

MINUTES

A regular meeting of the Buchanan County Board of Supervisors was held on the 5th day of February 2024 starting at 5:00 o'clock p.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: G. Roger Rife, Chairman
Tim Hess
Trey Adkins
Craig Stiltner
David Rose
Lee Dotson
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 PLAQUE

This was tabled at this time.

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IN RE: CONSENT AGENDA

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, Lee Dotson, G. Roger Rife, David Rose, 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 January 8th, 2024;
- b. Ratifying payroll after review;
- c. Ratifying the payment of bills by Resolution adopted on January 8th, 2024; (Including the Buchanan County Head Start ratified bill list and bill list)
- d. Approving coyote claims in the amount of \$100.00 per claim and to issue a check for the following:

- Jeremy Clevinger (5 Claims)
- Jeremy Griffey
- Arville Quinley
- Chris Wolford (5 Claims)
- Keith Stiltner (12 Claims)
- Jimmy Clevinger (2 Claims)
- Ethan Kiser (9 Claims)
- Bobby Gibson
- Marie Kelly (6 Claims)
- Greg Sturgill
- Beth Ball

- Austin Looney
- Tracy Cline (8 Claims)
- Billy Yates (2 Claims)
- Jeremy Mounts
- Herman Lester
- Justin Davis
- Matthew Horn
- Gary Keen (4 Claims)
- Dennis McGlothlin
- Garman Lee Rice (2 Claims)
- Greg Hibbitts
- Chris Dotson (5 Claims)
- Lukas Dotson
- Chris Wolford
- Michael Hensley
- Josh Coleman
- Connie Deel
- Davud Justus (2 Claims)
- Blake Barton
- Kelly Sparks

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IN RE: PUBLIC COMMENTS

Gary Wagner, resident asked if anything was going to be done at Big Rock where the water in running in the roadway at the intersection of State Route 643 and 4700? I wished they would come and buy me out, he stated.

This water running across the roadway is going into Fishtrap Lake in Kentucky, stated Mr. Wagner. Someone needs to let Richmond know about this.

Craig Stiltner, Rocklick District Supervisor stated VDOT is suppose to do some ditching and drainage in the area. They are planning to install a wash bay so when trucks come off the hill they can spray off before they go onto the roadway, he stated. Hopefully, this will help with the issue.

Lonzo Slone, resident on Right-Hand Fork of Stone Coal stated someone is blocking the turn around area and the sanitation truck cannot pick up the trash.

Marcus Stiltner, Coal Haul Road Engineer stated we've posted the area that he's talking about, so we thought we had it taken care of. We'll check on it again, he stated.

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IN RE: CONSIDER RATIFYING THE RESOLUTION REGARDING THE DECLARATION OF LOCAL EMERGENCY ON JANUARY 19TH, 2024 AS A RESULT OF HEAVY SNOWFALL

After a general discussion by the board upon motion by Craig Stiltner seconded by Tim Hess and with a roll call vote of seven (7) yeas, David Rose, G. Roger Rife, Lee Dotson, Trey Adkins, Craig Stiltner, Tim Hess, Jeff Cooper and zero (0) nays, this board did hereby ratify the following Resolution regarding the Declaration of Local Emergency on January 19th, 2024 as a result of heavy snowfall:

RESOLUTION

IN RE: RATIFICATION OF THE DECLARATION OF LOCAL EMERGENCY ON JANUARY 19TH, 2024

WHEREAS, on January 19th, 2024 at 1:00 p.m. Robert Craig Horn, Buchanan County Emergency Management Director, pursuant to the authority of Virginia Code section 44-146.21, declared a local emergency as result of a heavy snowfall that occurred and is continuing to occur from January 15th, 2024 through January 20th, 2024; and

THEREFORE, BE IT RESOLVED, by the Buchanan County Board of Supervisors that such declaration of a local emergency is confirmed and ratified pursuant to Section 44-146.21 of the 1950 Code of Virginia, as amended.

This Resolution was adopted by the Buchanan County Board of Supervisors on this the 5th day of February, 2024.

Recorded Vote:

Moved: Craig Stiltner
Seconded: Tim Hess
Yeas: Seven
Nays: Zero

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

ATTEST:

Robert Craig Horn, County Administrator

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IN RE: CONSIDER ADOPTING THE RESOLUTION ENDING THE DECLARATION OF LOCAL EMERGENCY AS A RESULT OF HEAVY SNOWFALL

After a general discussion by the board upon motion by Craig Stiltner seconded by Lee Dotson and with a roll call vote of seven (7) yeas, David Rose, G. Roger Rife, Lee Dotson, Trey Adkins, Craig Stiltner, Tim Hess, Jeff Cooper and zero (0) nays, this board did hereby ratify the following Resolution ending the Declaration of Local Emergency as a result of heavy snowfall:

RESOLUTION

IN RE: ENDING DECLARATION OF LOCAL EMERGENCY

THAT WHEREAS, on January 19th, 2024 the Buchanan County Director of Emergency Management, Robert Craig Horn, declared a local emergency effective, 1:00 p.m. as a result of the heavy snowfall that occurred on Monday, January 15th through January 20th, 2024 in Buchanan County, Va.; 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 24th day of January, 2024.

This Resolution was adopted by the Buchanan County Board of Supervisors on this the 5th day of February, 2024.

Recorded Vote:

Moved: Craig Stiltner
Seconded: Lee Dotson
Yeas: Seven
Nays: Zero

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

ATTEST:

Robert Craig Horn, County Administrator

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**IN RE: CONSIDER APPROVING A TRANSFER FROM THE DSR
ACCOUNT TO EACH OF THE SEVEN DISTRICTS HIGHWAYS,
STREETS AND BRIDGES ACCOUNTS**

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, Lee Dotson, G. Roger Rife, David Rose, Trey Adkins, Craig Stiltner, Tim Hess, Jeff Cooper and zero (0) nays, this board did hereby approve to transfer \$30,000 from the DSR accounts to each of the seven districts highway, streets and bridges accounts in Fund 1.

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IN RE: CONSIDER APPROVING VENDOR SERVICE AGREEMENT

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, Lee Dotson, G. Roger Rife, David Rose, Trey Adkins, Craig Stiltner, Tim Hess, Jeff Cooper and zero (0) nays, this board did hereby approve the Vendor Service Agreement from Cline Construction for snow removal.

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**IN RE: CONSIDER ADOPTING A RESOLUTION IN OPPOSITION TO
ANY FURTHER RATE INCREASES REQUESTED BY
APPALACHIAN POWER COMPANY**

Craig Stiltner, Rocklick District Supervisor stated I requested this resolution be drafted for the board to consider. Even after the most recent snow fall of several inches around the county, I've received more telephone calls about Appalachian Power Company's (AEP) rate increase than issues with the snow, he stated.

People are already trying to decide how to pay their medical expenses along with the increase in food and now they're worrying about paying their power bills, stated Mr. Stiltner.

The CEO of AEP makes over \$1.5 million each year without including bonuses and other compensation, stated Mr. Stiltner. Board members for AEP makes over \$300,000 each year. I'm not going to stop until something is done with these rate increases. In other surrounding counties, AEP is cheaper than it is here, he stated.

What's the reason behind this. The State Corporation Commission (SCC) approves the rate increase for AEP, which is uncalled for and unjustified, voiced Mr. Stiltner.

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, Lee Dotson, G. Roger Rife, David Rose, Trey Adkins, Craig Stiltner, Tim Hess, Jeff Cooper and zero (0) nays, this board did hereby adopt the following Resolution in opposition to any further rate increases requested by Appalachian Power Company:

**RESOLUTION
IN RE: STATEMENT OF OPPOSITION TO APPALACHIAN
POWER COMPANY'S RATE INCREASES**

WHEREAS, Appalachian Power Company continues in requesting for rate increases for electric bills of their residential customers in Buchanan County, Virginia; and

WHEREAS, many of the citizens of Buchanan County, Virginia are dependent upon a fixed income and virtually all citizens of Buchanan County are struggling to cope with increased food, medicine, fuel and utility costs due to inflation; and

WHEREAS, the State Corporation Commission found as recently as this past November 2023 that Appalachian Power Company was seeking an excessive base rate increase of \$25.03 per 1,000 kilowatt-hours but still permitted an increase of \$16.03 per 1,000 kilowatt-hours for residential customers; the new rates will take effect 60 days from the date of the order, which would be Jan. 29, 2024. The development follows a recent SCC report that said an average Appalachian customer's monthly bill rose by about \$35 just between July 2022 and July 2023; The SCC's approval allows Appalachian to, among other things, increase its annual revenue by \$127.3 million; pursue a return on equity of 9.5%, up from its current state-authorized ROE of 9.2%;

WHEREAS, Appalachian Power Company had previously received approval of a fuel factor rate increase from the SCC on February 10, 2023 that increased the average residential customer's monthly bill by \$3.00; this increase was on top of two other increases from last year resulting in an \$11 increase to the average monthly bill for transmission costs and \$2.37 a month to pay for costs generated by requirements of the Clean Economy Act; and

WHEREAS, when all of the approved APPCo increases in rates approved by the SCC in 2023 are totaled together, residents in Buchanan County are facing an increase in the average power bill of at least \$51 per month since July 2022; and

WHEREAS, it is unfair to constantly shift costs increases from a multi-billion-dollar corporation with a guaranteed rate of return on equity of 9.50% to its customers, many on fixed incomes who are already struggling with sky rocketing costs caused by inflation; and

NOW THEREFORE, BE IT RESOLVED, by the Buchanan County Board of Supervisors to state its opposition to any further rate increases requested by Appalachian Power Company without some type of reduction in Appalachian Power Company's rate of return on equity so prevent an unfair shifting of costs from Appalachian Power Company to its residential customers.

FURTHERMORE, BE IT RESOLVED THAT the County Administrator is directed to send an appropriate cover letter along with this resolution to the following: Governor Glenn Youngkin, the State Corporation Commission, Appalachian Power Company, U.S. Congressman Morgan Griffith, State Senator Travis Hackworth, State Senator Todd Pillion and to State Delegate William Morefield and Appalachian Power Executives.

This Resolution was adopted by the Buchanan County Board of Supervisors on this the 5th day of February, 2024.

Recorded vote:

Moved: Trey Adkins

Seconded: Craig Stiltner

Yeas: Seven

Nays: Zero

G. Roger Rife, Chairman

Buchanan County Board of Supervisors

ATTEST:

Robert C. Horn, County Administrator

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IN RE: CONSIDER SCHEDULING A PUBLIC HEARING ON MONDAY, APRIL 1ST AT 5:30 P.M. TO HEAR PUBLIC COMMENTS REGARDING THE ABANDONMENT OF COUNTY ROAD #2272, RED DOG ROAD LOCATED IN THE ROCKCLICK MAGISTERIAL DISTRICT AND REMOVE FROM THE COUNTY ROAD SYSTEM

Marcus Stiltner, Coal Haul Road Engineer requested this public hearing be held in May instead of April.

After a general discussion by the board upon motion by Craig Stiltner seconded by Lee Dotson and with a roll call vote of seven (7) yeas, Lee Dotson, G. Roger Rife, David Rose, Trey Adkins, Craig Stiltner, Tim Hess, Jeff Cooper and zero (0) nays, this board did hereby approve to schedule a public hearing on Monday, May 6th at 5:30 p.m. to hear public comments regarding the abandonment of county road #2272, Red Dog Road located in the Rocklick Magisterial District and remove from the county road system

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IN RE: CONSIDER APPROVING AMENDMENT AND ADDITIONAL APPROPRIATION TO THE FY23/24 COAL ROAD PLAN IN THE AMOUNT OF \$100,000 TO PURCHASE MATERIALS FOR THE NRCS GRANT PROJECTS IN GUESSES FORK PERTAINING TO THE AUGUST 2021 FLOOD

After a general discussion by the board upon motion by Trey Adkins seconded Craig Stiltner and a roll call vote of seven (7) yeas, Lee Dotson, G. Roger Rife, David Rose, Trey Adkins, Craig Stiltner, Tim Hess, Jeff Cooper and zero (0) nays, this board did hereby approve an amendment and additional appropriation to the FY23/24 Coal Road Plan in the amount of \$100,000 to Fund 5, account 41080-7013 to purchase materials for the NRCS grant projects in Guesses Fork pertaining to the August 2021 Flood.

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IN RE: CONSIDER AMENDMENT AND ADDITIONAL APPROPRIATION TO THE FY23/24 COAL ROAD PLAN IN THE AMOUNT OF \$180,000 TO SUPPLY THE MATERIALS NEEDED TO CONSTRUCT 7 SALT BINS (1 PER DISTRICT)

After a general discussion by the board upon motion by Craig Stiltner seconded Lee Dotson and a roll call vote of seven (7) yeas, Lee Dotson, G. Roger Rife, David Rose, Trey Adkins, Craig Stiltner, Tim Hess, Jeff Cooper and zero (0) nays, this board did hereby approve an amendment and additional appropriation to the FY23/24 Coal Road Plan in the amount of \$180,000 to Fund 5, account 41080-7010-00 to supply the materials needed to construct 7 salt bins (1 per district).

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IN RE: CONSIDER AMENDMENT AND ADDITIONAL APPROPRIATION TO THE FY23/24 COAL ROAD PLAN IN THE AMOUNT OF \$315,000 TO PURCHASE SEVEN (7) TRACTOR LOADERS (1 PER SALT BIN)

Marcus Stiltner, Coal Haul Road Engineer stated I thought we were going to need \$315,000 for the seven (7) tractors, but we only need \$294,000.

After a general discussion by the board upon motion by Trey Adkins seconded Craig Stiltner and a roll call vote of seven (7) yeas, Lee Dotson, G. Roger Rife, David Rose, Trey Adkins, Craig Stiltner, Tim Hess, Jeff Cooper and zero (0) nays, this board did hereby approve an amendment and additional appropriation to the FY23/24 Coal Road Plan in the amount of \$294,000 to Fund 5 account number 41080-7010-00 to purchase seven (7) tractor loaders (1 per salt bin).

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IN RE: CONSIDER AMENDMENT TO THE FY23/24 COAL ROAD PLAN TO ALLOW SURPLUS CST APPROPRIATED FUNDS TO BE USED ON SMALL SECTIONS OF OVERLAY ON UPPER END OF ROUTE 604. NO ADDITIONAL FUNDING IS REQUIRED

After a general discussion by the board upon motion by Tim Hess seconded Craig Stiltner and a roll call vote of seven (7) yeas, Lee Dotson, G. Roger Rife, David Rose, Trey Adkins, Craig Stiltner, Tim Hess, Jeff Cooper and zero (0) nays, this board did hereby approve the amendment to the FY23/24 Coal Road Plan to allow surplus CST appropriated funds to be used on small sections of overlay on upper end of Route 604. No additional funding is required;

G. Roger Rife, Chairman asked how much funding is in the coal haul road fund for each of the seven districts? Also, who handles it if the account goes in the red?

Marcus Stiltner, Coal Haul Road Engineer stated there's \$248,000 in each of the seven district accounts. I'll make sure you don't go over, he commented.

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IN RE: CONSIDER APPROVING HIRING AN IN-HOUSE ROAD CONSTRUCTION CREW AND ELIMINATING THE YEARLY MAINTENANCE CONTRACT AND AN AMENDMENT AND ADDITIONAL APPROPRIATION TO THE FY23/24 COAL ROAD PLAN IN THE AMOUNT OF \$350,000 TO PURCHASE EQUIPMENT NECESSARY FOR THE ADDITIONAL ROAD CONSTRUCTION CREW

After a general discussion by the board upon motion by Tim Hess seconded Craig Stiltner and a roll call vote of seven (7) yeas, Lee Dotson, G. Roger Rife, David Rose, Trey Adkins, Craig Stiltner, Tim Hess, Jeff Cooper and zero (0) nays, this board did hereby approve to hire an in-house road construction crew and eliminate the yearly maintenance contract effective June 30th, 2024 and amendment FY23/24 Coal Road Plan including an additional appropriation in the amount of \$350,000 to Fund 5, account number 41080-5308 to purchase equipment necessary for the additional road construction crew.

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IN RE: CONSIDER APPROVING THE IMMEDIATE REMOVAL OF AN ABANDONED DANGEROUS BRIDGE

After a general discussion by the board upon motion by Trey Adkins seconded David Rose and a roll call vote of six (6) yeas, Lee Dotson, G. Roger Rife, David Rose, Trey Adkins, Craig Stiltner, Tim Hess, zero (0) nays and one (1) abstention, Jeff Cooper, this board did hereby approve the immediate removal of an abandoned dangerous bridge that constitutes a public nuisance that present an immediate and imminent threat to life or property located on Guesses Fork in the Knox Magisterial District. The Board of Supervisors has determined that the bridge in question (Cunningham Bridge) presents such a threat to the public health and/or public safety that it should be removed immediately and that all notice requirements of the ordinance in regard to the removal of public nuisance are waived pursuant to the terms of said ordinance.

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IN RE: CONSIDER APPROVING TO TAKE ACTION IN LOCATING THE PROPERTY OWNER/S OF ABANDONED STRUCTURES

Craig Stiltner, Rocklick District Supervisor stated near State Route 609 there's two (2) or three (3) different structures that need to be removed.

L. Lee Moise, County Attorney stated the taxes on those properties haven't been paid for over five years. To the best of my knowledge, there's a widow and three adult children that own interests in the property.

After a general discussion by the board upon motion by Craig Stiltner seconded Trey Adkins and a roll call vote of seven (7) yeas, Lee Dotson, G. Roger Rife, David Rose, Trey Adkins, Craig Stiltner, Tim Hess, Jeff Cooper and zero (0) nays, this board

did hereby approve to take action in locating the property owner/s of abandoned structures at the intersection of State Route 609 and 460 at Harman, VA. If the property owner/s cannot be located then move forward with the removal of the abandoned dangerous, which constitutes a public nuisance that present an immediate and imminent threat to life or property.

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IN RE: PUBLIC HEARING – 5:30 P.M. – TO HEAR PUBLIC COMMENTS REGARDING THE PROPOSED ADOPTION OF AN AMENDED ORDINANCE ENTITLED: “AN ORDINANCE TO ESTABLISH PAYMENT OF A BOUNTY FOR COYOTES IN ACCORDANCE WITH SECTION 15.2-926.1 OF THE CODE OF VIRGINIA (1950). SPECIFICALLY, THE PROPOSED AMENDMENT TO CHAPTER 22, ANIMALS, ARTICLE III, BOUNTY FOR COYOTES OF THE BUCHANAN COUNTY CODE.”

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

L. Lee Moise, County Attorney stated a emergency ordinance was adopted by the board on January 8th, 2024, which included accepting male and female coyotes for bounty payments. The payment for a coyote claim when from \$50.00 to \$100.00 for both male and female claims. Also, the emergency ordinance was adopted for a six (6) month period, which would end on July 8th, 2024, he stated.

While preparing the amended ordinance for the agenda today, there were a couple of issues that needed to be addressed, stated Mr. Moise. The first one is clarifying that the claimant must kill the coyotes within Buchanan County and secondly, that the claimant must be a resident of Buchanan County, he stated.

Also, there is the question of whether the coyote carcasses can be turned in at the Buchanan County Transfer Station and the County Garage, asked Mr. Moise?

Several said both the transfer station and county garage can receive the carcasses.

Craig Stiltner, Rocklick District Supervisor stated there’s 3,000 acres of IDA property on Southern Gap where coyotes are migrating with the Elk. We need to send a letter to the IDA asking them to request the Virginia Department of Game and Inland Fisheries (VDGIF) and Leon Boyd on the VDGIF Board to allow coyotes to be trapped on the IDA property.

After a general discussion by the board upon motion by Craig Stiltner seconded by Tim Hess and with a roll call vote of seven (7) yeas, Lee Dotson, G. Roger Rife, David Rose, Trey Adkins, Craig Stiltner, Tim Hess, Jeff Cooper and zero (0) nays, this board did hereby approve to close the public hearing.

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**IN RE: CONSIDER ADOPTING AN AMENDED ORDINANCE
 ENTITLED: “AN ORDINANCE TO ESTABLISH PAYMENT OF A
 BOUNTY FOR COYOTES IN ACCORDANCE WITH SECTION
 15.2-926.1 OF THE CODE OF VIRGINIA (1950). SPECIFICALLY,
 THE PROPOSED AMENDMENT TO CHAPTER 22, ANIMALS,
 ARTICLE III, BOUNTY FOR COYOTES OF THE BUCHANAN
 COUNTY CODE”**

After a general discussion by the board upon motion by Trey Adkins seconded by Craig Stiltner with a roll call vote of seven (7) yeas, Lee Dotson, G. Roger Rife, David Rose, Trey Adkins, Craig Stiltner, Tim Hess, Jeff Cooper and zero (0) nays, this board did hereby adopt an Amended Ordinance entitled: “An Ordinance to Establish Payment of a Bounty for Coyotes in Accordance with Section 15.2-926.1 of the Code of Virginia (1950). Specifically, the proposed amendment to Chapter 22, Animals, Article III, Bounty for Coyotes of the Buchanan County Code.”

**CHAPTER 22, ANIMALS
ARTICLE III, BOUNTY FOR COYOTES**

“AN AMENDED ORDINANCE TO ESTABLISH PAYMENT OF A BOUNTY FOR COYOTES IN ACCORDANCE WITH SECTION 15.2-926.1 OF THE CODE OF VIRGINIA (1950), AS AMENDED.”

Section - Killing of Coyotes Permitted: Bounty Established: Procedures for Claims:

- A.** The killing of both female and male coyotes within the boundaries of Buchanan County, Virginia, is hereby authorized for bounties upon the following conditions: Upon proper proof that the claimant presenting the coyote carcass must verify that said claimant is a resident of Buchanan County, Virginia and that the coyote was killed upon land located within the boundaries of Buchanan County, Virginia, all such information verified under oath. The claimant shall supply the 911 address of his or her residence in Buchanan County and the 911 address of the location of where in Buchanan County the coyote was killed. A bounty of One-Hundred Dollars (\$100.00) shall be paid by the County from available funds, for each female and male coyote killed within the boundaries of the County. The entire coyote carcass shall be presented at the County Sanitary Landfill or County Garage to County’s designated agent before payment of the bounty.
- B.** All bounty payment(s) shall be contingent upon the furnishing of such identifying information as requested by the County’s designated agent and the Board of Supervisors shall be the approving authority for payment of all claims presented.

Section - Available Funds Not to Exceed \$5,000.00:

The total dollar amount of bounties to be paid under this ordinance shall not exceed the sum of Five Thousand Dollars (\$5,000.00) per fiscal year (July 1st to June 30th), except by additional appropriation by the Board.

Section - Unlawful Acts; Penalties:

It shall be unlawful for any person to present a false claim or to receive any money on a false claim under this ordinance which act shall constitute a Class One Misdemeanor, punishable by a fine not to exceed \$2,500.00 and/or confinement in jail for a period not to exceed one year.

- C. This Emergency Ordinance was adopted by the board of supervisors on January 8th, 2024,
- D. This Ordinance is adopted pursuant to the authority vested in the Board of Supervisors by Sections 15.2-1425, 15.2-1426, 15.2-1427 and 15.2-926.1 Code of Virginia, 1950, as amended.
- E. This Ordinance repeals any Ordinance of Buchanan County which is in conflict with the provisions hereof but only to the extent that such Ordinance is in conflict herewith.
- F. This amended ordinance shall remain in effect for six months from January 8, 2024, at which time the amount of the bounty shall return to \$50.00 only for each female coyote killed within the boundaries of Buchanan County by a resident of Buchanan County.

This amended ordinance was adopted on the 5th day of February 2024.

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

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

ATTEST:

Robert Craig Horn, County Administrator

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IN RE: CONSIDER APPROVING ADDENDUM #1 TO THE AGREEMENT BETWEEN BUCHANAN COUNTY, VIRGINIA AND ROBINSON, FARMER COX ASSOCIATES DATED SEPTEMBER 11TH, 2023 AND AUTHORIZE THE CHAIRMAN AND COUNTY ADMINISTRATOR TO EXECUTE THE ADDENDUM WITH APPROVAL AS TO FORM BY THE COUNTY ATTORNEY

After a general discussion by the board upon motion by Craig Stiltner seconded by Tim Hess with a roll call vote of seven (7) yeas, Lee Dotson, G. Roger Rife, David Rose, Trey Adkins, Craig Stiltner, Tim Hess, Jeff Cooper and zero (0) nays, this board did hereby approve Addendum #1 to the Agreement between Buchanan County, Virginia and Robinson, Farmer Cox Associates dated September 11th, 2023 and authorized the chairman and county administrator to execute the addendum with approval as to form by the county attorney.

ADDENDUM #1 TO AGREEMENT BETWEEN BUCHANAN COUNTY, VIRGINIA AND ROBINSON, FARMER, COX ASSOCIATES, DATED SEPTEMBER 11, 2023

Now come the parties, Robinson, Farmer, Cox Associates (hereinafter sometimes referred to as the "CPA Firm"), and Buchanan County, Va., a political subdivision of the Commonwealth of Virginia, (hereinafter sometimes referred to as "County") do hereby agree to the following modification of the agreement dated September 11, 2023, to provide for the review and evaluation of the accounting processes of the Buchanan County Fire Departments and Rescue Squads (hereinafter sometimes referred to as the "Organizations") for the period of fiscal years covered by the Agreement dated September 11, 2023 as per the terms of this Addendum set forth below. The Agreement dated September 11, 2023 is attached and made a part of this Addendum as Exhibit "A":

That the parties hereby agree to modify the September 11, 2023 agreement to add additional procedures relative to Fire Departments and Rescue Squads as detailed in accompanying Engagement Letter (Exhibit B) for the fiscal year(s) ending June 30, 2023 or December 31, 2023 depending on the fiscal year end(s) of the respective Fire Departments or Rescue Squads. Additional compensation for such services is provided in the accompanying Engagement Letter. As required by the American Institute of Certified Public Accountants (AICPA), an engagement letter will be provided for each future fiscal period for these additional services during the term of the contract dated September 11, 2023 and hourly rates will be adjusted therein, as applicable.

EXECUTED IN DUPLICATE ORIGINALS:
IN WITNESS HEREOF:

ROBINSON, FARMER, COX ASSOCIATES

BY: _____

Corbin Stone, Managing Director
Robinson, Farmer, Cox Associates

BUCHANAN COUNTY, VIRGINIA

BY: _____

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

ATTEST:

Robert Craig Horn, County Administrator

APPROVED TO AS TO FORM ONLY:

Lawrence L. Moise III, County Attorney

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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 ISSUING A LETTER TO FEDERAL LEGISLATORS REGARDING THE OFFICE OF SURFACE MINING (OSM) DELAY IN THE VETTING PROCESS OF THE SOLAR PROJECT LOCATED IN THE KNOX MAGISTERIAL DISTRICT WITH THE VIRGINIA DEPARTMENT OF ENERGY (AMBLER)

After a general discussion by the board upon motion by Trey Adkins seconded by Craig Stiltner with a roll call vote of seven (7) yeas, Lee Dotson, G. Roger Rife, David Rose, Trey Adkins, Craig Stiltner, Tim Hess, Jeff Cooper and zero (0) nays, this board did hereby approve issuing a letter to Federal Legislators regarding the Office of Surface Mining (OSM) delay in the vetting process of the solar project located in the Knox Magisterial District with the Virginia Department of Energy (AMBLER).

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IN RE: CONSIDER APPROVING THE AGREEMENT BETWEEN PICTOMETRY INTERNATIONAL CORP. AND BUCHANAN COUNTY BASED ON THE SOLE SOURCE PROCUREMENT APPROVED IN JANUARY 2024 FOR FULL CHANGE DETECTION SOLUTION

After a general discussion by the board upon motion by Craig Stiltner seconded by Lee Dotson with a roll call vote of seven (7) yeas, Lee Dotson, G. Roger Rife, David Rose, Trey Adkins, Craig Stiltner, Tim Hess, Jeff Cooper and zero (0) nays, this board did hereby approve the Agreement between Pictometry International Corp. and Buchanan County based on the Sole Source procurement approved in January 2024 for full change detection solution. A copy of this agreement is located in the Buchanan County Administrator’s Office for review.

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IN RE: CONSIDER APPROVING AN ADDITIONAL APPROPRIATION IN THE AMOUNT OF \$8,473.00 TO APPALACHIAN AGENCY FOR SENIOR CITIZENS TO BE USED AS 1% MATCHING FUNDS IN THE PURCHASE OF SEVEN NEW BUSES

After a general discussion by the board upon motion of Craig Stiltner seconded by Tim Hess and with a roll call vote of seven (7) yeas, Lee Dotson, G. Roger Rife, David Rose, Trey Adkins, Craig Stiltner, Tim Hess, Jeff Cooper and zero (0) nays, this board did hereby approve an additional appropriation in the amount of \$8,473.00 to Appalachian Agency for Senior Citizens to be used as 1% matching funds in the purchase of seven new buses.

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IN RE: CONSIDER APPOINTMENT AND/OR REAPPOINTMENT TO BUCHANAN COUNTY PLANNING COMMISSION FOR THE SOUTH GRUNDY MAGISTERIAL DISTRICT AND TOWN OF GRUNDY. (CURRENT: PEGGY LOWE SGD AND REBECCA ELKINS, TOWN)

After a general discussion by the board upon motion of David Rose seconded by Craig Stiltner and with a roll call vote of seven (7) yeas, Lee Dotson, G. Roger Rife, David Rose, Trey Adkins, Craig Stiltner, Tim Hess, Jeff Cooper and zero (0) nays, this board did hereby reappoint Peggy Lowe, as representative for the South Grundy Magisterial District and Rebecca Elkins, as representative for the Town of Grundy to the Buchanan County Planning Commission.

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IN RE: CONSIDER APPOINTMENT TO THE BUCHANAN COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY BOARD OF DIRECTORS FOR THE NORTH GRUNDY MAGISTERIAL DISTRICT

After a general discussion by the board upon motion of Lee Dotson seconded by

Trey Adkins and with a roll call vote of seven (7) yeas, Lee Dotson, G. Roger Rife, David Rose, Trey Adkins, Craig Stiltner, Tim Hess, Jeff Cooper and zero (0) nays, this board did hereby appoint Tim O’Quinn to the Buchanan County Industrial Development Authority Board of Directors for the North Grundy District for a four (4) year term beginning February 5th, 2024.

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**IN RE: CONSIDER APPOINTMENT AND/OR REAPPOINTMENT TO
THE CUMBERLAND PLATEAU REGIONAL WASTE
MANAGEMENT AUTHORITY BOARD OF DIRECTORS**

After a general discussion by the board upon motion of David Rose seconded by Jeff Cooper and with a roll call vote of seven (7) yeas, Lee Dotson, G. Roger Rife, David Rose, Trey Adkins, Craig Stiltner, Tim Hess, Jeff Cooper and zero (0) nays, this board did hereby reappoint Tim Hess to the Cumberland Plateau Regional Waste Management Authority Board of Directors for a four-year term ending March 1st, 2028.

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**IN RE: CONSIDER APPOINTMENT OF TWO ELECTED OFFICIALS TO
THE FULL BOARD FOR CUMBERLAND PLATEAU PLANNING
DISTRICT COMMISSION FOR A FOUR-YEAR TERM**

After a general discussion by the board upon motion of Tim Hess seconded by Craig Stiltner and with a roll call vote of seven (7) yeas, Lee Dotson, G. Roger Rife, David Rose, Trey Adkins, Craig Stiltner, Tim Hess, Jeff Cooper and zero (0) nays, this board did hereby appoint David Rose and Lee Dotson to the full board for Cumberland Plateau Planning District Commission for a four-year term.

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**IN RE: CONSIDER APPOINTMENTS AND/OR REAPPOINTMENTS TO
BUCHANAN GENERAL HOSPITAL BOARD OF DIRECTORS
FOR THE SOUTH GRUNDY MAGISTERIAL DISTRICT AND
THE MEMBER AT LARGE. (CURRENT: MARY RUTH SPENCER
(SGD) AND BRAD VANDYKE (MEMBER AT LARGE))**

After a general discussion by the board upon motion by David Rose seconded by Tim Hess and with the following roll call vote of seven (7) yeas, Lee Dotson, G. Roger Rife, David Rose, Trey Adkins, Craig Stiltner, Tim Hess, Jeff Cooper and zero (0) nays, this board did hereby reappoint Mary Ruth Spenser as representative for the South Grundy Magisterial District and reappointed Brad Vandyke, At Large Member to the Buchanan General Hospital Board of Directors, their terms will expire on February 24th, 2029.

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IN RE: CONSIDER APPROVING ADDITIONAL APPROPRIATIONS

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

- Additional appropriation in the amount of \$175.00 to Rowe Senior Citizens account number 53050-5604-02;
- Additional appropriation in the amount of \$450.00 to Rocklick District Park and Rec. account number 71040-5604-06;
- Additional appropriation in the amount of \$500.00 to Rocklick District Park and Rec. account number 71040-5604-06;
- Additional appropriation in the amount of \$50.00 to Rocklick District Park and Rec. account number 71040-5604-06;
- Additional appropriation in the amount of \$50.00 to Rocklick District Park and Rec. account number 71040-5604-06;
- Additional appropriation in the amount of \$75.64 to Circuit Court Clerk’s Office to account number 21060-3320 (copier paper etc.);
- Additional appropriation in the amount of \$604.25 to William P. Harris Park to account number 71040-6022-02.

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IN RE: CONSIDER REQUEST TO BIG SAND SOIL AND WATER CONSERVATION DISTRICT (BSSWCD)

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, Lee Dotson, G. Roger Rife, David Rose, Trey Adkins, Craig Stiltner, Tim Hess, Jeff Cooper and zero (0) nays, this board did hereby request BSSWCD to appoint Leona Wolford as an Associate Director of BSSWCD.

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IN RE: CONSIDER APPROVING AN ADDITIONAL APPROPRIATION IN THE AMOUNT OF \$56,000.00 TO FUND 10, LIVESTOCK CLAIMS

After a general discussion by the board upon motion by Craig Stiltner seconded by Lee Dotson and with a roll call vote of seven (7) yeas, Lee Dotson, G. Roger Rife, David Rose, Trey Adkins, Craig Stiltner, Tim Hess, Jeff Cooper and zero (0) nays, this board did hereby approve an additional appropriation in the amount of \$56,000.00 to Fund 10, Livestock Claims, account number 35010-8104.

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IN RE: CONSIDER APPROVING TO GO FROM SEVEN MAGISTERIAL DISTRICTS TO FIVE MAGISTERIAL DISTRICTS

Trey Adkins, Knox District Supervisors made a motion that the next four-year term for the board of supervisors to go from seven magisterial districts to five magisterial

districts. This can be added to the ballot and allow the voters decide if the county should go from seven to five magisterial districts. You can vote this up or down, he stated.

When we had the debate at the Appalachia School of Law, this was a question that was asked if we as the board of supervisors would agree to, he commented.

L. Lee Moise, County Attorney stated he would need to do some research regarding this issue first.

We can ask voters if they would like to see five, seven or even nine magisterial districts in Buchanan County, stated Mr. Adkins.

Roger Rife, Chairman stated we used to have five magisterial districts, but one party took control, so then they went to seven because they lost control. I think there's some good points in going to five and even maybe three, he stated.

I think we should leave it at seven districts from my experience on the school board and the board of supervisors, stated Craig Stiltner, Rocklick District Supervisor.

I think we need to let the voters decide, stated Mr. Adkins.

The only problem is, the voters will not understand what they're voting for, stated Mr. Stiltner.

I think you would be surprised, the voters in Hurley were very smart this year, stated Mr. Adkins. If we go down to five districts, it would be Knox, Rocklick, Garden, Hurricane and Grundy. It would cut Prater and one of the Grundy district's out, he commented.

Pike County, Kentucky has only three clerks, which is the same as supervisors, stated Mr. Adkins.

After a general discussion by the board upon motion by Trey Adkins with no second to his motion, Mr. Adkins requested a roll call vote: four (4) nays, G. Roger Rife, David Rose, Tim Hess, Craig Stiltner, two (2) yeas, Trey Adkins, Jeff Cooper and one (1) abstention, Lee Dotson, the motion failed.

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

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

Council High School (senior trip)	\$7,500.00
Twin Valley High School (Baseball)	\$2,000.00
BC Youth (Cheerleading group)	\$12,000.00
Grundy High School (Cheer-Team)	\$370.00
Twin Valley High School (Prom)	\$5,500.00
Whitewood Vol. Fire Dept.	\$34,089.00
Big Sandy Soil & Water Conservation District	\$700.00

Grundy High School (concession stand)	\$1,595.00
Hurley Youth Sports	\$2,500.00

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IN RE: CONSIDER APPROVING FULL-TIME EMPLOYMENT FOR MIKE SANABRIA

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, Lee Dotson, G. Roger Rife, David Rose, Trey Adkins, Craig Stiltner, Tim Hess, Jeff Cooper and zero (0) nays, this board did hereby approve full-time employment for Mike Sanabria at Willowbrook Golf Course at a salary of \$39,323.00 per year.

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IN RE: CONSIDER APPROVING AN ADDITIONAL APPROPRIATION TO KNOX CREEK FIRE DEPARTMENT, INC.

Upon motion by Trey Adkins seconded by Craig Stiltner to approve an additional appropriation in the amount of \$54,000.00 to Knox Creek Fire Department, Inc.

Trey Adkins, Knox District Supervisor stated Knox Creek Fire Department needs the \$54,000 financially to make it until the new fiscal year budget begins on July 1st.

Craig Stiltner, Rocklick District Supervisor stated I'll approve the \$54,000 this time, but the fire department needs to make some adjustments in the staff personnel for the rescue squad.

Roger Rife, Chairman asked if the county could afford to have seventy people working with the rescue squads?

Knox Creek Fire Department answered over 700 calls last year, stated Mr. Adkins.

We're starting to have properties taken off the tax roll, because of the flood proofing project through the army corp., stated Mr. Rife. There's a lot of people in this county that's monthly income is \$800 to \$1,000.

The flood proofing project is destroying Buchanan County and the school system, stated Mr. Adkins. We need to cut the school system in this upcoming budget. The school had \$1.4 million in surplus funds this fiscal year and if we cut that from the school board, we'll have enough money to operate the rescue squads in the county, he commented.

I'll vote for it, if we can find somewhere to cut the budget, because it's not the resident's fault there's not enough money to operate the rescue squads, stated Jeff Cooper, Garden District Supervisor.

Robert C. Horn, County Administrator stated the next meeting of the committee regarding the rescue squads, the finance director and myself needs to be in that meeting.

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

Craig Stiltner, Tim Hess, Jeff Cooper and one (1) nay, G. Roger Rife, this board did hereby approve an additional appropriation in the amount of \$54,000.00 to Knox Creek Fire Department, Inc. account and to issue a check in this amount to Knox Creek Fire Department, Inc.

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IN RE: CONSIDER APPOINTING DORTHY LAMBERT AS 911 COORDINATOR

After a general discussion by the board upon motion by Lee Dotson seconded by Craig Stiltner and with a roll call vote of seven (7) yeas, Lee Dotson, G. Roger Rife, David Rose, Trey Adkins, Craig Stiltner, Tim Hess, Jeff Cooper and zero (0) nays, this board did hereby approve to appoint Dorthy Lambert as 911 Coordinator.

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IN RE: CONSIDER APPROVING TO HIRE A EMT COORDINATOR TO TEACH EMS CLASSES

After a general discussion by the board upon motion by Trey Adkins seconded by Craig Stiltner with a roll call vote of seven (7) yeas, Lee Dotson, G. Roger Rife, David Rose, Trey Adkins, Craig Stiltner, Tim Hess, Jeff Cooper and zero (0)) nays, this board did hereby approve to contract a EMT Coordinator to teach EMS classes.

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IN RE: CONSIDER APPOINTING A COMMITTEE TO ASSIST IN PREPARING AND REVIEWING THE MEMORANDUM OF UNDERSTANDING BETWEEN BUCHANAN COUNTY BOARD OF SUPERVISOR AND THE BUCHANAN COUNTY PUBLIC SERVICE AUTHORITY

After a general discussion by the board upon motion by Trey Adkins seconded by Jeff Cooper with a roll call vote of seven (7) yeas, Lee Dotson, G. Roger Rife, David Rose, Trey Adkins, Craig Stiltner, Tim Hess, Jeff Cooper and zero (0)) nays, this board did hereby appoint Craig Stiltner and Lee Dotson to the committee to assist in preparing and reviewing a Memorandum of Understanding between the Buchanan County Board of Supervisors and the Buchanan County Public Service Authority regarding the county's waterline crew issues, such as engineering responsibility, ownership and maintenance responsibilities, etc.

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IN RE: ADJOURNMENT

After a general discussion by the board upon motion by Jeff Cooper seconded by Trey Adkins and with a roll call vote of seven (7) yeas, Trey Adkins, Lee Dotson, G.

Roger Rife, Tim Hess, Jeff Cooper, David Rose, Craig Stiltner and zero (0) nays, this board did hereby approve to adjourn the meeting.

Roger Rife, Chairman of the
Buchanan County Board of Supervisors

Robert Craig Horn, County Administrator