virginia 24283, (herein called "HOA")

WHEREAS, HOA was created by the Virginia General Assembly in 1993 to promote, expand, and develop the tourism industries of the coal-producing region including the counties of Scott, Lee, Wise, Dickenson, Russell, Buchanan, Tazewell and the City of Norton, as a whole; and,

WHEREAS, since 1993, most of the localities have hired or will be hiring tourism directors in the near future to improve the economic impact of tourism for each locality, and

WHEREAS, the legislative language approved in 1993 does not include seats on the Board of Directors to Tourism Directors, nor mandates representation of the tourism industry for seats on the Board. Therefore, hotels, restaurants, attractions, major events, state parks, interstate parks, nor federal parks are seated on the HOA Board of Directors, and

WHEREAS, to strengthen the HOA Board of Directors to improve capacity as a tourism marketing and development authority, the Board of Directors elected to submit updates and changes to the existing Legislative Language to increase the number of board members to 18 seats.

WHEREAS, eight seats will be available for Tourism Directors from each locality who shall have a permanent seat on the HOA Board of Directors. If a community does not have an official Tourism Director, the governing shall appoint a member of the government staff, chamber of commerce director, or community leader with tourism ties to serve as on the Board and report to the governing body.

WHEREAS, the Tourism Directors shall present a slate of nominees from tourism industry businesses such as lodging, restaurants, attractions, parks, outdoor recreation, community leaders or events to fill a second seat for each locality. These eight seats shall be appointed by the local governing body to serve a two-year term which can be extended one more year if desired by the local governing body.

WHEREAS, one seat on the HOA Board shall be filled by a representative of Virginia State Parks, Federal Parks, or Breaks Interstate Park for a two-year term which can be extended to one more year if desired by the partners representing the Parks in the HOA Region and,

WHEREAS, one seat on the HOA Board is reserved for an at-large tourism representative that would serve for two-years which may be extended to one more year if desired by the Board and,

There's a majority of the PSA board that is not in favor of collecting those fees, stated Mr. Adkins. The PSA doesn't want to be involved in collection of the \$5 fee, so this gives it back to the board of supervisors, he stated.

G. Roger Rife, South Grundy District Supervisor stated the county has been assisting the PSA, but when the county decides not to assist the PSA what will happen. You cannot continue to run water for two (2) miles to five (5) homes. If you charged those residents like it was business to the five (5) homes, the rates would be very high, he stated. The county has been assisting the PSA for years with taxpayer's dollars. I think our garbage rates are low now.

Any services the board provides to the residents of the county isn't cheap, such as: snow removal, weed cutting etc., stated Mr. Adkins.

Our garbage rates are lower than any other county as well as the county having the cheapest tax rate on real estate, stated Mr. Rife.

Craig Stiltner, Rocklick District Supervisor asked how much is budgeted for the transfer station and how much is collected for garbage collection? The roll-off dumpsters are averaging \$15 to \$20 thousand per month collected. There is a loss of \$2.7 million to run the transfer station, he stated.

We need to be prepared if and when Buc 1 quits, stated Mr. Stiltner. The sanitation department isn't about making money, but just breaking even.

There's not another county that pays only \$.75 cents per week for sanitation pick-up, stated Mr. Stiltner.

Paul Raines, resident asked if the PSA was paying a new computer guy \$100,000 per year and gave out \$5,000 a year raise for two (2) other employees?

Mr. Adkins stated no, the computer guy makes \$15.50 per hour.

Six (6) years ago when I was elected supervisor the budget was \$50 million, now it's \$43 million, stated Mr. Stiltner. We've cut the budget \$7 million in six (6) years.

John F. Smith, resident stated I support a garbage collection fee, but it needs to be put where it need to be. It needs to go to the sanitation department and the PSA should be able to stand alone, with your help.

If we're losing \$2.7 million a year in the sanitation department, then that's where it needs to go, commented Mr. Smith. If the board wants to increase the sanitation department \$5 per month, then do it equally and across the board. Also, do away with the existing AEP surcharge for sanitation pick-up, because AEP isn't in the business of collection funds, they collect utility rates, he stated.

By the year 2020, every house in this county should have clean drinking water, commented Mr. Smith. You are elected to oversee the county's finances and adopting a

budget by July 1st each year. When you start doing additional appropriations, you should vote no, he stated.

You need to get in line to make this county livable for the 10,11,12 and 13-year-old children, stated Mr. Smith.

If you think coal is going to be your salvation, mining might have increased, but there are no new mines, stated Mr. Smith.

I'm not for the \$5 sanitation rate increase for the PSA, but I am agreeable to the \$5 increase for the sanitation department, he stated.

Mr. Stiltner stated you base a budget on what you think you'll receive next year, based upon what you received this year.

I think they need to raise water rates, stated Mr. Stiltner. If we have to keep giving to the PSA, then the school system funding may go to zero. The PSA has a way to bring in additional money, but the school system doesn't, he stated.

Mr. Adkins stated the PSA's funding from the county went from \$2.4 million to \$1.5 million.

Guy Dillow, resident stated something needs to be done to bring industry back into the county. Once, our children graduate they're leaving the county.

Mr. Branham stated what we're doing is that we're still living like it's the 1970's. We've went from 35,000 residents to 23,000 residents and we have no roads or airports. All I've heard is that if we don't have good roads and an airport, then we won't have infrastructure, he stated. The pharmacy and law schools brings in about \$14 million to the county each year.

Bobby May, resident stated if the county is going to have a tax increase or a rate increase, put it out there for the public, don't do things in disguise to give the PSA money and calling it a garbage bill.

We weren't trying to hide it, it was just simply a way of trying to save money by collecting the fee, stated Mr. Adkins. The board of supervisors doesn't have a billing mechanism to collect the fee, but the PSA does, is why the board proposed to have the PSA to do it.

Mr. Rife stated we should think if it's a budget need or a wish list. Would you rather have water or a paved driveway? You might have to give us some of these things.

The average real estate tax collected is \$180 to \$300 per year, stated Mr. Rife. If you give a \$5,000 raise, it takes 16 households to get the salary increase for that employee.

Tommy Blankenship, resident stated since the board of supervisors appoints the PSA board, I want to ask when I'm going to get water?

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

G. Roger Rife, J. Carroll Branham and zero (0) nays, this board did hereby approved to close the public hearing.

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IN RE: CONSIDER ADOPTING THE RESOLUTION APPROVING THE AMENDMENTS TO THE ARTICLES OF INCORPORATION OF THE BUCHANAN COUNTY, VIRGINIA PUBLIC SERVICE AUTHORITY

This issue was tabled, no action taken.

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IN RE: CONSIDER APPROVING ARTICLES OF AMENDMENT OF THE BUCHANAN COUNTY, VIRGINIA PUBLIC SERVICE AUTHORITY

This issue was tabled, no action taken.

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IN RE: PUBLIC HEARING – 10:40 A.M. – TO HEAR PUBLIC COMMENTS REGARDING THE PROPOSED ADOPTION OF AN AMENDED ORDINANCE ENTITLED: “AN ORDINANCE TO CREATE A REGIONAL INDUSTRIAL FACILITIES AUTHORITY PURSUANT TO SECTION 15.2-6400 ET. SEQ. OF THE CODE OF VIRGINIA”

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

L. Lee Moise, County Attorney stated the ordinance being amended was originally adopted in the spring by Buchanan, Russell and Tazewell Counties involves creating a four-county Regional Industrial Facilities Authority consisting of Buchanan, Tazewell, Russell and Dickenson Counties to encourage economic development. This ordinance will help bring in businesses in the region and will allow revenue sharing projects for the four-county regions.

Bobby May, resident stated this is great, but we need strong people on this board to fight.

Mr. Branham stated Buchanan County is working with the other counties in the development of a fish farm. This will benefit all the counties with a tax base. It will employ approximately 300 people and high paying jobs around \$25.00 to \$27.00 per hour.

The board of supervisors has appointed Joe Gary Street and Todd Elswick to this board, stated Mr. Branham.

Upon motion by Harold H. Fuller seconded by Earl Scott and with a roll call vote of seven (7) yeas, Harold H. Fuller, Earl Scott, Craig Stiltner, G. Roger Rife, Trey Adkins,

William P. Harris, J. Carroll Branham and zero (0) nays, this board did hereby approved to close the public hearing.

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IN RE: CONSIDER APPROVING THE BY-LAWS FOR THE CUMBERLAND INDUSTRIAL FACILITIES AUTHORITY

After a general discussion by the board upon motion by Harold H. Fuller seconded by Craig Stiltner and with the following roll call vote of seven (7) yeas, Harold H. Fuller, Trey Adkins, Craig Stiltner, Earl Scott, G. Roger Rife, William P. Harris, J. Carroll Branham and zero (0) nays, this board did hereby approve the By-Laws for the Cumberland Industrial Facilities Authority. A copy of these by-laws is located in the Buchanan County Administrator's Office, 4th floor of the courthouse for review.

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IN RE: MARCUS STILTNER, COAL HAUL ROAD ENGINEER - CONSIDER APPROVAL TO PURCHASE AN ASPHALT ROLLER

Marcus Stiltner, Coal Haul Road Engineer stated Vandyke Paving has a used asphalt roller for sale for \$2,490.00. This asphalt roller could be used by the county's bridge crew.

After a general discussion by the board upon motion by Harold H. Fuller seconded by Craig Stiltner and with the following roll call vote of seven (7) yeas, Harold H. Fuller, Trey Adkins, Craig Stiltner, Earl Scott, G. Roger Rife, William P. Harris, J. Carroll Branham and zero (0) nays, this board did hereby approve for the Coal Haul Road Engineer to purchase an asphalt roller in the amount of \$2,490.00 from Vandyke Paving to be used by the bridge crew.

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IN RE: CONSIDER SCHEDULING A PUBLIC HEARING FOR MONDAY, NOVEMBER 6TH AT 10:15 A.M. TO HEAR PUBLIC COMMENTS REGARDING THE ABANDONMENT OF BLUE TICK ROAD LOCATED, COUNTY ROAD NUMBER 2401 IN THE KNOX MAGISTERIAL DISTRICT

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

November 6th at 10:15 a.m. to hear public comments regarding the abandonment of Blue Tick Road located, county road number 2401 in the Knox Magisterial District.

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**IN RE: CONSIDER APPROVING BIDS FOR SEALING AND STRIPING THE
 PARKING LOT AT THE BUCHANAN INFORMATION PARK**

Marcus Stiltner, Coal Haul Road Engineer stated we advertised for sealed bids to asphalt the Buchanan Information parking lot. The low bid was in the amount of \$62,892.80 from W & L Construction and Paving.

We advertised for bids for two (2) other projects; project “A” sealing and striping and project “B” striping only, stated Mr. Stiltner. The bid for sealing and striping was \$7,200.00 and striping only was \$2,500.00, both from Appalachian Sealing and Striping.

After a general discussion by the board upon motion by Trey Adkins seconded by Harold H. Fuller with a roll call vote of seven (7) yeas, Harold H. Fuller, Trey Adkins, Craig Stiltner, Earl Scott, G. Roger Rife, William P. Harris, J. Carroll Branham and zero (0) nays, this board did hereby approve the following Contract between Appalachia Sealing & Striping and Buchanan County, Virginia for sealing and striping the east side parking lot at the Buchanan Information Park, 4447 Slate Creek Road, Grundy, Virginia:

CONTRACT

THIS AGREEMENT, made and entered into this the 18th day of September, 2017, by and between **Appalachian Sealing & Striping**, party of the first part; hereinafter sometimes referred to as “**Contractor**,” and **Buchanan County, Virginia**, a political subdivision of the Commonwealth of Virginia, interested party hereto, hereinafter referred to as “**County**”.

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 perform the following work on the parking lot at the Buchanan County Information Park, 4447 Slate Creek Road, Grundy, Virginia pursuant to the Scope of Services “Project A” Seal and Stripe contained within “The Invitation for Bid” and make a part of this contract by reference thereto, as Exhibit “A” in Buchanan County, a copy of which is attached hereto and made a part hereof by reference and as per the layout as set forth on Plans Entitled “Buchanan County Municipal Dept. Temporary Relocation Parking Lot Layout” as prepared by Terra Tech Engineering Services, P.C. which is attached and incorporated by reference into this contract as Exhibit “B”.

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, and the standards of the construction industry, and the specifications and drawings as set forth in Exhibits "A" and "B". The Contractor further agrees that all materials used in the work shall meet all those requirements and specifications for materials as provided for by applicable law and the specifications provided by the aforementioned Exhibit "A".

III.

The Contractor shall, at his own cost and expense, procure and maintain insurance required under the Virginia Workers, Compensations Act as well as liability insurance covering damages to persons and property in the minimum amount of \$1,000,000.00 and shall furnish a Certificate of insurance to the County. The Contractor shall also maintain a builders' risk insurance policy upon such structure during its construction and make the County an additional insured on such policy. Buchanan County, its officers, agents, and employees shall be listed as additional insured on such policy of liability insurance. The Contractor shall furnish certificates of insurance to Buchanan County verifying such coverage. If the contract amount exceeds \$100,000.00 the Contractor shall post a payment and performance bond in the amount of the contract for each such bond.

The Contractor agrees to perform all the work required of him under this Agreement in a good and workmanlike manner. The Contractor guarantees the work performed by any sub-contractors under this Agreement and further agrees to notify the designated County inspector at least 24 hours before commencing work hereunder.

IV.

Contract bid price is \$7,200.00.

V.

A. Contractor shall submit an Application for one Lump Sum Payment in the amount of the Contract Price, on or before the 15th day of the month following completion of the performance of the work; and payment shall be made to the Contractor subject to a determination that all the work pursuant to this agreement has been performed as determined by the County's designated Inspector according to accepted practices in the industry. Such Application shall include documents showing that labor and material costs for the work completed have been paid, subject to the following:

B. Subject to the County's designated Inspector determination of work performed by Contractor according to accepted practices in the industry, payments by County for Contractor's Application for Payment on account of the Contract Price will be submitted to the Contractor within thirty (30) days of Contractor's Application for Payment.

C. Anything in this Agreement to the contrary notwithstanding, the final payment above set forth shall not become due and payable to the Contractor until the said Contractor has completed the project and has delivered to County satisfactory releases, satisfactions or waivers of 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.

D. County may refuse to make payments because labor or materials have not been paid for.

VI.

The Contractor shall indemnify and save harmless Buchanan County, and their officers, agents 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 attorney fees incurred by them on account of any thereof.

VII.

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 County 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, or County 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 county the amount of such deficiency. If it becomes necessary for the County to pursue recovery of this deficiency, or other damages for any other breach of this agreement, the Contractor shall also be liable for the County's reasonable attorney's fees and court costs. But if such amount remaining in the hands of County under this Agreement at the time of the default of the Contractor exceeds the amount required to complete the said Agreement, then upon completion County shall pay such surplus to the Contractor.

VIII.

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, license and consents required by such laws, ordinances, rules and regulations.

IX.

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.

X.

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

- A. 1. The Contractor will not discriminate against any employee or applicant 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. 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. 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;
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;
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.

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

XI.

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

XII.

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 provisions of this Agreement have been complied with strictly and prior approval is received by the Buchanan County Va., Board of Supervisors along with compliance with Va. Code section 2.2-4309.

XIII.

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

XIV.

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

decision of County. In the event of a cancellation pursuant to this paragraph, then County shall not be liable to the Contractor for his bidding cost or for an 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.

XV.

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

XVI.

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

XVII.

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 NEXT TWO PAGES.

WITNESS the following signatures and seals:

BUCHANAN COUNTY

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

ATTEST:

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

_____ 000 _____

IN RE: CONSIDER APPROVING THE CONTRACT BETWEEN BUCHANAN COUNTY AND FOUR COUNTY TRANSIT-APPALACHIAN AGENCY FOR SENIOR CITIZENS AND AUTHORIZE THE CHAIRMAN AND THE COUNTY ADMINISTRATOR TO EXECUTE THE CONTRACT WITH THE APPROVAL AS TO FORM BY THE COUNTY ATTORNEY

After a general discussion by the board upon motion of Harold H. Fuller seconded by Trey Adkins and with a roll call vote of seven (7) yeas, Harold H. Fuller, Trey Adkins, Craig Stiltner, Earl Scott, G. Roger Rife, William P. Harris, J. Carroll Branham and zero (0) nays, this board did hereby approve the Contract between Buchanan County and Four County Transit-Appalachian Agency for Senior Citizens 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 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, 4th floor of the courthouse for review.

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IN RE: CONSIDER APPROVING CONTRACTS FOR THE ANNUAL OCTOBERFEST AT THE WILLIAM P. HARRIS PARK ON OCTOBER 13TH AND 14TH AND AUTHORIZE THE CHAIRMAN AND THE COUNTY ADMINISTRATOR TO EXECUTE THE CONTRACTS WITH THE APPROVAL AS TO FORM BY THE COUNTY ATTORNEY

After a general discussion by the board upon motion by William P. Harris seconded by Harold H. Fuller and with the following roll call vote of seven (7) yeas, Harold H. Fuller, Trey Adkins, Craig Stiltner, Earl Scott, G. Roger Rife, William P. Harris, J. Carroll Branham and zero (0) nays, this board did hereby approve the following Contracts for the Annual Octoberfest at the William P. Harris Park on October 13th and 14th and authorized the Chairman and the County Administrator to execute the Contracts with the approval as to form by the County Attorney.

Friday and Saturday:

- Fun Factory - \$2,975.00

Friday Night:

- Virginia Bluegrass - \$300.00
- Blue Stone - \$300.00
- Viv's Karaoke - \$500.00

Saturday:

- Eddie Street
- David Taylor – Singer/Sound Tech - \$1,000 (Friday and Saturday)
- Caleb Howard - \$100.00
- Bob Smallwood - \$200.00

- Fields Family - \$300.00
- Eddie Street/Fonso Fields - \$600.00
- Singing Cookes - \$1,500.00
- Sandy Shortridge - \$350.00
- Bad Ridge - \$300.00
- Dave Adkins Bank - \$1,500.00
- Larry Cordle - \$2,499.00
- Viv's Karaoke

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**IN RE: CONSIDER APPOINTMENT TO THE BUCHANAN COUNTY
 PLANNING COMMISSION FOR THE ROCKLICK DISTRICT**

After a general discussion by the board upon motion by William P. Harris seconded by Trey Adkins with a roll call vote of seven (7) yeas, William P. Harris, Trey Adkins, Earl Scott, Craig Stiltner, Harold H. Fuller, G. Roger Rife, J. Carroll Branham and zero (0) nays, this board did hereby appoint Kim Lane, Rocklick District Representative to the Buchanan County Planning Commission for a four (4) year term.

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**IN RE: CONSIDER ADOPTING THE RESOLUTION ACCEPTING THE
 DEED BY AND BETWEEN FREDDIE KEEN EXECUTRIX OF THE
 ESTATE OF CLAUDE KEEN TO BUCHANAN COUNTY, VIRGINIA
 PROPERTY LOCATED ON ROUTE 680 IN THE GARDEN
 MAGISTERIAL DISTRICT**

After a general discussion by the board upon motion by Harold H. Fuller seconded by Trey Adkins and with the following roll call vote of seven (7) yeas, William P. Harris, Trey Adkins, Earl Scott, Craig Stiltner, Harold H. Fuller, G. Roger Rife, J. Carroll Branham and zero (0) nays, this board did hereby adopt the following Resolution accepting the Deed by and between Freddie Keen Executrix of the Estate of Claude Keen to Buchanan County, Virginia property located on Route 680 in the Garden Magisterial District:

RESOLUTION

**IN RE: ACCEPTANCE OF DEED BY AND BETWEEN FREDDIE KEEN
EXECUTRIX OF THE ESTATE OF CLAUDE KEEN TO BUCHANAN COUNTY,
VIRGINIA PROPERTY LOCATED ON ROUTE 680 IN THE GARDEN
MAGISTERIAL DISTRICT**

BE IT RESOLVED, by the Buchanan County Board of Supervisors that we approve acceptance of the property described in that Deed attached hereto between Freddie Keen, Executrix of the Estate of Claude Keen 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 18th day of September, 2017 by a roll call vote of seven for and zero against.

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

ATTEST:

Robert Craig Horn, County Administrator

THIS DEED, made and entered into on this the 18th day of September, 2017, by and between **FREDRICK V. KEEN, attorney in fact for CAROLINE COLE KEEN**, 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).]

W I T N E S S E T H:

WHEREAS, Claude V. Keen, acquired all that certain tract or parcel of land, containing 0.44 acres, situate on the waters of the Brushy Camp Branch of Contrary Creek, a tributary of the Levisa River, in Buchanan County, Virginia, from Denver James Randolph and Reble Lee Randolph, his wife, by Deed dated the 12th day of April, 1989, and recorded in the Office of the Clerk of the Circuit Court of Buchanan County, Virginia, in Deed Book No. 348, at page 498; and

WHEREAS, Claude V. Keen died in part testate and in part intestate on the 14th day of May 2011; and

WHEREAS, a Will is recorded in the Office of the Clerk of the Circuit Court of Buchanan County, Virginia as Instrument #110000315, but said Will does not pass the Buchanan County property described herein, but only involves a portion of property owned by Claude V. Keen in Washington County, Va.; and

WHEREAS, pursuant to Va. Code section 64.2-200 the remainder of the Estate of Claude V. Keen passed by intestate succession to his surviving spouse, Caroline Cole Keen; and

WHEREAS, Caroline Cole Keen appointed her son Frederick V. Keen as her attorney in fact in a **Durable Power of Attorney** executed on January 20, 2015 and recorded in the Clerk’s Office of the Buchanan County Circuit Court as Instrument # 150000114, on

January 23, 2015, a copy of which is attached as Exhibit "A" and made a part of this deed by reference; and

WHEREAS, the Grantee wishes to acquire the property described herein for a road project on Rt. 680 in the Garden Magisterial District; and

WHEREAS, through negotiations the Grantor and Grantee reached an agreed purchase price of Thirty-Five Thousand Dollars and No Cents (\$35,000.00) for the property in question needed for the Route 680 Project; and

WHEREAS, the Grantor desires to sell and the Grantee desires to purchase the parcel of property as set forth and more particularly described below and also on that plat of survey dated August 01, 2017 prepared by William M. Ramey, L.S., having Virginia license #002265; and,

NOW THEREFORE, for and in consideration of the sum of **THIRTY-FIVE THOUSAND DOLLARS AND NO CENTS (\$35,000.00)**, 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, the Grantor does hereby bargain, sell, grant and convey unto the Grantee, **WITH GENERAL WARRANTY AND ENGLISH COVENANTS OF TITLE**, all the Grantor's right, title and interest in and to all of that certain tract or parcel of land situate on Brushy Camp Branch of Contrary Creek, a tributary of the Levisa River, in Buchanan County, Virginia, and being the same property which was acquired by the Grantor as set out in the premises herein, and with metes and bounds as set forth below:

REFERENCE DEED BOOK 348 PAGE 498

BEGINNING at a point on the West side of Route 680(iron pipe called for not found), said point has an approximate NAD 1983 Virginia State Plane South Zone coordinate value of N=3,617,303.303 and E=10,485,301.083; thence N 71°01'00" W a distance of 43.23' to a point (circle on a rock called for, not found); thence N 04°56'00" E a distance of 199.95' to a point (circle on a rock called for not found); thence N 45°06'00" E a distance of 100.41' to a point on the West side of Route 680 (iron pipe called for not found); thence with the West side of Route 680 the following, S 11°15'00" E a distance of 57.44' to a point (iron pipe called for not found); thence S 02°49'00" E a distance of 81.92' to a point (iron pipe called for not found); thence S 16°08'00" W a distance of 75.48' to a point (iron pipe called for not found); thence S 29°34'22" W a distance of 84.49'; to the point of beginning, having an area of 19143.640 square feet, and containing 0.439 acres more or less as set forth in a Plat dated August 01, 2017, as prepared by William Ramey, L.S., Virginia license No. 002265, which is attached as Exhibit "B" and made a part of this deed by reference.

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

The Grantor covenants to and with the Grantee that Grantor will warrant generally the title to the property hereby conveyed; that she has the right to convey same to the Grantee; that

the Grantee shall have quiet possession of same, free from encumbrances, that Grantor has done no act to encumber same; and, that Grantor will execute such other and further assurances of title as may be requisite.

There is hereby excepted and reserved from the operation of this conveyance such of the coal, oil, minerals, rights, privileges, etc., as may have been heretofore sold or excepted from said land by prior owners. This conveyance is also being made subject to all conditions, exceptions, and reservations of any nature or kind and all rights appurtenant thereto, in any document which constitutes a muniment of title to the property conveyed herein.

That on the 18th day of September, 2017, the Buchanan County Board of Supervisors, at a duly held meeting of the Board, approved the acquisition of the property described herein and that 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 purchase and acquisition of same.

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

WITNESS the following signatures and seals

GRANTOR:

_____ (SEAL)

FREDERICK V. KEEN, attorney in fact for Caroline Cole Keen

ACCEPTED BY: BUCHANAN COUNTY, VIRGINIA:

BY: _____ (SEAL)

J. CARROLL BRANHAM, Chairman of the
Buchanan County, VA. Board of Supervisors

BY: _____ (SEAL)

ROBERT CRAIG HORN, County Administrator
for Buchanan County, VA.

_____ 000 _____

IN RE: CONSIDER APPROVING TO SCHEDULE A PUBLIC HEARING ON OCTOBER 2ND, 2017 AT 10:15 A.M. TO HEAR PUBLIC COMMENTS REGARDING THE TRANSFER OF PROPERTY ON ROUTE 680 LOCATED IN THE GARDEN MAGISTERIAL DISTRICT TO THE COMMONWEALTH OF VIRGINIA DEPARTMENT OF TRANSPORTATION.

After a general discussion by the board upon motion by Harold H. Fuller seconded by Trey Adkins and with the following roll call vote of seven (7) yeas, William P. Harris, Trey Adkins, Earl Scott, Craig Stiltner, Harold H. Fuller, G. Roger Rife, J. Carroll Branham and zero (0) nays, this board did hereby approve to schedule a public hearing on October 2nd, 2017 at 10:15 a.m. to hear public comments regarding the transfer of property on Route 680 located in the Garden Magisterial District to the Commonwealth of Virginia Department of Transportation.

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IN RE: CONSIDER APPROVING ADDITIONAL APPROPRIATIONS

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

- Additional appropriation to Hurricane District Park and Rec., account number 71040-6022-02 in the amount of \$3,669.05;
- Additional appropriation to Tourism (SWRRA), account number 81010-5605 in the amount of \$295.00;
- Additional appropriation to County Attorney, salaries and wages, account number 22030-1150 in the amount of \$1,666.66;
- Additional appropriation to County Attorney, salaries and wages, account number 22030-1150 in the amount of \$1,666.66;
- Additional appropriation to County Attorney, salaries and wages, account number 22030-1150 in the amount of \$550.00;
- Additional appropriation to Hurricane District Park and Recreation, account number 71060-7010-08 in the amount of \$3,029.00;
- Additional appropriation to Garden District Park and Rec., account number 71060-7010-03 in the amount of \$600.00;
- Additional appropriation to Hurricane District Park and Rec., account number 71040-6022-02 in the amount of \$5,626.95;
- Additional appropriation to Hurricane District Park and Rec., account number 71040-6022-02 in the amount of \$3,332.40;
- Additional appropriation to South Grundy District Park and Development account number 71060-7010-05 in the amount of \$552.00;
- Additional appropriation to South Grundy District Park and Development account number 71060-7010-05 in the amount of \$2,105.00;
- Additional appropriation to South Grundy District Park and Development account number 71060-7010-05 in the amount of \$1,891.00;

- Additional appropriation to South Grundy District Park and Development account number 71060-7010-05 in the amount of \$1,780.00;
- Additional appropriation to South Grundy District Park and Development account number 71060-7010-05 in the amount of \$2,415.00;
- Additional appropriation to South Grundy District Park and Development account number 71060-7010-05 in the amount of \$333.00;
- Additional appropriation to Prater Park and Recreation account number 71040-5604-09 in the amount of \$148.04;
- Additional appropriation to General Properties, (unemployment) account number 43020-2600 in the amount of \$8,360.37;
- Additional appropriation to Buchanan Community Food Pantry, account number 81120-5605 in the amount of \$5,000.00;
- Additional appropriation to Clerk’s Office, (maintenance) account number 21060-3320 in the amount of \$229.17;
- Additional appropriation to Rocklick Park and Rec. account number 71040-5604-06 in the amount of \$125.00;
- Additional appropriation to Rocklick Park and Rec. account number 71040-5604-06 in the amount of \$200.00;
- Additional appropriation to Treasurer’s Office, account number 12130-6001 in the amount of \$12.50;
- Additional appropriation to Knox District Park and Rec. account number 71040-5604-03 in the amount of \$1,745.36;
- Additional appropriation to Clerk’s Office, (maintenance) account number 21060-3320 in the amount of \$223.04.

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

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

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**IN RE: CONSIDER ADOPTING RESOLUTION APPROVAL KENNETH
RATLIFF HAVING A PART-TIME JOB ON A AS NEEDED BASIS**

After a general discussion by the board upon motion by Trey Adkins seconded by Harold H. Fuller and with the following roll call vote of seven (7) yeas, Harold H. Fuller, Craig Stiltner, Earl Scott, G. Roger Rife, William P. Harris, J. Carroll Branham, Trey Adkins and zero (0) nays, this board did hereby adopt the enclosed Resolution approval Kenneth Ratliff having a part-time job on a as needed basis.

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IN RE: CONSIDER APPOINTMENT TO THE PEOPLE INC. BOARD OF DIRECTORS

This issue was tabled, no action taken.

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IN RE: CONSIDER APPROVING THE ATTACHED LIST OF STUDENTS AS RECIPIENTS OF THE BUCHANAN COUNTY BOARD OF SUPERVISORS SCHOLARSHIP AWARD FOR THE 2017-2018 ACADEMIC YEAR

Upon motion of Craig Stiltner seconded by Harold H. Fuller and with a roll call vote of seven (7) yeas and zero (0) nays, this board did hereby approve the following list of students as recipients of the Buchanan County Board of Supervisors Scholarship award for the 2016-2017 academic year:

P3-Third Year Students

Jasmine Hagy	Vasant, Virginia	\$4,375.00
Jackson Justus	Hurley, Virginia	\$4,375.00
James Snead	Grundy, Virginia	\$4,375.00

P2-Second Year Students

Thomas Burniston	Oakwood, Virginia	\$4,375.00
Courtney Christian	Grundy, Virginia	\$4,375.00
Steven Church	Grundy, Virginia	\$4,375.00
Nicholas Harman	Mavisdale, Virginia	\$4,375.00
Alexandria Stiltner	Grundy, Virginia	\$4,375.00
Daniel Ellis	Grundy, Virginia	\$4,375.00

P1-First Year Students

Miriam Acosta	Whitewood, Virginia	\$4,375.00
Kacee Boyd	Vasant, Virginia	\$4,375.00
Jeremy Clevinger	Vasant, Virginia	\$4,375.00
Candace Fletcher	Vasant, Virginia	\$4,375.00
Cody Justus	Grundy, Virginia	\$4,375.00
Tabatha Justus	Oakwood, Virginia	\$4,375.00
Emily Stacy	Grundy, Virginia	\$4,375.00

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IN RE: CONSIDER APPROVING TO ISSUE PAYMENT TO THE BUCHANAN COUNTY PUBLIC SERVICE AUTHORITY IN THE AMOUNT OF \$47,415.00 FROM THE CNX GAS SPECIAL ACCOUNT

Upon motion by Trey Adkins to approve to issue payment to Buchanan County Public Service Authority in the amount of \$47,415.00 from the CNX Gas Special Account.

G. Roger Rife, South Grundy District Supervisor asked if it was legal for vote on a motion if you were a board member on the PSA Board? Several years ago, I was told to abstain from voting. I would like to clarify this before the motion.

Craig Stiltner, Rocklick District Supervisors asked questions about the reimbursement no. 2 request for the Hurley VII/Coon Branch Project.

Mr. Adkins withdrew his motion, so this could be discussed in closed session.

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IN RE: CONSIDER APPROVING RESIGNATION FROM KNOX DISTRICT REPRESENTATIVE ON THE BUCHANAN COUNTY PUBLIC SERVICE AUTHORITY BOARD AND CONSIDER APPOINTMENT TO FILL HIS UNEXPIRED TERM

Trey Adkins stated he was resigning from the Buchanan County Public Service Authority Board and made a motion to appoint Pam Tester to fill his unexpired term.

Upon motion by Trey Adkins seconded by Harold H. Fuller and with the following roll call vote of seven (7) yeas and zero (0) nays, this board did hereby approve to appoint Pam Tester to the Buchanan County Public Service Authority Board of Directors for the Knox Magisterial District to fill the unexpired term of Trey Adkins.

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

Upon a motion by Harold H. Fuller seconded by Earl Scott and with a roll call vote of seven (7) yeas, Trey Adkins, Harold H. Fuller, Craig Stiltner, William P. Harris, J. Carroll Branham, G. Roger Rife, Earl Scott and zero (0) nays, this board agreed to convene in closed session as permitted by Virginia Code Section, 2.2-3711 (A)(1), a personnel matter involving a compensatory issues with a park manager and sanitation department employee; Virginia Code Section, 2.2-3711 (A)(7), consultation with legal counsel regarding the opioid issue; Virginia Code Section, 2.2-3711 (A)(3)(7), consultation with legal counsel regarding discretion exemption by ordinance; Virginia Code Section, 2.2-3711 (A)(7), consultation with legal counsel regarding an update on the Jewell Smokeless Case and Virginia Code Section, 2.2-3711 (A)(7), consultation with legal counsel regarding voting issues of board of supervisors members who also serves on the Buchanan County Public Service Authority.

Motion was made by Harold H. Fuller to return from closed session seconded by Earl Scott and with a unanimous voice vote by the board.

This board's meeting resumed in open session after being in executive session for two (2) hours and twenty-nine (29) minutes.

A motion by Harold H. Fuller seconded by Earl Scott, with J. Carroll Branham, Chairman of the Buchanan County Board of Supervisors announcing during such session the board had also discussed Virginia Code Section, 2.2-3711 (A)(1), a personnel matter involving the interviews for the Supervisor for the Community Service Diversion Program and sanitation helper for the Buchanan County Sanitation Department; Virginia Code Section, 2.2-3711 (A)(3), a matter involving the acquisition of property for public purposes; Virginia Code Section, 2.2-3711 (A) (7), consultation with legal counsel regarding the Mutual Aid Cooperation Agreement for Dickenson and Buchanan Counties and Virginia Code Section, 2.2-3711 (A) (7), consultation with legal counsel regarding issues with the Buchanan County Public Service Authority.

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

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

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IN RE: CONSIDER APPROVING BOND PAYMENTS FOR THE BUCHANAN COUNTY PUBLIC SERVICE AUTHORITY

After a general discussion by the board upon motion by Trey Adkins seconded by Craig Stiltner and with the following roll call vote of six (6) yeas, Trey Adkins, William P. Harris, Earl Scott, G. Roger Rife, J. Carroll Branham, Craig Stiltner and one (1) nay, Harold H. Fuller, this board did hereby approve to issue the following bond payments for the Buchanan County Public Service Authority from the PSA account providing the PSA schedules a public hearing to increase water rates by \$3.00 per month:

- Series 2015A VRA Bond Payment in the amount of \$334,784.38;
- WSL-13-01, Series 2001 in the amount of \$8,951.67.

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IN RE: CONSIDER HIRING AN SUPERVISOR FOR THE COMMUNITY SERVICE DIVERSION PROGRAM

Craig Stiltner, Rocklick District Supervisor made a motion to hire Bryan Looney as the Supervisor for the Community Service Diversion Program at \$36,000 per year. Mr. Looney is the most qualified and most experienced for the position out of the five

that was interviewed, he stated. With no second to his motion, Mr. Stiltner requested a roll call vote as follows: two (2) yes, Craig Stiltner, J. Carroll Branham and five (5) nays, Trey Adkins, Earl Scott, William P. Harris, G. Roger Rife and Harold H. Fuller. The motion failed.

Earl Scott, Prater District Supervisor made a motion to hire Andrea D. Schmidt as the Supervisor for the Community Service Diversion Program at a salary of \$32,000 per year for a ninety (90) day trial period, seconded by William P. Harris and with the following roll call vote of five (5) yeas, William P. Harris, Earl Scott, G. Roger Rife, Trey Adkins, J. Carroll Branham and two (2) nays, Harold H. Fuller and Craig Stiltner, this board did hereby approve to hire Andrea D. Schmidt as the Supervisor for the Community Service Diversion Program at a salary of \$32,000 per year for a ninety (90) day trial period.

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IN RE: CONSIDER APPROVING TO ESTABLISH A NEW LINE ITEM WITHIN THE COUNTY'S BUDGET FOR THE COMMUNITY SERVICE DIVERSION PROGRAM

After a general discussion by the board upon motion by Trey Adkins seconded by Earl Scott and with the following roll call vote of six (6) yeas, Trey Adkins, J. Carroll Branham, William P. Harris, G. Roger Rife, Earl Scott, Harold H. Fuller and one (1) nay, Craig Stiltner, this board did hereby approve to establish a new line item within the county's budget for the Community Service Diversion Program and an additional appropriation in the amount of \$67,000 to this account for salary and benefits for the Supervisor of this program (salary \$32,000).

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IN RE: CONSIDER APPROVING THE RESOLUTION AND CONTRACT REGARDING THE RENEWAL OF HEALTH AND DENTAL POLICIES FOR THE YEAR BEGINNING OCTOBER 1, 2017 AND ENDING SEPTEMBER 30, 2018 FOR BUCHANAN COUNTY CONSOLIDATED GROUP HEALTH AND DENTAL INSURANCE POLICY BETWEEN BUCHANAN COUNTY PUBLIC SERVICE AUTHORITY, SCHOOL BOARD, DEPARTMENT OF SOCIAL SERVICES AND BOARD OF SUPERVISORS AND AUTHORIZE THE COUNTY ADMINISTRATOR AND CHAIRMAN TO EXECUTE THE CONTRACT ON BEHALF OF THE COUNTY WITH APPROVAL AS TO FORM BY THE COUNTY ATTORNEY

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

regarding the renewal of health and dental policies for the year beginning October 1, 2017 and ending September 30, 2018 for Buchanan County Consolidated Group Health and Dental Insurance Policy between Buchanan County Public Service Authority, School Board, Department of Social Services and Board of Supervisors and authorize the County Administrator and Chairman to execute the Contract on behalf of the county with approval as to form by the County Attorney:

RESOLUTION

RE: BUCHANAN COUNTY CONSOLIDATED GROUP HEALTH INSURANCE POLICY PLAN YEAR 2017-2018

Includes Buchanan County Public Service Authority, Buchanan County Public School Board, Buchanan County Board of Supervisors, and Buchanan County Department of Social Services

THAT WHEREAS, Buchanan County, by Resolutions of the Buchanan County Board of Supervisors (hereinafter referred to as Buchanan County), procured Acordia Insurance Company, a licensed insurance agent, through the competitive negotiation process set out in subdivision 3b of the definition of competitive negotiation in section 2.2-4301 of the 1950 Code of Virginia, as amended, to procure health insurance for its employees during the three (3) year period extending from September 30th, 2004, and subject to cancellation by the Buchanan County Board of Supervisors; and

WHEREAS, in the fall of 2008 the County went through procurement for a licensed insurance agent for the purpose of obtaining annual health and dental insurance for the Consolidated Group during a four-year period beginning with the year starting October 01st, 2009 and ending September 30th, 2013; and

WHEREAS, Wells Fargo was awarded the contract to act as the licensed insurance agent for the purpose of obtaining group health and dental insurance during the four-year period beginning October 01st, 2009 and ending September 30th, 2013; and

WHEREAS, the Buchanan County Department of Social Services joined the Consolidated Group effective February 1st, 2011; and

WHEREAS, during the Spring of 2013 the County went through the procurement process for a licensed insurance agent for the purpose of obtaining annual health and dental insurance for the Consolidated Group for a three (3) year period beginning October 01st, 2014 and ending September 30th, 2017; and

WHEREAS, in April of 2014 Wells Fargo was awarded the contract to act as the licensed agent of record for the purpose of obtaining group health and dental insurance during the three (3) year period beginning October 01st, 2014 and ending September 30th, 2017; and

WHEREAS, subsequent to April 2014, USI became the successor-in-interest to the Wells Fargo contract award and accordingly a contract was executed between USI and the four entities making up the Consolidated Group, namely, Buchanan County, Va., the Buchanan County Public School Board, the Buchanan County PSA and the Buchanan County Department of Social Services; and

WHEREAS, the Consolidated Group has elected to make or keep the following changes to the Plan for the Plan year October 1, 2017 to September 30, 2018:

- 1) **All four entities that make up the Consolidated Group will cooperate with a dependent audit conducted by a third-party company that specializes in dependent audits; and**
- 2) **That each of the four entities of the Consolidated Group shall adopt a wellness incentive program where each entity will increase the amount of the premium paid by employees by the following amount for each tier of coverage in addition to base percentage to be paid by employees for the insurance premium of each entity:**
 - a) **\$300 more per year for Employee only tier;**
 - b) **\$600 more per year for Employee-Spouse tier;**
 - c) **\$300 more per year for Employee-child tier; and**
 - d) **\$600 more per year for Employee-family tier.****If the employee and spouse (if applicable) participate(s) in a full annual physical program by December 31, 2017 the additional amounts listed above will be waived.**
- 3) **To change the Plan from a PPO KeyCare 100 Plan to a customized PPO KeyCare 300 Plan which provides the following benefits:**
 - a) **Deductible Single/Family--\$300/\$600;**
 - b) **Coinsurance—80%/20%;**
 - c) **Out-of-pocket (ded. Incl.) Single/Family--\$2,000/\$4000;**
 - d) **Inpatient Hospital---Ded. 80%/20%;**
 - e) **Outpatient Surgery—Ded. 80%/20%;**
 - f) **Primary care/ Specialist Office visit---20%coinsurance;**
 - g) **Preventive Services—covered in full;**
 - h) **Emergency Room –20% copay;**
 - i) **Urgent Care—20% coinsurance;**
 - j) **Prescription Drugs—30 Day Retail---\$10/\$30/\$50/20%**
 - k) **Tele-medicine (Anthem Live Health)-no co-pay (only change for 2017-2018 Plan)**

WHEREAS, attached as Exhibit “A” and made a part of this resolution by reference is the proposed Self-Insured Dental coverage to be administered through Anthem Blue Cross Blue Shield for the Consolidated Group for the policy period October 01, 2017 through September 30, 2018 which such coverage is optional for the employees of the Buchanan County Public School Board; and

WHEREAS, USI has negotiated a renewal of the Health Insurance for the Consolidated Group with Anthem Blue Cross Blue Shield for partial self-insurance with change to a PPO Customized PPO KeyCare 300 which results in a rate increase of 3% for the policy period of October 01, 2017 through September 30, 2018; and

NOW THEREFORE, BE IT RESOLVED by the Buchanan County Va. Board of Supervisors, that the Buchanan County, Va. Board of Supervisors on behalf of the Buchanan County, Virginia, enter into an Agreement with the Buchanan County Public School Board, the Buchanan County Public Service Authority, the Buchanan County Department of Social Services, and Anthem Blue Cross and Blue Shield having the following terms:

- 1) Anthem Blue Cross and Blue Shield shall provide group health insurance for all of the employees of the Buchanan County Board of Supervisors, all of the employees of the

Buchanan County Public School Board, all of the employees of Buchanan County Public Service Authority, and all of the employees of the Buchanan County Department of Social Services. Such health insurance is to be provided as “partially self-insured”. The benefits shall change as set forth above and described in the Customized PPO KeyCare 300 Plan. The administration of the plan will still be handled in the same manner as previously handled. The Consolidated Group is incurring some of the risk which Anthem assumed under the fully insured coverage. The word "employee" shall be defined as set forth in the benefit books which are hereinafter more fully described and which may be found herewith;

2) Anthem Blue Cross and Blue Shield shall provide Buchanan County's employees with the health insurance coverage which are described above in a Customized PPO KeyCare 300, with the additional provisions required pursuant to the Federal Health Reform legislation and said same coverage is described in that benefit book which may be found herewith and is made a part hereof by reference and which is entitled "Buchanan County Board of Supervisors (Customized PPO KeyCare 300 Plan) Your Anthem Plan";

3) Anthem Blue Cross and Blue Shield shall provide the Buchanan County Public School Board's employees with health insurance coverage which is the same as Buchanan County Board of Supervisors as described above and which is further described in that benefit book which may be found herewith and is made a part hereof by reference and which is entitled "Buchanan County Public Schools (Customized PPO KeyCare 300) Medical Plan";

4) Anthem Blue Cross and Blue Shield shall provide the Buchanan County Public Service Authority employees with the same health insurance coverage which the Buchanan County, Va. Board of Supervisors and the Buchanan County Public School Board have as described above, and which is further described in that benefit book which may be found herewith and is made a part hereof by reference and which is entitled " Buchanan County Public Service Authority (Customized PPO KeyCare 300 Plan) Your Anthem Plan";

5)Anthem Blue Cross and Blue Shield shall provide the Buchanan County Department of Social Services employees with the same health insurance coverage which the Buchanan County, Va. Board of Supervisors, the Buchanan County Public School Board, and the Buchanan County Public Service Authority have as described above, and which is further described in that benefit book which may be found herewith and is made a part hereof by reference and which is entitled “Buchanan County Department of Social Services (Customized PPO KeyCare 300 Plan) Your Anthem Plan”;

6) Buchanan County, the Buchanan County Public School System, the Buchanan County Public Service Authority and the Buchanan County Department of Social Services shall each pay a monthly payment as set out below into a local bank account from which administration and claims cost shall be remitted to Anthem on a monthly basis.

7) Buchanan County shall pay into a partially self-insured fund to be created, the sum of Two Million Eight Hundred Five Thousand Thirteen Dollars and Ninety-two Cents (\$2,805,013.92) divided into twelve equal installment payments for such coverage for the year October 1, 2017, through September 30, 2018, for the employees as described in the County's renewal, the costs of such coverage shall be as follows:

- | | | | |
|----|--|---|-------------|
| a) | Per employee each month | - | \$689.32; |
| b) | Per employee and a child each month | - | \$1,033.96 |
| c) | Per employee and spouse each month | - | \$1,550.71; |
| d) | Per family each month | - | \$2,005.91; |
| e) | When employees are either added or deleted from the numbers listed in the renewal, adjustments shall be made to the amount of premium to be paid based upon the foregoing rates listed in Paragraph 6 a), b), c) or d) above, with a carve out rate of \$642.50. | | |

Total premium calculated on enrollment as of June 1, 2017.

8) The Buchanan County Public School Board shall pay into a partially self-insured fund to be created, the sum of Six Million Nine Hundred Thousand Nine Hundred Seventy-Six Dollars and Forty-Four Cents (\$6,900,976.44) divided into twelve equal installment payments for such coverage for the year October 1, 2017, through September 30, 2018, for the employees as described in the School Board's renewal, the costs of such coverage shall be as follows:

- a) Per employee each month - \$689.32;
- b) Per employee and one child each month - \$1,033.96;
- c) Per employee and spouse each month - \$1,550.71;
- d) Per family each month - \$2,005.91;
- e) When employees are either added or deleted from the numbers listed in the renewal, adjustments shall be made to the amount of premium to be paid based upon the foregoing rates listed in Paragraph 7 a) or b) above, with a carve out rate of \$642.50. Total premium calculated on enrollment as of June 1, 2017.

9) The Buchanan County Public Service Authority shall pay into a partially self-insured fund to be created, the sum of Eight Hundred Four Thousand Five Hundred Sixty-Four Dollars and Thirty-Six Cents (\$804,564.36) divided into twelve equal installment payments for such coverage for the year October 1, 2017, through September 30, 2018, for the employees as described in the Public Service Authority's renewal, the costs of such coverage shall be as follows:

- a) Per employee each month - \$689.32;
- b) Per employee and one child each month - \$1,033.96;
- c) Per employee and spouse each month - \$1,550.71;
- d) Per family each month - \$2,005.91;
- e) When employees are either added or deleted from the numbers listed in the renewal, adjustments shall be made to the amount of premium to be paid based upon the foregoing rates listed in Paragraph 8 a) b) c) or d) above, with a carve out rate of \$642.50. Total premium calculated on enrollment as of June 1, 2017.

10) The Buchanan County Department of Social Services shall pay into a partially self-insured fund to be created, the sum of Nine Hundred Thirty-Seven Thousand Sixty-Two Dollars and Eighty-Four Cents (\$937,062.84) divided into twelve equal installment payments for such coverage for the year October 1, 2017, through September 30, 2018, for the employees as described in the Department of Social Services' renewal, the costs of such coverage shall be as follows:

- a) Per employee each month - \$689.32;
- b) Per employee and one child each month - \$ 1,033.96;
- c) Per employee and spouse each month - \$ 1,550.71;
- d) Per family each month - \$ 2,005.91;
- e) When employees are either added or deleted from the numbers listed in the renewal, adjustments shall be made to the amount of premium to be paid based upon the foregoing rates listed in Paragraph 9 a) b) c) or d) above, with a carve out rate of \$642.50. Total premium calculated on enrollment as of June 1, 2017.

11) The premium payments shall be made in twelve (12) monthly payments into a "Partially Self-Insured Fund" to be established with a local bank or a separate "Partially Self-Insured Fund" with the Office of the Treasurer of Buchanan County, Va. From the "Partially Self-Insured Fund" monthly payments shall be made to Anthem for administrative and claims costs incurred. The premiums for dental insurance shall be paid into a separate Self-Insured

Fund for dental claims. From the Self-Insured Fund for dental claims monthly payments shall be made to Anthem for administrative and dental claim costs incurred.

12) The Buchanan County, Va., Board of Supervisors, the Buchanan County Public School Board, the Buchanan County Department of Social Services and the Buchanan County Public Service Authority may select their own individual agent of record which may or may not be the same agent of record as selected by the others, subject to compliance with the Virginia Public Procurement Act.

13) This Agreement shall be restricted solely to health and dental insurance for the upcoming year and is not to be construed to obligate the County, PSA, Department of Social Services or the School Board to enter into joint contracts for other goods or services.

14) If at any time it is no longer advantageous for the County, PSA, Department of Social Services or the School Board, or if any of them desires for any reason, any of them can elect to terminate this Agreement at any time subject to fulfilling any contractual obligations that may exist pursuant to this Agreement.

15) Attached as Exhibit "A" and made a part of this resolution by reference is the proposed Dental Insurance coverage for the Consolidated Group. Said Partially Self-Insured coverage beginning October 1, 2017 to be administered by Anthem Blue Cross Blue Shield for the policy period of October 01, 2017 through September 30, 2018; said coverage to be optional for the employees of the Buchanan County Public School Board. The premiums due for the dental coverage each month shall be paid into a separate Self-Insured Fund for Dental claims.

16) Such Agreement shall be subject to the approval of the County Attorney and the Counsels to the PSA, School Board and DSS as to form only.

BE IT FURTHER RESOLVED that the Chairman of the Buchanan County, Va. Board of Supervisors and the County Administrator of Buchanan County, Va. are hereby authorized to execute such Agreement on behalf of Buchanan County, Virginia.

This Resolution was adopted by the Buchanan County, Va. Board of Supervisors on this the 18th day of September 2017.

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

Recorded Vote:
Moved by: Trey Adkins
Seconded by: William P. Harris
Yeas: Seven
Nays: Zero
ATTEST:

Robert Craig Horn, County Administrator

CONTRACT

RE: BUCHANAN COUNTY CONSOLIDATED GROUP HEALTH INSURANCE POLICY (Includes Buchanan County Public Service Authority, Buchanan County Public School Board, and Buchanan County Board of Supervisors and the Department of Social Services) PLAN YEAR 2017-2018

THIS contract (“the contract”) made and entered into this day 18th of September, 2017, by and between, the Buchanan County, Va., Board of Supervisors, the Buchanan County Public School Board, the Buchanan County Public Service Authority Board, political subdivisions of the Commonwealth of Virginia, and the Department of Social Services of Buchanan County, to wit:

THAT WHEREAS, Buchanan County, by Resolutions of the Buchanan County Board of Supervisors (hereinafter referred to as Buchanan County), procured Acordia Insurance Company, a licensed insurance agent, through the competitive negotiation process set out in subdivision 3b of the definition of competitive negotiation in section 2.2-4301 of the 1950 Code of Virginia, as amended, to procure health insurance for its employees during the three (3) year period extending from September 30, 2004, and subject to cancellation by the Buchanan County Board of Supervisors; and

WHEREAS, Buchanan County also requested in such procurement process that its agent assist it in obtaining group insurance for a group consisting of the employees of Buchanan County and the employees of the Buchanan County Public School Board; and

WHEREAS, Acordia assisted through the procurement process in obtaining group health insurance coverage through Anthem Blue Cross and Blue Shield for Buchanan County and the Buchanan County Public School Board; and

WHEREAS, the Buchanan County Public School Board and Buchanan County maintained a joint group health insurance policy with Anthem Blue Cross and Blue Shield for the period of October 01, 2004 through September 30, 2005; and

WHEREAS, for the policy period of October 01, 2005 through September 30, 2006, the Buchanan County Public Service Authority joined the Buchanan County Public School Board, and Buchanan County to form a Consolidated Group for the purpose to have their employees be insured as a group for health insurance purposes; and

WHEREAS, for the policy period of October 01, 2005 through September 30, 2006, the Buchanan County Public School Board, Buchanan County, and the Buchanan County Public Service Authority, as a consolidated group, maintained a group health insurance policy with Anthem Blue Cross and Blue Shield in which Anthem Blue Cross and Blue Shield provided the Buchanan County Public School Board and Buchanan County with group health insurance benefits under the Plan known as KeyCare 100; and Anthem Blue Cross and Blue Shield provided group health insurance benefits to the Buchanan County Public Service Authority under the Plan known as KeyCare 10; and

WHEREAS, the Buchanan County Public School Board, Buchanan County, and the Buchanan County Public Service Authority maintained such insurance (Key Care 100 coverage for all three entities) with Anthem Blue Cross and Blue Shield as a consolidated group for the policy period of October 01, 2006 through September 30, 2007 and for the policy period of October 01, 2007 through September 30, 2008; and

WHEREAS, the Buchanan County Public School Board, Buchanan County, and the Buchanan County Public Service Authority for the policy period October 01, 2008 through

September 30, 2009 desired to maintain such insurance (Key Care 100 coverage for all three entities) with Anthem Blue Cross and Blue Shield with the only change in benefits being a change in the drug benefit to \$10/\$30/\$50—20%; and

WHEREAS, in the Fall of 2008 the County went through the procurement process for the selection of a licensed insurance agent for obtaining Health and Dental Insurance for the Consolidated Group and Wells Fargo, was selected to provide such services to cover a four annual policy periods beginning October 01, 2009 and ending September 30, 2013; and

WHEREAS, the Buchanan County, Va., Board of Supervisors, the Buchanan County Public School Board and the Buchanan County Public Service Authority, each desire the option to select its own Agent of Record whether or not it be the same Agent of Record as selected by the others; and

WHEREAS, Wells Fargo negotiated a renewal of health insurance coverage with Anthem Blue Cross/ Blue Shield for the policy period of October 01, 2011 through September 30, 2012 for the same coverage as the previous year with the exception for some additional coverage requirement mandated by the new federal health care reform legislation; and

WHEREAS, after going through the procurement process for an agent of record to obtain annual renewals of the health and dental insurance for a three (3) year period, beginning October 1, 2014 and ending on September 30, 2017, Wells Fargo was awarded the contract to serves as the agent of record in April 2014; and

WHEREAS, subsequent to April 2014, USI became the successor-in-interest to the Wells Fargo contract award; and

WHEREAS, attached to this contract as Exhibit “A” and made part thereof by reference is the proposed Self-Insured Dental coverage to be administered through Anthem Blue Cross Blue Shield for the Consolidated Group for the policy period of October 01, 2017 through September 30, 2018 with said coverage being optional for the employees of the Buchanan County Public School Board; and

WHEREAS, the Department of Social Services of Buchanan County, Va. has been added to the Consolidated Group with an effective date of February 1, 2011; and

WHEREAS, Wells Fargo negotiated a renewal of health insurance coverage with Anthem Blue Cross/Blue Shield for the policy Period of October 01, 2011 through September 30, 2012 for the same coverage as the previous year with the exception for some additional coverage requirement mandated by the new federal health care reform legislation; and

WHEREAS, Wells Fargo negotiated a renewal of health insurance coverage with Anthem Blue Cross/Blue Shield for the policy Period of October 01, 2012 through September 30, 2013 for the same coverage as the previous year, with the one change that the coverage will be provided as “partially self-insured” instead of “fully insured; and

WHEREAS, the only distinction in the provision of health care coverage as “partially-self-insured” as opposed to “fully insured” is that the Consolidated Group will assume some degree of risk that Anthem would have otherwise assumed under a “fully Insured” plan; and

WHEREAS, Wells Fargo has negotiated a renewal of health insurance coverage with Anthem Blue Cross/Blue Shield for the policy Period of October 01, 2013 through September

30, 2014 for the same coverage as the previous year, with the coverage being provided as “partially self-insured” as provided in the previous year; and

WHEREAS, USI has negotiated a renewal of health insurance coverage with Anthem Blue Cross/ Blue Shield for the policy Period of October 1, 2014 through September 30, 2015 for the same coverage as the previous year, with the coverage being provided as “partially self-insured” as provided in the previous year; and

WHEREAS, USI has negotiated a renewal of health insurance coverage with Anthem Blue Cross/ Blue Shield for the policy Period of October 1, 2015 through September 30, 2016 for the same coverage as the previous year, with the coverage being provided as “partially self-insured” as provided in the previous year; and

WHEREAS, the Consolidated Group has elected to make or keep the following changes to the Plan for the Plan year October 1, 2017 to September 30, 2018:

- 4) **All four entities that make up the Consolidated Group will cooperate with a dependent audit conducted by a third-party company that specializes in dependent audits; an**

- 5) **That each of the four entities of the Consolidated Group shall adopt a wellness incentive program where each entity will increase the amount of the premium paid by employees by the following amount for each tier of coverage in addition to base percentage to be paid by employees for the insurance premium of each entity:**
 - e) **\$300 more per year for Employee only tier;**
 - f) **\$600 more per year for Employee-Spouse tier;**
 - g) **\$300 more per year for Employee-child tier; and**
 - h) **\$600 more per year for Employee-family tier.**

If the employee and spouse (if applicable) participate(s) in a full annual physical program and registers for tele-medicine by December 31, 2016 the additional amounts listed above will be waived.

- 6) **To change the Plan from a PPO KeyCare 100 Plan to a customized PPO KeyCare 300 Plan which provides the following benefits:**
 - a) **Deductible Single/Family--\$300/\$600;**
 - b) **Coinsurance—80%/20%;**
 - c) **Out-of-pocket (ded. Incl.) Single/Family--\$2,000/\$4000;**
 - d) **Inpatient Hospital---Ded. 80%/20%;**
 - e) **Outpatient Surgery—Ded. 80%/20%;**
 - f) **Primary care/ Specialist Office visit---20%coinsurance;**
 - g) **Preventive Services—covered in full;**
 - h) **Emergency Room –20% copay;**
 - i) **Urgent Care—20% coinsurance;**
 - j) **Prescription Drugs—30 Day Retail---\$10/\$30/\$50/20%**
 - k) **Tele-medicine (Anthem Live Health)-no co-pay (only new change to the 2017-2018 Plan**

WHEREAS, USI has negotiated a renewal of health insurance coverage with Anthem Blue Cross/ Blue Shield for the policy Period of October 1, 2017 through September 30, 2018 for the coverage as in the previous year with the changes outlined in the preceding paragraph with a Six percent (6%) increase in premium, with the coverage being provided as “partially self-insured” as provided in the previous year; and

NOW THEREFORE, the Buchanan County, Va., Board of Supervisors (Buchanan County), the Buchanan County School Board, the Buchanan County Public Service Authority, and the Department of Social Services of Buchanan County, agree to the following terms:

1) Anthem Blue Cross and Blue Shield shall provide group health insurance on a partially self-insured basis for all of the employees of the Buchanan County Board of Supervisors, all of the employees of the Buchanan County Public School Board, all of the employees of Buchanan County Public Service Authority and for all of the employees of the Department of Social Services of Buchanan County. The word "employee" shall be defined as set forth in the benefit books which are hereinafter more fully described and which may be found herewith;

2) Anthem Blue Cross and Blue Shield shall provide Buchanan County's employees with the same health insurance coverage which they now have, except for some additional coverage mandated by the new federal health care reform legislation and which is described in that benefit book which may found herewith and is made a part hereof by reference and which is entitled "Buchanan County Board of Supervisors (Customized PPO KeyCare 300 Plan) Your Anthem Plan";

3) Anthem Blue Cross and Blue Shield shall provide the Buchanan County Public School Board's employees with health insurance coverage which is the same as Buchanan County Board of Supervisors as described above and which is further described in that benefit book which may found herewith and is made a part hereof by reference and which is entitled "Buchanan County Public Schools (Customized PPO KeyCare 300) Medical Plan";

4) Anthem Blue Cross and Blue Shield shall provide the Buchanan County Public Service Authority employees with the same health insurance coverage which will be provided to the Buchanan County Public School Board and Buchanan County, as described above and which is further described in that benefit book which may found herewith and is made a part hereof by reference and which is entitled " Buchanan County Public Service Authority (Customized PPO KeyCare 300) Plan Your Anthem Plan";

5) Anthem Blue Cross and Blue Shield shall provide the Buchanan County Department of Social Services employees with the same health insurance coverage which will be provided to the Buchanan County Public School Board, to the Buchanan County Public Service Authority and to Buchanan County, as described above and which is further described in that benefit book which may found herewith and is made a part hereof by reference and which is entitled " Buchanan County Department of Social Services (Customized PPO KeyCare 300) Plan Your Anthem Plan";

6) Buchanan County shall pay into a partially self-insured fund to be created, the sum of Two Million Eight Hundred Five Thousand Thirteen Dollars and Ninety-Two Cents (\$2,805,013.92) divided into twelve equal installment payments for such coverage for the year October 1st, 2017, through September 30th, 2018, for the employees as described in the County's renewal, the costs of such coverage shall be as follows:

- | | | |
|--|---|-------------|
| a) Per employee each month | - | \$689.32; |
| b) Per employee and a child each month | - | \$1033.96; |
| c) Per employee and spouse each month | - | \$1,550.71; |
| d) Per family each month | - | \$2,005.91; |

e) When employees are either added or deleted from the numbers listed in the renewal, adjustments shall be made to the amount of premium to be paid based upon the foregoing rates listed in Paragraph 6 a), b), c) or d) above, with a carve out rate of \$642.50. Total

premium calculated on enrollment as of June 30, 2017.

7) Buchanan County Public School Board shall pay into a partially self-insured fund to be created, the sum of Six Million Nine Hundred Thousand Nine Hundred Seventy-Six Dollars and Forty-Four Cents (\$6,900,976.44) divided into twelve equal installment payments for such coverage for the year October 1st, 2017, through September 30th, 2018, for the employees as described in the School Board's renewal, the costs of such coverage shall be as follows:

- a) Per employee each month - \$689.32;
- b) Per employee and one child each month - \$1,033.96
- c) Per employee and spouse each month - \$1,550.71
- d) Per family each month - \$2,005.91;
- e) When employees are either added or deleted from the numbers listed in the renewal, adjustments shall be made to the amount of premium to be paid based upon the foregoing rates listed in Paragraph 7 a) or b) above, with a carve out rate of \$642.50. Total premium calculated on enrollment as of June 30, 2017.

8) Buchanan County Public Service Authority shall pay into a partially self-insured fund to be created, the sum of Eight Hundred Four Thousand Five Hundred Sixty-Four Dollars and Thirty-Six Cents (\$804,564.36) divided into twelve equal installment payments for such coverage for the year October 1st, 2017, through September 30th, 2018, for the employees as described in the Public Service Authority's renewal, the costs of such coverage shall be as follows:

- a) Per employee each month - \$689.32;
- b) Per employee and one child each month - \$1,033.96;
- c) Per employee and spouse each month - \$1,550.71;
- d) Per family each month - \$2,005.91;
- e) When employees are either added or deleted from the numbers listed in the renewal, adjustments shall be made to the amount of premium to be paid based upon the foregoing rates listed in Paragraph 8 a) b) c) or d) above, with a carve out rate of \$642.50. Total premium calculated on enrollment as of June 30, 2017.

9) Buchanan County Department of Social Services shall pay into partially self-insured fund to be created, the sum of Nine Hundred Thirty-Seven Thousand Sixty-Two Dollars and Eighty-Four Cents (\$937,062.84) divided into twelve equal installment payments for such coverage for the year October 1st, 2017 through September 30th, 2018, for the employees as described in the Department of Social Services' renewal, the costs of such coverage shall be as follows:

- a) Per employee each month - \$ 689.21;
- b) Per employee and one child each month - \$ 1,033.96;
- c) Per employee and spouse each month - \$ 1,550.71;
- d) Per family each month - \$ 2,005.91;
- e) When employees are either added or deleted from the numbers listed in the renewal, adjustments shall be made to the amount of premium to be paid based upon the foregoing rates listed in Paragraph 7a) b) c) or d) above, with a carve out rate of \$642.50. Total premium calculated on enrollment as of June 30, 2017.

10) The premium payments shall be made in twelve (12) monthly payments into a "Fund" to be established at a local bank or a separate fund with the Office of the Treasurer of Buchanan County, Va. From the "Fund" monthly payments will be made to Anthem for administrative

and claim costs incurred. The premiums for the Self-Insured Dental coverage shall be paid into a separate Dental Self-Insurance Fund with a monthly payment of claims and for administrative costs to Virginia Anthem Blue Cross Blue Shield.

11) This Agreement shall not be construed to obligate the County, PSA, the School Board or the Department of Social Services to enter into joint contracts for other goods or services.

12) The Buchanan County, Va., Board of Supervisors, the Buchanan County Public School Board, the Buchanan County Public Service Authority and the Buchanan County Department of Social Services may select its own individual Agent of Record which may or may not be the same Agent of Record as selected by the others, subject to compliance with the Virginia Public Procurement Act.

13) This Agreement shall be restricted solely to health and dental insurance for the upcoming year and is not to be construed to obligate the County, PSA, Department of Social Services or the School Board to enter into joint contracts for other goods or services.

14) If at any time it is no longer advantageous for the County, PSA, the School Board or the Department of Social Services, or if any of them desires for any reason, any of them can elect to terminate this Agreement at any time subject only to fulfilling any contractual obligations that may exist at the time of termination pursuant to this Agreement.

15) Attached as Exhibit "A" and made a part of this contract by reference is the proposed Self-Insured Dental coverage to be administered through Anthem Blue Cross Blue Shield for the Consolidated Group for the policy period October 01st, 2017 through September 30th, 2018 which such coverage is optional for the employees of the Buchanan County Public School Board; each of the four entities (BOS, PSA, DSS and, if applicable School Board) shall pay the monthly dental premiums into a separate Dental Self-Insurance Fund from which a monthly payment shall be made to Anthem for the payment of dental claims and administrative costs for administering the payment of dental claims.

16) The County Attorney, and Counsels for the PSA, DSS and School Board by their execution of this contract approve of its form.

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

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

19) No modification of any of the terms of this Agreement shall be valid without the advance written approval of same which shall be signed by all the parties to this agreement.

IN WITNESS WHEREOF, the parties have executed this contract in their appropriate capacities the day and year first above written

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

Robert Craig Horn, County Administrator
Buchanan County, Virginia

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**IN RE: CONSIDER REQUEST FROM THE BUCHANAN COUNTY
DEPARTMENT OF SOCIAL SERVICES FOR THE ANNUAL COAL
MINER'S CHRISTMAS AND SPECIAL NEEDS FUNDS**

After a general discussion by the board upon motion by Harold H. Fuller seconded by Trey Adkins and with the following roll call vote of six (6) yeas, Harold H. Fuller, Earl Scott, G. Roger Rife, Trey Adkins, Craig Stiltner, J. Carroll Branham and one (1) nay, William P. Harris, this board did hereby approve a contribution in the amount of \$10,000 to Buchanan County Department of Social Services for the Annual Coal Miner's Christmas and Special Needs Fund to be divided equally among the seven (7) magisterial district accounts.

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**IN RE: CONSIDER APPROVING TO ISSUE PAYMENT TO THE
BUCHANAN COUNTY PUBLIC SERVICE AUTHORITY IN THE
AMOUNT OF \$47,415.00 FROM THE CNX GAS SPECIAL ACCOUNT**

After a general discussion by the board upon motion by Trey Adkins seconded by William P. Harris and with the following roll call vote of four (4) yeas, Trey Adkins, William P. Harris, Harold H. Fuller, J. Carroll Branham and three (3) nays, Craig Stiltner, G. Roger Rife and Earl Scott, this board did hereby approve to issue payment to the Buchanan County Public Service Authority in the amount of \$47,415.00 from the CNX Gas Special Account.

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**IN RE: CONSIDER RATIFYING THE LETTER OF INTENT TO
PARTICIPATE IN THE CUMBERLAND PLATEAU REGIONAL
HAZARD MITIGATION PLAN**

After a general discussion by the board upon motion by Harold H. Fuller seconded by Trey Adkins and with the following roll call vote of seven (7) yeas, William P. Harris, Harold H. Fuller, Earl Scott, G. Roger Rife, Trey Adkins, Craig Stiltner, J. Carroll Branham and zero (0) nays, this board did hereby ratify the letter of intent to participate in the Cumberland Plateau Regional Hazard Mitigation Plan.

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IN RE: CONSIDER RATIFYING THE VFIRS HARDWARE GRANT APPLICATION FOR SLATE CREEK VOLUNTEER FIRE DEPT.

After a general discussion by the board upon by Harold H. Fuller seconded by Trey Adkins and with the following roll call vote of seven (7) yeas, William P. Harris, Harold H. Fuller, Earl Scott, G. Roger Rife, Trey Adkins, Craig Stiltner, J. Carroll Branham and zero (0) nays, this board did hereby ratify the VRIRS Hardware Grant Application for Slate Creek Volunteer Fire Department.

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IN RE: CONSIDER APPROVING TO INSTALL TWO LIGHTS TO BE INSTALLED AT THE BULL CREEK TRAIL BY AEP

After a general discussion by the board upon motion by Craig Stiltner seconded by Harold H. Fuller and with the following roll call vote of seven (7) yeas, William P. Harris, Harold H. Fuller, Earl Scott, G. Roger Rife, Trey Adkins, Craig Stiltner, J. Carroll Branham and zero (0) nays, this board did hereby approve to install two lights to be installed at the Bull Creek Trail by AEP.

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IN RE: CONSIDER SETTING AN ENDING DATE FOR PART-TIME EMPLOYEES TO WEED CUT, ETC.

After a general discussion by the board upon motion by upon motion by Trey Adkins seconded by Harold H. Fuller and with the following roll call vote of seven (7) yeas, William P. Harris, Harold H. Fuller, Earl Scott, G. Roger Rife, Trey Adkins, Craig Stiltner, J. Carroll Branham and zero (0) nays, this board did hereby approve to terminate all temporary/part-time employees doing weed and grass cutting on October 15th, 2017 and if they continue to work they will be paid from the districts highways, streets and bridges account.

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IN RE: CONSIDER APPROVING AN ADDITIONAL BUDGET APPROPRIATION TO THE SANITATION DEPT. (LANDFILL) ACCOUNT AND TO MOVE CASEY COOPER FROM THE PART-TIME POSITION TO A FULL-TIME POSITION AS SANITATION TRUCK HELPER

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

\$62,253.00 to the Sanitation Dept. (Landfill) account number 42040 and to move Casey Cooper from the part-time position to a full-time position as sanitation truck helper at a salary of \$28,628 per year.

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IN RE: CONSIDER APPROVING TO ISSUE A CHECK TO SOUTHWEST REGIONAL RECREATIONAL AUTHORITY

After a general discussion by the board upon motion by Craig Stiltner seconded by Harold H. Fuller and with the following roll call vote of seven (7) yeas, William P. Harris, Harold H. Fuller, Earl Scott, G. Roger Rife, Trey Adkins, Craig Stiltner, J. Carroll Branham and zero (0) nays, this board did hereby approve to issue a check in the amount of \$55,000 to Southwest Regional Recreational Authority (\$30,000 from SRRA account number 81010-5605 and \$25,000 from the funding approved for the IDA on May 9th, 2017 from account number 81020-5641) .

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IN RE: CONSIDER APPROVING THE 2018 PERFORMANCE CONTRACT AS SUBMITTED TO THE DEPARTMENT OF BEHAVIORAL HEALTH FOR CUMBERLAND MOUNTAIN COMMUNITY SERVICES

After a general discussion by the board upon motion by Earl Scott seconded by Harold H. Fuller with a roll call vote of seven (7) yeas, William P. Harris, Harold H. Fuller, Earl Scott, G. Roger Rife, Trey Adkins, Craig Stiltner, J. Carroll Branham and zero (0) nays, this board did hereby approve the FY 2018 Performance Contract as submitted to the Department of Behavioral Health and Development Services for Cumberland Mountain Community Services.

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IN RE: CONSIDER APPROVING THE APPLICATION AND CERTIFICATE FOR PAYMENT IN THE AMOUNT OF \$66,369.85 TO EMPIRE SALVAGE & RECYCLING, INC. REGARDING THE DEMOLITION OF THE OLD JUDGE WILLIAMS BUILDING

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

Craig Stiltner, Rocklick District Supervisor stated the county lost every dime of the removal of the building in tipping fees because they haul the salvage out of the county.

Mr. Adkins stated if they did, then it violates the county's ordinance.

L. Lee Moise, County Attorney stated the contract gave Empire some wiggle room to haul the salvage out of the county. We can request Empire to let us know how much was hauled out of the county to see how much the tipping fees would've been.

Upon motion by Trey Adkins seconded by Harold H. Fuller and with a roll call vote of six (6) yeas, J. Carroll Branham, G. Roger Rife, Trey Adkins, Harold H. Fuller, Craig Stiltner, Earl Scott and one (1) nay, William P. Harris, this board did hereby approve to not pay the application and certificate for payment in the amount of \$66,369.85 to Empire Salvage & Recycling, Inc. regarding the demolition of the Old Judge Williams Building.

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**IN RE: CONSIDER APPROVING THE APPLICATION AND CERTIFICATE
FOR PAYMENT IN THE AMOUNT OF \$86,723.50 TO J. A. STREET &
ASSOCIATES, INC. REGARDING THE BUCHANAN COUNTY
COURTHOUSE PROJECT**

After a general discussion by the board upon motion by William P. Harris seconded by Earl Scott and with the following roll call vote of seven (7) yeas, William P. Harris, G. Roger Rife, Earl Scott, Harold H. Fuller, Trey Adkins, Craig Stiltner, J. Carroll Branham and zero (0) nays, this board did hereby approve the application and certificate for payment in the amount of \$86,723.50 to J. A. Street & Associates, Inc. regarding the Buchanan County Courthouse Project.

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**IN RE: CONSIDER APPROVING THE HIGHWAY SAFETY GRANT
APPLICATION TO THE DEPARTMENT OF MOTOR VEHICLES
FOR THE BUCHANAN COUNTY SHERIFF'S OFFICE**

After a general discussion by the board upon motion by Trey Adkins seconded by Earl Scott and with the following roll call vote of seven (7) yeas, Earl Scott, Trey Adkins, William P. Harris, G. Roger Rife, Harold H. Fuller, Craig Stiltner, J. Carroll Branham and zero (0) nays, this board did hereby approve the Highway Safety Grant Application to the Department of Motor Vehicles for the Buchanan County Sheriff's Office.

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IN RE: CONSIDER APPROVING THE BUCHANAN COUNTY TOURISM COMMITTEE TO PARTICIPATE IN THE ANNUAL FREE ATV RIDE DAY AT COAL CANYON TRAIL AND THE TRUNK OR TREAT IN THE TOWN OF GRUNDY

After a general discussion by the board upon motion by Harold H. Fuller seconded by Trey Adkins and with the following roll call vote of seven (7) yeas, Earl Scott, Trey Adkins, William P. Harris, G. Roger Rife, Harold H. Fuller, Craig Stiltner, J. Carroll Branham and zero (0) nays, this board did hereby approve the Buchanan County Tourism Committee to participate in the Annual Free ATV Ride Day at Coal Canyon Trail and the Trunk or Treat in the Town of Grundy.

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IN RE: CONSIDER AUTHORIZING THE PAYMENT OF COSTS AND EXPENSE FOR APPLYING TO DCJS FOR DARRELL JONES, JOAN STILTNER AND ANDY SPARKS TO BECOME A SPECIAL CONSERVATOR OF THE PEACE

After a general discussion by the board upon motion by Harold H. Fuller seconded by Trey Adkins and with the following roll call vote of seven (7) yeas, Earl Scott, Trey Adkins, William P. Harris, G. Roger Rife, Harold H. Fuller, Craig Stiltner, J. Carroll Branham and zero (0) nays, this board did hereby authorize the payment of costs and expenses for applying to DCJS for Darrell Jones, Joan Stiltner and Andy Sparks to become a Special Conservators of the Peace to be paid from Garden District account.

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IN RE: CONSIDER APPROVING TO PURCHASE FISH TO STOCK THE RIVER FROM LAUREL FORK TO JONES FORK LOCATED IN THE GARDEN MAGISTERIAL DISTRICT

After a general discussion by the board upon motion by Harold H. Fuller seconded by Trey Adkins and with the following roll call vote of seven (7) yeas, Earl Scott, Trey Adkins, William P. Harris, G. Roger Rife, Harold H. Fuller, Craig Stiltner, J. Carroll Branham and zero (0) nays, this board did hereby approve to purchase fish to stock the river from Laurel Fork to Jones Fork located in the Garden Magisterial District, which is 6.4 miles if approved by landowners and DGIF. Also, the BOS approved to sell fishing permits for \$10.00 per day up to six (6) fish or \$20.00 for three (3) days up to eighteen (18) fish (limit of 6 fish per day). All proceeds from the sale of the fishing and ATV permits for the Jewell Valley Trail will be appropriated to the Garden District Park and Recreation account to defray the costs of stocking the stream and payment of SCOPs patrolling the Jewell Valley ATV Trail.

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IN RE: CONSIDER REQUEST FROM BUCHANAN COUNTY PUBLIC SCHOOLS FOR FUNDING TO REPLACE THE GYMNASIUM FLOOR AT COUNCIL ELEMENTARY/MIDDLE SCHOOL

Upon motion by William P. Harris to do an additional appropriation in the amount of \$120,477.00 to Buchanan County Public Schools to replace the gymnasium floor at the Council Elementary/Middle School seconded by Trey Adkins and with a roll call vote of two (2) yeas, William P. Harris, Trey Adkins and five (5) nays, Earl Scott, G. Roger Rife, Harold H. Fuller, Craig Stiltner and J. Carroll Branham, the motion failed.

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IN RE: CONSIDER APPROVE TO REPLACE THE GYMNASIUM FLOOR AT COUNCIL ELEMENTARY/MIDDLE SCHOOL

Upon motion by William P. Harris to replace the gymnasium floor at the Council Elementary/Middle School and an additional appropriation in the amount of \$120,477.00 seconded by Trey Adkins and with a roll call vote of two (2) yeas, William P. Harris, Trey Adkins and five (5) nays, Earl Scott, G. Roger Rife, Harold H. Fuller, Craig Stiltner and J. Carroll Branham, the motion failed.

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IN RE: CONSIDER AS PER JUDGE JOHNSON'S REQUEST TO OFFICIALLY CLOSE THE COURTHOUSE ON MONDAY, DECEMBER 18TH AND REOPEN ON TUESDAY, JANUARY 2ND, 2018 AT THE IDA BUILDING ON SLATE CREEK

After a general discussion by the board upon motion by Earl Scott seconded by Craig Stiltner and with the following roll call vote of seven (7) yeas, Earl Scott, Trey Adkins, William P. Harris, G. Roger Rife, Harold H. Fuller, Craig Stiltner, J. Carroll Branham and zero (0) nays, this board did hereby approve to officially close the courthouse on Monday, December 18th and reopen on Tuesday, January 2nd, 2018 at the IDA Building on Slate Creek as per Judge Johnson's request.

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IN RE: CONSIDER APPROVING CONTRIBUTION/S

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

Grundy Kiwanis Foundation (Octoberfest)	\$800.00
Grundy High School (batting net)	\$797.56
Grundy High School (fans and hand sanitizers)	\$1,108.86
Grundy High School (Golf Team)	\$750.00
Prater Volunteer Fire Department	\$500.00
Prater Volunteer Fire and Rescue Department	\$7,374.00
Prater Volunteer Fire and Rescue Department	\$3,029.00
Prater Volunteer Fire and Rescue Department	\$3,546.00
Big Rock Volunteer Fire Dept., Inc.	\$15,000.00
Hurley High School (Varsity Football Cheerleaders)	\$2,000.00

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IN RE: CONSIDER ADOPTING THE RESOLUTION IN SUPPORT OF THE VIRGINIA DEPARTMENT GAME AND INLAND FISHERIES TO RESTORE ABANDONED MINE LAND AREA IN BUCHANAN COUNTY INTO A WILDLIFE HABITAT

After a general discussion by the board upon motion by Trey Adkins seconded by Harold H. Fuller and with the following roll call vote of seven (7) yeas, Earl Scott, Trey Adkins, William P. Harris, G. Roger Rife, Harold H. Fuller, Craig Stiltner, J. Carroll Branham and zero (0) nays, this board did hereby adopt the following Resolution supporting the grant application for the Virginia Department of Game and Inland Fisheries. We understand this grant will be used to restore previously abandoned mine land areas into wildlife habitat for the economic benefits for Buchanan County. This grant would increase wildlife viewing by tourist to the area, which is expected to work synergistically with the viewing center, the Spearhead Trail and the Southern Gap Outdoor Adventures.

RESOLUTION

RE: IN SUPPORT OF DGIF PLAN TO RESTORE ABANDONED MINE LAND AREA IN BUCHANAN COUNTY INTO WILDLIFE HABITAT

WHEREAS, the Buchanan County Board of Supervisors has received information from the Department of Game and Inland Fisheries of a plan to restore abandoned mine land currently owned by the Buchanan County IDA into wildlife habitat; and

NOW THEREFORE BE IT RESOVED, that the Board of Supervisors of Buchanan County, Va. does hereby support the plan being developed by the Department of Game and Inland Fisheries to restore abandoned mine land located in Buchanan County and owned by the Buchanan County IDA into wildlife habitat. The County Administrator is directed to forward this resolution to the attention of Dr. David M. Kalb, Ph.D., Associate Wildlife

Biologist, Terrestrial Biologist & Elk Project leader, Virginia Department of Game and Inland Fisheries.

This resolution was adopted on the 18th day of September, 2017.

Recorded Vote:

Motion made by: Trey Adkins

Second by: Harold H. Fuller

Yeas: Seven

Nays: Zero

J. Carroll Branham, Chairman

Buchanan County, Va. Board of Supervisors

ATTEST:

Robert Craig Horn, County Administrator

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IN RE: CONSIDER ADOPTING THE RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO PROCEED WITH ALL NECESSARY PROCUREMENT TO COMPLETE THE MOVE OF COUNTY OFFICES TO THE IDA BUILDING ON SLATE CREEK

After a general discussion by the board upon motion by Harold H. Fuller seconded by Trey Adkins and with the following roll call vote of seven (7) yeas, Harold H. Fuller, Trey Adkins, J. Carroll Branham, Earl Scott, William P. Harris, G. Roger Rife, Craig Stiltner and zero (0) nays, this board did hereby adopt the following Resolution authorizing the County Administrator to proceed with all necessary procurement to complete the move of county offices to the IDA Building on Slate Creek:

RESOLUTION

RE: AUTHORITY FOR COUNTY ADMINISTRATOR TO PROCEED WITH ALL NECESSARY PROCUREMENT TO COMPLETE THE MOVE OF COUNTY OFFICES TO THE IDA BUILDING ON SLATE CREEK

WHEREAS, the Buchanan County Board of Supervisors acknowledges that it will be necessary to move the County Offices at the Courthouse to the IDA building on Slate Creek to move forward with the Courthouse Renovation Project; and

WHEREAS, said move is planned to take place in mid to late December 2017 so that actual construction activities can begin on the Courthouse in January 2018;

WHEREAS, many items of goods, services and some renovations to the IDA building are required to complete the move which will necessitate procurement by the County; and

WHEREAS, in that time is of the essence, the County Administrator is authorized to pursue all necessary procurement activities to facilitate completion of the move, to include but not be limited to the itemized list and budget prepared on September 7, 2017 by Curtis Elswick, which said itemization is attached and incorporated by reference and made a part of this resolution as Exhibit "A" and the items covered in contracts set forth in Exhibit "B"

which is attached and made a part of the resolution by reference and implementation of the security system and site development; and

NOW THEREFORE BE IT RESOVED, that the Board of Supervisors of Buchanan County, Va. does hereby authorize the County Administrator to pursue all necessary procurement activities to facilitate the completion of the move of County Offices from the Courthouse to the IDA building on Slate Creek, to include but not be limited to the itemized list and budget prepared on September 7, 2017 by Curtis Elswick which said itemization is attached and incorporated by reference and made a part of this resolution as Exhibit “A” and the items covered by contracts set forth in Exhibit “B” which is attached and incorporated by reference made a part of this resolution.

This resolution was adopted on the 18th day of September 2017.

Recorded Vote:

Motion made by: Harold H. Fuller

Second by: Trey Adkins

Yeas: Seven

Nays: Zero

J. Carroll Branham, Chairman

Buchanan County, Va. Board of Supervisors

ATTEST:

Robert Craig Horn, County Administrator

Exhibit “A”

Construction (Materials and Special Labor)	\$	138,892
Equipment	\$	95,169
Design Fee	\$	40,000
Detainee Trailer Move	\$	300
Moving	\$	125,000
Program Management	\$	10,000
Owner Contingency	\$	20,639
Total Project:	\$	430,000

Exhibit “B”

IFB and Contract to replace existing telephone system.

Agreement with CAS Severn for IBM Power 8-BAI System.

IFB and Contract for Project A to seal and stripe parking lot at Buchanan Information Park.

(Approved)

IFB and Contract for Project B to stripe parking lot at Buchanan Information Park. (Not

approved)

Contract with W & L Paving, asphalt the parking lot at the Industrial Park on Slate Creek.

(Not approved)

The security system will be done and mail server.

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IN RE: CONSIDER RATIFYING APPROVING TRANSFER/S

After a general discussion by the board upon motion by Craig Stiltner seconded by Harold H. Fuller and with the following roll call vote of seven (7) yeas, Harold H. Fuller, Trey Adkins, J. Carroll Branham, Earl Scott, William P. Harris, G. Roger Rife, Craig Stiltner and zero (0) nays, this board did hereby approve to transfer \$710.15 from Rocklick District Park and Development account 71060-7010-006 to the Race Track account 71040-7011.

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IN RE: RUTH HORN AND TERRIE RATLIFF - REQUEST APPOINTMENT TO THE CSA MANAGEMENT TEAM

Ruth Horn, Director of Buchanan County Department of Social Services requested the board to appoint a representative from the board of supervisors to the CSA Management Team.

After a general discussion by the board upon motion by Harold H. Fuller seconded by Craig Stiltner and with the following roll call vote of seven (7) yeas, Harold H. Fuller, Trey Adkins, Craig Stiltner, William P. Harris, G. Roger Rife, Earl Scott, J. Carroll Branham and zero (0) nays, this board did hereby approve to alternate alphabetically each month a board of supervisor member to participate in the Community Policy and Management Team (CPMT) regarding the Comprehensive Service Act (CSA).

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IN RE: CONSIDER APPROVING A CONTRIBUTION IN THE AMOUNT OF \$2,100 TO THE VETERANS OF FOREIGN WARS TO BE DIVIDED EQUALLY AMONG THE SEVEN DISTRICT ACCOUNTS

After a general discussion by the board upon motion by Harold H. Fuller seconded by Craig Stiltner and with the following roll call vote of seven (7) yeas, Harold H. Fuller, Trey Adkins, Craig Stiltner, William P. Harris, G. Roger Rife, Earl Scott, J. Carroll Branham and zero (0) nays, this board did hereby approve a contribution in the amount of \$2,100.00 to the Veterans of Foreign Wars to be divided equally among the seven district accounts.

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IN RE: CONSIDER APPROVING A CONTRIBUTION TO BUCHANAN COUNTY PUBLIC SCHOOLS IN THE AMOUNT OF \$14,500 TO CONDUCT A FINANCIAL STUDY FROM VMDO ARCHITECTS OF CHARLOTTESVILLE, VA FOR THE CONSOLIDATION OF J. M. BEVINS ELEMENTARY SCHOOL

This issue was tabled, no action taken.

IN RE: CONSIDER APPROVING REQUEST FROM BUCHANAN COUNTY PUBLIC SCHOOLS TO NAME THE COUNCIL HIGH SCHOOL SOFTBALL FIELD IN MEMORY OF BRIAN HESS

After a general discussion by the board upon motion by William P. Harris seconded by Trey Adkins and with the following roll call vote of seven (7) yeas, Harold H. Fuller, Trey Adkins, Craig Stiltner, William P. Harris, G. Roger Rife, Earl Scott, J. Carroll Branham and zero (0) nays, this board did hereby approve to name the little league softball field at the William P. Harris Park in memory of Brian Hess.

IN RE: CONSIDER REQUEST FROM OAKWOOD FIRE AND RESCUE

After a general discussion by the board upon motion by G. Roger Rife seconded by Trey Adkins and with the following roll call vote of seven (7) yeas, Harold H. Fuller, Trey Adkins, Craig Stiltner, William P. Harris, G. Roger Rife, Earl Scott, J. Carroll Branham and zero (0) nays, this board did hereby approve to donate the antenna tower located at the former 911 Center on Slate Creek to the Oakwood Fire and Rescue Department.

IN RE: CONSIDER APPROVING TO ISSUE A PAYMENT TO BUCHANAN COUNTY PUBLIC SERVICE AUTHORITY IN THE AMOUNT OF \$22,890.00 FROM THE CNX GAS SPECIAL ACCOUNT

This issue was tabled, no action taken.

IN RE: CONSIDER RATIFYING PAYROLL AFTER REVIEW

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

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

After a general discussion by the board upon motion by Trey Adkins seconded by

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

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IN RE: CONSIDER APPROVE TO ISSUE CHECKS THE SUM OF WHICH TOTALS NO MORE THAN THE AMOUNT OF \$10,000 TO PENN VA. FROM BULL CREEK TRAIL ACCOUNT, 94100-7015 FOR THE PURCHASE OF THREE (3) PARCELS OF LAND THAT ARE NEEDED FOR THE BULL CREEK TRAIL AND THE DRAINAGE EASEMENT FOR E.W. ROAD

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, Trey Adkins, Craig Stiltner, G. Roger Rife, Earl Scott, J. Carroll Branham and one (1) nay, William P. Harris, this board did hereby approve to issue checks the sum of which totals no more than the amount of \$10,000 to Penn Va. from Bull Creek Trail account, 94100-7015 for the purchase of three (3) parcels of land that are needed for the Bull Creek Trail and the drainage easement for E.W. Road.

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IN RE: CONSIDER APPROVING TRANSFER TO BOARD OF SUPERVISORS PROFESSIONAL SERVICES ACCOUNT

L. Lee Moise, County Attorney stated due to the invoices from Sands Anderson, P.C. for legal services and the invoices for expert witnesses regarding the case between Jewell Smokeless Coal Corp. and Buchanan County there is a need for additional funding in the board of supervisors professional services account.

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

- Transfer \$51,795.00 from Fund 1, Capital Outlay Transfer Account, 94100-7000 to Board of Supervisors professional services account, 11010-3100;
- Additional Appropriation in the amount of \$250,000.00 to Board of Supervisors professional services account, 11010-3100.

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IN RE: ADJOURNMENT

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

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

Robert Craig Horn, County Administrator

MINUTES

A special called meeting of the Buchanan County Board of Supervisors was held on the 25th day of September, 2017 starting at 10:00 o'clock a.m. at the boardroom of Buchanan County Courthouse located in Grundy, Virginia:

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

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

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

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

J. Carroll Branham, Chairman of the Buchanan County Board of Supervisors hereby request pursuant to Section 15.2-1417 and 15.2-1418 of the Code of Virginia that a special meeting of the Buchanan County Board of Supervisors be held on the date, at the time, and place stated below, and for the purpose stated herein, as amended.

DATE OF MEETING: MONDAY, SEPTEMBER 25th 2017

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

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

PURPOSE

1. Call to order.
2. Prayer and Pledge of Allegiance.
3. Consider request from Buchanan County Public Schools for funding to replace the gymnasium floor at Council Elementary/Middle School.

4. Consider adjournment.

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**IN RE: CONSIDER REQUEST FROM BUCHANAN COUNTY PUBLIC
 SCHOOLS FOR FUNDING TO REPLACE THE GYMNASIUM
 FLOOR AT COUNCIL ELEMENTARY/MIDDLE SCHOOL**

Melanie Hibbitts, Superintendent of Buchanan County Public Schools thanked the board for their past support.

In the summer of 2017, Scott Floor Company was hired to sand and refinish the floor at Council Elementary/Middle School, she stated. During the process, it was determined that ground water was permeating the concrete slab and had caused significant damage to the existing parquet flooring. It was recommended by Scott Floor Company that the floor needed to be replaced, stated Ms. Hibbitts.

Following the recommendation, as insurance claim was filed with VACORP to determine if the damage would be covered, commented Ms. Hibbitts. We received notification from VACORP that the damage to the flooring would not be covered under our insurance. Following the notification, the replacement floor was put out for bid. Two bids were received by the school system in the amounts of \$120,477.00 from Royalwood Associates, Inc. and \$146,950.00 from Scott Floor Company.

We are requesting assistance in the amount of \$120,477.00 to assist with this project, stated Ms. Hibbitts.

J. Carroll Branham, Chairman asked if the gymnasium floor was useable in the high school?

Ms. Hibbitts stated yes, but the size of the gymnasium is a problem for volleyball games, therefore they've had to move the games to the Grundy gymnasium.

Craig Stiltner, Rocklick District Supervisor requested the school system to provide information on how much is paid annually to VACORP and how many claims has been paid.

Robert C. Horn, County Administrator stated a law school student's vehicle was hit by a sanitation truck and VACORP refused to pay the claim.

Trey Adkins, Knox District Supervisor asked Ms. Hibbitts how would the school board feel about appealing the decision by VACORP regarding the repair to the gymnasium?

Ms. Hibbitts stated it would be very expensive to go to court, besides the time it could take to get it through. Ground water was seeping through the floor to the wooden gymnasium floor, due to inadequate sealing.

They met with VACORP representatives on site and they told us that the policy would not cover the damage in this cause because of the moisture and maintenance issues,

but if the damage had been flood related it would have probably been a different situation, stated Ms. Hibbitts.

Mr. Stiltner stated last Monday, I voted no because we had previously requested for someone to attend the board meetings if it was going to be a large amount requested for one of the schools. We are just following policy.

According to the letter from VACORP, the property contract will not pay for the loss or damage caused by or resulting from dampness or dryness of atmosphere. Also, faulty, inadequate or defective maintenance, Scotty Owens, School Board Representative for the Prater District.

Mr. Branham asked what the time line would be once the project was started?

Mr. Hibbitts stated approximately eight (8) weeks. It would be ready by basketball season.

The gymnasium is used for many different events from sporting events, physical education during school, fall festivals, assembly programs etc., stated Mr. Owens.

After a general discussion by the board upon motion by William P. Harris seconded by Trey Adkins and with the following roll call vote of seven (7) yeas, William P. Harris, Trey Adkins, Earl Scott, G. Roger Rife, Harold H. Fuller, Craig Stiltner, J. Carroll Branham and zero (0) nays, this board did hereby approve an additional appropriation in the amount of \$120,477.00 to Buchanan County Public Schools earmarked to replace the gymnasium floor at Council Elementary/Middle School.

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IN RE: GENERAL DISCUSSION CONCERNING BOARD MEETINGS

G. Roger Rife, South Grundy District Supervisor stated I would appreciate in the future when someone on the board is making a motion that my fellow board members would quit talking so I can hear. I voted for something at the previous meeting that I didn't hear.

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IN RE: CONSIDER ADJOURNMENT

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

J. Carroll Branham, Chairman of the

Buchanan County Board of Supervisors

Robert Craig Horn, County Administrator