

**MINUTES**

An organizational meeting of the Buchanan County Board of Supervisors was held on the 7<sup>th</sup> day of January 2013 starting at 10:00 o'clock a.m. in the boardroom of the Buchanan County Courthouse located in Grundy, Virginia.

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

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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**IN RE: ELECTION OF CHAIRMAN**

At this time, Robert Craig Horn, County Administrator, asked for nominations for chairperson. Craig Stiltner nominated G. Roger Rife as chairperson seconded by Harold H. Fuller. No other nominations for chairman were made and accordingly upon motion by Harold H. Fuller seconded by Trey Adkins and with a roll call vote of seven (7) yeas and zero (0) nays, nominations for election of Chairperson were closed. Upon motion by Trey Adkins seconded by Craig Stiltner and with a roll call vote of seven (7) yeas and zero (0) nays, G. Roger Rife was unanimously elected as Chairman for the Buchanan County Board of Supervisors for the calendar year 2013.

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**IN RE: ELECTION OF VICE-CHAIRMAN**

At this time, G. Roger Rife, asked for nominations for Vice-Chairperson, Harold H. Fuller nominated William P. Harris seconded by Trey Adkins. No other nominations were offered by the board and upon motion by Harold H. Fuller seconded by Craig Stiltner and with a roll call vote of seven (7) yeas, Harold H. Fuller, Craig Stiltner, William P. Harris, G. Roger Rife, Steve O'Quinn, Trey Adkins, J. Carroll Branham and zero (0) nays, nominations for elections of Vice-Chairman were closed and William P. Harris was unanimously elected Vice-Chairman for the Buchanan County Board of Supervisors for the calendar year 2013.

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**IN RE:            CONSIDER ADOPTION OF PARLIAMENTARY PROCEDURES-  
ROBERTS RULES OF ORDER**

After a general discussion by the board concerning the Roberts Rules of Order, upon motion by William P. Harris seconded by Harold H. Fuller and with a unanimous voice vote of the board, this board did hereby adopt the Roberts Rules of Order which shall govern the order and procedures of meetings of the Buchanan County Board of Supervisors insofar as they do not conflict with applicable state law.

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**IN RE:            CONSIDER APPOINTMENT OF THE COAL HAUL ROAD AND  
GAS IMPROVEMENT ADVISORY COMMITTEE MEMBER (1)**

Upon a motion of Steve O'Quinn to appoint Trey Adkins to the Coal Haul Road and Gas Improvement Advisory Committee with Craig Stiltner nominating Harold H. Fuller, J. Carroll Branham seconded the motion to appoint Trey Adkins to the Coal Haul Road and Gas Improvement Advisory Committee with a roll call vote three (3) yeas, three (3) nays and one (1) abstention, the motion failed to appoint Trey Adkins to the Coal Haul Road and Gas Improvement Advisory Committee for 2013.

Upon a motion by Craig Stiltner to appoint Harold H. Fuller to the Coal Haul Road and Gas Improvement Advisory Committee with no second to Mr. Stiltner's motion a roll call vote was requested as follows: four (4) yeas, G. Roger Rife, William P. Harris, Craig Stiltner, Harold H. Fuller and three (3) nays, Trey Adkins, Steve O'Quinn, J. Carroll Branham, the motion passed to appoint Harold H. Fuller to the Coal Haul Road and Gas Improvement Advisory Committee for 2013.

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**IN RE:            CONSIDER BOARD OF SUPERVISORS' PERSONNEL  
COMMITTEE (3)**

After a general discussion by the board upon motion a by Trey Adkins seconded by Craig Stiltner to appoint Trey Adkins, Knox District Supervisor; Craig Stiltner, Rocklick District Supervisor and William P. Harris, Hurricane District Supervisor to the Board of Supervisors personnel committee for 2013, with no other nominations and upon motion by Steve O'Quinn seconded by William P. Harris and with a unanimous voice vote by the board, this board did hereby approve to close nominations and appointed Trey Adkins, Knox District Supervisor; Craig Stiltner, Rocklick District Supervisor and William P. Harris, Hurricane District Supervisor to the Board of Supervisors personnel committee for 2013.

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**IN RE:            CONSIDER APPOINTMENT OF THE BOARD OF SUPERVISORS  
INSURANCE COMMITTEE (2)**

After a general discussion by the board upon a motion by Trey Adkins seconded by William P. Harris to appoint J. Carroll Branham, North Grundy District Supervisor and Steve O'Quinn, Prater District Supervisor to the Board of Supervisors Insurance Committee for 2013, with no other nominations and upon motion by William P. Harris seconded by Trey Adkins and with a unanimous voice vote by the board, this board did hereby approve to close nominations and appointed J. Carroll Branham, North Grundy District Supervisor and Steve O'Quinn, Prater District Supervisor to the Board of Supervisors Insurance Committee for 2013.

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**IN RE:            CONSIDER APPOINTMENT OF THE BOARD OF  
SUPERVISORS' EMERGENCY SERVICES DIRECTOR**

After a general discussion by the board upon a motion by William P. Harris seconded by Trey Adkins to appoint Robert Craig Horn, County Administrator as the Emergency Services Director for Buchanan County, with no other nominations and upon motion by Harold H. Fuller seconded by Craig Stiltner and with a unanimous voice vote by the board, this board did hereby approve to close nominations and appointed Robert Craig Horn, County Administrator as the Emergency Services Director for Buchanan County.

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**IN RE:            CONSIDER BOARD OF SUPERVISORS' VIRGINIA COALFIELD  
ECONOMIC DEVELOPMENT AUTHORITY (VCEDA) MEMBER,  
IF THE CHAIRMAN DOESN'T WANT TO SERVE**

After a general discussion by the board upon a motion by Harold H. Fuller seconded by Trey Adkins and with a unanimous voice vote by the board, this board did hereby appoint J. Carroll Branham to the Virginia Coalfield Economic Development Authority (VCEDA) as representative for Buchanan County.

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

After a general discussion by the board upon a motion by Trey Adkins seconded by Harold H. Fuller and with a unanimous voice vote by the board, this board did hereby appoint Craig Stiltner to the Buchanan County Planning Commission.

**IN RE:            CONSIDER ADOPTING A RESOLUTION REGARDING THE  
                         APPOINTMENT AND/OR REAPPOINTMENT FOR THE CLERK  
                         FOR THE BUCHANAN COUNTY BOARD OF SUPERVISORS**

After a general discussion by the board upon a motion by Harold H. Fuller seconded by Craig Stiltner and with a roll call vote of seven (7) yeas, Harold H. Fuller, Craig Stiltner, G. Roger Rife, William P. Harris, J. Carroll Branham, Steve O’Quinn, Trey Adkins and zero (0) nays, this board did hereby adopt the following Resolution appointing Robert Craig Horn, County Administrator as Clerk for the Buchanan County Board of Supervisors:

**RESOLUTION**

**THEREFORE BE IT RESOLVE** that Buchanan County Board of Supervisors does hereby appoint and/or reappoint Robert Craig Horn, County Administrator as Clerk for the Buchanan County Board of Supervisors, until such power has been revoked by the Board of Supervisors.

Adopted this the 7<sup>th</sup> day of January 2013 by a vote of seven for and zero against.

Recorded Vote:  
Moved by: Harold H. Fuller  
Seconded by: Craig Stiltner  
Yeas: Seven  
Nays: Zero

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Chairman of the Buchanan County  
Board of Supervisors

ATTEST:

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Robert Craig Horn, County Administrator

**IN RE:            CONSIDER APPOINTMENT OF A BOARD OF SUPERVISORS’  
                         MEMBER TO PEOPLE INC.**

After a general discussion by the board upon a motion by Craig Stiltner seconded by William P. Harris and with a unanimous voice vote by the board, this board this board did hereby appoint Trey Adkins to the People Incorporated Board of Directors.

**IN RE:            CONSIDER ADOPTING A RESOLUTION AUTHORIZING THE  
CHAIRMAN OF BOARD OF SUPERVISORS, THE TREASURER,  
AND COUNTY ADMINISTRATOR OF BUCHANAN COUNTY,  
VIRGINIA TO ENDORSE CHECKS, BANK DRAFTS AND  
OTHER FINANCIAL INSTRUMENTS ON BEHALF OF  
BUCHANAN COUNTY**

After a general discussion by the board upon a motion by Trey Adkins seconded by Harold H. Fuller and with a roll call vote of seven (7) yeas, Steve O'Quinn, Trey Adkins, Craig Stiltner, Harold H. Fuller, G. Roger Rife, William P. Harris, J. Carroll Branham and zero (0) nays, this board did hereby adopt the following Resolution authorizing the Chairman of the Board of Supervisors, the Treasurer, and County Administrator of Buchanan County, Virginia to endorse checks, bank drafts and other financial instruments on behalf of Buchanan County:

**RESOLUTION**

**WHEREAS**, the Buchanan County Board of Supervisors do hereby authorize the Chairman of the Buchanan County Board of Supervisors, the Treasurer and County Administrator of Buchanan County, Virginia to endorse checks, bank drafts, and other financial instruments on behalf of Buchanan County, Virginia in accordance with applicable state statutes.

Adopted this the 7<sup>th</sup> day of January 2013 by a vote of seven for and zero against.

Recorded Vote:  
Moved by: Trey Adkins  
Seconded by: Harold H. Fuller  
Yeas: Seven  
Nays: Zero

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Chairman of the Buchanan County  
Board of Supervisors

ATTEST:

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Robert Craig Horn, County Administrator

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**IN RE:            CONSIDER ADOPTING A RESOLUTION SETTING THE  
MEETING SCHEDULE FOR THE BOARD OF SUPERVISORS,  
ADOPTION OF HOLIDAYS, AND A PAY SCHEDULE FOR THE  
YEAR 2013**

Robert Craig Horn, County Administrator stated the board of supervisor meetings is scheduled the first Monday of each month except September 2013. He stated the July board meeting according to this Resolution if approved would be July 1<sup>st</sup>.

William P. Harris, Hurricane District Supervisor asked if the holiday schedule was still according to the state schedule, which would be the same as before?

Mr. Horn stated yes. This year the Governor added one (1) extra day during the Christmas holiday, he commented.

G. Roger Rife, Chairman asked if anyone had a problem with the holiday schedule or the scheduling of the board meetings to be the same as the previous year?

Craig Stiltner, Rocklick District Supervisor asked if the board meetings could be scheduled in the evenings at least every other month? He suggested starting at 3:00 p.m., which would help those who worked and would like to attend the meetings.

Mr. Harris commented we've tried this before and no one showed up.

Trey Adkins, Knox District Supervisors stated he didn't have a problem scheduling the board meetings every other month at 3:00 p.m.

After a general discussion by the board upon a motion by Trey Adkins seconded by Harold H. Fuller and with a roll call vote of seven (7) yeas, Steve O'Quinn, Trey Adkins, Craig Stiltner, Harold H. Fuller, G. Roger Rife, William P. Harris, J. Carroll Branham and zero (0) nays, this board did hereby adopt the following Resolution setting the meeting schedule for the Board of Supervisors, adoption of holidays, and a pay schedule for the year 2013:

### **RESOLUTION**

#### **IN RE: Buchanan County Board of Supervisors Regular Board Meetings, Employees Pay Schedule and Setting the County Holiday Schedule for year 2013**

**THEREFORE BE IT RESOLVED** the Buchanan County Board of Supervisors hereby sets the regular board meetings, pay schedule for Buchanan County employees and set the county holidays according to State of Virginia (§2.2-3300) for year 2013 as follows:

Meetings are the first Monday of each month except July and September, 2013 (Code of Virginia, Section 15.2-1416), below is the starting time of each meeting:

February 4 <sup>th</sup> – 3:00 p.m.	August 5 <sup>th</sup> – 3:00 p.m.
March 4 <sup>th</sup> – 10:00 a.m.	September 9 <sup>th</sup> (due to Labor Day) – 10:00 a.m.
April 1 <sup>st</sup> – 3:00 p.m.	October 7 <sup>th</sup> – 3:00 p.m.
May 6 <sup>th</sup> – 10:00 a.m.	November 4 <sup>th</sup> – 10:00 a.m.
June 3 <sup>rd</sup> – 3:00 p.m.	December 2 <sup>nd</sup> – 3:00 p.m.
July 8 <sup>st</sup> – 10:00 a.m.	January 6 <sup>th</sup> , 2014 – 10:00 a.m.

Approved pay schedule for year 2013

#### **FIRST HALF OF THE YEAR**

Tuesday, January 15<sup>th</sup>  
Thursday, January 31<sup>st</sup>  
Friday, February, 15<sup>th</sup>  
Thursday, February 28<sup>th</sup>  
Friday, March 15<sup>th</sup>  
Friday, March 29<sup>th</sup>  
Monday, April 15<sup>th</sup>  
Tuesday, April 30<sup>th</sup>  
Wednesday, May 15<sup>th</sup>  
Friday, May 31<sup>st</sup>  
Friday, June 14<sup>th</sup>  
Friday, June 28<sup>th</sup>

#### **SECOND HALF OF THE YEAR**

Monday, July 15<sup>th</sup>  
Wednesday, July 31<sup>st</sup>  
Thursday, August 15<sup>th</sup>,  
Friday, August 30<sup>th</sup>  
Friday, September 13<sup>th</sup>  
Monday, September 30<sup>th</sup>  
Tuesday, October 15<sup>th</sup>  
Thursday, October 31<sup>st</sup>  
Friday, November 15<sup>th</sup>  
Friday, November 29<sup>th</sup>  
Friday, December 13<sup>th</sup>  
Tuesday, December 31<sup>st</sup>

This resolution was adopted on the 7<sup>th</sup> day of January 2013.

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Chairman of the Buchanan County  
Board of Supervisors

**ATTEST:**

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Robert Craig Horn, County Administrator

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**IN RE:            CONSIDER ADOPTING A RESOLUTION REGARDING THE  
AUTHORIZATION OF WARRANTS FOR THE PAYMENT OF  
BILLS AND CLAIMS THAT FALL DUE BEFORE THE BOARD  
OF SUPERVISOR'S NEXT REGULAR BOARD MEETING**

After a general discussion by the board upon a motion by Harold H. Fuller seconded by Craig Stiltner and with a roll call vote of seven (7) yeas, Steve O'Quinn, Trey Adkins, Craig Stiltner, Harold H. Fuller, G. Roger Rife, William P. Harris, J. Carroll Branham and zero (0) nays, this board did hereby adopt the following Resolution regarding the authorization of warrants for the payment of bills and claims that fall due before the board of supervisor's next regular board meeting:

**RESOLUTION**

**IN RE: AUTHORIZATION OF WARRANTS  
FOR THE PAYMENT OF BILLS AND CLAIMS THAT  
FALL DUE BEFORE THE BOARD OF SUPERVISOR'S  
NEXT REGULAR BOARD MEETING**

**BE IT RESOLVED**, by the Buchanan County Board of Supervisors that pursuant to Va. Code section 15.2-1243(A) that the County Administrator may sign warrants to be drawn on the county treasurer, payable out of county funds for payment of bills and claims owed by the County that will fall due before the Board of Supervisors' next regular meeting. All such warrants shall be signed by the County Administrator and counter-signed by the Chairman of the Board of Supervisors after said bills or claims have been approved by the County Administrator. Said bill and claim payments shall be reviewed, approved and ratified by the Board of Supervisors at the Board of Supervisors next regular meeting.

This Resolution was adopted by the Buchanan County Board of Supervisors on this the 7<sup>th</sup> day of January 2013 by a roll call.

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

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Chairman of the  
Buchanan County Board of Supervisors

ATTEST:

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Robert Craig Horn, County Administrator

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**IN RE:            CONSIDER ADOPTING A RESOLUTION REGARDING  
WORKERS' COMPENSATION FOR THE BOARD OF  
SUPERVISORS**

After a general discussion by the board upon a motion by Trey Adkins seconded by Craig Stiltner and with a roll call vote of seven (7) yeas, Steve O'Quinn, Trey Adkins, Craig Stiltner, Harold H. Fuller, G. Roger Rife, William P. Harris, J. Carroll Branham and zero (0) nays, this board did hereby adopt the following Resolution regarding workers' compensation for the board of supervisors:

**RESOLUTION**

**IN RE: WORKERS' COMPENSATION**

**BE IT RESOLVED**, Members of the Buchanan County Board of Supervisors are hereby authorized to be included as employees for the purposes of the Workers' Compensation Act of the Commonwealth of Virginia and entitled to all coverage provided under said Act.

This Resolution was adopted by the Buchanan County Board of Supervisors on this the 7<sup>th</sup> day of January 2013 by a roll call.

Moved by: Trey Adkins  
Seconded by: Craig Stiltner  
Yeas: Seven  
Nays: Zero

\_\_\_\_\_  
Chairman of the  
Buchanan County Board of Supervisors

ATTEST:

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Robert Craig Horn, County Administrator

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**IN RE:            CONSIDER ADOPTING A RESOLUTION ADOPTING A  
RESOLUTION AUTHORIZING SPECIAL WARRANTS FOR  
PAYMENT OF CONSTRUCTION CONTRACTS**

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



adopting a Resolution authorizing Special Warrants for Payment of Construction Contracts:

**RESOLUTION**

**IN RE: AUTHORIZATION OF SPECIAL WARRANTS FOR PAYMENT OF CONSTRUCTION CONTRACTS**

**BE IT RESOLVED**, by the Buchanan County Board of Supervisors that pursuant to Va. Code section 15.2-1243(B) that special warrants may be drawn on the county treasurer, payable out of county funds for payment on contracts of construction projects according to the terms of such contracts. All such special warrants shall be signed by the clerk of the Board of Supervisors and counter-signed by the Chairman of the Board of Supervisors. Said contract payments shall be reviewed and approved by the Board of Supervisors at the Board of Supervisors next regular meeting.

This Resolution was adopted by the Buchanan County Board of Supervisors on this the 7<sup>th</sup> day of January 2013 by a roll call.

Moved by: Trey Adkins  
Seconded by: Harold H. Fuller  
Yeas: Seven  
Nays: Zero

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Chairman of the  
Buchanan County Board of Supervisors

ATTEST:

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Robert Craig Horn, County Administrator

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**IN RE: CONSIDER ADOPTING A RESOLUTION AND CHANGE ORDER ON COAL HAUL ROAD CONTRACT, CHR12-SD-33G, FOR DIAMOND D. CONSTRUCTION IN THE AMOUNT OF \$1,500.00 FOR COUNTY ROAD 6 & 20 MILE BRANCH LOCATED IN THE SOUTH GRUNDY DISTRICT**

After a general discussion by the board upon a motion by J. Carroll Branham seconded by Steve O'Quinn and with a roll call vote of seven (7) yeas, Steve O'Quinn, Trey Adkins, Craig Stiltner, Harold H. Fuller, G. Roger Rife, William P. Harris, J. Carroll Branham and zero (0) nays, this board did hereby adopt the following Resolution and change order on Coal Haul Road Contract, CHR12-SD-33G, for Diamond D. Construction in the amount of \$1,500.00 for County Road 6 & 20 Mile Branch located in the South Grundy District:

**RESOLUTION ON COAL HAUL ROAD CONTRACT CHR12-SD-33G**

**WHEREAS**, Coal Haul Road Contract CHR12-SD-33G was awarded to Diamond D Construction, and;

**WHEREAS**, once contract was approved and contractor commenced work, due to differing site conditions and circumstances, an additional entrance pipe was required on County Road 6&20 Mile Branch and;

**WHEREAS**, the additional entrance pipe was required to satisfactorily complete said project and;

**WHEREAS**, the additional entrance pipe ‘turnkey’ project cost was in the amount of \$1,500.00 and was within budget and 10% of the original contract amount and;

**NOW THEREFORE BE IT RESOLVED**, that Buchanan County Board of Supervisors authorizes this coal haul road contract change order and approves the additional cost of \$1,500.00 on coal haul road contract CHR12-SD-33G.

Adopted on this the 7th day of January 2013.

Recorded Vote:

Moved by: J. Carroll Branham

Seconded by: Steve O’Quinn

Yeas: Seven

Nays: Zero

\_\_\_\_\_ Chairman

Buchanan County, Va. Board of Supervisors

ATTEST:

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Robert Craig Horn, County Administrator

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**IN RE:        MARCUS STILTNER, COAL HAUL ROAD ENGINEER -  
                 CONSIDER APPROVING THE CLOSURE OF SONYA BRIDGE  
                 (CRITICAL) LOCATED IN THE KNOX MAGISTERIAL  
                 DISTRICT**

Marcus Stiltner, Coal Haul Road Engineer stated the residents that utilize this bridge do have an alternate access to their property. If we can obtain permission from the other property owners, we could completely close Sonya Bridge, he stated. The bridge is closed until repairs are done.

Trey Adkins, Knox District Supervisor suggested seeing if the county could take the second bridge into the county road system, which is being used by those residents that cannot use Sonya Bridge. The other bridge is a big concrete bridge that is privately owned, which could eliminate Sonya Bridge.

After a general discussion by the board upon motion by Trey Adkins seconded by Craig Stiltner and with a roll call vote of seven (7) yeas, Steve O’Quinn, Trey Adkins, Craig Stiltner, Harold H. Fuller, G. Roger Rife, William P. Harris, J. Carroll Branham

and zero (0) nays, this board did hereby approve the closure of Sonya Bridge (critical) located in the Knox Magisterial District.

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**IN RE: CONSIDER ADOPTING A RESOLUTION TO ACCEPT THE DEED OF GIFT FOR COUNTY ROAD, 5201, WILMA ROAD LOCATED IN THE GARDEN MAGISTERIAL DISTRICT AND AUTHORIZE THE CHAIRMAN OF THE BUCHANAN COUNTY BOARD OF SUPERVISORS AND ROBERT CRAIG HORN, COUNTY ADMINISTRATOR FOR BUCHANAN COUNTY, VIRGINIA TO EXECUTE SUCH DEED OF GIFT ON BEHALF OF BUCHANAN COUNTY TO ACKNOWLEDGE ITS ACCEPTANCE OF SUCH PROPERTY WITH THE APPROVAL AS TO FORM BY THE COUNTY ATTORNEY**

After a general discussion by the board upon a motion by Harold H. Fuller seconded by Steve O'Quinn and with a roll call vote of seven (7) yeas, Steve O'Quinn, Trey Adkins, Craig Stiltner, Harold H. Fuller, G. Roger Rife, William P. Harris, J. Carroll Branham and zero (0) nays, this board did hereby adopt the following Resolution to accept the Deed of Gift for County Road, 5201, Wilma Road located in the Garden Magisterial District 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 of Gift on behalf of Buchanan County to acknowledge its acceptance of such property with the approval as to form by the County Attorney:

#### **RESOLUTION**

**IN RE: ACCEPTANCE OF DEED OF GIFT FROM EARL COMPTON AND WILMA JEAN COMPTON, HUSBAND AND WIFE; RICKY T. AND REBECCA F. CLIFTON, HUSBAND AND WIFE, TO BUCHANAN COUNTY, VIRGINIA REGARDING WILMA ROAD LOCATED 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 of Gift attached hereto between Earl Compton and Wilma Jean Compton, husband and wife; Ricky T. and Rebecca F. Clifton, husband and wife and Buchanan County, Virginia and authorized the Chairman of the Buchanan County Board of Supervisors and Robert Craig Horn, County Administrator for Buchanan County, Virginia to execute such Deed on behalf of Buchanan County to acknowledge its acceptance of such property with the approval as to form by the County Attorney.

This Resolution was adopted by the Buchanan County Board of Supervisors on this the 7<sup>th</sup> day of January, 2013 by a roll call vote of seven for and zero against.

\_\_\_\_\_  
Chairman of the  
Buchanan County Board of Supervisors

ATTEST:

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

**THIS DEED OF GIFT** made and entered into on this the \_\_\_\_\_ day of \_\_\_\_\_, 2013, by and between **WILMA JEAN and EARL COMPTON, husband and wife, RICKY T. and REBECCA F. CLIFTON, husband and wife,** hereinafter sometimes referred to as “**GRANTORS**”, and **BUCHANAN COUNTY, VIRGINIA,** a Political Subdivision of the Commonwealth of Virginia, hereinafter sometimes referred to as “**GRANTEE**”. [Exempt from recordation taxes pursuant to Code §58.1-811 (A) (3).]

**WITNESSETH:**

**WHEREAS,** the Grantee wishes to provide and maintain an extension of a public road in the Garden Magisterial District for the traveling public, said public road known as Wilma Road, County Road # 5201; and

**WHEREAS,** the Grantors desire to give and donate and the Grantee desires to accept a portion of such property as set forth in this deed of conveyance to provide the right of way for an extension of a public road known as Wilma Road, County Road # 5201; and

**NOW THEREFORE,** for and in consideration of promoting the public interest by providing a public road with turnaround area which is part of a public road known as Wilma Road, County Road # 5201 for use of the traveling public, the Grantors do hereby give, donate, grant and convey unto the Grantee, **WITH GENERAL WARRANTY AND ENGLISH COVENANTS OF TITLE**, all their right, title and interest in and to all of those certain tracts or parcels of land situate in the Garden Magisterial District, in Buchanan County, Virginia, and being a portion of the same property which were acquired by the Grantors as set out in the sources of title herein, and being more particularly bounded and described as follows:

**BEGINNING** at a point of intersection in the centerline of Wilma Road and the northerly right of way of rte. 629 ( STA. 10+00 ), thence leaving the said right of way and with the centerline of Wilma Road, a curve to the left ( chord bearing N 69-09-34 W 11.61' ), to a point, thence N 76-41-01 W 21.45' to a point, thence a curve to the right ( chord bearing N 37-24-07 W 36.75' ) to a point, thence N 01-25-00 E 140.61' to a point, thence a curve to the left ( chord bearing N 14-46-54 W 81.55' ) to a point, thence N 31-38-13 W 83.55' to a point, thence a curve to the right ( chord bearing N 21-11-40 W 23.17' ) to a point, thence N 10-45-08 W 55.45' to a point ( STA 14+59.65 ) and containing 9192.60 square feet (.2110 acres) more or less; and being a part of the property described in the Grantors Source of Title provisions set forth herein; and more fully described as Exhibit 'A' to be attached to and made a part of this conveyance.

The Grantors further grant and convey unto the Grantee a required turning area described as follows:

**BEGINNING** at a point in the East right of way of the proposed Wilma road ( said point being 10.00' distant from and normal to centerline station 14+47.04 ), thence N 65-04-10 E 15.73' to a point, thence S 25-22-58 E 9.00' to a point, thence S 64-29-45 W 18.12' to a point, ( said point being 10.00' distant from and normal to centerline station 14+37.57 ), thence with the said East right of way N 10-45-08 W 9.47' to the beginning encompassing an area of 153.80 square feet.

Source and title for grantors: Wilma Jean (Ward) Compton acquired a tract of land in Buchanan County, Va. by deed dated the 27<sup>th</sup> day of September, 1976 and recorded in the Office of the Clerk of the Circuit Court of Buchanan County, Virginia, in Deed Book 260, page 656.

Source and title for grantors: Ricky T. Clifton and Rebecca F. Clifton acquired a tract of land in Buchanan County, Va. by deed dated the 30<sup>th</sup> day of November, 1992 and recorded in the Office of the Clerk of the Circuit Court of Buchanan County, Virginia in Deed Book 401, page 693.

Source and title for grantors: Ricky T. Clifton and Rebecca F. Clifton acquired a tract of land in Buchanan County, Va. by deed dated the 30<sup>th</sup> day of January, 2007 and recorded in the Office of the Clerk of the Circuit Court of Buchanan County, Virginia Instrument No. 070001472.

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

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

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

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

There is hereby excepted and reserved from the operation of this conveyance such of the coal, oil, minerals, rights, privileges, etc., as may have been heretofore sold or excepted from said land by prior owners. Additionally, this conveyance is subject to all exceptions, limitations or conditions contained in any document which constitutes a muniment of title to the property being conveyed herein and that have been heretofore recorded in the Clerk's Office of the Circuit Court of Buchanan County, Virginia.

That on the 7<sup>th</sup> day of January, 2013, the Buchanan County Board of Supervisors, at a duly held meeting of the Board, approved the acquisition of the property described herein and the Chairman of the Buchanan County Board of Supervisors and the County Administrator for Buchanan County by their execution of this Deed acknowledge that the Buchanan County Board of Supervisors has authorized this property acquisition.

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

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**IN RE:            CONSIDER APPROVING THE RESOLUTION TO ACCEPT THE DEED OF GIFT FOR COUNTY ROAD, 2243, BEA ROAD LOCATED IN THE ROCKLICK MAGISTERIAL DISTRICT AND AUTHORIZE THE CHAIRMAN OF THE BUCHANAN COUNTY BOARD OF SUPERVISORS AND ROBERT CRAIG HORN, COUNTY ADMINISTRATOR FOR BUCHANAN COUNTY, VIRGINIA TO EXECUTE SUCH DEED OF GIFT ON BEHALF OF BUCHANAN COUNTY TO ACKNOWLEDGE ITS ACCEPTANCE OF SUCH PROPERTY WITH THE APPROVAL AS TO FORM BY THE COUNTY ATTORNEY**

After a general discussion by the board upon a motion by Craig Stiltner seconded by Harold H. Fuller and with a roll call vote of seven (7) yeas, Harold H. Fuller, Craig Stiltner, William P. Harris, G. Roger Rife, Steve O'Quinn, Trey Adkins, J. Carroll Branham and zero (0) nays, this board did hereby adopt the following Resolution to accept the Deed of Gift for County Road, 2243, Bea Road located in the Rocklick Magisterial District 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 of Gift on behalf of Buchanan County to acknowledge its acceptance of such property with the approval as to form by the County Attorney:

**RESOLUTION**

**IN RE: ACCEPTANCE OF DEED OF GIFT FROM  
MICHAEL HARRISON AND CYNTHIA HARRISON, HUSBAND AND WIFE;  
AND JOHNIE BELCHER TO BUCHANAN COUNTY, VIRGINIA  
REGARDING BEA ROAD  
LOCATED IN THE ROCKLICK MAGISTERIAL DISTRICT**

**BE IT RESOLVED**, by the Buchanan County Board of Supervisors that we approve acceptance of the property described in that Deed of Gift attached hereto between Michael Harrison and Cynthia Harrison, Husband and Wife; and Johnie Belcher 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 7<sup>th</sup> day of January, 2013 by a roll call vote of seven for and zero against.

\_\_\_\_\_  
Chairman of the  
Buchanan County Board of Supervisors

ATTEST:

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

**THIS DEED OF GIFT**, made and entered into on this the \_\_\_ day of \_\_\_\_\_, 2013, by and between **JOHNIE BELCHER, MICHAEL HARRISON AND CYNTHIA HARRISON**, husband and wife, hereinafter sometimes referred to as “GRANTORS”, and **BUCHANAN COUNTY, VIRGINIA**, a Political Subdivision of the Commonwealth of Virginia, hereinafter sometimes referred to as “GRANTEE”.  
[Exempt from recordation taxes pursuant to Code §58.1-811 (A) (3).]

**WITNESSETH:**

**WHEREAS**, the Grantee wishes to maintain a bridge which is a part of the public road in the Rocklick Magisterial District for the traveling public, namely Bea Road, County Road # 2243; and

**WHEREAS**, the Grantor desires to give and donate and the Grantee desires to accept such property as set forth in this deed of conveyance to provide the right of way for a bridge including turn around which is part of the public road known as Bea Road, County Road # 2243; and,

**NOW THEREFORE**, for and in consideration of promoting the public interest by providing a bridge including turn around which is part of a public road known as Bea Road, County Road # 2243 for use of the traveling public, the Grantor does hereby give, donate, grant and convey unto the Grantee, **WITH GENERAL WARRANTY**

**AND ENGLISH COVENANTS OF TITLE** , all their right, title and interest in and to all of those certain tracts or parcels of land situate in the Rocklick Magisterial District, in Buchanan County, Virginia, and being a portion of the same property which were acquired by the Grantors as set out in the sources of title herein, and being more particularly bounded and described as follows:

**BEGINNING** at a point on the Southern right-of-way of Route 610, said point has an approximate Virginia State Plane South Zone NAD 1983 Coordinate value of N=3665727.848 and E=10404867.534; Thence leaving said right-of-way and crossing Conaway Creek S 26°05'42" E A Distance Of 20.87' to a point; Thence S 63°54'18" W A Distance Of 9.98' to a point; Thence S 29°23'38" E A Distance Of 30.67' to a point; Thence S 57°39'56" E A Distance Of 19.14' to a point; Thence S 66°57'37" E A Distance Of 30.71' to a point; Thence S 72°45'53" E A Distance Of 93.17' to a point; Thence S 68°42'34" E A Distance Of 30.28' to a point; Thence N 21°17'26" E A Distance Of 10.00' to a point; Thence S 68°42'34" E A Distance Of 20.00' to a point; Thence S 21°17'26" W A Distance Of 40.00' to a point; Thence N 68°42'34" W A Distance Of 20.00' to a point; Thence N 21°17'26" E A Distance Of 10.00' to a point; Thence N 68°42'34" W A Distance Of 29.58' to a point; Thence N 72°45'53" W A Distance Of 93.47' to a point; Thence N 66°57'37" W A Distance Of 33.35' to a point; Thence N 57°39'56" W A Distance Of 25.81' to a point; Thence N 29°23'38" W A Distance Of 36.86' to a point; Thence S 63°54'18" W A Distance Of 9.98' to a point; Thence crossing Conaway Creek N 26°05'42" W A Distance Of 20.87' to a point on the Southern right-of-way of Route 610; Thence down and with said right-of-way N 63°54'18" E A Distance Of 40.00' to the point of beginning, having an area of 5865.266 Square Feet, 0.135 Acres more or less.

Source of Title provisions set forth herein; and more fully described in a plat of survey prepared by William M. Ramey, L.S., Virginia License No. 002265, and dated September 5, 2012 being entitled "PLAT SHOWING THE LOCATION OF AN EXISTING BRIDGE AND A PROPOSED TURN AROUND AREA AND CONSISTING OF A 40' RIGHT-OF-WAY FOR SAID BRIDGE AND A 20' x 40' RIGHT-OF-WAY FOR A TURNING AREA", a copy of said plat is made a part hereof by reference.

Source and title for grantors: Michael Harrison and Cynthia Harrison, husband and wife, acquired the land affected by this deed by a deed recorded as Instrument # 080001838 with the Grantor, Johnie Belcher retaining a life estate in said property. The listed conveyance is of record in the Clerk's Office of the Circuit Court of Buchanan County, Virginia. For a more particular description of said conveyance reference is made to the recorded deed.

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



Included in this deed of conveyance is the right and easement to construct, improve, relocate and maintain any creek, drain, drainage ditch or other drainage facilities that may

exist on the lands of the Grantors or that may be needed or convenient for the proper and adequate drainage of the aforesaid road and surrounding property and/or location, construction, reconstruction or other improvement of a road within the property to be conveyed.

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

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

There is hereby excepted and reserved from the operation of this conveyance such of the coal, oil, minerals, rights, privileges, etc., as may have been heretofore sold or excepted from said land by prior owners. Additionally, this conveyance is subject to all exceptions, limitations or conditions contained in any document which constitutes a muniment of title to the property being conveyed herein and that have been heretofore been recorded in the Clerk's Office of the Circuit Court of Buchanan County, Virginia.

That on the 7<sup>th</sup> day of January, 2013, the Buchanan County Board of Supervisors, at a duly held meeting of the Board, approved the acquisition of the property described herein and the Chairman of the Buchanan County Board of Supervisors and the County Administrator for Buchanan County by their execution of this Deed acknowledge that the Buchanan County Board of Supervisors has authorized this property acquisition.

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

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**IN RE: CONSIDER APPROVING THE RESOLUTION TO ACCEPT THE DEED OF GIFT FOR COUNTY ROAD, 3258, G. G. SMITH DRIVE BRIDGE LOCATED IN THE PRATER MAGISTERIAL DISTRICT AND AUTHORIZE THE CHAIRMAN OF THE BUCHANAN COUNTY BOARD OF SUPERVISORS AND ROBERT CRAIG HORN, COUNTY ADMINISTRATOR FOR BUCHANAN COUNTY, VIRGINIA TO EXECUTE SUCH DEED OF GIFT ON BEHALF OF BUCHANAN COUNTY TO ACKNOWLEDGE ITS ACCEPTANCE OF SUCH PROPERTY WITH THE APPROVAL AS TO FORM BY THE COUNTY ATTORNEY**

After a general discussion by the board upon a motion by Steve O'Quinn seconded by Harold H. Fuller and with a roll call vote of seven (7) yeas, Steve O'Quinn, Harold H. Fuller, Trey Adkins, J. Carroll Branham, William P. Harris, G. Roger Rife, Craig Stiltner and zero (0) nays, this board did hereby adopt the following Resolution to accept the Deed of Gift for County Road, 3258, G. G. Smith Drive Bridge located in the Prater Magisterial District 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 of Gift on behalf of Buchanan County to acknowledge its acceptance of such property with the approval as to form by the County Attorney:

**RESOLUTION**

**IN RE: ACCEPTANCE OF DEED OF GIFT FROM RICKY DAVIS AND MARY ANN (SMITH) DAVIS, HUSBAND AND WIFE TO BUCHANAN COUNTY, VIRGINIA REGARDING G. G. SMITH DRIVE BRIDGE LOCATED IN THE PRATER MAGISTERIAL DISTRICT**

**BE IT RESOLVED**, by the Buchanan County Board of Supervisors that we approve acceptance of the property described in that Deed of Gift attached hereto between Ricky Davis and Mary Ann (Smith) Davis, husband and wife and Buchanan County, Virginia and authorized the Chairman of the Buchanan County Board of Supervisors and Robert Craig Horn, County Administrator for Buchanan County, Virginia to execute such Deed on behalf of Buchanan County to acknowledge its acceptance of such property with the approval as to form by the County Attorney.

This Resolution was adopted by the Buchanan County Board of Supervisors on this the 7<sup>th</sup> day of January, 2013 by a roll call vote of seven for and zero against.

\_\_\_\_\_  
Chairman of the  
Buchanan County Board of Supervisors

ATTEST:

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

**THIS DEED OF GIFT**, made and entered into on this the \_\_\_ day of \_\_\_\_\_, 2013, by and between **RICKY DAVIS and MARY ANN (SMITH) DAVIS, husband and wife**, hereinafter sometimes referred to as

“GRANTORS”, and **BUCHANAN COUNTY, VIRGINIA**, a Political Subdivision of the Commonwealth of Virginia, hereinafter sometimes referred to as “GRANTEE”.  
[Exempt from recordation taxes pursuant to Code §58.1-811 (A) (3).]

**WITNESSETH:**

**WHEREAS**, the Grantee wishes to maintain a bridge with turn around which is a part of the public road in the Prater Magisterial District for the traveling public, namely G.G. Smith Drive, County Road # 3258; and

**WHEREAS**, the Grantors desire to give and donate and the Grantee desires to accept such property as set forth in this deed of conveyance to provide the right of way for a bridge with turn around which is part of the public road known as G.G. Smith Drive, County Road # 3258; and,

**NOW THEREFORE**, for and in consideration of promoting the public interest by providing a bridge with turn around which is part of a public road known as G.G. Smith Drive, County Road # 3258 for use of the traveling public, the Grantor does hereby give, donate, grant and convey unto the Grantee, **WITH GENERAL WARRANTY AND ENGLISH COVENANTS OF TITLE**, all their right, title and interest in and to all of those certain tracts or parcels of land situate in the Prater Magisterial District, in Buchanan County, Virginia, and being a portion of the same property which were acquired by the Grantors as set out in the sources of title herein, and being more particularly bounded and described as follows:

**BEGINNING** at a point on the Western right-of-way Virginia Route 620 (Deskins Road), said point has an approximate Virginia State Plane South Zone coordinate value of N=3621398.543 and E=10434907.663; Thence with said right-of-way S 23°46'06" E A Distance Of 40.66' to a point; Thence leaving said right-of-way S 56°26'12" W A Distance Of 56.64' to a point; Thence N 33°31'04" W A Distance Of 39.99' to a point; Thence N 56°22'19" E A Distance Of 63.53'; to the point of beginning, having an area of 2405.025 Square Feet, 0.055 Acres more or less; and being a part of the property described in the Grantors Source of Title provisions set forth herein; and more fully described in a revised plat of survey prepared by William M. Ramey, L.S., Virginia License No. 002265, and dated December 11, 2012 being entitled “PLAT SHOWING A PROPOSED BRIDGE RIGHT-OF-WAY AND CONSISTING OF TURN AROUND AREA ON ROAD NOW KNOWN AS G.G. SMITH DRIVE;” a copy of said plat is made a part hereof by reference, a copy of said plat is made a part hereof by reference.

Source and title for grantors: Ricky Davis and Mary Ann (Smith) Davis acquired a portion of the land affected by this right-of-way deed by a deed recorded Instrument # 090003884 in the Clerk’s Office of the Circuit Court of Buchanan County, Virginia. For a more particular description of said conveyance reference is made to the recorded deed.

Included in this deed of conveyance is the permanent right and easement to use such additional areas for cut and/or fill slopes as being required for the proper execution

of the work to be performed. Said work shall include location and construction of, or other improvement to, a public road to be used and utilized by the general public at large for all public transportation purposes. Said permanent easement will be utilized for maintenance of cut and/or fill slopes created as a requirement for the proper execution of the work to be performed.

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

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

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

There is hereby excepted and reserved from the operation of this conveyance such of the coal, oil, minerals, rights, privileges, etc., as may have been heretofore sold or excepted from said land by prior owners. Additionally, this conveyance is subject to all exceptions, limitations or conditions contained in any document which constitutes a muniment of title to the property being conveyed herein and that have been heretofore been recorded in the Clerk's Office of the Circuit Court of Buchanan County, Virginia.

That on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the Buchanan County Board of Supervisors, at a duly held meeting of the Board, approved the acquisition of the property described herein and the Chairman of the Buchanan County Board of Supervisors and the County Administrator for Buchanan County by their execution of this Deed acknowledge that the Buchanan County Board of Supervisors has authorized this property acquisition.

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

**IN RE:           MARCUS STILTNER - COAL HAUL ROAD ENGINEER**

William P. Harris, Hurricane District Supervisor stated Street Cemetery Road needed guardrails installed, due to all terrain vehicles (ATV'S) riding around the cemetery. Also, he requested Marcus Stiltner, Coal Haul Road Engineer to check Rossin Camp Road in the Hurricane District.

Steve O'Quinn, Prater District Supervisor commented that Lockhart Bridge has a three (3) ton limit and the residents cannot get their heating oil across the bridge. This is one of the bridges that need repairs, he stated.

Marcus Stiltner, Coal Haul Road Engineer stated the three (3) ton limit on Lockhart Bridge cannot be removed until the bridge is repaired.

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**IN RE:           PUBLIC HEARING – 10:30 A.M. – TO HEAR PUBLIC  
COMMENTS REGARDING THE ADDITIONAL  
APPROPRIATIONS WHICH HAVE BEEN MADE TO THE  
BUCHANAN COUNTY'S BUDGET FOR THE FISCAL YEAR  
2012/2013 AS OF DECEMBER 3<sup>RD</sup>, 2012**

G. Roger Rife, Chairman opened the public hearing for comments.

With no comments from the public upon motion by Craig Stiltner seconded by Harold H. Fuller and with a unanimous voice vote by the board, this board did hereby approve to close the public hearing.

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**IN RE:           CONSIDER ADOPTING A RESOLUTION RATIFYING THE  
ADDITIONAL APPROPRIATIONS, WHICH HAVE BEEN MADE  
TO THE BUCHANAN COUNTY'S BUDGET FOR THE FISCAL  
YEAR 2012/2013**

After a general discussion by the board upon a motion by William P. Harris seconded by Harold H. Fuller and with a roll call vote of seven (7) yeas, Steve O'Quinn, Harold H. Fuller, Trey Adkins, J. Carroll Branham, William P. Harris, G. Roger Rife, Craig Stiltner and zero (0) nays, this board did hereby adopt the following Resolution ratifying the additional appropriations, which have been made to the Buchanan County's budget for the fiscal year 2012/2013:

**RESOLUTION  
IN RE: ADDITIONAL APPROPRIATIONS DURING THE  
FISCAL YEAR 2012/2013**

**THAT WHEREAS**, the Buchanan County Board of Supervisors has made numerous additional appropriations during the fiscal year 2012-2013 that increased the amount of appropriations provided for in the County's budget as follows:

**October Additional Appropriations 2012**

<u>Department</u>	<u>Account Number</u>	<u>Date</u>	<u>Amount</u>
Sheriff's Office	31020	October 1st, 2012	\$200.00
Town Fines and interest	92100-5839	October 1st, 2012	\$642.00
Knox District Park and Deve.	71060-7010-04	October 1st, 2012	\$2,000.00
Hurricane District Park and Rec.	71040-6022-02	October 1st, 2012	\$200.00
County Admin. Office	12010-6001	October 1st, 2012	\$27.56
Treasurer's Office	12130-6001	October 1st, 2012	\$150.85
Landfill	42040-6009	October 1st, 2012	\$635.25
General Properties	43020-2300	October 1st, 2012	\$145.28
Victim Witness Program	22020-5530	October 1st, 2012	\$178.54
Circuit Court Clerk's Office	21060-3320	October 1st, 2012	\$165.17
Animal Shelter	F10, 35010-6002	October 1st, 2012	\$561.00
General Properties	43020-2300	October 1st, 2012	\$191.29
Commissioner of Revenue	12090-8101	October 1st, 2012	\$711.00
Poplar Gap Park Athletic Field	71040-5604-09	October 1st, 2012	\$2,403.00
Board of Supervisors	11010-5860	October 1st, 2012	\$5.00
Russell Prater Fire Dept.	32020-5604-09	October 1st, 2012	\$73.48
Garden District DSR	F6, 41100-01	October 1st, 2012	\$32,000.00
Knox District DSR	F6, 41100-03	October 1st, 2012	\$10,000.00
	<b>Total</b>		<b>\$50,289.42</b>

**NOVEMBER Additional Appropriations 2012**

<u>Department</u>	<u>Account Number</u>	<u>Date</u>	<u>Amount</u>
Town Fines and interest	92100-5839	November 5th, 2012	\$623.64
Asset Forfeiture	Fund 35	November 5th, 2012	\$1,106.37
Asset Forfeiture	Fund 35	November 5th, 2012	\$265.05
Hurricane District Park and Rec.	71040-5604-02	November 5th, 2012	\$230.00
Hurricane District Park and Rec.	71040-6022-02	November 5th, 2012	\$598.00
Commissioner of Revenue	12090-6001	November 5th, 2012	\$83.88
Rowe Community Center	53050-5604-02	November 5th, 2012	\$200.00
General Properties	43020-2300	November 5th, 2012	\$184.55
General Properties	43020-2300	November 5th, 2012	\$37.69
General Properties	43020-5110	November 5th, 2012	\$447.25
Board of Supervisors	11010-3100	November 5th, 2012	\$1.00
Knox District Park and Dev.	71060-7010-04	November 5th, 2012	\$2,000.00
South Grundy District Park and Dev.	71060-7010-05	November 5th, 2012	\$2,043.00
County Administrator's Office	12010-6001	November 5th, 2012	\$27.56
Circuit Court Clerk's Office	21060-3320	November 5th, 2012	\$186.34
Treasurer's Office	12130-6001	November 5th, 2012	\$52.50
Coal Haul Road Construction	Fund 5, 41080-7010	November 5th, 2012	\$1,124.00
Remote Area Medical	53040-5604	November 5th, 2012	\$2,240.00
Garden District Park and Rec.	71040-5604-01	November 5th, 2012	\$300.00
Garden District Park and Rec.	71040-5604-01	November 5th, 2012	\$200.00
South Grundy District Park and Dev.	71060-7010-05	November 5th, 2012	\$3,366.00
	<b>TOTAL</b>		<b>\$15,316.83</b>

**December Additional Appropriations 2012**

<u>Department</u>	<u>Account Number</u>	<u>Date</u>	<u>Amount</u>
Emergency Services (planning grant)	35050-3120	December 3rd, 2012	\$5,000.00
Town Fines and interest	92100-5839	December 3rd, 2012	\$695.00
Garden District Park and Rec.	71040-5604-01	December 3rd, 2012	\$3,791.85
Hurricane District Park and Rec.	71040-5604-02	December 3rd, 2012	\$513.20

Hurricane District Park and Rec.	71040-5604-02	December 3rd, 2012	\$150.00
WPH Community Center	71040-7010-02	December 3rd, 2012	\$1,029.00
Animal Shelter	F10, 35010-6602	December 3rd, 2012	\$860.00
Extension Office	83010-6025	December 3rd, 2012	\$35.35
South Grundy Park and Development	71060-7010-05	December 3rd, 2012	\$3,345.00
Treasurer's Office	12130-6001	December 3rd, 2012	\$84.50
Circuit Court Clerk's Office	21060-3320	December 3rd, 2012	\$205.51
	93100-9230	December 3rd, 2012	\$1,065,024.41
		<b>TOTAL</b>	<b>\$1,080,733.82</b>
		<b>Total for October - December 2012</b>	<b>\$1,146,340.07</b>

**WHEREAS**, the total amount of such additional appropriations made as of December 3<sup>rd</sup>, 2012 in the total amount of **One Million One Hundred Forty-Six Thousand, Three Hundred Forty Dollars and Seven Cents (\$1,146,340.07)**; and, **WHEREAS**, due to Buchanan County not having spent other funds which were listed as appropriations in the budget for fiscal year 2012-2013 and due to Buchanan County having received greater than expected revenues for the fiscal year 2012-2013, these additional appropriations shall not require Buchanan County to have any tax rate increase to pay for such additional appropriations, and Buchanan County shall have an anticipated fund balance for the fiscal year 2012-2013, and, **NOW THEREFORE, BE IT RESOLVED**, that Buchanan County proposes to ratify the foregoing additional appropriations which have been made and to ratify the amendment of its budget for the fiscal year 2012-2013 to reflect such additional appropriations and to further approve the amendment of its budget for the fiscal year 2012-2013 to reflect such estimated additional appropriations which are to be made hereafter; and, it is further

**RESOLVED**, that the Buchanan County Board of Supervisors held a public hearing on Monday the 7<sup>th</sup> day of January 2013 in the Board of Supervisors Meeting Room, in the Buchanan County Courthouse, located on Courthouse Square, in the Town of Grundy, Virginia, to hear public comments concerning the foregoing which the County Administrator did give notice of such public hearing as provided by law.

This Resolution was adopted by the Buchanan County Board of Supervisors on this the 7<sup>th</sup> day of January, 2013.

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Chairman of the Buchanan County Board of Supervisors

Recorded Vote:  
 Moved by: William P. Harris  
 Seconded by: Harold H. Fuller  
 Yeas: Seven  
 Nays: Zero

ATTEST:

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Robert Craig Horn, County Administrator

**IN RE: PUBLIC HEARING – 10:45 A.M. – TO HEAR PUBLIC COMMENTS CONCERNING THE PROPOSED LEASE OF ONE PARCEL OF PROPERTY LOCATED IN THE GARDEN MAGISTERIAL DISTRICT OF BUCHANAN COUNTY TO A NON-PROFIT COMPANY TO BE FORMED BY EARL COLE**

G. Roger Rife, Chairman opened the public hearing for comments.

L. Lee Moise, County Attorney stated on page 2 of the Lease between Buchanan County and a Non-Profit Company to be formed by Earl Cole, there's not an amount regarding liquated damages. He stated recently Edd Matney, Attorney for Earl Cole informed him that Mr. Cole would agree to the amount of \$100,000.00 for liquated damages, if the county would terminate the lease without cause before the five (5) year term of the lease was up.

Mr. Moise suggested discussing this issue in closed session.

Earl Cole stated if Norfolk Southern Railway needed the property it would be the only reason the county would need to reclaim the property.

Mr. Moise stated if Mr. Cole invests money in the proposed project for the abandoned railway would be the reason for the \$100,000.00 for liquated damages if the county was to request the property back.

Mr. Cole requested the board to consider three (3) five (5) year terms for the proposed lease.

Craig Stiltner, Rocklick District Supervisor agreed to Mr. Cole's request. I would hate to see you spend your time and money on this and get it taken away, he stated. If we agree to this, then at the end of the third five (5) year term, the county could take the property back unless Norfolk Southern would need it before then, he stated.

Mr. Moise stated presently there's a gas company that has a temporary easement across the railroad tracks.

Harold H. Fuller, Garden District Supervisor stated Mr. Cole's proposed project will not interfere with the gas company. It could actually enhance the project for Mr. Cole he commented.

Mr. Moise suggested adding a paragraph in the proposed lease that Mr. Cole would cooperate with the gas companies that are along this abandoned railroad.

Mr. Cole stated the tourist train proposal has been discussed for several years and I'm looking forward to seeing it done.

Upon a motion by Harold H. Fuller seconded by William P. Harris and with a unanimous voice vote by the board, this board did hereby approve to close the public hearing.



**IN RE:            CONSIDER APPROVING A LEASE AGREEMENT BETWEEN BUCHANAN COUNTY AND A NON-PROFIT COMPANY FORMED BY EARL COLE REGARDING THE PARCEL OF PROPERTY LOCATED IN THE GARDEN MAGISTERIAL DISTRICT AND AUTHORIZE THE CHAIRMAN OF THE BUCHANAN COUNTY BOARD OF SUPERVISORS AND ROBERT CRAIG HORN, COUNTY ADMINISTRATOR FOR BUCHANAN COUNTY, VIRGINIA TO EXECUTE SUCH LEASE AGREEMENT ON BEHALF OF BUCHANAN COUNTY WITH THE APPROVAL AS TO FORM BY THE COUNTY ATTORNEY**

After a general discussion by the board upon a motion by Harold H. Fuller to approve the Lease Agreement with additions to the agreement between Buchanan County and a non-profit company formed by Earl Cole regarding the parcel of property located in the Garden Magisterial District seconded by Trey Adkins and with a roll call vote of seven (7) yeas, Harold H. Fuller, Steve O’Quinn, Trey Adkins, William P. Harris, J. Carroll Branham, Craig Stiltner, G. Roger Rife and zero (0) nays.

G. Roger Rife, Chairman suggested the County Attorney preparing a Resolution regarding this proposed lease agreement including all corrections and/or additions to the agreement for the board to approve.

Harold H. Fuller withdrew his motion to approve the Lease Agreement between Buchanan County and a non-profit company formed by Earl Cole regarding the parcel of property located in the Garden Magisterial District and Trey Adkins his second.

No action was taken at this time.

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**IN RE:            BRANDEE OWENS, SOUTHWEST REGIONAL RECREATIONAL AUTHORITY (SRRA) REPRESENTATIVE – TO DISCUSS SCHEDULING A PUBLIC HEARING ON FEBRUARY 4<sup>TH</sup> TO HEAR PUBLIC COMMENTED REGARDING THE AMENDMENT TO THE ORDINANCE “USE OF OFF-ROAD RECREATIONAL VEHICLES ON PUBLIC ROADS”**

Brandee Owens, Southwest Regional Recreational Authority (SRRA) Representative and Buchanan County ATV Committee Member stated a public meeting was held on December 13<sup>th</sup>, 2012 in the Buchanan County General District Courtroom to hear public comments regarding an amended Ordinance “Use of off-road recreational vehicles on public roads.” She stated there’s a lot of frustration among county residents, since the county has been working on this trail for five (5) years.

Ms. Owens stated sixty-six (66) of the sixty-eight (68) previously approved roads would need to be removed from the current ordinance. The two (2) roads that will remain in the proposed ordinance would be in the Garden Magisterial District and in the Prater Magisterial District. These two (2) roads meet the criteria for the ATV road designations for SRRA, she stated. Some of the requirements include, access to off-road trails, gas, lodging and food.

Ms. Owens stated liability insurance was discussed during the public meeting. She stated the Hatfield and McCoy Trail in West Virginia doesn't require liability insurance, but the ATV rider would be required to sign a waiver. "It will keep people from coming to your trails, if required to have liability insurance," she commented.

Trey Adkins, Knox District Supervisor stated, "All my roads were kicked out." "Will we be able to add some back later?"

Ms. Owens stated yes. There will be an application process and there were some roads that weren't in the previous ordinance that we're looking at now in the Knox District, she stated.

Ms. Owens stated all road signs permitting ATV's on designated roadways has to be approved by the Virginia Department of Transportation.

L. Lee Moise, County Attorney stated, I'm a little concerned about the liability insurance issue, which is a requirement by state statute. One of the rules of the road, it's a requirement to have a liability insurance or pay a fee not to have liability insurance, he stated. So, I'm concerned if we can waive that requirement, he commented.

Mr. Stiltner stated if an ATV rider is on the roadway without a sticker approving them to ride, then it's their fault, not the counties.

Mr. Moise stated if an ATV rider is on public roads and off the ATV trail, then it's a concern since it's a separate issue.

Harold H. Fuller, Garden District Supervisor stated once the trail is completely implemented in the county through the SRRA, then the ATV riders will have a sticker, which will cover them to ride the trail.

Mr. Moise stated liability on the trails and liability on public roads is two (2) separate issues. He stated West Virginia may have a different statute for liability insurance.

G. Roger Rife, Chairman stated we need to get all the details worked out before the public hearing.

Mr. Moise suggested contacting the Attorney General's Office regarding this concern.

Mr. Adkins commented we need to make sure this is crystal clear before any action is taken.

Ms. Owens stated once an ATV rider purchases a sticker to ride on the county's trails, they will be assuming their own risk and release the county from all liability.

Ray Davis, resident stated Alpha Resources just laid-off three hundred (300) men. It looks like the county could spend their money on something else, instead of an ATV trail, he stated.

Mr. Stiltner asked if the ATV rider has a sticker, then they're riding on their own free will?

Ms. Owens stated yes. "If they have the sticker, then insurance isn't required."

After a general discussion by the board upon a motion by Craig Stiltner seconded by Harold H. Fuller and with a roll call vote of seven (7) yeas, Craig Stiltner, Harold H. Fuller, William P. Harris, Steve O’Quinn, G. Roger Rife, J. Carroll Branham, Trey Adkins and zero (0) nays, this board did hereby approve to schedule a public hearing for Monday, the 4<sup>th</sup> day of February at 6:30 p.m. in the boardroom of the Buchanan County Courthouse to hear public comments regarding the amendment to the Ordinance “Use of Off-Road Recreational Vehicles on Public Roads.”

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**IN RE:            CONSIDER PURCHASING A TEN (10) FOOT TRAILER**

After a general discussion by the board upon a motion by Steve O’Quinn seconded by Harold H. Fuller and with a roll call vote of seven (7) yeas, Craig Stiltner, Harold H. Fuller, William P. Harris, Steve O’Quinn, G. Roger Rife, J. Carroll Branham, Trey Adkins and zero (0) nays, this board did hereby approve the quote in the amount of \$945.00 from O’Quinn Trailers for the purchase of a ten (10) foot trailer for the Poplar Gap Athletic Field to be paid from Prater District Park and Development account. This trailer will be used for the development of the Spearhead Trail in Buchanan County.

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**IN RE:            RAY DAVIS – RESIDENT TO DISCUSS MYRTLE ROAD**

Ray Davis, resident stated a logging company is using Myrtle Road and bridge, (county road number 7056), which is causing damage to the pavement and bridge. “In one area the company has knocked over the guardrail,” he stated.

Mr. Davis commented the logging company isn’t paying any taxes to the county, which is something the board should see if it could be changed.

L. Lee Moise, County Attorney stated any changes regarding the collection of taxes for logging would have to come from the state.

J. Carroll Branham, North Grundy District Supervisor requested Marcus Stiltner, Coal Haul Road Engineer to assess the damages on Myrtle Road.

Mr. Davis stated there are cracks from ½ inch to 1 inch wide in the pavement and the roadway is about to break off.

G. Roger Rife, Chairman stated Mr. Stiltner will see what can be done and if someone has damaged the roadway then someone will have to pay.

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

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**IN RE:            CONSIDER APPOINTING A COMMITTEE TO REVIEW THE  
REQUEST FOR PROPOSALS (RFP) FOR ENGINEERING  
SERVICES FOR THE ROCKWALL CURVE PROJECT**

After a general discussion by the board upon a motion by Trey Adkins seconded by Craig Stiltner and with a unanimous voice vote by the board, this board did hereby approve to appoint William P. Harris, J. Carroll Branham and Marcus Stiltner to the committee to review the Request for Proposals (RFP) for engineering services for the Rockwall Curve Project.

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**IN RE:            CONSIDER APPROVING THE AMENDMENT TO THE  
STATEMENT OF AGREEMENT BETWEEN THE VIRGINIA  
DEPARTMENT OF HEALTH AND BOARD OF SUPERVISORS  
FOR FISCAL YEAR 2012/2013**

After a general discussion by the board upon a motion by Harold H. Fuller seconded by Craig Stiltner and with a roll call vote of seven (7) yeas, Craig Stiltner, Harold H. Fuller, William P. Harris, Steve O'Quinn, G. Roger Rife, J. Carroll Branham, Trey Adkins and zero (0) nays, this board did hereby approve the Amendment to the Statement of Agreement between the Virginia Department of Health and the Buchanan County Board of Supervisors. A copy of this Amendment to the Statement of Agreement is located in the Buchanan County Administrator's Office for review.

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**IN RE:            FRANKIE SMITH – RESIDENT**

Frankie Smith, resident requested the minutes for the Buchanan County Board of Supervisors meetings be included on the county's web-site. This would save time for the county employee's so they wouldn't have to make copies for those who make a request, he stated.

After a general discussion by the board upon a motion by Trey Adkins seconded by Craig Stiltner and with a unanimous voice vote by the board, this board did hereby approve for the minutes of each board of supervisors meeting be included on the county's web-site (buchanancountyonline.com).

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**IN RE:            FRANKIE SMITH – RESIDENT**

Frankie Smith, resident commented the ordinance for use of off-road recreational vehicles on public roads states off-road recreational vehicles shall be a licensed driver sixteen (16) years or older on the ATV trail. Who's going to supervise the twelve (12)

and thirteen (13) years old on the county trails? This could put the county at great risk, he commented.

Mr. Smith requested the board to research the Code of Virginia and check with insurance companies regarding this issue.

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**IN RE:            CONSIDER APPROVING ADDITIONAL APPROPRIATIONS**

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

- Additional appropriation to Hurricane District Park and Recreation, account number 71040-5604-02 in the amount of \$180.00;
- Additional appropriation to Animal Shelter, (food supplies), F 10, account number 35010-6602 in the amount of \$2.00;
- Additional appropriation to South Grundy District Park and Development account number 71060-7010-05 in the amount of \$650.00;
- Additional appropriation to Treasurer’s Office (office supplies) account number 12130-6001 in the amount of \$63.50;
- Additional appropriation to Circuit Court Clerk’s Office, (copy supplies) account number 21060-3320 in the amount of \$523.10;
- Additional appropriation to Sheriff’s Dept.(uniforms) account number 31020-6011 in the amount of \$24.00;
- Additional appropriation to Sheriff’s Dept. (crime prevention) account number 31020-6029 in the amount of \$1,321.00.

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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 a motion by Craig Stiltner seconded by Steve O’Quinn and with a roll call vote of seven (7) yeas, Craig Stiltner, William P. Harris, Steve O’Quinn, G. Roger Rife, J. Carroll Branham, Trey Adkins, Harold H. Fuller and zero (0) nays, this board did hereby appoint Kim Lane to the Buchanan County Planning Commission as representative for the Rocklick Magisterial District to fill the unexpired term of Emogene Elswick with the term ending June 1, 2016.

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**IN RE: CONSIDER ADOPTING A RESOLUTION AND AN APPOINTMENT TO THE BREAKS REGIONAL AIRPORT AUTHORITY**

Upon a motion of Trey Adkins to appoint Phillip Keene to the Breaks Regional Airport Authority with Phillip Keene declining the appointment, Mr. Adkins withdrew his motion.

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**IN RE: CONSIDER APPROVING COYOTE CLAIMS**

After a general discussion by the board upon a motion by Craig Stiltner seconded by Steve O’Quinn and with a roll call vote of seven (7) yeas, Craig Stiltner, William P. Harris, Steve O’Quinn, G. Roger Rife, J. Carroll Branham, Trey Adkins, Harold H. Fuller and zero (0) nays, this board did hereby approve to issue payment in the amount of \$50.00 for the following coyote bounty claims from Livestock Claim account (035010-8104):

- Anita Skeens - two (2) claims
- Kevin Davis – one (1) claim
- Otis Deel – one (1) claim
- Richard Boyd – one (1) claim
- L. C. Phipps – one (1) claim
- Brandon Hall – one (1) claim

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**IN RE: CONSIDER RECOMMENDATIONS FOR THE BOARD OF EQUALIZATION FOR BUCHANAN COUNTY**

This issue was tabled at this time. No action taken.

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**IN RE: CONSIDER TWO (2) RECOMMENDATIONS FOR THE COAL AND GAS ROAD IMPROVEMENT ADVISORY COMMITTEE**

This issue was tabled at this time. No action taken.

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**IN RE: CONSIDER RATIFYING THE MEMORANDUM OF UNDERSTANDING BETWEEN BUCHANAN COUNTY AND WGIB, INC. REGARDING THE WHITEWOOD COMMUNITY CENTER**

After a general discussion by the board upon a motion by Harold H. Fuller seconded by Craig Stiltner and with a roll call vote of seven (7) yeas, Craig Stiltner,

William P. Harris, Steve O'Quinn, G. Roger Rife, J. Carroll Branham, Trey Adkins, Harold H. Fuller and zero (0) nays, this board did hereby ratify the following Memorandum of Understanding between Buchanan County and WGIB, Inc. regarding the Whitewood Community Center:

**MEMORANDUM OF UNDERSTANDING**

This Contract is made and entered by and between the Buchanan County, a Political Subdivision of the Commonwealth of Virginia (hereinafter referred to as the "County") and the WGIB, Inc. (hereinafter referred to as the "Contractor") and is to be effective \_\_\_\_\_ day of \_\_\_\_\_, 2012

**WITNESSETH:**

**THAT WHEREAS**, the County owns a community center in the Garden Magisterial District known as the Whitewood Community Center; and

**WHEREAS**, the Contractor, WGIB, Inc., constructed the Whitewood Community Center and as part of that project provided a one year warranty for workmanship that will expire on January 5, 2013; and

**WHEREAS**, the Contractor is still working to correct items on a punch list, which said punch list was included as an attachment to correspondence dated August 09, 2012 from the County to the Contractor; and

**WHEREAS**, the correspondence dated August 09, 2012 with punch list is attached made a part of this MOU by reference as Exhibit "A"; and

**WHEREAS**, as it appears that the Contractor may not be able to complete the repair and correction of items listed on the punch list, the parties have agreed to a 90 day extension of the warranty set to expire on January 5, 2013; and

**NOW, THEREFORE**, the parties agree as follows:

- a) That Buchanan County, Virginia, through its Board of Supervisors agrees and accepts  
the Contractor's offer to extend the warranty on the Whitewood Community Center for an additional 90 days, so that instead of the warranty expiring on January 5, 2013 it will expire on April 05, 2013. The Contractor by its execution of this Memorandum of Understanding confirms its agreement to extend the new building warranty for an additional 90 days, so that instead of the warranty expiring on January 05, 2013 it will expire on April 05, 2013. The Parties agree and understand that this agreement in no way limits nor waives any of the County's remedies at law or in equity.

**Approval by County Attorney**

The execution of this Agreement by Lawrence L. Moise III, County Attorney, indicates his approval of the form of this Agreement.

**EXECUTED IN DUPLICATE ORIGINALS.**

**IN WITNESS WHEREOF**, the County and Town have executed this Agreement as of the date first above written.

County of Buchanan, Virginia

By: \_\_\_\_\_  
Robert Craig Horn, County Administrator  
for Buchanan County, Virginia

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**IN RE: CONSIDER APPROVING THE GRANT AGREEMENT FROM THE DEPARTMENT OF CONSERVATION AND RECREATION (DCR) FOR THE BUCHANAN COUNTY STORMWATER PROGRAM**

After a general discussion by the board upon a motion by Trey Adkins seconded by Craig Stiltner and with a roll call vote of seven (7) yeas, Craig Stiltner, William P. Harris, Steve O'Quinn, G. Roger Rife, J. Carroll Branham, Trey Adkins, Harold H. Fuller and zero (0) nays, this board did hereby approve the Grant Agreement from the Department of Conservation and Recreation (DCR) for the Buchanan County Stormwater Program. A copy of grant agreement is located in the Buchanan County Administrator's Office for review.

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**IN RE: CONSIDER APPROVING THE UPDATED VENDOR SERVICE AGREEMENT FROM SEPTIC, INC.**

After a general discussion by the board upon a motion by Steve O'Quinn seconded by Craig Stiltner and with a roll call vote of seven (7) yeas, Craig Stiltner, William P. Harris, Steve O'Quinn, G. Roger Rife, J. Carroll Branham, Trey Adkins, Harold H. Fuller and zero (0) nays, this board did hereby approve the updated Vendor Service Agreement from SEPTIC, Inc.

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**IN RE: CONSIDER APPROVING CHANCE MICHAEL MOORE AS A PART-TIME EMPLOYEE TO DO SNOW REMOVAL**

Harold H. Fuller made a motion to hire Chance Michael Moore and Carlos Keen as part-time employees to do snow removal in the Garden Magisterial District, this motion was seconded by Craig Stiltner, without a roll call vote.

Mr. Fuller commented he purchased a 1990 Ford truck with snow blade to do the snow removal in the Garden District from the Garden District Park and Development account. He stated the truck was approximately \$2,400.00, which will be cheaper than having the snow removal done by an independent contractor.

Robert Craig Horn, County Administrator stated the county pays vendors for snow removal approximately \$60.00 per hour. The two (2) part-time employees will be



paid \$12.00 per hour from general properties and Mr. Fuller will be responsible for fuel and maintenance of the truck, he commented.

Trey Adkins, Knox District Supervisor so to keep from paying \$75.00 per hour, we just need to buy a truck?

Craig Stiltner, Rocklick District Supervisor commented we can buy a truck and allow county employees to drive them then we won't have to pay nothing from our district accounts.

Mr. Horn commented you would have to pay for salt, gas and maintenance of the vehicle. He stated if the board would consider issuing payment from their highways, streets and bridges accounts for part-time employees, payment codes could be entered by the Treasurer in a manner so to facilitate the payment of the wages of temporary part-time employees from each magisterial district.

G. Roger Rife, Chairman stated for the past ten (10) years, my snow removal has been paid from South Grundy Highways, Streets and Bridges account. When we get into part-time work, then we've created a mess, including weed cutting, he commented.

Mr. Horn commented that some contractors don't have any workers' compensation, so the county has to hire them as part-time employees. As of now, we don't have anywhere else to pay them from but general properties, he stated.

Mr. Adkins stated this really isn't fair. I'm not picking on anyone but I transferred \$10,000.00 plus from Knox District Highways, Streets and Bridges account to pay for weed cutters last month, he commented. The same should be for snow removal, stated Mr. Adkins.

Mr. Rife commented some of the small contractors hires other people to work and pays them cash. These people hired by the contractors are not the ones we're paying workers' compensation on to work, he stated.

Mr. Adkins stated this would be an issue for the contractor not the county. He stated Jerry Ward's vehicle had a snow blade on it and it was never was brought to the Knox District.

Mr. Horn stated that vehicle removed snow from the Buchanan County Public Library, Health Department and Industrial Development Authority.

Mr. Fuller withdrew his motion to hire Chance Michael Moore and Carlos Keen as part-time employees to do snow removal in the Garden Magisterial District and Mr. Stiltner withdrew his second to the motion.

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

Upon a motion by Craig Stiltner seconded by Harold H. Fuller and by a unanimous voice vote, this board agreed to convene in closed session as permitted by Virginia Code Section, 2.2-3711 (A)(1), to discuss personnel issues concerning the

Buchanan County Equalization Board; Virginia Code Section, 2.2-3711 (A)(1), to discuss personnel issues concerning the Buchanan County Coal Haul Road and Gas Improvement Advisory Committee; Virginia Code Section, 2.2-3711 (A)(1), to discuss personnel issues concerning the Buchanan County Treasurer's Office; Virginia Code Section, 2.2-3711 (A)(7), consultation with legal counsel concerning Destiny Road; Virginia Code Section, 2.2-3711 (A)(7), consultation with legal counsel concerning the Buchanan County Treasurer's Office budget issues; Virginia Code Section, 2.2-3711 (A)(7), consultation with legal counsel concerning a Resolution for snow removal; Virginia Code Section, 2.2-3711(A)(7), consultation with legal counsel concerning negotiations with Coal & Gas (tax work group) and Virginia Code Section, 2.2-3711 (A)(7), consultation with legal counsel concerning HB 1437, tools and machinery.

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Motion was made by William P. Harris to return from closed session seconded by Harold H. Fuller and by the following roll call of seven (7) yeas, William P. Harris, G. Roger Rife, J. Carroll Branham, Harold H. Fuller, Steve O'Quinn, Craig Stiltner, Trey Adkins and zero (0) nays.

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

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A motion by William P. Harris seconded by J. Carroll Branham, with William P. Harris 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 issues concerning the county's bridge crew.

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 (7) yeas, William P. Harris, J. Carroll Branham, Trey Adkins, Harold H. Fuller, Craig Stiltner, G. Roger Rife, Steve O'Quinn and zero (0) nays.

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**IN RE: RICKEY BAILEY, E-911 COORDINATOR – TO REQUEST RECOMMENDATIONS FOR WEATHER ALERTS TO ADD TO THE PUBLIC ENTRY POINT WHICH WILL ALLOW SUBSCRIBERS TO CHOOSE**

Rickey Bailey, E-911 Coordinator provided the board with a list of recommendations for the automatic weather alerts system to add to the public entry point. He stated every resident in the county can be informed of the alerts either on their home

phones, cell phones or computers. Residents will be able to choose by entering it on their computers.

Craig Stiltner, Rocklick District Supervisor asked if alerts such as the recent boil water alert for the Buchanan County Public Service Authority's could be added to the system?

Mr. Bailey stated yes. Also, the weather alerts will be sent automatically from the National Weather Service.

Robert Craig Horn, County Administrator asked if the county would have to pay an additional cost if too many of the alerts are chosen?

Mr. Bailey stated yes, there could be an additional charge, due to the number of phone calls that has to be done.

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**IN RE:            CONSIDER ISSUING A CHECK TO CONSOL IN THE AMOUNT OF \$14,400.00 FOR PAYMENTS THAT WERE MISTAKENLY MADE TO THE COUNTY FOR TWO (2) PIPELINES THAT ARE LOCATED ON PROPERTY NOT BELONGING TO THE COUNTY**

After a general discussion by the board upon a motion by Harold H. Fuller seconded by Trey Adkins and with a roll call vote of seven (7) yeas, Harold H. Fuller, Steve O'Quinn, G. Roger Rife, Trey Adkins, J. Carroll Branham, Craig Stiltner, G. Roger Rife, William P. Harris and zero (0) nays, this board did hereby approve to issue a check from 92100-5830 (tax refunds) to CONSOL in the amount of \$14,400.00 for payments the were mistakenly made to the county for two (2) pipelines that are located on property not belonging to the county.

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**IN RE:            CONSIDER ADOPTING A RESOLUTION AND AN APPOINTMENT TO THE BREAKS REGIONAL AIRPORT AUTHORITY**

This issue was tabled, no action taken.

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**IN RE:            CONSIDER APPROVING THE FOLLOWING TRANSFERS FOR THE BUCHANAN COUNTY COMMONWEALTH ATTORNEY'S OFFICE**

After a general discussion by the board upon a motion by J. Carroll Branham seconded by Craig Stiltner and with a roll call vote of seven (7) yeas, J. Carroll Branham, Steve O'Quinn, Trey Adkins, Harold H. Fuller, William P. Harris, G. Roger Rife, Craig

Stiltner and zero (0) nays, this board did hereby approve the following transfers for the Buchanan County Commonwealth Attorney's Office:

- Transfer \$113.00 from account number 22010-1150 (salaries and wages) to account number 22010-2700 (worker's comp.);
- Transfer \$1,500.00 from account number 22010-1150 (salaries and wages) to account number 22010-3310 (repairs and maintenance);
- Transfer \$1,500.00 from account number 22010-1150 (salaries and wages) to account number 22010-3320 (maintenance const.);
- Transfer \$5,000.00 from account number 22010-1150 (salaries and wages) to account number 22010-6001 (office supplies);
- Transfer \$7,500.00 from account number 22010-1150 (salaries and wages) to account number 22010-8101 (machinery & equipment).

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**IN RE:            CONSIDER APPROVAL TO ALLOW THE BUCHANAN COUNTY  
PUBLIC WORKS DIRECTOR TO MOVE EMPLOYEES IN HIS  
DEPARTMENT TO ANY POSITION AT HIS DISCRETION**

William P. Harris, Hurricane District Supervisor made a motion to allow Earl Rife, Buchanan County Public Works Director to move employees in his department to any position at his discretion and to pay the county employee up to the amount the previous person was making in that position. With no second to his motion, Mr. Harris requested a roll call vote: two (2) yeas, G. Roger Rife, William P. Harris and five (5) nays, Trey Adkins, Craig Stiltner, Harold H. Fuller, J. Carroll Branham and Steve O'Quinn. The motion failed.

Trey Adkins, Knox District Supervisor stated this board should set salaries. We would be opening a "Can of Worms."

Craig Stiltner, Rocklick District Supervisor stated, "If we do this then every supervisor will want to do the same."

Mr. Adkins stated this would be asking for a lawsuit.

G. Roger Rife, Chairman stated, "I have a problem with the way we have been adjusting salaries anyway." "Time in the job verses job title." How can you justify paying someone the same salary as someone that's been employed with the county for thirty-nine (39) years, he stated.

Mr. Adkins stated everyone will ask to do the same, even the constitutional officers.

Mr. Stiltner stated, "I have no problem where Mr. Rife wants to work them, but not a salary increase." Someone that's been employed five (5) years to the same salary as the person that has been employed with the county for fifteen (15) years, he commented. "In my opinion, the personnel committee should make the recommendations."

Mr. Harris stated, "I think it's a disgrace we have to tell Mr. Rife where he can work his people." "We're going to end up losing an important person in the county."

Mr. Stiltner stated it really should be the person that most experienced for the position.

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

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**IN RE:            CONSIDER APPROVING TWO (2) RECOMMENDATIONS FOR  
THE COAL AND GAS ROAD IMPROVEMENT ADVISORY  
COMMITTEE**

After a general discussion by the board upon a motion by Craig Stiltner seconded by Trey Adkins and with a roll call vote of seven (7) yeas, Harold H. Fuller, Steve O'Quinn, Trey Adkins, William P. Harris, Craig Stiltner, G. Roger Rife, J. Carroll Branham and zero (0) nays, this board did hereby approve to recommend Michael Gary Prater, P.O. Box 1177, Grundy, Virginia 24614 and Larry Grant Shrader, P. O. Box 55, Grundy, Virginia 24614 to the Buchanan County Coal and Gas Road Improvement Advisory Committee.

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**IN RE:            CONSIDER APPROVING BID AND CONTRACT FOR UPGRADE  
AND TO CORRECT THE ELECTRICAL SYSTEM AND THE  
ASSOCIATED FEEDERS SERVING THE SWIMMING POOL  
AREA OF THE WILLIAM P. HARRIS PARK AND AUTHORIZE  
THE CHAIRMAN OF THE BUCHANAN COUNTY BOARD OF  
SUPERVISORS AND ROBERT CRAIG HORN, COUNTY  
ADMINISTRATOR FOR BUCHANAN COUNTY, VIRGINIA TO  
EXECUTE A CONTRACT ON BEHALF OF BUCHANAN COUNTY  
WITH THE APPROVAL AS TO FORM BY THE COUNTY  
ATTORNEY**

After a general discussion by the board upon a motion by William P. Harris seconded by Harold H. Fuller and with a roll call vote of seven (7) yeas, Harold H. Fuller, Steve O'Quinn, Trey Adkins, William P. Harris, Craig Stiltner, G. Roger Rife, J. Carroll Branham and zero (0) nays, this board did hereby approve the bid in the amount of \$9,654.00 to be paid from Fund 1, Capital Outlay account number 94100-7010 and the enclosed Contract between Bill Campbell, D/B/A Campbell Construction Company and Buchanan County for the upgrade and to correct the electrical system and the associated feeders serving the swimming pool area of the William P. Harris Park and authorize the Chairman of the Buchanan County Board of Supervisors and Robert Craig Horn, County Administrator for Buchanan County, Virginia to execute the following Contract on behalf of Buchanan County with the approval as to form by the County Attorney:

## CONTRACT

**THIS AGREEMENT**, made and entered into this the \_\_\_\_\_ day of \_\_\_\_\_, 2013 by and between **BUCHANAN COUNTY**, a political subdivision of the Commonwealth of Virginia, party of the first part, and **BILL CAMPBELL, D/B/A CAMPBELL CONSTRUCTION COMPANY** party of the second part, hereinafter referred to as "Contractor".

### WITNESSETH:

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

#### I

The Contractor agrees to furnish all parts, materials and labor pursuant to the specifications contained within "**THE INVITATION TO BID**", to upgrade and correct the electrical system and the associated feeders serving the swimming pool area of the William P. Harris Park located at 1125 Quinn Branch Road, Council, VA., a copy of which is attached hereto and made a part hereof by reference as **Exhibit "A"**. The Contractor shall also provide all of the labor necessary for such installation. The Contractor will make any and all corrections necessary as specified in E-1 and E-2 to the satisfaction of the inspector.

#### II

The Contractor agrees to perform and complete or cause to be performed or completed all such installation in accordance with the 2008 NEC and in compliance with the laws of the United States and the Commonwealth of Virginia. The Contractor further agrees that all the equipment and materials used in the installation shall be constructed in compliance with the laws of the United States and the Commonwealth of Virginia.

#### III

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

#### IV

The Contractor shall, at his own cost and expense, procure and maintain insurance required under the Virginia Workers' Compensation Act as well as liability insurance covering damages to person and property in the minimum amount of \$1,000,000.00 and shall furnish a Certificate of Insurance to the Board.

The Contractor agrees to perform all the work required of him under this Agreement in a good and workmanlike manner under the supervision and direction of Buchanan County or its designated agents or employees. The Contractor will not subcontract any of the work described herein without the prior approval of the Buchanan County Board of Supervisors. The Contractor will guarantee any work which would be

performed by the sub-contractors. The Contractor further agrees to notify the County Administrator at least 24 hours before commencing work hereunder.

V

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

VI

The Board shall pay the Contractor for the performance of the work and the furnishing of the material under this Agreement the sum of **Nine Thousand, Six Hundred Fifty-Four Dollars and No Cents (\$9,654.00)**, upon the satisfactory completion of the aforesaid project. No partial performance payments will be made.

VII

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

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

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

1. Pay the subcontractor for the proportionate share of the total payment received from the agency attributable to the work performed by the subcontractor under the contract; or
2. Notify the County and subcontractor, in writing, of his intention to withhold all or a part of the subcontractor's payment with the reason for nonpayment.

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

E. The contractor shall be obligated to pay interest to any subcontractor on all amounts owed by the contractor that remain unpaid after seven (7) days following receipt by the contractor of payment from the County for work performed by the subcontractor

under this contract, except for amounts withheld as allowed in subdivision C2 of this section.

F. Interest shall accrue at the legal rate.

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

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

#### VIII

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

#### IX

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

#### X

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

#### XI

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

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



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.

## XII

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

## XIII

No extra work, not required by the plans and specifications hereinbefore

mentioned, shall be performed or other material furnished unless on written order of the Board certifying that the performance of such extra work has been approved and authorized by it.

#### XIV

No extra compensation not specified in this Agreement shall be demanded or received by the Contractor for any changes or alterations in the work performed under this Agreement, or for any extra work unless the foregoing provisions of this Agreement have been complied with strictly.

#### XV

The Contractor shall commence work under the terms of this Agreement on or before thirty (30) days following the date of execution of this Agreement and shall complete all such work on or before sixty (60) days after the execution of this Agreement. However, in the event the contractor is unable to complete said project within thirty (30) days, contractor is hereby required to request in writing an extension for an additional period not to exceed thirty (30) days, from the Board. It shall be in the sole discretion of the Board to either grant or not to grant an extension of the time to complete the construction of the project. No extension shall be granted for contractor's failing to properly plan or anticipate the actual time required to complete the project nor for contractor's overextension of labor and materials or failure of subcontractor or supplier to timely perform. A penalty for failing to meet project deadlines or extensions thereof shall accrue as follows: 5% of contract amount upon the first day of default and an additional 1% of the contract balance for each weekday (holidays excluded) thereafter until the project is completed and approved by the Board.

#### XVI

No modification of any of the terms of this contract, nor any extension of the length of time allowed for the completion of the work governed by this contract, shall be valid without the advance written approval of the Buchanan County Board of Supervisors.

The Contractor shall not assign his rights or obligations under this Agreement, nor have more than fifty percent (50%) of the work required by this Agreement performed by sub-contractors.

#### XVII

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

XVIII

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

XIX

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

XX

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

XXI

If any provisions of this Agreement shall be deemed by a court of competent jurisdiction to be invalid, the remainder of this Agreement shall nevertheless remain in full force and effect.

**EXECUTED IN DUPLICATE ORIGINALS.**

**WITNESS** the following signatures and seals:

BUCHANAN COUNTY BOARD OF SUPERVISORS

By: \_\_\_\_\_  
Chairman

ATTEST:

\_\_\_\_\_  
County Administrator

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**IN RE:            CONSIDER APPROVING A TRANSFER IN THE AMOUNT OF  
\$150,094.25 TO THE GENERAL DEBT FUND FROM THE  
GENERAL FUND TO PAY THE INTEREST AND  
ADMINISTRATIVE FEES FOR THE GENERAL OBLIGATING  
SCHOOL BONDS**

After a general discussion by the board upon a motion by J. Carroll Branham seconded by Craig Stiltner and with a roll call vote of seven (7) yeas, J. Carroll Branham, Steve O'Quinn, Craig Stiltner, Harold H. Fuller, Trey Adkins, William P. Harris, G.

Roger Rife and zero (0) nays, this board did hereby approve a transfer in the amount of \$150,094.25 to the General Debt Fund from the General Fund to pay the interest and administrative fees for the General Obligating School Bonds.

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**INRE:            CONSIDER APPROVING AN ADDITIONAL APPROPRIATION TO ACCOUNT NUMBER 92100-5839 IN THE AMOUNT OF \$389.79 FOR THE TOWN OF GRUNDY FINES RECEIVED FROM THE GENERAL DISTRICT COURT OF VIRGINIA**

After a general discussion by the board upon a motion by Harold H. Fuller seconded by William P. Harris and with a roll call vote of seven (7) yeas, J. Carroll Branham, Steve O’Quinn, Craig Stiltner, Harold H. Fuller, Trey Adkins, William P. Harris, G. Roger Rife and zero (0) nays, this board did hereby approve an additional appropriation to account number 92100-5839 in the amount of \$389.79 for the town of Grundy fines received from the General District Court of Virginia.

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**IN RE:            CONSIDER ISSUING PAYMENT TO INLAND CONSTRUCTION, INC, IN THE AMOUNT OF \$67,640.00 FOR CONSTRUCTOR’S APPLICATION FOR PAYMENT NO. 4 OF THE BULL CREEK TRAIL, PHASE 1 FROM FUND 1, CAPITAL OUTLAY ACCOUNT NUMBER 94100-7010**

After a general discussion by the board upon a motion by Craig Stiltner seconded by Harold H. Fuller and with a roll call vote of seven (7) yeas, J. Carroll Branham, Steve O’Quinn, Craig Stiltner, Harold H. Fuller, Trey Adkins, William P. Harris, G. Roger Rife and zero (0) nays, this board did hereby approve to issue payment to Inland Construction, Inc. in the amount of \$67,640.00 for Constructor’s Application for Payment no. 4 of the Bull Creek Trail, Phase 1 from Fund 1, Capital Outlay account number 94100-7010.

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**IN RE:            CONSIDER APPROVAL TO ADVERTISE A REQUEST FOR PROPOSAL (RFP) FOR AUDITING SERVICES FOR THE YEARS ENDING JUNE 30<sup>TH</sup>, 2013 – JUNE 30<sup>TH</sup>, 2015**

After a general discussion by the board upon a motion by J. Carroll Branham seconded by Steve O’Quinn and with a roll call vote of seven (7) yeas, J. Carroll Branham, Steve O’Quinn, Craig Stiltner, Harold H. Fuller, Trey Adkins, William P. Harris, G. Roger Rife and zero (0) nays, this board did hereby approve to advertise a Request for Proposal (RFP) for auditing services for the years ending June 30<sup>th</sup>, 2013 – June 30<sup>th</sup>, 2015.

**IN RE:            CONSIDER APPROVING A TRANSFER IN THE AMOUNT OF \$2,500.00 FROM GENERAL PROPERTIES (SALARIES AND WAGES) ACCOUNT NUMBER 43020-1150 TO HURRICANE DISTRICT PARK AND RECREATION ACCOUNT NUMBER 71040-5604-02**

After a general discussion by the board upon a motion by Harold H. Fuller seconded by Trey Adkins and with a roll call vote of seven (7) yeas, J. Carroll Branham, Steve O'Quinn, Craig Stiltner, Harold H. Fuller, Trey Adkins, William P. Harris, G. Roger Rife and zero (0) nays, this board did hereby approve a transfer in the amount of \$2,500.00 from General Properties (salaries and wages) account number 43020-1150 to Hurricane District Park and Recreation account number 71040-5604-02.

**IN RE:            CONSIDER APPROVING REQUEST FORM HURLEY HIGH SCHOOL IN THE AMOUNT OF \$6,500.00, TO PURCHASE AND INSTALL INTERIOR CORE CYLINDERS, DEADBOLTS AND LOCKSETS UPON RECOMMENDATION BY THE CIVIL RIGHTS DEPT.**

Trey Adkins, Knox District Supervisor stated Hurley High School is requesting the contribution in the amount of \$6,500.00 for the purchase of interior core cylinders, deadbolts, locksets and installation charges. The school was inspected by the Civil Rights Department recently and informed the principal the schools doors and locks need to be updated to meet the standards that are required by the American with Disabilities Act.

Also, he stated the school has requested a contribution to purchase hand held radios in the amount of \$1,440.00. They recently had a locked down at the school and was unable to contact each other.

G. Roger Rife, Chairman suggested Hurley High School contacting the school board first with this request.

Craig Stiltner, Rocklick District Supervisor stated the school board has money. I was on the school board for four (4) years and the schools would make these requests to us, he commented. "We fund the school system between \$10 to \$11 million each year."

William P. Harris, Hurricane District Supervisor stated Council Elementary/Middle School requested \$4,900.00 a couple months ago. Larry Ashby, Superintendent stated he could take care of this request, commented Mr. Harris.

Mr. Rife commented, "We're not the school board and we shouldn't be making decisions for them." "They should make the request first, so we're not interfering with their business."

No action was taken at this time.

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**IN RE: CONSIDER APPROVING A TRANSFER**

After a general discussion by the board upon motion by Craig Stiltner seconded by Trey Adkins and with a roll call vote of seven (7) yeas, Craig Stiltner, Harold H. Fuller, J. Carroll Branham, Steve O’Quinn, G. Roger Rife, William P. Harris, Trey Adkins and zero (0) nays, this board did hereby approve to transfer \$10,000.00 from Rocklick District Park and Development account number 71060-7010-6 to Rocklick District Park and Recreation account number 71040-5604-06.

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**IN RE: CONSIDER APPROVING AN ADDITIONAL APPROPRIATION IN THE AMOUNT OF \$4,373.70 TO GARDEN DISTRICT PARK AND RECREATION ACCOUNT NUMBER 71040-5604-01 FOR MONIES RECEIVED FROM CNX GAS COMPANY, LLC AND GEOMET OPERATING COMPANY REGARDING THE AGREEMENTS THAT GENERATES INCOME FROM THE COUNTY PROPERTY LOCATED IN JEWELL VALLEY**

After a general discussion by the board upon a motion by Harold H. Fuller seconded by Craig Stiltner and with a roll call vote of six (6) yeas, Craig Stiltner, Harold H. Fuller, J. Carroll Branham, Steve O’Quinn, G. Roger Rife, William P. Harris and one (1) nay, Trey Adkins, this board did hereby approve an additional appropriation in the amount of \$4,373.70 to Garden District Park and Recreation account number 71040-5604-01 for monies received from CNX Gas Company, LLC and GeoMet Operating Company regarding the agreements that generates income from the county property located in Jewell Valley.

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**IN RE: BILL KEENE, TREASURER**

Bill Keene, Treasurer stated in the first six (6) months of this fiscal year’s budget, the treasurer’s office has collected \$10,224,398.73 in mineral and methane severance taxes. Hopefully, the next six (6) months will be close to the same amount, he commented.

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**IN RE: CONSIDER ADOPTING A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR’S OFFICE TO MAKE BUDGET TRANSFERS IN REGARDS TO THE SUPERVISORS MAGISTERIAL DISTRICT ACCOUNTS AND RELIEVING THE TREASURER OF ANY LIABILITY IN REGARDS TO SUCH TRANSFERS**

After a general discussion by the board upon a motion by Trey Adkins seconded by Craig Stiltner and with a roll call vote of seven (7) yeas, Trey Adkins, Craig Stiltner,

Harold H. Fuller, J. Carroll Branham, Steve O'Quinn, G. Roger Rife, William P. Harris and zero (0) nays, this board did hereby adopt the following Resolution authorizing the County Administrator's Office to make budget transfers in regards to the supervisors magisterial district accounts and relieving the treasurer of any liability in regards to such transfers:

**RESOLUTION**

**RE: AUTHORIZATION FOR COUNTY ADMINISTRATOR'S OFFICE TO MAKE BUDGET TRANSFERS IN REGARD TO SUPERVISOR MAGISTERIAL ACCOUNTS AND RELIEVING THE TREASURER OF ANY LIABILITY IN REGARD TO SUCH TRANSFERS**

**BE IT HEREBY RESOLVED**, by the Buchanan County, Va. Board of Supervisors, which the County Administrator's office is authorized to make budget transfers in regard to the Supervisors' Magisterial District Accounts, and shall send a copy of such transfers to the Treasurer. **BE IT FURTHER RESOLVED**, that the Treasurer, Bill Keene is relieved of any responsibility in regard to budget transfers made by the County Administrator's Office.

This resolution was adopted by the Buchanan County, Va. Board of Supervisors on the 7<sup>th</sup> day of January 2013.

Vote:

Moved by: Trey Adkins

Seconded by: Craig Stiltner

Yeas: Seven

Nays: Zero

\_\_\_\_\_  
G. Roger Rife, Chairman of  
the Buchanan County of Supervisors

ATTEST:

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

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**IN RE: CONSIDER CONTRIBUTIONS**

After a general discussion by the board upon a 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, J. Carroll Branham, Steve O'Quinn, G. Roger Rife, William P. Harris and zero (0) nays, this board did hereby approve the following contributions:

Grundy High School (Athletic Dept., basketball shoes)	\$3,000.00
Hurley Youth Sports (tournaments)	\$ 500.00
Hurley High School (Varsity Football Team)	\$1,245.00
Hurley Elementary/Middle School (bikes)	\$ 193.97
Knox Creek Volunteer Fire Department (Christmas Dinner)	\$2,100.00

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**IN RE:            CONSIDER APPROVAL OF MANUAL BILLS, BILLS AND LATE BILLS**

After a general discussion by the board upon a motion by J. Carroll Branham seconded by William P. Harris and with a roll call vote of seven (7) yeas, Trey Adkins, Craig Stiltner, Harold H. Fuller, J. Carroll Branham, Steve O’Quinn, G. Roger Rife, William P. Harris and zero (0) nays, this board did hereby approve the manual bills, bills and late bills.

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**IN RE:            CONSIDER RATIFYING THE PAYMENT OF BILLS BY RESOLUTION ADOPTED ON MAY 7<sup>TH</sup>, 2012. (INCLUDING THE BUCHANAN COUNTY HEAD START RATIFIED BILL LIST AND BILL LIST)**

After a general discussion by the board upon a motion by J. Carroll Branham seconded by Harold H. Fuller and with a roll call vote of seven (7) yeas, Trey Adkins, Craig Stiltner, Harold H. Fuller, J. Carroll Branham, Steve O’Quinn, G. Roger Rife, William P. Harris and zero (0) nays, this board did hereby ratify the payment bills by Resolution adopted on May 7<sup>th</sup>, 2012. (Including the Buchanan County Head Start ratified bill list and bill list)

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**IN RE:            CONSIDER RATIFYING PAYROLL**

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

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**IN RE:            CONSIDER APPROVING A TRANSFER IN THE AMOUNT OF \$15,050.00 FROM THE ELECTORAL BOARD ACCOUNT NUMBER 13010-3100, (PROFESSIONAL SERVICES) TO REGISTRAR OFFICE, ACCOUNT NUMBER 13020-1350, (PART-TIME SALARIES) TO COVER ELECTION OFFICER PAY**

After a general discussion by the board upon a motion by J. Carroll Branham seconded by William P. Harris and with a roll call vote of seven (7) yeas, Trey Adkins, Craig Stiltner, Harold H. Fuller, J. Carroll Branham, Steve O’Quinn, G. Roger Rife, William P. Harris and zero (0) nays, this board did hereby approve a transfer in the amount of \$15,050.00 from the Electoral Board account number 13010-3100,



(professional services) to Registrar Office, account number 13020-1350, (part-time salaries) to cover election officer pay.

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**IN RE:            CONSIDER APPROVING A CONTRIBUTION IN THE AMOUNT OF \$2,500.00 TO THE JUSTIN DON STACY MEMORIAL CHRISTMAS PROGRAM**

After a general discussion by the board upon a motion by Harold H. Fuller seconded by Trey Adkins and with a roll call vote of seven (7) yeas, Trey Adkins, Craig Stiltner, Harold H. Fuller, J. Carroll Branham, Steve O'Quinn, G. Roger Rife, William P. Harris and zero (0) nays, this board did hereby approve a contribution and to issue a check in the amount of \$2,500.00 to the Justin Don Stacy Memorial Christmas Program to be divided among the following park and recreation accounts:

- South Grundy District, account number, 71040-5604-07
- North Grundy District, account number, 71040-5604-04
- Rocklick District, account number, 71040-5604-06
- Prater District, account number, 71040-5604-05
- Hurricane District, account number, 71040-5604-02
- Garden District, account number, 71040-5604-01
- Knox District, account number, 71040-5604-03

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**IN RE:            CONSIDER APPROVING THE AGREEMENT BETWEEN NORFOLK SOUTHERN RAILWAY COMPANY AND BUCHANAN COUNTY, VIRGINIA (WITH CORRECTIONS TO SECTION 14 OF THE AGREEMENT) REGARDING THE ELK CREEK ROAD PROJECT AND AUTHORIZE THE CHAIRMAN OF THE BUCHANAN COUNTY BOARD OF SUPERVISORS AND ROBERT CRAIG HORN, COUNTY ADMINISTRATOR FOR BUCHANAN COUNTY, VIRGINIA TO EXECUTE SUCH AGREEMENT ON BEHALF OF BUCHANAN COUNTY WITH THE APPROVAL AS TO FORM BY THE COUNTY ATTORNEY**

After a general discussion by the board upon a motion by Trey Adkins seconded by J. Carroll Branham and with a roll call vote of seven (7) yeas, Trey Adkins, Craig Stiltner, Harold H. Fuller, J. Carroll Branham, Steve O'Quinn, G. Roger Rife, William P. Harris and zero (0) nays, this board did hereby adopt the Agreement between Norfolk Southern Railway Company and Buchanan County, Virginia (with corrections to Section 14 of the agreement) regarding the Elk Creek Road project and authorize the Chairman of the Buchanan County Board of Supervisors and Robert Craig Horn, County Administrator for Buchanan County, Virginia to execute such Agreement on behalf of Buchanan County with the approval as to form by the County Attorney.

**IN RE: CONSIDER ADOPTING A RESOLUTION REGARDING THE SCHEDULING OF THE MOWING EQUIPMENT EQUALLY AMONG THE SEVEN (7) DISTRICTS**

After a general discussion by the board upon a motion by Trey Adkins seconded by Craig Stiltner and with a roll call vote of four (4) yeas, Trey Adkins, Craig Stiltner, J. Carroll Branham, G. Roger Rife and three (3) nays, Steve O’Quinn, William P. Harris and Harold H. Fuller, this board did hereby adopt the following Resolution regarding the scheduling of the mowing equipment equally among the seven (7) districts:

**RESOLUTION**

**RE: SCHEDULING OF MOWING EQUIPMENT AMONG THE SEVEN MAGISTERIAL DISTRICTS**

WHEREAS, the Buchanan County Board of Supervisors recognizes that the County’s limited resources should be evenly distributed among the seven magisterial districts; and

WHEREAS, as to mowing equipment the County currently owns two bush-hog mowers and one sickle mower; and

WHEREAS, it is determined that use of the mowing equipment on a weekly basis is the most efficient and fairest way to schedule use of said equipment through the Districts; and

NOW, THEREFORE BE IT RESOLVED that the Buchanan County, Va., Board of Supervisors hereby establishes the following schedule for the use of mowing equipment throughout the seven magisterial districts:

1) The two bush-hog mowers will rotate on a weekly basis each month as follows:

- 1<sup>st</sup> week---Garden District and Hurricane District;
- 2<sup>nd</sup> week—Knox District and North Grundy District;
- 3<sup>rd</sup> week—Prater District and Rocklick District;
- 4<sup>th</sup> week—South Grundy District

Note: The Bush-hog mower not being used during the fourth week will undergo monthly maintenance at the County Garage and/or be available for use as designated by the County Administrator.

2) The sickle mower will rotate weekly among the seven Districts in the following order: Garden, Hurricane, Knox, North Grundy, Prater, Rocklick and South Grundy. The sickle mower will be made available for maintenance as determined by the County Administrator.

Recorded Vote:  
Moved by: Trey Adkins  
Seconded by: Craig Stiltner  
Yeas: Four  
Nays: Three

\_\_\_\_\_  
Chairman of the  
Buchanan County, Va. Board of Supervisors

ATTEST:

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

**IN RE:            CONSIDER ADOPTING A RESOLUTION CONCERNING A  
DAILY EQUIPMENT ACTIVITY REPORT; (DATE, DISTRICT  
AND OPERATED BY)**

Trey Adkins, Knox District Supervisor stated if Marcus Stiltner, Coal Haul Road Engineer can provide this board with a monthly bridge crew update report, then why can't the board receive a monthly equipment activity report?

G. Roger Rife, Chairman stated a lot of employees don't even sign in or out while they're working and others do. This makes you wonder what they've done all week.

Mr. Adkins stated we could get all county employees to provide the board with a list of their job duties.

Mr. Rife commented we know what some of the employees are doing because we witness it.

After a general discussion by the board upon a motion by Trey Adkins to adopt the resolution concerning a daily equipment activity report with no second to his motion Mr. Adkins requested a roll call vote as follows: one (1) yea, Trey Adkins and six (6) nays, Craig Stiltner, J. Carroll Branham, G. Roger Rife, Steve O'Quinn, William P. Harris and Harold H. Fuller. The motion failed at this time.

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**IN RE:            CONSIDER SALARY FOR MARCUS STILTNER, COAL HAUL  
ROAD ENGINEER**

Trey Adkins, Knox District Supervisor stated the board agreed when Marcus Stiltner, Coal Haul Road Engineer passed his professional engineering test we would increase his salary. We're paying \$250,000.00 a year to an engineering firm to inspect the county bridges, now Mr. Stiltner will be able to do these inspections, which will save the county some money, he commented. Also, Mr. Stiltner has been given additional job duties, which includes the storm water program, overseeing the bridge crew and doing some the projects that Terra Tech Engineering does now.

Mr. Adkins made a motion to increase Marcus Stiltner's salary to \$100,000.00 per year, seconded by Craig Stiltner.

Mr. Stiltner stated Mr. Stiltner will save the county \$250,000.00 per year by performing the county bridge inspections, which has been mandated by federal and state laws.

G. Roger Rife, Chairman stated this may take away from his job as Coal Haul Road Engineer. I agree it will save the county money regarding the bridge inspections, but is it going to take away other responsibilities that Mr. Stiltner has to do, he stated.

Steve O'Quinn, Prater District Supervisor stated this should be discussed with the personnel committee first.

Mr. Rife commented we just gave Mr. Stiltner a \$10,000.00 salary increase.

Mr. Adkins stated \$85,000.00 is budgeted in the Coal Haul Road's budget for fiscal year 2012/2013 for Mr. Stiltner's salary.

Marcus Stiltner, Coal Haul Road Engineer stated the \$10,000.00 salary increase was to supervise the county's bridge crew.

Mr. Rife commented there's no way you can be responsible for bridge inspecting, coal haul projects and the bridge crew. We'll end up having to hire someone to oversee the coal haul road projects, he stated.

Marcus Stiltner stated he could manage all of these new duties including his job as Coal Haul Road Engineer. My coal haul road duties are done from February through May of each year and the bridge inspections will be due in November and December each year, he commented.

Marcus Stiltner stated there is \$85,000.00 of the \$100,000.00 in the coal haul road budget, which was contingent upon him passing his professional engineering test to be certified.

Craig Stiltner commented the county will receive \$25,000.00 for the storm water program from a federal grant to administer the program.

Mr. Rife asked how long has the bridge crew been working?

Marcus Stiltner stated two (2) months. They are working in the Knox District on bridges that the county didn't receive any bids on, he stated.

Craig Stiltner stated Mr. Stiltner is going to save the county thousands of dollars. Also, he's going to do two (2) other jobs. "We can get it done any cheaper."

After a general discussion by the board upon a motion by Trey Adkins seconded by Craig Stiltner and with a roll call vote of six (6) yeas, Trey Adkins, Craig Stiltner, Harold H. Fuller, Steve O'Quinn, William P. Harris, J. Carroll Branham and one (1) nay, G. Roger Rife, this board did hereby approve to increase Marcus Stiltner, Coal Haul Road Engineer salary to \$100,000.00 per year.

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**IN RE:            CONSIDER APPOINTMENT TO THE BUCHANAN COUNTY  
DEPARTMENT OF SOCIAL SERVICES ADMINISTRATIVE  
BOARD FOR THE KNOX MAGISTERIAL DISTRICT FOR A  
FOUR (4) YEAR TERM**

After a general discussion by the board upon a motion by Trey Adkins seconded by Craig Stiltner and with a roll call vote of six (6) yeas, Trey Adkins, Craig Stiltner, Harold H. Fuller, Steve O'Quinn, William P. Harris, J. Carroll Branham and one (1) nay, Harold H. Fuller, this board did hereby appoint Heather Thomas as representative for the Knox Magisterial District to the Buchanan County Department of Social Services Administrative Board of Directors (DSS) for a four (4) year term ending December 31<sup>st</sup>, 2016.

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**IN RE: CONSIDER APPROVING A SOLE SOURCE NOTICE AND RESOLUTION REGARDING THE DETERMINATION OF A SOLE SOURCE VENDOR TO PROVIDE MAINTENANCE AND REPAIR SERVICES FOR X-RAY SECURITY EQUIPMENT LOCATED IN THE BUCHANAN COUNTY COURTHOUSE AND AUTHORIZE THE CHAIRMAN OF THE BUCHANAN COUNTY BOARD OF SUPERVISORS AND ROBERT CRAIG HORN, COUNTY ADMINISTRATOR FOR BUCHANAN COUNTY, VIRGINIA TO EXECUTE A CONTRACT ON BEHALF OF BUCHANAN COUNTY WITH THE APPROVAL AS TO FORM BY THE COUNTY ATTORNEY**

After a general discussion by the board upon a motion by Craig Stiltner seconded by Trey Adkins and with a roll call vote of seven (7) yeas, Craig Stiltner, Trey Adkins, J. Carroll Branham, G. Roger Rife, William P. Harris, Steve O'Quinn, Harold H. Fuller and zero (0) nays, this board did hereby approve the following Sole Source Notice and Resolution regarding the determination of a sole source vendor to provide maintenance and repair services for x-ray security equipment located in the Buchanan County Courthouse and authorize the Chairman of the Buchanan County Board of Supervisors and Robert Craig Horn, County Administrator for Buchanan County, Virginia to execute a Contract on behalf of Buchanan County with the approval as to form by the County Attorney:

**NOTICE**

**RE: SMITH DETECTION, INC. AWARDED CONTRACT AS SOLE SOURCE TO PROVIDE MAINTENANCE AND REPAIR SERVICES FOR X-RAY SECURITY EQUIPMENT LOCATED IN THE BUCHANAN COUNTY COURTHOUSE**

**PLEASE TAKE NOTICE:**

- 1) It has been determined that Smith Detection, Inc. is the only one source practicably available for providing the maintenance and repair services for the x-ray security equipment in the Courthouse.
- 2) The Buchanan County, Va., Board of Supervisors passed a Resolution to approve and award the contract to Smith Detection, Inc. and its associated companies as the sole source to provide maintenance and repair services for the x-ray security equipment in the Courthouse at its January 7, 2013 Board meeting held in the Board of Supervisors meeting room on the bottom floor of the Courthouse in Grundy, Va.

**PLEASE CONDUCT YOURSELF ACCORDINGLY.**

Issued by directive of the County Administrator this 7<sup>th</sup> day of January 2013.

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Robert Craig Horn,  
County Administrator  
Buchanan County, Virginia

**RESOLUTION**

**RE: DETERMINATION OF A SOLE SOURCE VENDOR TO PROVIDE  
MAINTENANCE AND REPAIR SERVICES FOR X-RAY SECURITY  
EQUIPMENT LOCATED IN THE BUCHANAN COUNTY COURTHOUSE**

WHEREAS, the Buchanan County, Va., Board of Supervisors purchased x-ray security equipment for the Buchanan County Courthouse from Smith Detection, Inc. ; and

WHEREAS, the original warranty on the x-ray security equipment has expired; and

WHEREAS, Kenneth Ratliff, the Operations and Maintenance Manager conducted an investigation of potential vendors in regard to future maintenance and repair issues in connection with the x-ray security equipment in the Courthouse ; and

WHEREAS, after a thorough investigation, Kenneth Ratliff has concluded that Smith Detection, Inc. and their associated companies are the only one sole source practicably available to provide the contemplated future maintenance and repair services for the x-ray security equipment in the Courthouse; and

WHEREAS, Kenneth Ratliff has documented the findings of his investigation and his conclusion therefrom, which said documentation is attached and made a part of this Resolution by reference; and

WHEREAS, a contract has been negotiated with Smith Detection, Inc. to provide for the maintenance and repair of the x-ray security equipment in the Courthouse; and

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Buchanan County, Va., Board of Supervisors and the County Administrator are hereby authorized to execute the contract with Smith Detection, Inc., as approved in form by the County Attorney, that provides for the purchase of a service agreement to provide the maintenance and repair of the x-ray security equipment in the Buchanan County Courthouse. Be It Furthermore Resolved that the County Administrator is directed to post a Notice as required by Virginia Code Section 2.2-4303(E) on the County’s official website and in the designated public notice bulletin boards in the Courthouse stating that the contract was awarded this day to Smith Detection, Inc., in that Smith Detection, Inc. and its associated companies were determined to be the only source practicably available for providing of maintenance and repair services of the x-ray security equipment in the Buchanan County Courthouse.

This resolution was adopted this the 7<sup>th</sup> day of January 2013 by the Buchanan County, Va., Board of Supervisors.

Recorded Vote:  
Moved by: Craig Stiltner  
Seconded by: Trey Adkins  
Yeas: Seven  
Nays: Zero

\_\_\_\_\_  
Chairman of the  
Buchanan County, Va. Board of Supervisors

ATTEST:

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

**IN RE:            CONSIDER APPROVING A THIRTY (30) DAY EXTENSION ON  
COAL HAUL ROAD CONTRACTS: CHR12-RD-29G AND CHR12-  
HD-GD-04G FOR PACER CONSTRUCTION COMPANY, INC.**

After a general discussion by the board upon a motion by Trey Adkins seconded by Harold H. Fuller and with a roll call vote of seven (7) yeas, Craig Stiltner, Trey Adkins, J. Carroll Branham, G. Roger Rife, William P. Harris, Steve O’Quinn, Harold H. Fuller and zero (0) nays, this board did hereby approve a thirty (30) day extension on Coal Haul Road Contracts: CHR12-RD-29G and CHR12-HD-GD-04G for Pacer Construction Company, Inc.

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**IN RE:            CONSIDER APPROVAL OF MINUTES FOR DECEMBER 3<sup>RD</sup>,  
2012**

After a general discussion by the board upon a motion by Steve O’Quinn seconded by Craig Stiltner and with a roll call vote of seven (7) yeas, Craig Stiltner, Trey Adkins, J. Carroll Branham, G. Roger Rife, William P. Harris, Steve O’Quinn, Harold H. Fuller and zero (0) nays, this board did hereby approve the minutes for December 3<sup>rd</sup>, 2012.

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**IN RE:            CONSIDER APPROVING THE RESOLUTION TO ACCEPT THE  
DEED OF GIFT FOR COUNTY ROAD, 2024, DESTINY ROAD  
LOCATED IN THE ROCKLICK MAGISTERIAL DISTRICT AND  
AUTHORIZE THE CHAIRMAN OF THE BUCHANAN COUNTY  
BOARD OF SUPERVISORS AND ROBERT CRAIG HORN,  
COUNTY ADMINISTRATOR FOR BUCHANAN COUNTY,  
VIRGINIA TO EXECUTE SUCH DEED OF GIFT ON BEHALF OF  
BUCHANAN COUNTY TO ACKNOWLEDGE ITS ACCEPTANCE  
OF SUCH PROPERTY WITH THE APPROVAL AS TO FORM BY  
THE COUNTY ATTORNEY**

After a general discussion by the board upon a motion of Craig Stiltner seconded by Harold H. Fuller and with a roll call vote of seven (7) yeas, Craig Stiltner, Trey Adkins, J. Carroll Branham, G. Roger Rife, William P. Harris, Steve O’Quinn, Harold H. Fuller and zero (0) nays, this board did hereby approve the following Resolution to accept the Deed of Gift for County Road, 2024, Destiny Road located in the Rocklick Magisterial District and authorize the Chairman of the Buchanan County Board of Supervisors and Robert Craig Horn, County Administrator for Buchanan County, Virginia to execute such Deed of Gift on behalf of Buchanan County to acknowledge its acceptance of such property with the approval as to form by the County Attorney:

**RESOLUTION**

**IN RE: ACCEPTANCE OF DEED OF GIFT FROM JEFFREY D. LESTER AND SANDRA KAY LESTER, HUSBAND AND WIFE; THELMA LESTER AND RAYMOND LESTER TO BUCHANAN COUNTY, VIRGINIA REGARDING DESTINY ROAD LOCATED IN THE ROCKLICK MAGISTERIAL DISTRICT**

**BE IT RESOLVED**, by the Buchanan County Board of Supervisors that we approve acceptance of the property described in that Deed of Gift attached hereto between Jeffrey D. Lester and Sandra Kay Lester, husband and wife; Thelma Lester and Raymond Lester 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 7<sup>th</sup> day of January, 2013 by a roll call vote of seven for and zero against.

\_\_\_\_\_  
Chairman of the  
Buchanan County Board of Supervisors

ATTEST:

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

**THIS DEED OF GIFT**, made and entered into on this the \_\_\_\_\_ day of \_\_\_\_\_, 2013, by and between **JEFFREY D. LESTER and SANDRA KAY LESTER**, husband and wife, **THELMA LESTER and RAYMOND LESTER**, hereinafter sometimes referred to as “**GRANTOR**”, and **BUCHANAN COUNTY, VIRGINIA**, a Political Subdivision of the Commonwealth of Virginia, hereinafter sometimes referred to as “**GRANTEE**”. [Exempt from recordation taxes pursuant to Code §58.1-811 (A) (3).]

**WITNESSETH:**

**WHEREAS**, the Grantee wishes to maintain a road with turning area which is a part of the public road in the Rocklick Magisterial District for the traveling public, named Destiny Road, County Road # 2024; and

**WHEREAS**, the Grantors desire to give and donate and the Grantee desires to accept such property as set forth in this deed of conveyance to provide the right of way for a road which is part of the public road known as Destiny Road, County Road # 2024; and,

**NOW THEREFORE**, for and in consideration of promoting the public interest by providing a public road with turn around area which is part of a public road known as Destiny Road, County Road # 2024 for use of the traveling public, the Grantors do



hereby give, donate, grant and convey unto the Grantee, **WITH GENERAL WARRANTY AND ENGLISH COVENANTS OF TITLE** , all their right, title and interest in and to all of those certain tracts or parcels of land situate in the Rocklick Magisterial District, in Buchanan County, Virginia, and being a portion of the same property which were acquired by the Grantors as set out in the sources of title herein, and being more particularly bounded and described as follows:

**BEGINNING** at a point in the existing right of way of Rte. 645, thence leaving the said right of way, S 31-46-50 E 32.90' to a point, thence S 61-04-11 W 8.17' to a point in the easterly edge of the proposed Destiny Road, thence a curve to the left ( chord bearing S 66-02-01 E 20.32' ), thence S 84-33-01 E 19.06', thence a curve to the right ( chord bearing S 47-43-07E 67.68' ) to a point of compound curvature, thence continuing a curve to the right ( chord bearing S 04-15-41 E 47.15' ), thence S 00-48-24 W 118.68', thence a curve to the left ( chord bearing S 25-09-39 E 9.22' ), thence S 51-07-41 E 38.61', thence S 38-52-19 W 20.00', thence N 51-07-41 W 20.00', thence a curve to the left ( chord bearing S 86-32-15 W 16.01' ), thence S 44-12-10 W 12.54', thence N 45-47-50 W 20.00' to a point in the westerly edge of the proposed Destiny Road, thence N 44-12-10 E 12.54', thence a curve to the left ( chord bearing N 22-30-17 E 11.19' ), thence N 00-48-24 E 131.24', thence a curve to the left ( chord bearing N 04-13-31 W 43.31' ), to a point of compound curvature thence continuing a curve to the left ( chord bearing N 47-53-34 W 43.51' ), thence N 84-32-48 W 19.18' thence a curve to the right ( chord bearing N 62-00-34 W 38.97' ), thence S 61-04-11 W 11.49', thence N 31 46 50 W 24.31' to a point in the existing right of way of Rte. 645 thence a curve to the right ( chord bearing N 48-51-14 E 40.54' ) up Rocklick Creek to the beginning and containing 0.190 acres ( 8283.2 sq. ft. ) more or less; and being a part of the property described in the Grantors Source of Title provisions set forth herein; and more fully described as Exhibit 'A' to be attached to and made a part of this conveyance.

Source and title for grantors: Thelma Lester acquired a parcel of the land affected by this deed by a deed dated the 8<sup>th</sup> day of August, 1962 recorded in Deed Book 273, Page 428. The listed conveyance is of record in the Clerk's Office of the Circuit Court of Buchanan County, Virginia. For a more particular description of said conveyance reference is made to the recorded deed.

Source and title for grantors: Jeffrey Dean Lester and Sandra Kay Lester acquired a parcel of the land affected by this deed by a deed dated the 5<sup>th</sup> day of October, 1990 recorded in Deed Book 373, Page 237. The listed conveyance is of record in the Clerk's Office of the Circuit Court of Buchanan County, Virginia. For a more particular description of said conveyance reference is made to the recorded deed.

Source and title for grantors: Raymond L. Lester and Patty Sue Lester acquired a parcel of the land affected by this deed by a deed dated the 9<sup>th</sup> day of May, 1983 recorded in Deed Book 294, Page 656. Patty Sue Lester is now deceased and Raymond L. Lester is the sole owner of the property as per the survivorship provision of the aforementioned

deed. The listed conveyance is of record in the Clerk's Office of the Circuit Court of Buchanan County, Virginia. For a more particular description of said conveyance reference is made to the recorded deed.

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

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

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

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

There is hereby excepted and reserved from the operation of this conveyance such of the coal, oil, minerals, rights, privileges, etc., as may have been heretofore sold or excepted from said land by prior owners. Additionally, this conveyance is subject to all exceptions, limitations or conditions contained in any document which constitutes a muniment of title to the property being conveyed herein and that have been heretofore recorded in the Clerk's Office of the Circuit Court of Buchanan County, Virginia.

That on the \_\_\_\_\_ day of \_\_\_\_\_, 2012, the Buchanan County Board of Supervisors, at a duly held meeting of the Board, approved the acquisition of the property described herein and the Chairman of the Buchanan County Board of Supervisors and the County Administrator for Buchanan County by their execution of this Deed acknowledge that the Buchanan County Board of Supervisors has authorized this property acquisition.

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

**IN RE:            CONSIDER APPROVING A LAND USE PERMIT FROM  
CONSOL ENERGY TO CONSTRUCT AN ENTRANCE TO  
ACCESS COALBED METHANE WELLS AND FACILITIES ON  
COUNTY ROAD NUMBER 3120, SMITH BRANCH LOCATED IN  
THE NORTH GRUNDY MAGISTERIAL DISTRICT**

After a general discussion by the board upon a motion of J. Carroll Branham seconded by William P. Harris and with a roll call vote of seven (7) yeas, G. Roger Rife, William P. Harris, Steve O'Quinn, Trey Adkins, Harold H. Fuller, Craig Stiltner, J. Carroll Branham and zero (0) nays, this board did hereby approve the Land Use Permit from Consol Energy to construct an entrance to access coalbed methane wells and facilities on county road number 3120, Smith Branch located in the North Grundy Magisterial District.

**IN RE:            CONSIDER APPROVING THE PROPOSED SETTLEMENT  
AGREEMENT WITH COAL INDUSTRY AS NEGOTIATED BY  
THE SMALL TAX WORK GROUP ON COAL IN REGARD TO  
THE LICENSE SEVERANCE TAX ISSUES INVOLVING THE  
SEVERING OF COAL AND AUTHORIZED THE  
COMMISSIONER OF REVENUE, CHAIRMAN OF THE  
BUCHANAN COUNTY BOARD OF SUPERVISORS, COUNTY  
ADMINISTRATOR TO EXECUTE THE AGREEMENT WITH  
APPROVAL AS TO FORM BY THE COUNTY ATTORNEY**

After a general discussion by the board upon a motion of Harold H. Fuller seconded by Craig Stiltner and with a roll call vote of seven (7) yeas, G. Roger Rife, William P. Harris, Steve O'Quinn, Trey Adkins, Harold H. Fuller, Craig Stiltner, J. Carroll Branham and zero (0) nays, this board did hereby approve the proposed Settlement Agreement with Coal Industry as negotiated by the Small Tax Work Group on Coal in regard to the license severance tax issues involving the severing of coal and authorized the Commissioner of Revenue, Chairman of the Buchanan County Board of Supervisors, County Administrator to execute the agreement with approval as to form by the County Attorney.

**IN RE:            CONSIDER APPROVAL TO HIRE A LOBBYIST TO ASSIST  
WITH LEGISLATION INVOLVING THE SETTLEMENT WITH  
THE COAL INDUSTRY AND POSSIBLE LEGISLATIVE ISSUES  
WITH GAS INDUSTRY, WHICH COSTS WILL BE SPLIT SIX (6)  
WAYS AMONG THE COUNTIES IN SOUTHWEST VIRGINIA.  
THE TOTAL COST OF THE LOBBYIST WILL NOT EXCEED  
\$30,000.00 (COUNTY'S SHARE BEING \$5,000.00) WITHOUT  
PRIOR AUTHORIZATION FROM THE BUCHANAN COUNTY  
BOARD OF SUPERVISORS**

After a general discussion by the board upon a motion of Harold H. Fuller seconded by J. Carroll Branham and with a roll call vote of seven (7) yeas, G. Roger

Rife, William P. Harris, Steve O'Quinn, Trey Adkins, Harold H. Fuller, Craig Stiltner, J. Carroll Branham and zero (0) nays, this board did hereby approve to hire a lobbyist to assist with legislation involving the settlement with the Coal Industry and possible legislative issues with Gas Industry, which costs will be split six (6) ways among the counties in Southwest Virginia. The total cost of the lobbyist will not exceed \$30,000.00 (County's share being \$5,000.00) without prior authorization from the Buchanan County Board of Supervisors.

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**IN RE: CONSIDER ADOPTING A RESOLUTION CONFIRMING THEIR OPPOSITION TO HOUSE BILL 1437 AMENDING VIRGINIA CODE SECTION 58.1-3507 AND ACCORDINGLY URGES THE GENERAL ASSEMBLY TO REJECT SAID LEGISLATION, A COPY OF WHICH IS ATTACHED TO THIS RESOLUTION**

After a general discussion by the board upon a motion of Trey Adkins seconded by Craig Stiltner and with a roll call vote of seven (7) yeas, G. Roger Rife, William P. Harris, Steve O'Quinn, Trey Adkins, Harold H. Fuller, Craig Stiltner, J. Carroll Branham and zero (0) nays, this board did hereby adopt the following Resolution confirming their opposition to House Bill 1437 amending Virginia Code section 58.1-3507 and accordingly urges the General Assembly to reject said legislation:

**RESOLUTION**

**IN RE: OPPOSITION TO PROPOSED HOUSE BILL 1437 WHICH WOULD AMEND VA CODE SECTION 58.1-3507**

WHEREAS, the Buchanan County, Va. Board of Supervisors believes that adoption of House Bill 1437 would result in a significant loss of revenues to the localities;

NOW THEREFORE, BE IT RESOLVED, by the Buchanan County, Virginia Board of Supervisors that it states and confirms its opposition to the House Bill 1437 amending Va. Code Section 58.1-3507, and accordingly urges the General Assembly to reject said legislation, a copy of which is attached to this resolution.

This Resolution was adopted by the Buchanan County Board of Supervisors on this the 7<sup>th</sup> day of January 2013.

Recorded vote:

Moved: Trey Adkins  
Seconded: Craig Stiltner  
Yeas: Seven  
Nays: Zero

\_\_\_\_\_  
G. Roger Rife, Chairman  
Buchanan County Board of Supervisors

ATTEST:

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

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**IN RE: CONSIDER ADOPTING A RESOLUTION REGARDING THE LEASE AGREEMENT BETWEEN BUCHANAN COUNTY AND A NON- PROFIT COMPANY FORMED BY EARL COLE REGARDING THE JEWELL VALLEY PROPERTY LOCATED IN THE GARDEN MAGISTERIAL DISTRICT**

After a general discussion by the board upon a motion of Harold H. Fuller seconded by Trey Adkins and with a roll call vote of seven (7) yeas, G. Roger Rife, William P. Harris, Steve O'Quinn, Trey Adkins, Harold H. Fuller, Craig Stiltner, J. Carroll Branham and zero (0) nays, this board did hereby adopt the following Resolution regarding the Lease Agreement between Buchanan County and a non-profit company formed by Earl Cole regarding the Jewell Valley property located in the Garden Magisterial District:

**RESOLUTION**

**IN RE: LEASE AGREEMENT BETWEEN BUCHANAN COUNTY AND A NON-PROFIT COMPANY FORMED BY EARL COLE REGARDING THE JEWELL VALLEY PROPERTY LOCATED IN THE GARDEN MAGISTERIAL DISTRICT**

**WHEREAS**, the Buchanan County, Virginia Board of Supervisors after conducting a public hearing having decided to lease county property located in Jewell Valley being the property formerly belonging to the Norfolk & Southern Railroad to a non-profit company owned and operated by Earl Cole; and

**WHEREAS**, certain revisions to said lease were agreed to during the public hearing; and

**WHEREAS**, said revisions are as follows:

- a) Liquidated damage provision in the amount of \$100,000.00 to be in effect through the first three (3) five (5) year terms of said lease; and
- b) That the parties agree to cooperate with each other to facilitate the severance of minerals in Jewell Valley to the extent such severance activities affect the leased premises; and
- c) That all mineral rights, including any royalty payments to the county are reserved and excepted from the leased premises; and
- d) That it is recognized that Harold H. Fuller, Supervisor has been designated by the Buchanan County Board of Supervisors to negotiate the use of county property located in Jewell Valley; and

**THEREFORE BE IT RESOLVED**, by the Buchanan County Board of Supervisor that the lease with Earl Cole's non-profit company with the aforesated revisions is hereby approved and the Chairman of the Buchanan County Board of Supervisors and the County Administrator are authorized to sign said lease in a form approved by the County Attorney.

This Resolution was adopted by the Buchanan County, Virginia Board of Supervisors on the 7<sup>th</sup> day of January 2013.

Recorded Vote:

Moved by: Harold H. Fuller

Seconded by: Trey Adkins

Yeas: Seven

Nays: Zero

\_\_\_\_\_  
G. Roger Rife, Chairman

Buchanan County, Virginia Board of Supervisors

Attest:

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

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

**IN RE: CONSIDER ADOPTING A RESOLUTION REGARDING THE  
TEMPORARY/PART-TIME EMPLOYEES FOR WEED-  
CUTTING, SNOW REMOVAL AND CARPENTRY FOR THE  
BUCHANAN COUNTY BOARD OF SUPERVISORS**

After a general discussion by the board upon a motion of Harold H. Fuller seconded by Craig Stiltner and with a roll call vote of seven (7) yeas, G. Roger Rife, William P. Harris, Steve O'Quinn, Trey Adkins, Harold H. Fuller, Craig Stiltner, J. Carroll Branham and zero (0) nays, this board did hereby adopt the enclosed Resolution regarding the temporary/part-time employees for weed-cutting, snow removal and carpentry for the Buchanan County Board Of Supervisors. Also, the board approved to hire Chance Michael Moore and Carlos Keene as part-time employees for snow removal at the rate of \$12.00 per hour for the Garden Magisterial District to be paid out of the Highways, Streets and Bridges account for the Garden Magisterial District:

**RESOLUTION**

**IN RE: TEMPORARY/PART-TIME EMPLOYEES FOR WEED-CUTTING,  
SNOW REMOVAL AND CARPENTRY FOR  
BUCHANAN COUNTY BOARD OF SUPERVISORS**

**WHEREAS**, the Buchanan County, Virginia Board of Supervisors has determined that there is a need for temporary part-time employees; and

**WHEREAS**, for the temporary part-time employees who engage in weed cutting, snow removal and carpentry, that their respective payment codes should be entered by the Treasurer in a manner so to facilitate the payment of the wages of said temporary part-time employees from the appropriate Highways, Streets and Bridges account of the appropriate magisterial district; and

**NOW THEREFORE, BE IT RESOLVED**, by the Buchanan County, Virginia Board of Supervisors that Chance Michael Moore and Carlos Keene are hired as part-time employees to engage in snow removal activities at the rate of \$12.00 per hour in the Garden Magisterial District; and that the Treasurer is directed to enter the payment codes for these two employees so that their wages are paid out of the Highways, Streets and Bridges account for the Garden Magisterial District; and that the Treasurer is directed to do likewise for other part-time employees for all magisterial districts based on the information provided by the County Administrator so to provide that said part-time employee wages be paid out of the appropriate magisterial district account.

This resolution was adopted by the Buchanan County, Virginia Board of Supervisors on the 7<sup>th</sup> day of January 2013.

\_\_\_\_\_  
G. Roger Rife, Chairman of the  
Buchanan County Board of Supervisors

ATTEST:

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

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**IN RE: ERIN MCFARLAND WITH BLUE RIDGE MASS APPRAISAL CO., LLC. – UPDATE ON THE COUNTY REASSESSMENT**

Erin McFarland with Blue Ridge Mass Appraisal Company stated, “Presently we’re rapping up all the loose ends regarding the reassessment.” Some building permits are just coming in and we’re in the process of correcting the errors. There was some confusion last month regarding the number of parcels that has been assessed, he stated. “The number provided didn’t include mobile homes.”

Harold H. Fuller, Garden District Supervisor stated some residents are complaining that no one is discussing this assessment with them. So they don’t think anyone has been to their house.

Mr. McFarland stated we instructed and trained the people doing the assessment to introduce themselves and leave a card if no one is home. The resident should fill out the card and mail it to the address provided, he stated. Every resident will have an opportunity to dispute the new assessed value of their home and property, stated Mr. McFarland. We’ll have a one week period that residents can voice their concerns. Also, letters to residents should be mailed once all the numbers are in for the assessed values of property, he stated.

Robert Craig Horn, County Administrator stated what’s done if no one has been to a residents home?

Mr. McFarland stated, “We’ll give everyone the benefit of the doubt.” Some of our workers doing the assessment may have done the work but didn’t put a tag on the door, he commented.

Mr. Horn stated what happened when you trained them and they didn’t do the job?

Mr. McFarland commented we went through fifteen (15) people in the county to get five (5) people to do the assessment. The training takes three (3) to four (4) days.

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**IN RE: CONTINUED CONSIDER A CONTINUED MEETING FOR THE RICHMOND LEGISLATIVE TRIP FOR JANUARY 16<sup>TH</sup> – 18<sup>TH</sup>, 2013**

Upon a motion by Craig Stiltner seconded by Harold H. Fuller and with a unanimous voice vote by this board, this board did hereby approve to continue this

meeting for the Richmond Legislative trip scheduled for January 16<sup>th</sup> through January 18<sup>th</sup>, 2013.

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G. Roger Rife, Chairman of the  
Buchanan County Board of Supervisors

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Robert Craig Horn, County Administrator

**IN RE: MEETING WITH VIRGINIA DEPARTMENT OF  
TRANSPORTATION ON JANUARY 17<sup>th</sup>, 2013 IN RICHMOND,  
VIRGINIA**

The Buchanan County Board of Supervisors met with Virginia Department of Transportation Officials (VDOT) to discuss several road issues in the county.

Local officials requested continued support and funding for Phase II of the US Route 460 Connector project, which intersects the Coalfields Expressway Project (CFX) at Southern Gap. The CFX project is a proposed four-lane highway stretching approximately 50 miles from Wise County through Dickenson and Buchanan Counties to the West Virginia State Line.

Also, discussed was the 460 Grundy Phase II project; Grundy to Harman road project and the Looney's Creek to Southern Gap project.

The board discussed the issues of clearing the ditch lines along state road in the county and the progress that has been done in the county.

Also, the boards of supervisors meet with Governor Bob McDonnell, Senator Phillip Puckett and Delegate James Morefield to discuss the state budget, which could affect the local economy.

The board attended the legislative reception on January 17<sup>th</sup>, 2013 at the Omni Hotel hosted by the Virginia Coalfield Economic Development Authority.

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G. Roger Rife, Chairman of the  
Buchanan County Board of Supervisors

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Robert Craig Horn, County Administrator



## MINUTES

A special meeting of the Buchanan County Board of Supervisors was held Friday the 25th day of January 2013 starting 10:00 o'clock a.m. in the boardroom of Buchanan County Courthouse located in Grundy, Virginia:

PRESENT: G. Roger Rife, Chairman  
J. Carroll Branham  
Craig Stiltner  
Harold H. Fuller  
Steve O'Quinn

Robert Craig Horn, County Administrator  
L. Lee Moise, County Attorney  
Michael McGlothlin, Of Counsel

ABSENT: William P. Harris  
Trey Adkins

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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

G. Roger Rife, 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: FRIDAY, JANUARY 25th, 2013

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. Consider Closed Session for agenda items #4 and #5.
2. Consider pending gas and coal legislations in the Virginia General Assembly.
3. Consider hiring a lobbyist to represent solely Buchanan County's interest in regarding to pending legislation in the 2013 Virginia General Assembly.
4. Adjournment.

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

Upon a motion by Harold H. Fuller seconded by Craig Stiltner and by a unanimous voice vote, this board agreed to convene in closed session as permitted by Virginia Code Section, 2.2-3711 (A)(7), consultation with legal counsel concerning the pending gas and coal legislations and hiring a lobbyist to represent

solely Buchanan County's interest in regarding to pending legislation in the 2013 Virginia General Assembly.

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Motion was made by J. Carroll Branham to return from closed session seconded by Harold H. Fuller and with a unanimous voice vote by the board, this board meeting resume in open session after being in executive session for two (2) hours and eleven (11) minutes.

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A motion by J. Carroll Branham seconded by Harold H. Fuller that the Board certify that, in the closed session just concluded, nothing was discussed except the matter specifically identified in the motion to convene in closed session and lawfully permitted to be so discussed under the provisions of the Virginia Freedom of Information Act cited in that motion. The motion was agreed upon by the following roll call vote of five (5) yeas, G. Roger Rife, Steve O'Quinn, Craig Stiltner, Harold H. Fuller, J. Carroll Branham, zero (0) nays and two (2) absent, William P. Harris and Trey Adkins.

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IN RE: CONSIDER HIRING A LOBBYIST TO REPRESENT SOLELY  
BUCHANAN COUNTY'S INTEREST IN REGARDING TO  
PENDING LEGISLATION IN THE 2013 VIRGINIA GENERAL  
ASSEMBLY

After a general discussion by the board upon motion of J. Carroll Branham seconded by Harold H. Fuller and with a roll call vote of five (5) yeas, G. Roger Rife, Steve O'Quinn, Craig Stiltner, Harold H. Fuller, J. Carroll Branham, zero (0) nays and two (2) absent, William P. Harris and Trey Adkins, this board did hereby approve to hire a lobbyist to represent solely Buchanan County's interest in regards to the pending legislation in the 2013 Virginia General Assembly for the coal and gas legislations. The total cost of the lobbyist will not exceed \$20,000.00 without prior authorization from the Buchanan County Board of Supervisors. Also, the board authorized the County Administrator and County Attorney to retain a lobbyist to represent this county.

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IN RE: ADJOURNMENT

After a general discussion by the board upon motion by J. Carroll Branham seconded by Harold H. Fuller and with a unanimous voice vote of the board, this board did hereby approve to adjourn the meeting.

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G. Roger Rife, Chairman of the  
Buchanan County Board of Supervisors

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Robert Craig Horn, County Administrator