

MINUTES

A regular meeting of the Buchanan County Board of Supervisors was held on the 4th day of December 2023 starting at 10:00 o'clock a.m. in the Board of Supervisors Meeting Room, 3rd 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: PRESENTATION OF PLAQUES

At this time, Tim Hess, Chairman presented plaques to J. Carroll Branham, North Grundy District Supervisor and Drew Keene, Prater District Supervisor for their dedication and service to the residents of Buchanan County as a member of the Buchanan County Board of Supervisors.

Craig Stiltner, Rocklick District Supervisor stated it had been a pleasure working with Mr. Keene the past four years and Mr. Branham for the past twelve years. Both have been excellent board member to work with the past several years.

Trey Adkins, Knox District Supervisor stated this has been one of the better boards that I've worked with. I've enjoyed and been honored to work with you both.

G. Roger Rife, South Grundy District Supervisor stated both Mr. Keene and Mr. Branham has done a great job for Buchanan County and their districts.

Jeff Cooper, Garden District Supervisor stated if it hadn't been for me servicing on the board of supervisors, I would've known Mr. Branham or Mr. Keene. It's been great working with you both and you both have done a fantastic job.

Mr. Branham stated I hope we've done a lot of good for Buchanan County.

I've gotten to know a lot of people through service on the board of supervisors. By and large we've tried to do a good job for the betterment of Buchanan County.

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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 November 9th, 2023;
- b. Ratifying payroll after review;
- c. Ratifying the payment of bills by Resolution adopted on January 9th, 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:
 - Eddie Lockhart
 - Chris Wolford
 - John Turner Campbell
 - Chace Rife
 - Gene Vance
 - Teddy Hensley
 - Freddie Viers (two claims)
 - Zackery Wimmer (two claims)
 - Nathan Hibbits

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IN RE: PUBLIC COMMENTS

Sandy Weekley, Extension Agent stated the annual 4-H Share the Fun competition is scheduled for Friday, December 8th, 2023 at 6:30 p.m. The competition will be held at Twin Valley Elementary/Middle School auditorium. This event is open to the public and I would like to invite each of you to attend, she commented.

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IN RE: JEFF BUCHANAN, VDOT REPRESENTATIVE – CONSIDER ADOPTING RESOLUTIONS REGARDING THE COALFIELDS EXPRESSWAY NEW ADDITIONS

Jeff Buchanan, Virginia Department of Transportation Representative stated the following resolutions are related to the Coalfields Expressway new additions. The resolutions address changes to State Routes 609, 614, 744 and 460 as below:

- Addition of new Route 460=8.43 miles
- Addition of new Route 609 = .051 mile
- Addition of new Route 744 = 0.01 miles
- Abandonment of demolished Route 609 = 0.41 mile
- Abandonment of demolished Route 614 = 0.24 mile
- Addition of new Orchard Road = 0.12 mile
- Abandonment of demolished Orchard Road = 0.17 mile

The project adjustments are a standard post-construction administrative process required for every VDOT project to accurately reflect the mileages being added to or deleted from the Primary and/or Secondary Systems of State Highways.

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 regarding the Coalfields Expressway new additions:

- Resolution for Highway System Changes resulting from the construction of Virginia Department of Transportation Project (0121-013-787, C501) (UPC 90076);
- Resolution for Highway System Changes resulting from the construction of Virginia Department of Transportation Project (0121-013-793, C501);
- Resolution for Highway System Changes resulting from the construction of Virginia Department of Transportation Project (0460-013-849, C501) (UPC 100707).

The Board of Supervisors of Buchanan County, in regular meeting on Monday, December 4, 2023, adopted the following:

**RESOLUTION FOR HIGHWAY SYSTEM CHANGES RESULTING FROM THE
CONSTRUCTION OF VIRGINIA DEPARTMENT OF TRANSPORTATION
PROJECT 0460-013-849, C501 (UPC 100707)**

WHEREAS, the Virginia Department of Transportation has constructed Route VA 460 on a new alignment under Project 0460-013-849, C501, and

WHEREAS, the project sketch and VDOT Form(s) AM4.3, attached and incorporated herein as a part of this resolution, define adjustments required in the primary and secondary systems of state highways maintained by VDOT and adjustments required in the county-maintained system of local roads as a result of that construction, and

WHEREAS, the new roads serve the same citizens as served by those portions of old roads identified on the project sketch and VDOT Form(s) AM4.3 to be abandoned, which portions no longer serve a public need, and

NOW, THEREFORE, BE IT RESOLVED, this Board requests the Virginia Department of Transportation to abandon Segment(s) D-E from the secondary system of state highways, pursuant to §33.2-912 of the Code of Virginia, and

BE IT FURTHER RESOLVED, the Buchanan County Board of Supervisors requests the Virginia Department of Transportation to add segment(s) D-B and B-E to the secondary system of state highways, pursuant to §33.2-705 of the Code of Virginia, for which sections the VA Dept. of Transportation has acquired the necessary right of way and easements for cuts, fills, and drainage, records of which are on file with the Circuit Court Clerk of Buchanan County; and

BE IT FURTHER RESOLVED, this Board concurs with and supports the Commonwealth Transportation Board's addition of segment(s) A-B and B-C to the primary system of state highways, as identified on the project sketch, pursuant to §33.2-310 of the Code of Virginia; and

BE IT FURTHER RESOLVED, this Board hereby abandons the old alignment of Orchard Road, a county-maintained local road, from the intersection of old Route 609 to 0.17 mile east of old Route 609, a distance of 0.17 mile, as identified on the project sketch, pursuant to §33.2-923 of the Code of Virginia; and

BE IT FURTHER RESOLVED, this Board hereby accepts that section of Orchard Road, a county-maintained local road, from the intersection of Route 609 to 0.12 mile east of old Route 609, a distance of 0.12 mile, as identified on the project sketch, pursuant to §33.2-706 of the Code of Virginia, for which sections the VA Dept. of Transportation has acquired the necessary right of way and easements for cuts, fills, and drainage, records of which are on file with the Circuit Court Clerk of Buchanan County; and

BE IT FINALLY RESOLVED, the Buchanan County Board of Supervisors orders that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Recorded Vote

Moved By: Craig Stiltner

Seconded By: J. Carroll Branham

Yeas: Seven

Nays: Zero

A Copy Teste:

Robert C. Horn, County Administrator

The Board of Supervisors of Buchanan County, in regular meeting on Monday, December 4, 2023, adopted the following:

**RESOLUTION FOR HIGHWAY SYSTEM CHANGES RESULTING FROM THE
CONSTRUCTION OF VIRGINIA DEPARTMENT OF TRANSPORTATION
PROJECT 0121-013-787, C501 (UPC 90076)**

WHEREAS, the Virginia Department of Transportation has constructed Route VA 460 on a new alignment under Project 0121-013-787, C501, and

WHEREAS, the project sketch and VDOT Form(s) AM4.3, attached and incorporated herein as a part of this resolution, define adjustments required in the primary and secondary systems of state highways as a result of that construction, and

NOW, THEREFORE, BE IT RESOLVED, the Buchanan County Board of Supervisors requests the Virginia Department of Transportation to add segment(s) D-B to the secondary system of state highways, pursuant to §33.2-705 of the Code of Virginia, for which sections the VA Dept. of Transportation has acquired the necessary right of way and easements for cuts, fills, and drainage; records of which are on file with the Circuit Court Clerk of Buchanan County; and

BE IT FURTHER RESOLVED, this Board concurs with and supports the Commonwealth Transportation Board's addition of segment(s) A-B and B-C to the primary system of state highways, as identified on the project sketch, pursuant to §33.2-310 of the Code of Virginia, and

BE IT FINALLY RESOLVED, the Buchanan County Board of Supervisors orders that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Recorded Vote

Moved By: Craig Stiltner

Seconded By: J. Carroll Branham

Yeas: Seven

Nays: Zero

A Copy Teste:

Robert C. Horn, County Administrator

The Board of Supervisors of Buchanan County, in regular meeting on Monday, December 4, 2023, adopted the following:

**RESOLUTION FOR HIGHWAY SYSTEM CHANGES RESULTING FROM THE
CONSTRUCTION OF VIRGINIA DEPARTMENT OF TRANSPORTATION
PROJECT 0121-013-793, R201 (UPC 90282): ROUTE 614**

WHEREAS, the Virginia Department of Transportation is constructing Route VA 460 on a new alignment under Project 0121-013-793, C501, and

WHEREAS, the project sketch and VDOT Form(s) AM4.3, attached and incorporated herein as a part of this resolution, define adjustments required in the secondary system of state highways as a result of that construction, and

WHEREAS, placement of fill slopes for Route VA 460 has caused a break in Route 614 that requires a segment of Route 614 to be abandoned immediately for E911 addressing purposes, as identified on the project sketch and VDOT Form(s) AM4.3 to be abandoned, which portions no longer serve a public need, and

NOW, THEREFORE, BE IT RESOLVED, this Board requests the Virginia Department of Transportation to abandon Segment(s) A-B from the secondary system of state highways, pursuant to §33.2-912 of the Code of Virginia, and

BE IT FURTHER RESOLVED, this Board requests that section(s) D-B be accordingly re-numbered as part of the secondary system of state highways, and

BE IT FINALLY RESOLVED, the Buchanan County Board of Supervisors orders that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Recorded Vote

Moved By: Craig Stiltner

Seconded By: J. Carroll Branham

Yeas: Seven

Nays: Zero

A Copy Teste:

Robert C. Horn, County Administrator

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IN RE: JEFF BUCHANAN, VDOT REPRESENTATIVE

Craig Stiltner, Rocklick District Supervisor asked about the overlay project on route 604. Virginia Department of Transportation (VDOT) has already done .7 to .8 tenths of a mile and I'd like to see the 1 ½ mile completed with overlay.

Also, will VDOT be doing snow removal on route 744 at Southern Gap, asked Mr. Stiltner?

Jeff Buchanan, VDOT Representative stated VDOT will have a storage facility for salt and supplies available near the right-of-way.

Mr. Stiltner stated VDOT has guideline and polices to go by and sometimes it's frustrating to try and get a job done.

G. Roger Rife, South Grundy District Supervisor asked if a roadway is abandoned, what happens to the right-of-way?

L. Lee Moise, County Attorney stated the right-of-way reverts back to the adjoining property owners if it's a prescriptive right-of-way, otherwise it remains public property..

Mel Counts, VDOT Representative stated we'll have 200 tons of salt located on Southern Gap for snow removal on the new sections of roadway. Also, Deskins and Big Rock will have equipment to handle any snow removal.

The county garage is located right there near the new sections of roadway, stated Mr. Stiltner. Can the county's equipment assist in the snow removal in that area? We have trucks that we could sign on with VDOT, he commented.

Mr. Buchanan stated yes, I'll get the information to you so you can fill out the appropriate paperwork to allow the county's trucks do some snow removal.

Jeff Cooper, Garden District Supervisor asked about pavement on route 628 and on route 680 the railroad is deteriorating.

Mr. Buchanan stated VDOT cannot do any improvements to the railroads right-of-way crossing. We can contact the railroad to see what they can do.

When will the road widening be done on route 628, asked Mr. Cooper?

We hope to see activity happening in 2024, stated Mr. Buchanan.

Drew Keene, Prater District Supervisor thanked VDOT for the pavement on route 609. Also, has the study been completed on route 609 at the top of Lovers Gap?

We are working on it and trying to get enough funding for it, stated Mr. Buchanan.

Tim Hess, Chairman asked about the intersection at the new Dollar Store?

It's on our radar and VDOT is trying to get something done there, stated Mr. Buchanan.

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**IN RE: CONSIDER ADOPTING RESOLUTION SUPPORTING THE
 TEMPORARY CLOSURE OF ROUTE 651, OLD LESTER'S FORK
 ROAD LOCATED IN THE KNOX MAGISTERIAL DISTRICT
 FOR PUBLIC SAFETY**

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, Tim Hess, Jeff Cooper, Trey Adkins, G. Roger Rife, J. Carroll Branham, Drew Keene, Craig Stiltner and zero (0) nays, this board did hereby adopt the following Resolution supporting the temporary closure of route 651, Old Lester's Fork Road located in the Knox Magisterial District for public safety.

The Board of Supervisors of Buchanan County, in regular meeting on Monday, December 4, 2023, adopted the following:

**RESOLUTION SUPPORTING TEMPORARY CLOSURE OF
ROUTE 651, OLD LESTER’S FORK ROAD FOR PUBLIC SAFETY**

WHEREAS, the Virginia Department of Transportation has deemed it necessary to close a portion of Buchanan County Route 651, Old Lester’s Fork Road, in the best interests of public safety for maintenance repairs to Virginia Bridge Structure #6207, and;

NOW, THEREFORE, BE IT RESOLVED, that the Buchanan County Board of Supervisors hereby concurs with the Virginia Department of Transportation’s decision to close Route 651, Old Lester’s Fork Road, from 1.09 miles south of Route 650 (Lester’s Fork Road) to 1.93 mile north of Route 675 (Brushy Fork Road), as indicated on the attached map, to through traffic between December 4, 2023 and the completion date of the maintenance repairs on Virginia Bridge Structure #6207, pursuant to §33.2-238 Code of Virginia, and

BE IT FINALLY RESOLVED that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Recorded Vote:
Moved By: Trey Adkins
Seconded By: Drew Keene
Yeas: Seven
Nays: Zero

A Copy Teste:

Signed: _____
Printed Name: Robert C. Horn
Title: County Administrator

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IN RE: MIKE HATFIELD, INVESTIGATOR – REQUEST AN ADDITIONAL APPROPRIATION IN THE AMOUNT OF \$80,000 FOR ARPA FUNDS TO BE RECEIVED FOR THE BUCHANAN COUNTY SHERIFF’S OFFICE FUND 33, EQUIPMENT AND AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE THE STATEMENT OF GRANT AWARD

Mike Hatfield, Investigator for the Buchanan County Sheriff’s Office stated the Buchanan County Sheriff’s Office was awarded an ARPA Grant in the amount of \$709,000 through the Department of Criminal Justice Services to be used to purchase law enforcement equipment. In August 2023, the board approved an additional appropriation in the amount of \$629,000, which was the previous amount that we thought was approved for the grant. Recently, we received notification the ARPA Grant that was approved was in the amount of \$709,000. This is the reason for the additional appropriation for funding, he stated.

After a general discussion by the board upon motion by Jeff Cooper seconded by J. Carroll Branham and with a roll call vote of seven (7) yeas, Tim Hess, Jeff Cooper, Trey Adkins, G. Roger Rife, J. Carroll Branham, Drew Keene, Craig Stiltner and zero (0) nays, this board did hereby approve an additional appropriation in the amount of \$80,000 for ARPA funds to be received for the Buchanan County Sheriff's Office Fund 33, equipment and authorized the County Administrator to execute the Statement of Grant Award.

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IN RE: BILLIE CAMPBELL WITH TERRA TECH ENGINEER SERVICES – UPDATE ON TRAIL DEVELOPMENT.

Billie Campbell with Terra Tech Engineering Services wasn't present for the meeting. No action taken.

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IN RE: CONSIDER APPROVING A LETTER OF SUPPORT IN REGARDS TO THE REGIONAL TELE-PHARMACY ECOSYSTEM PROJECT THROUGH THE CUMBERLAND PLATEAU PLANNING DISTRICT COMMISSION

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, Tim Hess, Jeff Cooper, Trey Adkins, G. Roger Rife, J. Carroll Branham, Drew Keene, Craig Stiltner and zero (0) nays, this board did hereby approve the following letter of support in regards to the Regional Tele-Pharmacy Ecosystem Project through the Cumberland Plateau Planning District Commission.

Lauren Stuhldreher
Economic Development Representative for Virginia
U.S. Department of Commerce, Economic Development Administration
lstuhldreher@eda.gov.
215-764-0427

RE: Regional Tele-Pharmacy Ecosystem

Dear Ms. Stuhldreher:

I am writing in support of the Cumberland Plateau Planning Districts EDA Disaster Supplemental grant proposal for the Regional TelePharmacy Ecosystem project. The Cumberland Plateau Planning District (CPPDC) mission is to serve and support its four member counties of Buchanan, Dickenson, Russell, and Tazewell. They have provided a plethora of services from technical planning assistance, water and sewage projects, and now the deployment of a regional broadband project.

In 2021 the CPPDC shared with its member counties the *Cumberland Plateau Tele-Pharmacy Strategic Planning* document outlining the benefits that tele-pharmacy could have on our communities. This is especially true for Buchanan County, as the host location for The Appalachian College of Pharmacy. In 2021 and 2022, Buchanan County experienced devastating flooding events that have our county looking for more viable healthcare and disaster relief options.

With the recent changes in the Senate related to a pharmacists “scope of practice”, Buchanan County specifically would benefit greatly from a secondary planning document that provides greater details of how to implement Tele-Pharmacy in our region, focusing solely on how it will increase workforce opportunities, provide quality healthcare, and assist in emergency health safety for our communities.

In conclusion, the CPPDC has the full support of Buchanan County on this project, and pledges to do whatever is needed to ensure the project reaches the implementation phase. Please do not hesitate to reach out with any questions as you evaluate their proposal.

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IN RE: CONSIDER APPROVING THE MEMORANDUM OF AGREEMENT BETWEEN THE DEPARTMENT OF CORRECTIONS KEEN MOUNTAIN CORRECTIONAL CENTER AND BUCHANAN COUNTY, VIRGINIA AND AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE THE MOA ON BEHALF OF BUCHANAN COUNTY

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, Tim Hess, Jeff Cooper, Trey Adkins, G. Roger Rife, J. Carroll Branham, Drew Keene, Craig Stiltner and zero (0) nays, this board did hereby approve the Memorandum of Agreement (MOA) dated November 1st, 2023 by Buchanan County thru its Sanitation Dept. and Department of Corrections Keen Mountain Correctional Center. (December 1st, 2023 –November 31, 2024) and authorized the County Administrator to execute the MOA on behalf of Buchanan County. A copy of this MOA is located in the Buchanan County Administrator’s Office for review.

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IN RE: CONSIDER APPROVING THE CPROP GRANT AGREEMENT FROM CUMBERLAND PLATEAU REGIONAL OPPORTUNITY PROGRAM IN THE AMOUNT OF \$100,000 FOR PROJECT PLANET AND AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE THE AGREEMENT ON BEHALF OF BUCHANAN COUNTY

This issue was tabled, no action taken.

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IN RE: CONSIDER ADOPTING THE RESOLUTION FOR THE RATIFICATION OF THE ACCEPTANCE OF DEED BY AND BETWEEN MICHAEL J. AND CONNIE MULLINS TO BUCHANAN COUNTY, VIRGINIA 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 Craig Stiltner seconded by G. Roger Rife and with a roll call vote of seven (7) yeas, Tim Hess, Jeff Cooper, Trey Adkins, G. Roger Rife, J. Carroll Branham, Drew Keene, Craig Stiltner and zero (0) nays, this board did hereby adopt the following Resolution for the ratification of the

Acceptance of Deed by and between Michael J. and Connie Mullins to Buchanan County, Virginia for the acquisition of property as part of the U.S. Army Corps of Engineers Non-Structural Project.

RESOLUTION

IN RE: ACCEPTANCE OF DEED BY AND BETWEEN MICHAEL J. AND CONNIE MULLINS, HUSBAND AND WIFE 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 230001372 between Michael J. and Connie Mullins, husband and wife 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. 4519.

This Resolution was adopted by the Buchanan County Board of Supervisors on this the 4th day of December, 2023 by a roll call vote of seven for and zero against.

Tim Hess, Chairman of the
Buchanan County Board of Supervisors

ATTEST:

Robert Craig Horn, County Administrator

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IN RE: CONSIDER APPROVING AN ADDITIONAL APPROPRIATION IN THE AMOUNT OF \$8,238.00 TO THE BUCHANAN COUNTY LITTER CONTROL (PROJECTS & CONTESTS) ACCOUNT NUMBER 82050-6025 FOR GRANT FUNDING RECEIVED FROM THE DEPARTMENT OF ENVIRONMENTAL QUALITY AND TO ISSUE A CHECK IN THE AMOUNT OF \$2,085.00 TO THE TOWN OF GRUNDY FOR THE TOWN’S PORTION OF THE GRANT FROM ACCOUNT NUMBER 82050-6025

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, Tim Hess, Jeff Cooper, Trey Adkins, G. Roger Rife, J. Carroll Branham, Drew Keene, Craig Stiltner and zero (0) nays, this board did hereby approve an additional appropriation in the amount of \$8,238.00 to the Buchanan County Litter Control (projects & contests) account number 82050-6025 for grant funding received from the Department of Environmental Quality and to issue a check in the amount of \$2,085.00 to the Town of Grundy for the town’s portion of the grant from account number 82050-6025.

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IN RE: CONSIDER APPROVING AGREEMENT BETWEEN THE VIRGINIA DEPARTMENT OF HEALTH AND THE BUCHANAN COUNTY BOARD OF SUPERVISORS FOR FUNDING AND SERVICES OF THE BUCHANAN COUNTY HEALTH DEPARTMENT AND AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE THE AGREEMENT UPON BEHALF OF BUCHANAN COUNTY

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, Tim Hess, Jeff Cooper, Trey Adkins, G. Roger Rife, J. Carroll Branham, Drew Keene, Craig Stiltner and zero (0) nays, this board did hereby approve the Agreement between the Virginia Department of Health and the Buchanan County Board of Supervisors for funding and services of the Buchanan County Health Department and authorized the County Administrator to execute the agreement upon behalf of Buchanan County.

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IN RE: CONSIDER APPROVING REQUEST FOR A REALLOCATION OF FUNDING TO THE 29TH DISTRICT COURT SERVICE (FIXTURE AND FURNISHINGS) IN THE AMOUNT OF \$9,300.00

This issue was tabled, no action taken.

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IN RE: CONSIDER APPOINTMENTS TO CUMBERLAND MOUNTAIN COMMUNITY SERVICES BOARD OF SUPERVISORS FOR A THREE-YEAR APPOINTMENT ENDING DECEMBER 31, 2026

After a general discussion by the board upon motion by Drew Keene seconded by Craig Stiltner and with a roll call vote of six (6) yeas, Tim Hess, Jeff Cooper, G. Roger Rife, J. Carroll Branham, Drew Keene, Craig Stiltner zero (0) nays and one (1) absent, Trey Adkins, this board did hereby appoint Ms. Retha Pittman and Mr. George H. Childress to the Cumberland Mountain Community Services Board for a three-year term ending December 31, 2026.

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IN RE: CONSIDER APPOINTMENT TO THE BUCHANAN COUNTY PUBLIC LIBRARY FOR A FOUR-YEAR TERM ENDING DECEMBER 2027

After a general discussion by the board upon motion by Drew Keene seconded by Craig Stiltner and with the following roll call vote of six (6) yeas, Tim Hess, Jeff Cooper, G. Roger Rife, J. Carroll Branham, Drew Keene, Craig Stiltner, zero (0) nays and one (1) absent, Trey Adkins, this board did hereby reappoint Margaret Wakeland to the Buchanan County Public Library Board of Trustees for a four-year term ending December 2027.

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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 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 to continue this public hearing until Monday, January 8th, 2023 at 6:30 p.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 AN ADDITIONAL APPROPRIATION IN THE AMOUNT OF \$27,581.00 TO THE FOLLOWING ACCOUNTS FOR THE BUCHANAN COUNTY PUBLIC LIBRARY FOR ADDITIONAL FUNDING FROM THE LIBRARY OF VIRGINIA

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, 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 \$27,581.00 to the following accounts for the Buchanan County Public Library for additional funding from The Library of Virginia:

- 73010-8101 (computers) \$2,500.00
- 73010-6001 (supplies) \$9,500.00
- 73010-6012 (books) \$11,000.00
- 73010-3320 (maintenance contracts) \$4,581.00

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IN RE: CONSIDER APPROVING ADDITIONAL APPROPRIATIONS

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, 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 \$400.00 to William P. Harris Park (supplies) account number 71040-6022-02;
- Additional appropriation in the amount of \$40.00 to Rocklick District Park and Development account number 71060-7010-06;
- Additional appropriation in the amount of \$75.20 to Circuit Court Clerk’s Office to account number 21060-3320 (copier paper etc.)

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IN RE: CONSIDER APPROVING ADDITIONAL APPROPRIATIONS

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, 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 \$400.00 to William P. Harris Park (supplies) account number 71040-6022-02;
- Additional appropriation in the amount of \$40.00 to Rocklick District Park and Development account number 71060-7010-06;
- Additional appropriation in the amount of \$75.20 to Circuit Court Clerk’s Office to account number 21060-3320 (copier paper etc.)

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IN RE: CONSIDER SCHEDULING TIME OF DAY FOR THE JANUARY 8TH, 2024 BOARD OF SUPERVISORS MEETING

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, 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 schedule the time for the Monday, January 8th, 2024 board of supervisors meeting for 6:00 p.m.

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IN RE: CONSIDER APPROVING AN APPOINTMENT TO THE BUCHANAN COUNTY LITTLER COMMITTEE

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 appoint Jerry Scarberry to the Buchanan County Litter Committee as representative for the Knox Magisterial District.

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

Upon a motion by Jeff Cooper seconded by Craig Stiltner 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; Virginia Code Section, 2.2-3711 (A)(1), a personnel matter involving Knox Fire and Rescue; Virginia Code Section, 2.2-3711 (A)(8), consultation with legal counsel regarding a right-of-way easement; Virginia Code Section, 2.2-3711 (A)(8), consultation with legal counsel regarding improperly claimed tax exemptions for property purportedly used to abate/control air and water pollution; and Virginia Code Section, 2.2-3711 (A)(8), consultation with legal counsel regarding the issuance of a check.

Motion was made by Trey Adkins to return from closed session seconded by Craig Stiltner and with the following roll call vote of seven (7) yeas, Trey Adkins, J. Carroll Branham, Drew Keene, Tim Hess, G. Roger Rife, Craig Stiltner, Jeff Cooper and zero (0) nays, this board did hereby approve to return from closed session.

This board meeting resumed in open session after being in executive session for one (1) hour and forty (05) minutes.

A motion Trey Adkins seconded by J. Carroll Branham 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 litter pick-up; Virginia Code Section, 2.2-3711 (A)(8), consultation with legal counsel regarding a Virginia State Retirement issue and Virginia Code Section, 2.2-3711 (A)(8), consultation with legal counsel regarding a Memorandum of Understanding (MOU) with rescue squads.

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.

**IN RE: CONSIDER APPROVING RESIGNATION AND APPOINTMENT
TO THE RESCUE SQUAD COMMITTEE FOR THE BOARD OF
SUPERVISORS**

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, Drew Keene, Trey Adkins, Tim Hess, Jeff Cooper, G. Roger Rife, Craig Stiltner, J. Carroll Branham and zero (0) nays, this board did hereby accept the resignation from Drew Keene on the rescue squad committee and hereby appointed Craig Stiltner to fill his position on the committee along with Trey Adkins and Tim Hess to review all rescue squad personnel costs etc.

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**IN RE: CONSIDER APPROVING TO GIVE COUNTY EMPLOYEES AN
EXTRA HALF-DAY OFF ON FRIDAY, DECEMBER 22ND, 2022
FOR THE CHRISTMAS HOLIDAY**

After a general discussion by the board upon motion by Jeff Cooper seconded by Drew Keene and with a roll call vote of five (5) yeas, Jeff Cooper, Tim Hess, G. Roger Rife, J. Carroll Branham, Drew Keene and two (2) nays, Craig Stiltner and Tim Hess, this board did hereby approve to give county employees an extra half-day off on Friday, December 22nd, 2022 for the Christmas Holiday.

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**IN RE: CONSIDER APPROVING AN ADDITIONAL APPROPRIATION
IN THE AMOUNT OF \$50,000 AND ESTABLISH A NEW LINE
ITEM NAMED BIG ROCK RESCUE SQUAD TO APPROPRIATE
THE \$50,000 INTO IN THE COUNTY'S FISCAL YEAR 2023/2024
BUDGET**

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 an additional appropriation in the amount of \$50,000 and establish a new line item named Big Rock Rescue Squad to appropriate the \$50,000 into in the county's fiscal year 2023/2024 budget.

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**IN RE: CONSIDER APPROVING TO HIRE AN ANNUAL PART-TIME
LITTER PICK UP EMPLOYEE FOR EACH DISTRICT**

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 approve to hire an annual part-time litter pick up employee for each district.

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IN RE: CONSIDER AUTHORIZING THE COUNTY ADMINISTRATOR AND COUNTY ATTORNEY TO TAKE THE APPROPRIATE ACTION TO DEFEND THE COMMISSIONER OF REVENUE AND COUNTY IN REGARD TO IMPROPERLY CLAIMED TAX EXEMPTIONS FOR PROPERTY PURPORTEDLY USED TO ABATE/CONTROL AIR AND WATER POLLUTION

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 authorize the County Administrator and County Attorney to take the appropriate action to defend the Commissioner of Revenue and County in regard to improperly claimed tax exemptions for property purportedly used to abate/control air and water pollution.

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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 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 approve to issue payment for the following contributions:

Big Sandy Soil and Water Cons. District	\$500.00
Grundy High School (varsity football)	\$620.84

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IN RE: CONSIDER ADOPTING A RESOLUTION REGARDING THE LOCAL EMERGENCY DECLARED BY THE EMERGENCY MANAGEMENT DIRECTOR ON NOVEMBER 10TH, 2023 AT 12:26 P.M. IN BUCHANAN COUNTY.

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 ratify the following Resolution regarding the local emergency declared by the Emergency Management Director on November 10th, 2023 at 12:26 p.m. in Buchanan County.

**RESOLUTION RATIFYING THE LOCAL EMERGENCY PURSUANT TO
VIRGINIA CODE SECTION 15.2-922.1(B)
IN RE: DECLARATION OF LOCAL EMERGENCY
ON NOVEMBER 10th, 2023**

THAT WHEREAS, experience has shown that suspending open burning is an effective way of preventing fire escapes and allows a quick-fire agency response, especially as Buchanan County continues to experience warmer and drier weather. Although all fires cannot be prevented through a burn suspension, their numbers can be significantly reduced. Buchanan County Emergency Management wants to remind everyone that it is each individual's responsibility to help prevent fires that destroy lives, property and our wild land areas; and

WHEREAS, this is a Declaration of Emergency due to dry weather conditions in accordance with Section 44-146.21, section 27-98 and 15.2-922.1(B) of the Code of Virginia and hereby establishes a ban on open-air burning for the County of Buchanan until further notice and putting on alert the response and recovery programs of all applicable local and inter jurisdictional emergency operations plans should activation be warranted; and

WHEREAS, on November 10th, 2023 at 12:26 p.m. Robert Craig Horn, Buchanan County Emergency Management Director, declared a local emergency effective as of November 10th, 2023 a result of extreme dry conditions due to lack of precipitation; and

WHEREAS, the local emergency will be ended once the County has received sufficient precipitation to end the extreme dry conditions; and

NOW THEREFORE, BE IT RESOLVED, by the Buchanan County Board of Supervisors that such declaration of a local emergency is declared and ratified pursuant to the terms of this resolution. Furthermore, pursuant to this emergency ordinance and declaration of local emergency this ban on opening burning is to be enforced upon penalty of a Class 1 misdemeanor, until further notice.

This Resolution was adopted by the Buchanan County Board of Supervisors on this the 4th day of December, 2023.

Recorded Vote:

Moved: Jeff Cooper

Seconded: Drew Keene

Yeas: Seven

Nays; Zero

Tim Hess, Chairman

Buchanan County Board of Supervisors

ATTEST:

Robert Craig Horn, County Administrator

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**IN RE: CONSIDER ADOPTING A RESOLUTION ENDING THE
DECLARATION OF A LOCAL EMERGENCY IMPOSED ON
NOVEMBER 10TH, 2023 AND DECLARING IT CONCLUDED ON
DECEMBER 4TH, 2023**

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 adopt the enclosed Resolution ending the Declaration of a Local

Emergency imposed on November 10th, 2023 and declaring it concluded on December 4th, 2023.

RESOLUTION

**IN RE: ENDING DECLARATION OF LOCAL EMERGENCY
ON NOVEMBER 10th, 2023**

THAT WHEREAS, on November 10th, 2023 the Emergency Services Director declared a local emergency imposing a ban on open burning effective as a result of the extreme dry conditions due to the lack of precipitation; and

WHEREAS, the circumstances supporting the local emergency ended on the 4th day of December, 2023; and

NOW THEREFORE, BE IT RESOLVED, by the Buchanan County Board of Supervisors that such declaration of a local emergency is declared concluded on the 4th day of December, 2023 Accordingly, the ban on open burning is hereby ended.

This Resolution was adopted by the Buchanan County Board of Supervisors on this the 4th day of December, 2023.

Recorded Vote:

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

Tim Hess, Chairman
Buchanan County, Va. Board of Supervisors

ATTEST:

Robert Craig Horn, County Administrator

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IN RE: ADJOURNMENT

After a general discussion by the board upon motion by G. Roger Rife seconded by Jeff Cooper 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