

**MINUTES**

A regular meeting of the Buchanan County Board of Supervisors was held on the 9<sup>th</sup> day of November 2023 starting at 10:00 o'clock a.m. in the Board of Supervisors Meeting Room, 3<sup>rd</sup> floor of the Buchanan County Government Center, 4447 Slate Creek Road, Grundy, Virginia 24614. **This meeting was conducted by electronic communication (Zoom). The media and public were invited to participate.**

**PRESENT:** Tim Hess, Chairman  
G. Roger Rife  
Trey Adkins  
Craig Stiltner  
Drew Keene  
J. Carroll Branham  
Jeff Cooper

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: CONSENT AGENDA**

After a general discussion by the board upon motion by Jeff Cooper seconded by Drew Keene and with a roll call vote of seven (7) yeas, Drew Keene, G. Roger Rife, J. Carroll Branham, Trey Adkins, Craig Stiltner, Tim Hess, Jeff Cooper and zero (0) nays, this board did hereby approve the following Consent Agenda:

- a. Approving minutes for October 2nd, 2023;
- b. Ratifying payroll after review;
- c. Ratifying the payment of bills by Resolution adopted on January 9<sup>th</sup>, 2023. (Including the Buchanan County Head Start ratified bill list and bill list)
- d. Approving coyote claims in the amount of \$50.00 per claim and to issue a check for the following:

- Leon Ramey (1 Claim)
- Freddie Viers (1 Claim)
- John Sneed (1 Claim)

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**IN RE: CONSIDER APPROVING/RATIFYING RESOLUTION REGARDING THE CANCELLATION AND RESCHEDULING OF THE BOARD OF SUPERVISORS NOVEMBER MEETING**

After a general discussion by the board upon motion by Drew Keene seconded by Jeff Cooper and with a roll call vote of seven (7) yeas, Drew Keene, G. Roger Rife, J. Carroll Branham, Trey Adkins, Craig Stiltner, Tim Hess, Jeff Cooper and zero (0) nays,

this board did hereby adopt the following Resolution regarding the cancellation of the Board of Supervisors meeting scheduled for Monday, November 6<sup>th</sup> and rescheduling all matters for the Board of Supervisors meeting on Thursday, November 9<sup>th</sup>, 2023.

**RESOLUTION**

**IN RE: CANCELLATION OF BOARD OF SUPERVISORS MEETING SCHEDULED FOR MONDAY, NOVEMBER 6<sup>TH</sup> 2023 AND RESCHEDULING ALL MATTERS FOR BOARD OF SUPERVISOR MEETING ON THURSDAY, NOVEMBER 9<sup>TH</sup>, 2023**

**WHEREAS**, in January of 2023 the regular Board of Supervisors meeting for was set for November 6<sup>th</sup>, 2023; and

**WHEREAS**, after polling the Board by the Chairman and due to scheduling conflicts with the November 6<sup>th</sup>, 2023 date, the Board of Supervisor’s meeting scheduled for November 6<sup>th</sup>, 2023 has been cancelled and rescheduled for Thursday, November 9, 2023 at 10:00 am; and

**WHEREAS** the following matters that were scheduled to be heard during the November 6<sup>th</sup>, 2023 Board of Supervisors meeting will be canceled a public hearing regarding the proposed option for easement and right of way by a Surface Use Right of Way Agreement with Savion LLC/Buchanan County Solar Project, LLC for a power line crossing property in the Knox Magisterial District owned by Buchanan County, VA.; and

**NOW THEREFORE, BE IT RESOLVED**, by the Buchanan County, Virginia Board of Supervisors that the Board hereby cancels the Board of Supervisors meeting scheduled for November 6<sup>th</sup>, 2023 and reschedules said Board of Supervisors meeting for Thursday, November 9, 2023 at 10:00 am and further directs the County Administrator to post this resolution on the County website; publish this resolution in the newspaper that has regular circulation in Buchanan County and post this resolution on the front door of the County Government Center Building. **FURTHERMORE, BE IT RESOLVED**, by the Buchanan County, Virginia Board of Supervisors that all matters that were scheduled to be heard and/or considered for the meeting of Monday, November 6<sup>th</sup>, 2023 shall be rescheduled to be heard or considered on Thursday, November 9, 2023 in the same order as originally scheduled for November 6, 2023 but now scheduled for 10 AM on Thursday, November 9<sup>th</sup>, 2023.

This Resolution was adopted by the Buchanan County Board of Supervisors on the 9<sup>th</sup> day of November, 2023.

Recorded vote:

Moved: Drew Keene  
Seconded: Jeff Cooper  
Yeas: Seven  
Nays: Zero

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Tim Hess, Chairman  
Buchanan County Board of Supervisors

ATTEST:

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Robert Craig Horn, County Administrator

**IN RE: SANDY WEEKLEY, EXTENSION AGENT – CONSIDER APPROVING AN ADDITIONAL APPROPRIATION IN THE AMOUNT OF \$14,500.00 TO EXTENSION OFFICE SALARIES**

Sandy Weekley, Extension Agent requested additional funding to help supplement the extension office salaries. Our office employees haven't had a raise since 2010, she stated.

After a general discussion by the board upon motion by Craig Stiltner seconded by Jeff Cooper and with a roll call vote of seven (7) yeas, Drew Keene, G. Roger Rife, J. Carroll Branham, Trey Adkins, Craig Stiltner, Tim Hess, Jeff Cooper and zero (0) nays, this board did hereby approve an additional appropriation in the amount of \$14,500.00 to Extension Office salaries.

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**IN RE: PUBLIC COMMENTS**

Charlie Bostic, resident in the Hurricane District requested the board to consider all personal and real estate taxes to be tax exempt for all county veterans.

L. Lee Moise, County Attorney stated that would be something that the General Assembly would have to approve.

Tim Hess, Chairman requested Mr. Moise to check with the Commissioner of Revenue regarding this issue and see if something could be done for the veterans.

Later in the meeting, Mr. Moise stated the county doesn't have the authority to take any action regarding real estate or personal property tax reduction for veterans without authority from the General Assembly. There is currently a limited exemption permitted and the Commissioner of Revenue would have the information in that regard.

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**IN RE: TONY DESKINS, RESIDENT – CONSIDER ADOPTING RESOLUTIONS IN SUPPORT OF A MIXED INCOME DEVELOPMENT PROJECT**

Tony Deskins, resident in the Garden District requested the board to consider adopting two (2) Resolutions in support of a mixed income development project. The resolutions would have to be submitted to the Virginia Department of Housing and Community Development as part of the application process for the funding.

L Lee Moise, County Attorney stated there are three (3) different locations for this project.

All addresses for the projects have to be approved and put in the census, stated Mr. Deskins. Also, the three sites already have water and sewer to them.

Craig Stiltner, Rocklick District Supervisor stated I cannot support this project if it includes any local funding, because I still have people in my district that doesn't have clean drinking water and high-speed internet, which is my priority.

The board will not be obligating any local funds to these projects for Mr. Deskins, by adopting the resolutions, stated Mr. Moise. It just permits Mr. Deskins to apply for a loan with the Department of Housing and Community Development, stated Mr. Moise.

After a general discussion by the board upon motion by Craig Stiltner seconded by J. Carroll Branham and with a roll call vote of seven (7) yeas, Drew Keene, G. Roger Rife, J. Carroll Branham, Trey Adkins, Craig Stiltner, Tim Hess, Jeff Cooper and zero (0) nays, this board did hereby adopt the following resolutions in support of a mixed income development project, with the understanding that these resolutions in no way obligate the County to provide financial support for said project.

### **RESOLUTION**

**WHEREAS**, the Board of Supervisors of Buchanan County, Virginia, desire to make the determination required by Section 36-55.30.2. B of the Code of Virginia of 1950, as amended, in order for the Virginia Housing Development Authority to finance the economically mixed project (the "Project") described on Exhibit A attached hereto;

**NOW, THEREFORE, BE IT HEREBY DETERMINED** that (1) the surrounding area of the Project is, or is expected in the future to be, inhabited predominantly by lower income person and families and will benefit from an economic mix of residents in the Project; and (2) private enterprise and investment are not reasonably expected, without assistance, to produce the construction or rehabilitation of decent, safe and sanitary housing and supporting facilities that will meet the needs of low and moderate income persons and families in such area and will induce other persons and families to live within such area and thereby create a desirable economic mix of residents in such area.

This resolution was adopted on the 9<sup>th</sup> day of November, 2023.

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Tim Hess, Chairman of the  
Buchanan County Board of Supervisors

**ATTEST:**

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Robert Craig Horn, County Administrator

**"Exhibit A"**

The housing project is defined as a "mixed income development" by the Virginia Housing Authority. The "mixed housing" proposed is made up of at least one full level of American Disability Act (ADA) approved 2-bedroom apartments. Centrally located on the bottom level of the apartment complexes, for better adaptability for the targeted occupants. These ADA approved apartments shall make-up approximately 30% of the available spaces. Another 30% of the available apartment layouts shall consist of 3-bedroom family housing spaces. The other 30-40% amount of apartments will be comprised of efficiency or 1-bedroom apartments. Only 30-35% of said apartments will involve Section 8 HUD or low-income individuals or families.

The proposed areas for a "mixed income development" as defined by the Virginia Housing Authority shall (1) not be located in a revitalization area and (2) shall maintain a surrounding area that is expected to be or is currently inhabited predominantly by lower income persons and families that will BENEFIT from an economic mix of residents within the development. Therefore, the proposed locations of the many but not all of the housing complexes that are intended over the next few years are as follows:

8704 Riverside Drive Oakwood, VA 24631  
8532 Riverside Drive Oakwood, VA 24631  
6960 Riverside Drive Raven, VA 24639

## RESOLUTION

**WHEREAS**, the Board of Supervisors of Buchanan County, Virginia, desire to make the determination required by Section 36-55.30.2. B of the Code of Virginia of 1950, as amended, in order for the Virginia Housing Development Authority to finance the economically mixed project (the "Project") described on Exhibit A attached hereto;

**NOW, THEREFORE, BE IT HEREBY DETERMINED AS FOLLOWS:**

- (1) the ability to provide residential housing and supporting facilities that serve persons or families of lower or moderate income will be enhanced if a portion of the units in the Project are occupied or held available for occupancy by persons and families who are not of low and moderate income; and
- (2) private enterprise and investment are not reasonably expected, without assistance, to produce the construction or rehabilitation of decent, safe and sanitary housing and supporting facilities that will meet the needs of low- and moderate-income persons and families in the surrounding area of the Project and will induce other persons and families to live within such area and thereby create a desirable economic mix of residents in such area.

This resolution was adopted on the 9<sup>th</sup> day of November, 2023.

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Tim Hess, Chairman of the  
Buchanan County Board of Supervisors

**ATTEST:**

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Robert Craig Horn, County Administrator

**"Exhibit A"**

The housing project is defined as a "mixed income development" by the Virginia Housing Authority. The "mixed housing" proposed is made up of at least one full level of American Disability Act (ADA) approved 2-bedroom apartments. Centrally located on the bottom level of the apartment complexes, for better adaptability for the targeted occupants. These ADA approved apartments shall make-up approximately 30% of the available spaces. Another 30% of the available apartment layouts shall consist of 3-bedroom family housing spaces. The other 30-40% amount of apartments will be comprised of efficiency or 1-bedroom apartments. Only 30-35% of said apartments will involve Section 8 HUD or low-income individuals or families.

The proposed areas for a "mixed income development" as defined by the Virginia Housing Authority shall (1) not be located in a revitalization area and (2) shall maintain a surrounding area that is expected to be or is currently inhabited predominantly by lower income persons and families that will BENEFIT from an economic mix of residents within the development. Therefore, the proposed locations of the many but not all of the housing complexes that are intended over the next few years are as follows:

8704 Riverside Drive Oakwood, VA 24631  
8532 Riverside Drive Oakwood, VA 24631  
6960 Riverside Drive Raven, VA 24639

**IN RE:           MARCUS STILTNER, COAL HAUL ROAD ENGINEER –  
                  CONSIDER ADOPTING THE REOLUTION ACCEPTING THE  
                  DEED OF GIFT OF RIGHT-OF-WAY AND EASEMENT FROM  
                  JUDY LYALL FOR REPAIRS AND IMPROVEMENTS TO THE  
                  DRAINAGE FACILITIES**

After a general discussion by the board upon motion by Craig Stiltner seconded by G. Roger Rife and with a roll call vote of seven (7) yeas, Drew Keene, G. Roger Rife, J. Carroll Branham, Trey Adkins, Craig Stiltner, Tim Hess, Jeff Cooper and zero (0) nays, this board did hereby adopt the following Reolution accepting the Deed of Gift of Right-of-Way and Easement from Judy Lyall for repairs and improvements to the drainage facilities:

**RESOLUTION**

**IN RE: ACCEPTANCE OF DEED OF GIFT OF  
RIGHT-OF-WAY AND EASEMENT**

**BE IT RESOLVED**, by the Buchanan County Board of Supervisors that we approve acceptance of the property described in that Deed of Gift of Right-of-Way and Easement attached hereto between Judy Lyall (widow) and the County of Buchanan and authorize Tim Hess, Chairman of the Buchanan County Board of Supervisors and Robert C. Horn, County Administrator for Buchanan County, Virginia to execute such Deed on behalf of Buchanan County to acknowledge its acceptance of such right-of-way and easement with the approval as to form by the County Attorney.

This Resolution was adopted by the Buchanan County Board of Supervisors on this the 9<sup>th</sup> day of November, 2023 by a roll call vote of seven for and zero against.

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Tim Hess, Chairman of the  
Buchanan County Board of Supervisors

ATTEST:

\_\_\_\_\_  
Robert C. Horn, County Administrator

**THIS DEED OF GIFT OF RIGHT-OF-WAY AND EASEMENT** made and entered into on this the 9th day of November, 2023, by and between **JUDY LYALL (widow)**; hereinafter sometimes referred to as "**GRANTOR**", and **BUCHANAN COUNTY**, a Political Subdivision of the Commonwealth of Virginia, hereinafter sometimes referred to as "**GRANTEE**". **[Exempt from recordation taxes pursuant to Code §58.1-811.3.]**

**WITNESSETH:**

**WHEREAS**, the Grantor owns the property identified on Exhibit 'A' which is attached and made part of this agreement by incorporation by reference upon

which repairs and improvements to the drainage facilities are needed; and

**WHEREAS**, the Grantor has agreed to convey by gift, a permanent right-of-way and easement upon and across the lands and property of the Grantor along Bluebird Lane for the purpose of constructing, operating, maintaining, adding to, altering or replacing present or future drainage structures and/or drainage ditches for the collection, channeling, and disbursement and removal of storm water and including the right of egress and ingress to same drainage structure and/or drainage ditch; and now therefore,

**THAT** for and in consideration of the benefit to be derived by the general public from this gift, the Grantor does hereby give, grant and convey, with covenants of general warranty, unto the said Grantee, its successors and assigns, the following described perpetual right-of-way and easement, to-wit:

The easement is to be Fifty feet (50') in length and Twenty feet (20') in width, being more particularly defined below:

Beginning at a point in or near the Southerly edge of State Route 609, thence down and with the said road, S 79-06025 E 50.00', thence leaving the said road S 10-53-35 W 20.00', thence N 79-06-25 W 50.00', thence N 10-53-35 E 20.00' to the beginning and containing 1000 square feet.

Said drainage easement includes, a permanent right-of-way and easement upon and across the lands and property of the Grantor along Bluebird Lane for the purpose of constructing, operating, maintaining, adding to, altering or replacing present or future drainage structures and/or drainage ditches for the collection, channeling, and disbursement and removal of storm water and including the right of egress and ingress to same drainage structure and/or drainage ditch; Also included in this right-of-way conveyance is the right for the Grantee and their agents to inspect the drainage structure and/or drainage ditch and to cut, clear, and remove all undergrowth and other obstructions in and along the drainage structure and/or drainage ditch or adjacent thereto that may in any way endanger or interfere with the proper use of same.

Source and title for Grantor: Judy Lyall (widow) acquired a portion of the land affected by this right-of-way deed by a deed of conveyance recorded in Deed Book 250 Page 649 in the Clerk's Office of the Circuit Court of Buchanan County, Virginia. For a more particular description of said conveyance reference is made to the recorded deed. Said land affected by this right-of-way deed is shown as a portion of parcel on Tax Map #2HH-277122.

The Grantor by the execution of this instrument acknowledges that the plans for the aforesaid said drainage easement as they affect his property have been fully explained to him or his authorized representative.

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

convey same to the Grantee; that the Grantee shall have quiet possession of same, free from encumbrances, that he has done no act to encumber same other than the deeds of trust and assignments of record; and that he will execute such other and further assurances of title as may be requisite. The Grantor further covenants that he owns all of the rights conveyed herein and that there are no other persons who need to sign this Deed to convey such rights.

That on the 9<sup>th</sup> day of November, 2023, the Buchanan County Board of Supervisors, at a duly held meeting of the Board, approved the acquisition of the right-of-way and drainage easement 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 acceptance of this right-of-way conveyance.

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:           MARCUS STILTNER, COAL HAUL ROAD ENGINEER**

Trey Adkins, Knox District Supervisor requested Marcus Stiltner, Coal Haul Road Engineer to have the road committee to review the following roads (Emerald Road, Tropical Road and Misty Mountain Lane), so they can be taken into the county road system.

Craig Stiltner, Rocklick District Supervisor stated a drainpipe needs to be installed at the mouth of Grassy. He requested Mr. Stiltner or Benji Looney, Public Works Director to check on this area.

Mr. Adkins requested a tree to be removed near the creek at the Knox Fire Department.

G. Roger Rife, South Grundy District Supervisor stated every year each supervisor for their district receives funding in the Coal Haul Road Plan.

Marcus Stiltner, Coal Haul Road Engineer stated yes, \$250,000 each.

What happens if the district has left-over funds, because their districts work doesn't get done, asked Mr. Rife.

The funds go back into the coal haul road account, stated Marcus Stiltner.

I'm always last every year, stated Mr. Rife.

You were first this year and you're out of coal haul road funds now, stated Marcus Stiltner.

It's difficult to get anything done, when you have money in your account and there's work that needs to be done and we only have one (1) contractor, commented Mr. Rife.

That's why we hired the general maintenance crew, stated Craig Stiltner.



Marcus Stiltner stated Mr. Rife needs asphalt and we only have one contract on asphaltting.

Can we hire a private paving company to do some work, especially where the PSA is running waterlines and they're not putting the pavement back the way they should, asked Mr. Rife? I'll have to wait until next year to fix Dry Fork, once the PSA installed all their waterlines.

L. Lee Moise, County Attorney stated I'll need to look at Short & Son's Paving Contract first, but I don't think it would be a problem.

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**IN RE:            CONSIDER ADOPTING A RESOLUTION TO THE VIRGINIA  
DEPARTMENT OF TRANSPORTATION STATING THE  
APPROVAL OF THE REPLACEMENT BRIDGE ON ROUTE 715,  
BIG BRANCH ROAD LOCATED IN THE GARDEN DISTRICT  
BEING A ONE LANE STRUCTURE**

After a general discussion by the board upon motion by Jeff Cooper seconded by Drew Keene and with a roll call vote of seven (7) yeas, Jeff Cooper, Tim Hess, Trey Adkins, G. Roger Rife, J. Carroll Branham, Craig Stiltner, Drew Keene and zero (0) nays, this board did hereby adopt the following Resolution to the Virginia Department of Transportation stating the approval of the replacement bridge on Route 715, Big Branch Road located in the Garden District being a one lane structure.

**RESOLUTION**

At a meeting of the Buchanan County Board of Supervisors held in the Supervisors' meeting room located at the in Grundy, Virginia on the 9<sup>th</sup> day of November 2023, the action was taken.

As the bridge on Route 715 (Big Branch Road) was a one lane bridge prior to the Whitewood Flood and the physical constraints at the bridge location, particularly the railroad right-of-way and tunnel providing access under the railroad, on a motion by Jeff Cooper, duly seconded by Drew Keene, the Board hereby approves submittal of a letter to the Virginia Department of Transportation stating that Buchanan County is agreeable to the replacement bridge being a one lane structure.

By: \_\_\_\_\_  
Tim Hess, Chairman

ATTEST:

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Robert C. Horn, County Administrator

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**IN RE:            CONSIDER APPROVING A LETTER OF SUPPORT REGARDING  
THE VIRGINIA ASSOCIATION OF PLANNING DISTRICT  
COMMISSIONS (VAPDC)**

After a general discussion by the board upon motion by G. Roger Rife seconded by Craig Stiltner and with a roll call vote of seven (7) yeas, Jeff Cooper, Tim Hess, Trey Adkins, G. Roger Rife, J. Carroll Branham, Craig Stiltner, Drew Keene and zero (0) nays, this board did hereby approve the following letter of support regarding the Virginia Association of Planning District Commissions (VAPDC).

November 13, 2023

The Honorable Glenn Youngkin, Governor  
Commonwealth of Virginia  
P. O. Box 1475  
Richmond, VA 23218

Dear Governor Youngkin:

I write this letter to express strong support for increased funding for Planning District Commissions (PDC) to be included in your biennial budget for FY25/26 to be introduced in December. Additional state funding of \$150,000 per PDC/per year in Virginia is critically needed, is long overdue and would enhance the capacity of PDCs to support and assist the Commonwealth and its communities.

Despite a small bump several years ago, state funding for most PDCs remains at about the same level as 15 years ago, in the aftermath of the Great Recession. State dollars for the largest PDCs remain even farther behind previous levels. Many state agencies benefit from strong and capable PDCs that work cooperatively with them to address and administer state programs and to assist state agencies with statewide planning processes.

Further, our partnership with Cumberland Plateau Planning District Commission (CPPDC) has resulted in more than \$104 million in state and federal grant dollars being secured for Buchanan County since the PDC's inception in 1968. These funds have been utilized to build and improve critical infrastructure, including providing safe drinking water to the majority of our communities, as well as support important economic development projects. In addition to those funds, another \$201 million has been secured by Cumberland Plateau for the benefit of district-wide efforts that have assisted our county in a variety of ways, including greatly improving access to high-speed broadband.

We feel strongly that our PDC has been a critical partner to help our community and region to proactively address collective challenges. But there is more that can be done. We are at an opportune time with the availability of grant funding being available; adding resources to PDCs will help bring federal dollars to the state and regions. This additional state funding being requested also could be used to extend PDC staff capacity to assist the State and to prepare and execute additional projects with their member local governments, driving more effective and efficient local government.

We appreciate the efforts of the Youngkin Administration to work alongside localities to promote and enhance efficiency in government. On behalf of Buchanan County, thank you for your consideration of these views and this request. Your support and favorable action would be greatly appreciated.

Sincerely,

Robert C. Horn  
County Administrator

cc:     Jeremy Bennett, Virginia Association of Counties  
       Senator Travis Hackworth  
       Senator Todd Pillion

Delegate Will Morefield  
Delegate Terry Kilgore  
Delegate Israel O'Quinn

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**IN RE: CONSIDER APPROVING BUCHANAN COUNTY TO BE COVERED UNDER THE CUMBERLAND PLATEAU PLANNING DISTRICT'S COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY (CEDDS) FOR 2024**

After a general discussion by the board upon motion by G. Roger Rife seconded by Craig Stiltner and with a roll call vote of seven (7) yeas, Jeff Cooper, Tim Hess, Trey Adkins, G. Roger Rife, J. Carroll Branham, Craig Stiltner, Drew Keene and zero (0) nays, this board did hereby approve Buchanan County to be covered under the Cumberland Plateau Planning District's Comprehensive Economic Development Strategy (CEDDS) for 2024.

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**IN RE: CONSIDER ADOPTING RESOLUTIONS FOR THE RATIFICATION OF THE ACCEPTANCE DEEDS FOR THE ACQUISITION OF PROPERTY AS PART OF THE U.S. ARMY CORPS OF ENGINEERS NON-STRUCTURAL PROJECT.**

After a general discussion by the board upon motion by Jeff Cooper seconded by Craig Stiltner and with a roll call vote of seven (7) yeas, Jeff Cooper, Tim Hess, Trey Adkins, G. Roger Rife, J. Carroll Branham, Craig Stiltner, Drew Keene and zero (0) nays, this board did hereby adopt the following Resolutions for the ratification of the following acceptance deeds for the acquisition of property as part of the U.S. Army Corps of Engineers Non-Structural Project.

- Acceptance of deed by and between Hazel Mae Skeens to Buchanan County, Virginia;
- Acceptance of deed by and between Daniel Ray Hess to Buchanan County, Virginia.

**IN RE: ACCEPTANCE OF DEED BY AND BETWEEN HAZEL MAE SKEENS TO BUCHANAN COUNTY, VIRGINIA**

**BE IT RESOLVED**, by the Buchanan County Board of Supervisors that we approve acceptance of the property described in that Deed recorded in the Buchanan County Circuit Court Clerk's Office, Instrument Number 230000806 between Hazel Mae Skeens and Buchanan County, Virginia. This deed is a General Warranty Deed with the U.S. Army Corps of Engineers. Levisa Fork River Valley, Buchanan County Non-Structural Project Tract NO. 2517.

This Resolution was adopted by the Buchanan County Board of Supervisors on this the 9<sup>th</sup> day of November, 2023 by a roll call vote of seven for and zero against.

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Tim Hess, Chairman of the  
Buchanan County Board of Supervisors

ATTEST:

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Robert Craig Horn, County Administrator

**IN RE: ACCEPTANCE OF DEED BY AND BETWEEN DANIEL RAY HESS TO  
BUCHANAN COUNTY, VIRGINIA**

**BE IT RESOLVED**, by the Buchanan County Board of Supervisors that we approve acceptance of the property described in that Deed recorded in the Buchanan County Circuit Court Clerk’s Office, Instrument Number 230000696 between Daniel Ray Hess and Buchanan County, Virginia. This deed is a General Warranty Deed with the U.S. Army Corps of Engineers. Levisa Fork River Valley, Buchanan County Non-Structural Project Tract NO. 2806.

This Resolution was adopted by the Buchanan County Board of Supervisors on this the 9<sup>th</sup> day of November, 2023 by a roll call vote of seven for and zero against.

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Tim Hess, 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 APPROVING TO ISSUE PAYMENT TO LAFERNEY, INC. IN THE AMOUNT OF \$88,570.00 FOR THE INSTALLATION OF NEW ROOFING AT THE TREY ADKINS ATHLETIC COMPLEX.**

After a general discussion by the board upon motion by Trey Adkins seconded by Drew Keene and with a roll call vote of seven (7) yeas, Trey Adkins, Tim Hess, J. Carroll Branham, G. Roger Rife, Craig Stiltner, Drew Keene, Jeff Cooper and zero (0) nays, this board did hereby approve to issue payment to LaFerney, Inc. in the amount of \$88,570.00 for the installation of new roofing at the Trey Adkins Athletic Complex from Fund 70 ARPA account.

G. Roger Rife, South Grundy District Supervisor asked how long was a roof warranted?

Kenneth Ratliff, Maintenance Department stated most contractors warranty a roof

for one year and on leaks and anywhere from 5, 10 to 20 years on the metal. Most rubberized roofs have a 20-year warranty, he stated.

I've been a contractor for 20 plus years and never seen a company to warranty a roof, commented Trey Adkins, Knox District Supervisor.

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**IN RE: CONSIDER APPROVING AN ADDITIONAL APPROPRIATION IN THE AMOUNT OF \$5,000 TO FUND 2, 911 FOR THE VIRGINIA 911 SERVICES BOARD GRANT RECEIVED EARMARKED FOR MAPPING AND DATA TRANSFERS FOR 2023/2024**

After a general discussion by the board upon motion by Craig Stiltner seconded by J. Carroll Branham and with a roll call vote of seven (7) yeas, Trey Adkins, Tim Hess, J. Carroll Branham, G. Roger Rife, Craig Stiltner, Drew Keene, Jeff Cooper and zero (0) nays, this board did hereby approve an additional appropriation in the amount of \$5,000 to Fund 2, 911 for the Virginia 911 Services Board Grant received earmarked for mapping and data transfers for 2023/2024.

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**IN RE: CONSIDER APPROVING AN ADDITIONAL APPROPRIATION IN THE AMOUNT OF \$33,641.00 (INCLUDES COUNTY'S FICA PORTION \$2,391.00) TO FUND 2, 911 FOR THE VIRGINIA 911 SERVICE BOARD GRANT RECEIVED EARMARKED FOR FY 2024 STAFFING RECOGNITION GRANT: \$2,500.00 FOR ONE-TIME PAYMENT FOR FULL-TIME EMPLOYEES AND \$1,250.00 FOR ONE-TIME PAYMENT FOR PART-TIME EMPLOYEES**

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, Trey Adkins, Tim Hess, J. Carroll Branham, G. Roger Rife, Craig Stiltner, Drew Keene, Jeff Cooper and zero (0) nays, this board did hereby approve an additional appropriation in the amount of \$33,641.00 (includes county's FICA portion \$2,391.00) to Fund 2, 911 for the Virginia 911 Service Board Grant received earmarked for FY 2024 staffing recognition grant: \$2,500.00 for one-time payment for full-time employees and \$1,250.00 for one-time payment for part-time employees.

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**IN RE: CONSIDER APPROVING PROPOSAL FROM EAGLE VIEW IN THE AMOUNT OF \$19,762.30 FOR FULL CHANGE DETECTION SOLUTION**

After a general discussion by the board upon motion by Drew Keene seconded by Craig Stiltner and with a roll call vote of seven (7) yeas Trey Adkins, Tim Hess, J. Carroll Branham, G. Roger Rife, Craig Stiltner, Drew Keene, Jeff Cooper and zero (0)

nays, this board did hereby approve the proposal from Eagle View in the amount of \$19,762.30 for full change detection solution.

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**IN RE: PUBLIC HEARING – 10:30 A.M. – TO HEAR PUBLIC COMMENTS CONCERNING A PROPOSED OPTION FOR EASEMENT AND RIGHT-OF-WAY BY A SURFACE USE RIGHT-OF-WAY AGREEMENT WITH SAVION, LLC/BUCHANAN COUNTY SOLAR PROJECT, LLC. FOR POWER LINE CROSSING IN KNOX MAGISTERIAL DISTRICT OWNED BY BUCHANAN COUNTY**

Tim Hess, Chairman opened the public hearing for comments. With no comments from the public and upon motion by J. Carroll Branham seconded by Craig Stiltner and with a roll call vote of seven (7) yeas Trey Adkins, Tim Hess, J. Carroll Branham, G. Roger Rife, Craig Stiltner, Drew Keene, Jeff Cooper and zero (0) nays, this board did hereby approve to continue this public hearing until December 4<sup>th</sup> at 10:30 a.m.

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**IN RE: CONSIDER APPROVING THE SURFACE USE AGREEMENT AND RIGHT-OF-WAY EASEMENT AND OPTION AGREEMENT BETWEEN BUCHANAN COUNTY AND SAVION, LLC ON BEHALF OF BUCHANAN COUNTY SOLAR PROJECT, LLC. AND AUTHORIZE THE CHAIRMAN AND COUNTY ADMINISTRATOR TO EXECUTE THE MOU UPON APPROVAL BY THE COUNTY ATTORNEY**

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

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**IN RE: CONSIDER APPROVING THE MEMORANDUM OF UNDERSTANDING (MOU) AND RADIO EQUIPMENT LEASE AGREEMENT BY AND BETWEEN GRUNDY GROUND WAVE AMATEUR RADIO CLUB C/O GARY STREET AND BUCHANAN COUNTY AND AUTHORIZE THE CHAIRMAN AND COUNTY ADMINISTRATOR TO EXECUTE THE MOU UPON APPROVAL BY THE COUNTY ATTORNEY**

After a general discussion by the board upon motion by Craig Stiltner seconded by J. Carroll Branham with a roll call vote of seven (7) yeas, Trey Adkins, Tim Hess, J. Carroll Branham, G. Roger Rife, Craig Stiltner, Drew Keene, Jeff Cooper and zero (0) nays, this board did hereby approve the following Memorandum of Understanding (MOU) and Radio Equipment Lease Agreement between Grundy Ground Wave Amateur Radio Club and Buchanan County and authorized the Chairman of the Buchanan County Board of Supervisors and Robert Craig Horn, County Administrator for Buchanan County, Virginia to execute such MOU and Radio Equipment Lease Agreement on behalf of Buchanan County with the approval as to form by the County Attorney.

**THIS MEMORANDUM OF UNDERSTANDING (MOU) AND RADIO EQUIPMENT LEASE AGREEMENT** made and entered into this 9<sup>th</sup> day of November, 2023 by and between **GRUNDY GROUND WAVE AMATEUR RADIO CLUB c/o GARY STREET**, (sometimes hereinafter referred to as “LESSOR”) whose address is P.O. Box 319, Grundy, Virginia 24614, and **BUCHANAN COUNTY, VIRGINIA**, (sometimes hereinafter referred to as “County” or “Lessee” ), a political subdivision of the Commonwealth of Virginia, whose address is P.O. Box 950, Grundy, Virginia 24614.

W I T N E S S E T H:

THAT, WHEREAS, the Lessor is an unincorporated club, whose chief representative is Gary Street; and

WHEREAS, the Lessor offers emergency communication services to the County during national or local emergencies; and

WHEREAS, the Lessor’s club members are licensed by the Federal Communication Commission (FCC); and

WHEREAS, Buchanan County has a vested interest in seeing that the Lessor is able to provide communication services to benefit the residents of Buchanan County, Virginia during times of emergency; and

WHEREAS, County is a political subdivision of the Commonwealth of Virginia and owns a tower at the Poplar Gap Park at Southern Gap; and

WHEREAS, the Lessor has radio antenna equipment (amateur radio repeater station antenna and transmission line) if located on the County’s tower will facilitate more effectively to provide emergency radio services for the citizens of Buchanan County, Va. during times of emergency; and

WHEREAS, Lessee desires to lease and/or rent the aforesaid antenna radio equipment (amateur radio repeater station antenna and transmission line) to be placed on the County tower at the County’s expense; and

WHEREAS, The Lessor or other licensed amateur radio operators shall provide the County with communication service with the amateur radio repeater station in times of emergency upon the request of County’s Administrator: and: and

WHEREAS, The County desires to lease and/or rent the amateur radio repeater station antenna and transmission line to be placed on the County tower at the County’s Poplar Gap Park located at the Southern Gap at the county’s expense; and

WHEREAS, The County also desires to lease and/or rent the amateur radio repeater station enclosure for housing radio equipment at the County’s Poplar Gap Park located at Southern Gap; and

WHEREAS, the County desires to lease the aforesaid radio antenna equipment from the Lessor in consideration for the County providing to lessor tower space for its antenna radio equipment; for the County providing the installation, power and maintenance of said radio antenna equipment; and for the public benefit of the provision

emergency radio services for the citizens of Buchanan County, Va. in times of emergency; and

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

1) The County agrees to lease, and the Lessor agrees to rent to the County the amateur radio repeater station antenna and transmission line to be installed and maintained by the County on the County's tower at the County's Poplar Gap Park located at Southern Gap at the County's expense. The Lessor shall install and maintain the amateur radio repeater station enclosure for housing the radio equipment to be located near the base of the County's tower. The County shall also provide the power for the operation of radio antenna and transmission line on the tower and the radio equipment in the amateur radio repeater station enclosure. The Lessor shall provide the County with the communication services with the leased radio antenna equipment in times emergency, upon the request of the County Administrator.

2) **TERM:** Buchanan County to lease the above-described radio antenna equipment from the Lessor for a term of one (1) year beginning the 9<sup>th</sup> day of November, 2023, and which lease shall be automatically renewable for twenty (20) additional terms of one (1) year unless the same is cancelled by the County or the Lessor. The County or Lessor may cancel this lease by giving thirty (30) days' notice to the other party prior to the beginning of any renewal term. Upon any breach of this lease by the Lessor the County may cancel this lease immediately and without notice. Upon termination of this lease/MOU the county shall return the leased radio antenna, transmission line, amateur radio repeater equipment, and radio repeater equipment encloser/housing in good condition less normal wear and tear due to age of equipment or failure due to Mother Nature.

3) Supervisors resolved that the County enter into this Lease Agreement on the 9<sup>th</sup> day of November, 2023, and authorized Tim Hess, Chairman, of the Buchanan County Board of Supervisors and Robert Craig Horn, County Administrator for Buchanan County to execute this document on behalf of County.

4) The Grundy Ground Wave Amateur Radio Club resolved that the Lessee enter into this Lease Agreement on the 14<sup>th</sup> day of November, 2023 and authorized Gary Street, as its representative to execute this document on behalf of said Lessee.

5) **COUNSEL REVIEW:** This document was prepared by Lawrence L. Moise County Attorney for Buchanan County, and the Lessor acknowledges that it has been afforded the opportunity to have this MOU/lease reviewed by an attorney of its selection and fully understands that Lawrence L. Moise III represents only the County in the preparation and execution of this MOU/ lease agreement.

Witness the following signatures and seals.



**LESSOR: GRUNDY GROUND WAVE AMATEUR RADIO CLUB**

By: \_\_\_\_\_(SEAL)  
Gary Street, President

BUCHANAN COUNTY, VIRGINIA

By: \_\_\_\_\_  
Tim Hess, Chairman  
Buchanan County Board of Supervisors

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

APPROVED TO AS TO FORM ONLY:

\_\_\_\_\_  
Lawrence L. Moise III, County Attorney

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

**IN RE: CONSIDER APPROVING SOLE SOURCE NOTICE AND RESOLUTION REGARDING THE MAINTENANCE SUPPORT SERVICE CONTRACT IN THE AMOUNT OF \$9,295.00 FOR CAD SOFTWARE PROVIDED BY SOUTHERN SOFTWARE, INC. FOR THE BUCHANAN COUNTY SHERIFF’S OFFICE**

After a general discussion by the board upon motion by Craig Stiltner seconded by G. Roger Rife and with a roll call vote of seven (7) yeas, Trey Adkins, Tim Hess, J. Carroll Branham, G. Roger Rife, Craig Stiltner, Drew Keene, Jeff Cooper and zero (0) nays, this board did hereby adopt the following Sole Source Notice and Resolution regarding the renewal of Annual Software Support for CAD Software in the amount of \$9,295.00 for the Buchanan County Sheriff’s Office.

**NOTICE**

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

**PLEASE TAKE NOTICE:**

- 1) Due to issues of the unavailability of annual software support services for Southern Software CAD software, it has been determined that Southern Software, Inc. is the sole source for a maintenance support services contract for the County’s Southern Software CAD software.
- 2) The Buchanan County, Va., Board of Supervisors will consider a Resolution to approve and award the contract to Southern Software, Inc. for the annual software support services contract for Southern Software CAD software in the amount of \$9,295.00 for a term of one year beginning November 1<sup>st</sup>, 2023 through October 31<sup>st</sup>, 2024 at its November 6<sup>th</sup>, 2023 board meeting to be held in the Board of Supervisors meeting room on the 3<sup>rd</sup> floor of the Buchanan County Government Building, 4447 Slate Creek Road, Grundy, Virginia.

PLEASE CONDUCT YOURSELF ACCORDINGLY.

Issued by directive of the County Administrator this 9<sup>th</sup> day of November, 2023.

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

**RESOLUTION**

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

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

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

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

WHEREAS, Southern Software, Inc. has provided a quote of Nine Thousand Two Hundred Ninety-Five Dollars and No Cents (\$9,295.00) to provide the annual software support services for the CAD software provided by Southern Software for a term of one year beginning November 1<sup>st</sup>, 2023; and

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Buchanan County, Va., Board of Supervisors and the County Administrator are hereby authorized to execute a Contract with Southern Software, Inc., as approved in form by the County Attorney, that provides for annual software support services for CAD software, from Southern Software, Inc. for the purchase price of Nine Thousand Two Hundred Ninety-Five Dollars and No Cents (\$9,295.00). Be It Furthermore Resolved that the County Administrator is directed to post a Notice as required by Virginia Code Section 2.2-4303(E) in the designated public area and on county website stating that the contract was awarded this day to Southern Software, Inc., in that only Southern Software, Inc. has been determined to be the only source practicably available for the purchase of annual software support services contract for CAD software provided by Southern Software, Inc.

This Resolution was adopted on the 9<sup>th</sup> day of November, 2023.

Recorded Vote:  
Moved by: Craig Stiltner  
Seconded by: G. Roger Rife  
Yeas: Seven  
Nays: Zero

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

ATTEST:

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

**IN RE:            CONSIDER APPROVING/RATIFYING THE  
CONTRACT/RECEIPTS FOR NEW HARVEST BROTHERS AND  
THE HARRIS FAMILY ENTERTAINMENT PROVIDED AT  
OCTOBERFEST TO BE PAID FROM WILLIAM P. HARRIS  
COMMUNITY CENTER ACCOUNT NUMBER 71040-7010-02**

After a general discussion by the board upon motion by Craig Stiltner seconded by G. Roger Rife and with a roll call vote of seven (7) yeas, Trey Adkins, Tim Hess, J. Carroll Branham, G. Roger Rife, Craig Stiltner, Drew Keene, Jeff Cooper and zero (0) nays, this board did hereby approve approving/ratifying the Contract/Receipts for New Harvest Brothers and The Harris Family entertainment provided at Octoberfest to be paid from William P. Harris Community Center account number 71040-7010-02.

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**IN RE:            CONSIDER APPROVING ADDITIONAL APPROPRIATIONS**

After a general discussion by the board upon motion by Craig Stiltner seconded by G. Roger Rife and with a roll call vote of seven (7) yeas, Trey Adkins, Tim Hess, J. Carroll Branham, G. Roger Rife, Craig Stiltner, Drew Keene, Jeff Cooper and zero (0) nays, this board did hereby approve the following additional appropriations:

- Additional appropriation in the amount of \$2,052.61 to Sheriff's Office (extradition of prisoners) account number 31020-5550;
- Additional appropriation in the amount of \$75.00 to Commissioner of Revenue (office supplies) account number 12090-6001;
- Additional appropriation in the amount of \$87.08 to Circuit Court Clerk's Office account number 21060-3320;
- Additional appropriation in the amount of \$575.00 to William P. Harris Park (supplies) account number 71040-6022-02;
- Additional appropriation in the amount of \$2,215.00 to William P. Harris Park Community Center account number 71040-7010-02;
- Additional appropriation in the amount of \$450.00 to William P. Harris Park (supplies) account number 71040-6022-02;
- Additional appropriation in the amount of \$52.00 to Rocklick District Park and Rec. account number 71040-5604-06;
- Additional appropriation in the amount of \$500.00 to Rocklick District Park and Development. account number 71060-7010-06;
- Additional appropriation in the amount of \$350.00 to Rocklick District Park and Development. account number 71040-5604-06;
- Additional appropriation in the amount of \$175.00 to Rocklick District Park and Rec. account number 71040-5604-06;
- Additional appropriation in the amount of \$200.00 to South Grundy District Park and Rec. account number 71040-5604-07.

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**IN RE:            CONSIDER APPROVING A TRANSFER IN THE AMOUNT OF  
\$8,000.00 FROM FUND 65 TO FUND 39 FOR THE BUCHANAN  
COUNTY COMMONWEALTH ATTORNEY' OFFICE**

After a general discussion by the board upon motion by Craig Stiltner seconded by G. Roger Rife and with a roll call vote of seven (7) yeas, Trey Adkins, Tim Hess, J.

Carroll Branham, G. Roger Rife, Craig Stiltner, Drew Keene, Jeff Cooper and zero (0) nays, this board did hereby approve a transfer in the amount of \$8,000.00 from Fund 65 to Fund 39 for the Buchanan County Commonwealth Attorney' Office.

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**IN RE:            CONSIDER APPROVING SNOW REMOVAL VENDORS FOR COUNTY ROADS AND AUTHORIZE THE CHAIRMAN AND COUNTY ADMINISTRATOR TO EXECUTE THE CONTRACTS UPON APPROVAL BY THE COUNTY ATTORNEY**

After a general discussion by the board upon motion by Craig Stiltner seconded by J. Carroll Branham and with a roll call vote of seven (7) yeas, Trey Adkins, Tim Hess, J. Carroll Branham, G. Roger Rife, Craig Stiltner, Drew Keene, Jeff Cooper and zero (0) nays, this board did hereby approve the following snow removal vendors for county roads and authorized the chairman and county administrator to execute the Contracts with approval as to form by the county attorney:

Vendor	Owner
B & B Plowing	Anthony Barton
Grundy Auto Sales	Tim Nickels
R & S Auto Repair	Bobby Hurley
Jackson's Repairs, Inc.	Gearld Jackson
H & H Repair	Nellma Hensley
Verdie Blankenship	Verdie Blankenship
Justin Blankenship	Justin Blankenship
Bobby Taylor	Bobby Taylor

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**IN RE:            CONSIDER APPROVING AN ADDITIONAL APPROPRIATION TO THE BUCHANAN COUNTY IDA IN THE AMOUNT OF \$250,000 (\$125,000 FOR EACH YEAR) FOR THE FIRST TWO INCENTIVE PAYMENTS TO SUNCOKE/JEWELL SMOKELESS REGARDING THE MASTER INCENTIVE AGREEMENT**

After a general discussion by the board upon motion by Craig Stiltner seconded by J. Carroll Branham and with a roll call vote of seven (7) yeas, Trey Adkins, Tim Hess, J. Carroll Branham, G. Roger Rife, Craig Stiltner, Drew Keene, Jeff Cooper and zero (0) nays, this board did hereby approve an additional appropriation to the Buchanan County IDA in the amount of \$250,000 (\$125,000 for each year) for the first two incentive payments to SunCoke/Jewell Smokeless regarding the Master Incentive Agreement.

After a general discussion by the board upon motion by Craig Stiltner seconded by J. Carroll Branham and with a roll call vote of seven (7) yeas, Trey Adkins, Tim Hess, J. Carroll Branham, G. Roger Rife, Craig Stiltner, Drew Keene, Jeff Cooper and zero (0) nays, this board did hereby approve to issue a check in the amount of \$250,000 to Buchanan County IDA earmarked for the first two incentive payments to SunCoke/Jewell

Smokeless regarding the Master Incentive Agreement.

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**IN RE: CONSIDER ADOPTING THE RESOLUTION IN SUPPORT OF  
SUNCOKE/JEWELL SMOKELESS IN REGARDS TO PROPOSED  
EPA REGULATIONS**

After a general discussion by the board upon motion by Craig Stiltner seconded by J. Carroll Branham and with the following roll call vote of seven (7) yeas, Trey Adkins, Tim Hess, J. Carroll Branham, G. Roger Rife, Craig Stiltner, Drew Keene, Jeff Cooper and zero (0) nays, this board did hereby adopt the following resolution in support of the continued operation of the important Jewell Coke Facility and urges the EPA and Jewell to work together to find practical ways to protect the environment and protect the 116 good paying jobs at the Jewll Coke Facility.

**RESOLUTION**

**IN RE: IN SUPPORT OF SUN COKE ENERGY, INC.  
IN REGARD TO PROPOSED EPA REGULATIONS**

**WHEREAS**, the Jewell coke facility, owned by SunCoke Energy, Inc. located at 1034 Dismal River Road, Vansant, Buchanan County, Virginia 24631 has been in operation since 1960;

**WHEREAS**, the Jewell coke facility employs 116 citizens of Buchanan County and the surrounding areas in good paying jobs, making it one of the largest employers in Buchanan County;

**WHEREAS**, the Jewell coke facility produces more than 720,000 short tons of coke from its 142 coke ovens, which is necessary to make steel used in the production of automobiles (including for electric vehicles), pipelines, infrastructure construction, and other industries critical to America's economy and future;

**WHEREAS**, SunCoke is in the process of investing more than \$50 million to refurbish the Jewell Coke facility and adding the capability to produce foundry coke and protecting the jobs in the facility;

**WHEREAS**, the U.S. Environmental Protection Agency (EPA) issued its *Proposed Rule: National Emission Standards for Hazardous Air Pollutants for Coke Ovens: Pushing, Quenching, and Battery Stacks, and Coke Oven Batteries, as published in 88 Fed. Reg. 55858 on August 16, 2023 (the Proposed Rule)*;

**WHEREAS**, the Proposed Rule would – despite EPA's findings of acceptable risk and lack of developments in practices, processes, or control technologies – impose many onerous new limits and requirements on coke ovens that are unnecessary for environmental protection and are technically and economically infeasible; and

**WHEREAS**, SunCoke estimates that compliance with the new standards in the Proposed Rule would cost an estimated \$450 million upfront capital expenditures and more than \$60 million in ongoing annual costs at the Jewell coke facility, compromising the 116 good-paying jobs there;

**THEREFORE**, be it hereby Resolved that the Buchanan Board of Supervisors support the continued operation of the important Jewell coke facility and urges the EPA and Jewell to work together to find practical ways to protect the environment and protect the 116 good paying jobs at the Jewell coke facility.

This Resolution was adopted by the Buchanan County Board of Supervisors on the 9th day of November, 2023.

Recorded vote:

Moved: Craig Stiltner

Seconded: J. Carroll Branham

Yeas: Seven

Nays: Zero

\_\_\_\_\_  
Tim Hess, Chairman

Buchanan County Board of Supervisors

ATTEST:

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Robert Craig Horn, County Administrator

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

Upon a motion by Craig Stiltner seconded by J. Carroll Branham and with a roll call vote of seven (7) yeas, Jeff Cooper, J. Carroll Branham, Craig Stiltner, Tim Hess, Drew Keene, G. Roger Rife, Trey Adkins and zero (0) nays, this board agreed to convene in closed session as permitted by Virginia Code Section, 2.2-3711 (A)(1), a personnel matter involving the county administrator's office (grant application for a flood plain manager); Virginia Code Section, 2.2-3711 (A)(8), consultation with legal counsel regarding an air pollution permit issue with McClure Concrete proposed location; Virginia Code Section, 2.2-3711 (A)(8), consultation with legal counsel regarding a dispute over funds held by the Circuit Court in regard to priority of federal tax liens vs County personal property tax liens(Lester v. IRS); and Virginia Code Section, 2.2-3711 (A)(8), consultation with legal counsel regarding a road issue located in the Prater Magisterial District ( Snowbird Lane).

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Motion was made by Jeff Cooper to return from closed session seconded by Drew Keene and with the following roll call vote of six (6) yeas, Trey Adkins, J. Carroll Branham, Drew Keene, Tim Hess, G. Roger Rife, Craig Stiltner, zero (0) nays and one (1) absent, Jeff Cooper, this board did hereby approve to return from closed session.

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A motion Craig Stiltner seconded by Jeff Cooper with Tim Hess, Chairman of the Buchanan County Board of Supervisors announcing during such session the board had also discussed Virginia Code Section, 2.2-3711 (A)(1), a personnel matter involving a grant writer position.

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

The motion was agreed upon by the following roll call vote of seven (7) yeas, Drew Keene, Trey Adkins, Tim Hess, Jeff Cooper, G. Roger Rife, Craig Stiltner, J. Carroll Branham and zero (0) nays.

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**IN RE:            CONSIDER AUTHORIZING THE COUNTY ATTORNEY TO  
SIGN AN OFFER ACKNOWLEDGEMENT LETTER TO THE IRS  
TO OFFER A SETTLEMENT IN THE LESTER V. IRS CASE  
REGARDING COUNTY PERSONAL PROPERTY TAXES.**

After a general discussion by the board upon motion by Craig Stiltner seconded by J. Carroll Branham and with a roll call vote of seven (7) yeas, Drew Keene, Trey Adkins, Tim Hess, Jeff Cooper, G. Roger Rife, Craig Stiltner, J. Carroll Branham and zero (0) nays, this board did hereby authorize the County Attorney to sign an offer acknowledgement letter to the IRS to offer a settlement in the Lester v. IRS case regarding county personal property taxes.

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**IN RE:            CONSIDER APPROVAL TO SUBMIT A GRANT APPLICATION  
FOR A FULL-TIME FLOOD PLAIN MANAGER FOR THE  
FLOOD PREPAREDNESS PLAN**

After a general discussion by the board upon motion by Jeff Cooper seconded by Craig Stiltner and with a roll call vote of seven (7) yeas, Drew Keene, Trey Adkins, Tim Hess, Jeff Cooper, G. Roger Rife, Craig Stiltner, J. Carroll Branham and zero (0) nays, this board did hereby approve to submit a grant application for a full-time flood plain manager for the Flood Preparedness Plan.

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**IN RE:            CONSIDER REQUESTING THE COAL ROAD REVIEW  
COMMITTEE TO REVIEW SNOWBIRD ROAD LOCATED IN  
PRATER MAGISTERIAL DISTRICT**

After a general discussion by the board upon motion by Drew Keene seconded by Jeff Cooper and with a roll call vote of seven (7) yeas, Drew Keene, Trey Adkins, Tim Hess, Jeff Cooper, G. Roger Rife, Craig Stiltner, J. Carroll Branham and zero (0) nays, this board did hereby request the Coal Road Review Committee to review Snowbird Road located in the Prater Magisterial District in regard to obtaining a right-of-way and easement to allow the road to be part of county road system.

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**IN RE:            CONSIDER APPROVING TO ADVERTISE FOR A GRANT  
WRITER**

After a general discussion by the board upon motion by Craig Stiltner seconded by Drew Keene and with a roll call vote of seven (7) yeas, Drew Keene, Trey Adkins, Tim Hess, Jeff Cooper, G. Roger Rife, Craig Stiltner, J. Carroll Branham and zero (0) nays, this board did hereby approve to advertise for a grant writer for the county.

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**IN RE: CONSIDER APPROVING TO TERMINATE ALL TEMPORARY/PART-TIME EMPLOYEES DOING WEED AND GRASS CUTTING, ETC. ON WEDNESDAY, NOVEMBER 15<sup>TH</sup>, 2023**

After a general discussion by the board upon motion by Jeff Cooper seconded by Craig Stiltner and with a roll call vote of seven (7) yeas, Drew Keene, Trey Adkins, Tim Hess, Jeff Cooper, G. Roger Rife, Craig Stiltner, J. Carroll Branham and zero (0) nays, this board did hereby approve to terminate all temporary/part-time employees doing weed and grass cutting, etc. on Wednesday, November 15<sup>th</sup>, 2023.

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**IN RE: CONSIDER APPROVING CHRIS KEEN AS AN ANNUAL PART-TIME EMPLOYEE AT THE KEEN MOUNTAIN PARK**

After a general discussion by the board upon motion by Jeff Cooper seconded by Drew Keene and with a roll call vote of seven (7) yeas, Drew Keene, Trey Adkins, Tim Hess, Jeff Cooper, G. Roger Rife, Craig Stiltner, J. Carroll Branham and zero (0) nays, this board did hereby approve Chris Keen as an annual part-time employee at the Keen Mountain Park.

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**IN RE: CONSIDER APPROVING A SALARY INCREASE FOR THE COUNTY ADMINISTRATOR AND THE BUCHANAN COUNTY INDUSTRIAL DEVELOPMENT DIRECTOR**

After a general discussion by the board upon motion by Craig Stiltner seconded by Drew Keene and with a roll call vote of six (6) yeas, Drew Keene, Tim Hess, Jeff Cooper, G. Roger Rife, Craig Stiltner, J. Carroll Branham, zero (0) nays and one (1) abstention, Trey Adkins, this board did hereby approve a salary increase to \$148,000 for Robert C. Horn, County Administrator and a \$700 per month salary increase for Matthew Fields, IDA Director, which is the stipend paid to Mr. Horn for when he was the IDA Director and County Administrator.

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**IN RE: CONSIDER APPROVING AND ISSUING PAYMENT FOR CONTRIBUTIONS**

After a general discussion by the board upon motion by Craig Stiltner seconded by Jeff Cooper and with a roll call vote of seven (7) yeas, Drew Keene, Trey Adkins, Tim Hess, Jeff Cooper, G. Roger Rife, Craig Stiltner, J. Carroll Branham and zero (0) nays, this board did hereby approve to issue payment for the following contributions:

Grundy High School (JV & Varsity Basketball)	\$1,500.00
Clinch Independent Living Services, Inc.	\$3,520.00



Twin Valley Girls Basketball Booster, Inc.	\$2,200.00
Buchanan County Public Schools (Playground mulch)	\$18,532.00
Council Elem/Middle School (CEMS 7th grade)	\$6,500.00
Whitewood Volunteer Fire Department	\$2,500.00
Twin Valley Football Boosters, Inc.	\$5,000.00
Feeding My Sheep, Inc.	\$3,000.00
Buchanan County Little League Basketball Assoc.	\$1,419.49
Grundy High School (batting cage equip.)	\$3,600.00
Twin Valley High School (Varsity Boys)	\$3,000.00
Buchanan County Youth League Football Association	\$3,000.00
Grundy High School (Cheer team)	\$5,000.00
Twin Valley High School (boys and girls club)	\$1,200.00
Twin Valley High School (forensics team)	\$1,500.00
Hurley High School (Sr. Trip)	\$15,000.00

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**IN RE: CONSIDER APPROVING A CONTRIBUTION TO BACKPACK BLESSINGS, INC.**

After a general discussion by the board upon motion by Jeff Cooper seconded by Craig Stiltner and with a roll call vote of seven (7) yeas, Drew Keene, Trey Adkins, Tim Hess, Jeff Cooper, G. Roger Rife, Craig Stiltner, J. Carroll Branham and zero (0) nays, this board did hereby approve a contribution and to issue a check in the amount of \$10,000 to Backpack Blessings, Inc. to be divided equally among the seven (7) district accounts. Also, to include this in the upcoming 2024/2025 budget for Backpack Blessings, Inc.

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**IN RE: ADJOURNMENT**

After a general discussion by the board upon motion by Drew Keene seconded by G. Roger Rife and with a roll call vote of seven (7) yeas, Trey Adkins, J. Carroll Branham, G. Roger Rife, Tim Hess, Jeff Cooper, Drew Keene, Craig Stiltner and zero (0) nays, this board did hereby approve to adjourn the meeting.

\_\_\_\_\_  
Tim Hess, Chairman of the  
Buchanan County Board of Supervisors

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