

MINUTES

A regular meeting of the Buchanan County Board of Supervisors was held on the 11<sup>th</sup> day of March 2024 starting at 5:00 o'clock p.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:** 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: NIKKI STILTNER, COMMONWEALTH ATTORNEY AND HAYLEIGH BOSTIC, VICTIM WITNESS PROGRAM DIRECTOR – DISCUSS THE VICTIM WITNESS PROGRAM AND NATIONAL CRIME VICTIMS’ RIGHTS WEEK SET FOR THE LAST WEEK OF APRIL**

Nikki Stiltner, Commonwealth Attorney stated I wanted to introduce you to Hayleigh Bostic, Director of the Victim Witness Program. Ms. Bostic works diligently with individuals who are victims of a criminal related matter.

Ms. Bostic, Director stated the Victim Witness Program is a grant funded program vital to the citizens of Buchanan County. We are a codified program throughout the State of Virginia and we are specifically tasked with the responsibility of helping victims and witnesses of crime in the county, she stated.

This program is housed within the commonwealth attorney’s office and sponsored by the Buchanan County Commonwealth Attorney’s Office, stated Ms. Bostic. Ms. Latasha Hagerman is my assistance. We work with victims from the beginning until the end of each case, she stated. We let the victims know that we’re here for them through it all. Also, we give them a copy of what their rights are as a victim, stated Ms. Bostic.

This is the most difficult job that I've ever had in my life, commented Ms. Bostic. Craig Stiltner, Rocklick District Supervisor asked Ms. Bostic if she had submitted her budget for fiscal year 2024/2025?

Yes, I have the salaries are the same and I've included funding for a new computer for myself and a little additional funding to attend a conference.

G. Roger Rife, Chairman asked if she still had funding in this current budget?

Yes, but next year the state may cut our grant by 10 to 14 percent, commented Ms. Bostic.

Trey Adkins, Knox District Supervisor asked Ms. Stiltner if she had all her compensatory board positions filled in her office?

Ms. Stiltner stated all positions are filled, but I do have one, a assistance commonwealth position still available.

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**IN RE:           KEN SMITH WITH SONS OF CONFEDERATE VETERANS –  
CONSIDER ADOPTING RESOLUTION REGARDING  
CONFEDERATE HERITAGE AND HISTORY MONTH**

Ken Smith, with the Sons of Confederate Veterans stated it's been five years since I've been to the board requesting the adoption of a resolution regarding Confederate Heritage and History Month. We honor the Confederate Veterans and Union Troops in Buchanan County. Also, we assist families in finding their family ancestors, he stated.

After a general discussion by the board upon motion by Craig Stiltner seconded by Trey Adkins 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 declaring that April 2024 be designated as Confederate Heritage and History Month.

**Lt Col Vincent A. Witcher - Camp #1863**  
**Sons of Confederate Veterans**  
Post Office Box 386  
Grundy, Virginia 24614  
Email: [koalbucket@gmail.com](mailto:koalbucket@gmail.com)  
Web site: [www.geocities.com/witcher\\_camp](http://www.geocities.com/witcher_camp)  
Phone: 276-935-2018 Fax: 276-935-4101  
Glenn Richardson - Commander ~ Ken Smith - Adjutant/Treasurer

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**CONFEDERATE HERITAGE AND HISTORY MONTH RESOLUTION**

Be it hereby resolved that the Buchanan County Board of Supervisors in Commemoration of the Distinguished Service of the Confederate Veterans of Buchanan County declare that April 2024 be designated as Confederate Heritage and History Month.

The American Civil War was a difficult and trying time for this Nation and the Commonwealth of Virginia and this fledgling county.

The Recognition of the Service of these Buchanan County residents needs to be remembered and honored: As they fought and served to protect their homes and families.

Of over 500 men in 1860 from Buchanan County, nearly 400 served in the Confederate Army and another 100 served in the Federal Army and with this resolution the service of these men will be remembered and honored.

So, it is with great pride and honor that the Buchanan County Board of Supervisors do adopt this resolution sponsored by the Lt. Col. Vincent Addison Witcher Camp # 1863, Virginia Division, Army of Northern Virginia of the Sons of Confederate Veterans.

This resolution was adopted on the 11<sup>th</sup> day of March, 2024.

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

ATTEST:

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Robert C. Horn, County Administrator

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**IN RE:            ROGER STREET, BOB SALYERS AND RONNIE BLANKENSHIP  
                      – COALFIELDS SPECIAL SPORTSMAN**

Bob Salyers with Coalfields Special Sportsman stated we're here to request a contribution to Coalfields Special Sportsman. We are not a 501(c)(3) yet, therefore the contribution will need to go through SWVA Sportsmen, Inc. who is a 501(c)(3) earmarked for the Coalfields Special Sportsman Program. We have requested SWVA Sportsmen, Inc. to allow Coalfields Special Sportsman to be a subdivision of their organization, he stated.

Coalfields Special Sportsman Program formed when a coalition of interested land owners and other dedicated parties then came together to form a growing group of special sportsmen, stated Mr. Salyers. SWVA Sportsman, Inc. has graciously offered to support our efforts to give special needs individuals an opportunity for the experience of a life time. It's our intention to offer the opportunity to hunt for people who are physically or developmentally challenged, under rigorously controlled safe environments, he stated.

Coalfields Special Sportsman applied for and was granted financial support from a 501(c)(3) organization from North Carolina called Hands of a Sportsman, which has been offering special needs sportsmen these opportunities for a while, stated Mr. Salyers. This program has granted grants Coalfields Special Sportsman

financial and technical support for a turkey hunt on April 20th and a deer hunt on September 28th and 29th this year. We will be hosting five hunters and their families for each hunt and at no expense to the families, commented Mr. Salyers.

In order to present these opportunities in the future, certain specially adaptive hunting equipment will be necessary, stated Mr. Salyers. The specific equipment we are asking support in purchasing has been chosen, because it meets the need of reliability, strength, wheel chair accessibility and aid for physically and visually impaired candidates, he commented.

Taking one kid hunting isn't going to change the world, but it will change the world for one kid, stated Mr. Salyers.

Craig Stiltner, Rocklick District Supervisor stated I think this is a great ideal.

Roger Street with Coalfields Special Sportsman stated we've had local people to donate for these events. Once we get the equipment and our own 501(c)(3), we can move forward in getting all of Southwest Virginia and surrounding counties involved.

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 a \$10,000 contribution to SWVA Sportsmen, Inc. to be divided among the seven (7) district accounts earmarked for Coalfields Special Sportsman.

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**IN RE: CONSENT AGENDA**

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 the following Consent Agenda:

- a. Approving minutes for February 5<sup>th</sup>, 2024;
- b. Ratifying payroll after review;
- c. Ratifying the payment of bills by Resolution adopted on January 8<sup>th</sup>, 2024; (Including the Buchanan County Head Start ratified bill list and bill list)
- d. Approving the following coyote claims in the amount of \$100.00 per claim and to issue a check for claim/s.

**COYOTES CLAIMS FOR MARCH 2024**

|                |              |
|----------------|--------------|
| Vanessa Dotson | Two Claims   |
| Elijah Tiller  | Two Claims   |
| Ethan Kiser    | Three Claims |
| Jack Charles   | Two Claims   |
| Keith Stiltner | Ten Claims   |
| Billy Yates    | One Claim    |
| Billy Owens    | Two Claims   |
| Herman Lester  | Three Claims |

|                     |              |
|---------------------|--------------|
| Morgan Vandyke      | One Claim    |
| German Lee Rice     | One Claim    |
| Kenneth Horn        | One Claim    |
| Michael Yates       | One Claim    |
| Jeffery Blankenship | One Claim    |
| Jimmy Clevinger     | One Claim    |
| Austin Looney       | One Claim    |
| Derek Justus        | One Claim    |
| Dennis Clevinger    | One Claim    |
| Jeremy Clevinger    | One Claim    |
| David Justus        | One Claim    |
| Deirdre Tiller      | Two Claims   |
| Hunter Phillips     | One Claim    |
| Flornia Owens       | One Claim    |
| Mack Lester         | Four Claims  |
| Hunter Souleyrette  | One Claim    |
| Kenneth Mullins     | Three Claims |
| Garnan Lee Rice     | One Claim    |
| William Looney      | Three Claims |
| Michael Hensley     | Three Claims |
| Gary Hughes         | One Claim    |
| Raymond A. Webb     | One Claim    |
| Timothy Childress   | One Claim    |
| Elisha Ball         | Two Claims   |
| Larry Tiller        | Three Claims |
| Wayne Clevinger     | Three Claims |
| Aaron Ball          | One Claim    |
| Delila Hurley       | One Claim    |
| Joshua Coleman      | One Claim    |

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**IN RE: PUBLIC COMMENTS**

Gary Wagner, resident requested the board to consider leaving the recording of the board meeting on Facebook for a couple days after the meeting is held.

G. Roger Rife, Chairman stated we'll see.

Jacob Holmes, with AEP stated I know AEP rates are high and we don't like them either. It's part of inflation, just like our grocery bills.

Craig Stiltner, Rocklick District Supervisor how can AEP justify giving away money to colleges, when it should go back to those people who don't have enough money for pay for food, groceries or medical expenses.

Even if you put your power bill on a payment plan, you still have to pay, stated Mr. Stiltner. I had a lady call me crying, stating she couldn't pay her power bill or buy groceries, he stated.

The CEO of AEP makes \$16 million each year, not including bonuses etc., stated Mr. Stiltner. Board members for AEP makes around \$365,000 per year, not including bonuses. They need to cut their salaries so AEP can give back to the residents.

In Florida power bills are around \$60.00 per month and here they're around \$600.00 per month, commented Mr. Stiltner.

G. Roger Rife, Chairman stated a lot of elderly people in the county has an income of \$700.00 to \$900.00 per month, which is their social security income of SSI. These residents have to make a choice either pay their power bill or get groceries, he commented.

Something got to give, stated Mr. Stiltner. Why is TVA power so much cheaper than AEP?

Mr. Holmes, stated transmission costs are increasing.

AEP needs to stay on top of their contractors, that the biggest expense AEP has, stated Jeff Cooper, Garden District Supervisor.

Mr. Stiltner, asked with the rates increasing, does it have anything to do with the Clean Energy Policy?

Mr. Holmes stated yes.

Are maintenance costs increasing, asked Mr. Cooper?

Yes, AEP has a lot of power line and poles that needs replacing, stated Mr. Holmes.

Trey Adkins, stated AEP has some of the best employees, they work hard and have a hard job to do.

Yes, correct stated Mr. Stiltner. The problem is the CEO's salary, the man couldn't have a conscience.

I remember when I got electricity, I was 10 years old, stated Mr. Rife. I knew one day we wouldn't be able to afford it. Now, in the past four years, look how AEP has increase, he commented.

We need to remember our delegates and see how they vote for any increases for AEP, stated Mr. Stiltner. Then remember them in the upcoming election.

Sandy Weekly, Extension Agent reminded the board of the pressure canner testing that's going to be held on Wednesday, March 20<sup>th</sup> at 10 a.m. at the extension office on Slate Creek. Also, the 4H Talent Contest that's going to be held on March 29<sup>th</sup> at Southwest Virginia Community College.

Bobby May, resident ask the board if there's anything they can do regarding the 25-mph speed limit below the Town of Grundy towards Big Rock. This is the area where they are working on the new road and removing some homes that was bought out. There are county deputies and town deputies writing speeding tickets in this area. If someone gets a speeding ticket, not only they have to pay the ticket, but they'll be responsible for court cost, stated Mr. May.

Maybe, the Virginia Department of Transportation (VDOT) can put up a flashing sign or the police put their blue lights on warning motorized in the area, stated Mr. May.

We have a lot of people coming to our Walmart from Kentucky and we don't want to do something that would keep them from coming to Grundy, stated Mr. May.

Randall Cole, PharmD with the Appalachian College of Pharmacy (ACP) stated he also works with the Mountain Care Center PIC at Keen Mountain. The Virginia Opioid Abatement Authority was started about two years ago. We need to apply for some of these funds; Buchanan, Russell and Tazewell Counties, he stated. There will be a \$1.5 million grant available over the next five years.

The objectives of the project are to develop a mobile harm reduction service for Buchanan and Tazewell Counties, which ACP will oversee. The mobile unit will travel regularly throughout each county at various sites each week. The location of the mobile unit will change regularly and on an as needed basis. Services will include: distribution of naloxone kits and training, distribution of fentanyl test strips, peer support, live and print education etc.

Robert C. Horn, County Administrator stated Mr. Cole has been working on this for the past three or four months. We would be applying for the funds with the assistance from ACP.

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, Jeff Cooper, David Rose, G. Roger Rife, Craig Stiltner, Lee Dotson and zero (0) nays, this board did hereby approve to apply for a direct distribution from the Virginia Opioid Abatement Authority Individual Distribution and the Virginia Opioid Abatement Authority Gold Standard Incentive in the total amount of \$135,299.00 for Buchanan County.

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**IN RE: JOSHUA MCGLOTHLIN, CHIEF OF DAVENPORT LIFE SAVING CREW**

Joshua McGlothlin, Chief of Davenport Lifesaving Crew stated the rescue squad has been operating under Prater Rescue, since Davenport's 501 (c)(3) needed updated. I'm asking for \$24,000 that was allocated money for Davenport Life Saving Crew payroll for 2023/2024. Also, requesting \$47,895.53 to be used for the purchase of a Zoll X Series Heart monitor, he stated. This will replace one of two outdated heart monitors currently being used.

After a general discussion by the board upon motion by Tim Hess seconded by Trey Adkins and with a roll call vote of six (6) yeas, Trey Adkins, Tim Hess, Jeff Cooper, David Rose, Craig Stiltner, Lee Dotson and one (1) nay, G. Roger Rife, this board did hereby approve issue a check in the amount of \$24,000 to Davenport Life Saving Crew, Inc. from the allocated funds for the rescue squads payroll for 2023/2024.

After a general discussion by the board upon motion by Tim Hess seconded by Trey Adkins and with a roll call vote of six (6) yeas, Trey Adkins, Tim Hess, Jeff Cooper, David Rose, Craig Stiltner, Lee Dotson and one (1) nay, this board did hereby approve an additional appropriation in the amount of \$23,947.77 to Davenport Life Saving Crew, Inc. and to issue a check in this amount of \$47,895.53 from the rescue squad account earmarked for the purchase of a Zoll X Series Heart Monitor.

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

Upon a motion by Lee Dotson seconded by Craig Stiltner and with a roll call vote of seven (7) yeas, Jeff Cooper, Lee Dotson, Craig Stiltner, Tim Hess, David Rose, 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 Buchanan County Head Start.

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Motion was made by Craig Stiltner to return from closed session seconded by Lee Dotson and with the following roll call vote of seven (7) yeas, Trey Adkins, Lee Dotson, David Rose, 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 twenty-three (23) minutes.

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A motion by Craig Stiltner seconded by Lee Dotson that the Board certify that in the closed session just concluded, nothing was discussed except the matter specifically identified in the motion to convene in closed session and lawfully permitted to be so discussed under the provisions of the Virginia Freedom of Information Act cited in that motion. The motion was agreed upon by the following roll call vote seven (7) yeas, Lee Dotson, Tim Hess, G. Roger Rife, Craig Stiltner, David Rose, Trey Adkins and zero (0) nays.

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**IN RE:           CONSIDER ADOPTING A RESOLUTION AFFIRMING  
                  COMMITMENT TO FUND THE LOCALITY SHARE OF 121/460  
                  PROJECT UNDER AGREEMENT WITH THE VIRGINIA  
                  DEPARTMENT OF TRANSPORTATION AND PROVIDE  
                  SIGNATURE AUTHORITY**

Jonathan Belcher, Executive Director for Virginia Coalfields Expressway Authority requested the board to consider approving the Resolution affirming commitment to fund the locality share of the 121/460 projects under Agreement with the



Virginia Department of Transportation and provide signature authority. The federal funding was applied for last year for fiscal year 2024 and was approved, with the assistance of U.S. Senators Mark Warner and Tim Kaine.

There is a 20% match, which the board is willing to commit to, stated Jay Rife, former IDA Chairman.

Robert C. Horn, County Administrator stated the board of supervisors will need to schedule a public hearing for the additional appropriation of \$1.75 million for the project. Also, a meeting of the Coal Haul Road Committee will need to meet this month to approve the additional appropriation and amendment to the 2023-2024 FY Coal Road Plan.

Marty Halloway, VDOT representative stated this project should start in 2025 and completed by 2027.

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, Tim Hess, G. Roger Rife, Craig Stiltner, David Rose, Trey Adkins, G. Roger Rife and zero (0) nays, this board did hereby adopt the following Resolution Affirming Commitment to Fund the Locality Share of 121/460 Project Under Agreement with the Virginia Department of Transportation and Provide Signature Authority.

**RESOLUTION  
AFFIRMING COMMITMENT TO FUND THE LOCALITY SHARE OF 121/460  
PROJECTS  
UNDER AGREEMENT WITH THE VIRGINIA DEPARTMENT OF  
TRANSPORTATION AND PROVIDE SIGNATURE AUTHORITY**

At a meeting of the Buchanan County Board of Supervisors held in the Supervisors' meeting room located in Grundy, Virginia on the 11<sup>th</sup> day of March 2024, the action was taken.

**WHEREAS**, the County of Buchanan, Virginia is a recipient of the Virginia Department of Transportation funds under various grant programs for transportation-related projects; and

**WHEREAS**, the Virginia Department of Transportation requires each locality, by resolution, to provide assurance of its commitment of funding its local share;

**WHEREAS**, on March 7<sup>th</sup>, 2023 a letter was sent to Jonathan Belcher, Executive Director for Virginia Coalfields Expressway Authority, along with a resolution dated March 6<sup>th</sup>, 2023 with both such documents in full support for this project; both such documents are attached and incorporated by reference into this resolution as Exhibits "A" and "B", respectively; and

**NOW, THEREFORE, BE IT RESOLVED** by the County Board of Supervisors for the County of Buchanan, Virginia, subject to the appropriation of funds, that:

1. The County of Buchanan, Virginia hereby commits to fund its local share of preliminary engineering, right of way, and construction (as applicable) of the project(s)

under agreement with the Virginia Department of Transportation in accordance with the project financial document(s).

2. The County Administrator, and/or his/her designees, is authorized to execute all agreements and/or addendums for any approved projects with the Virginia Department of Transportation.

Adopted this 11<sup>th</sup> day of March, 2024.

Recorded roll call vote:

Motion by: Craig Stiltner

Second by: Tim Hess

Yeas: Seven

Nays: Zero

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

ATTEST:

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

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**IN RE: CONSIDER SCHEDULING A PUBLIC HEARING REGARDING AN ADDITIONAL APPROPRIATION TO THE BUCHANAN COUNTY’S BUDGET FOR THE FISCAL YEAR 2023/2024 IN THE TOTAL AMOUNT OF ONE MILLION SEVEN HUNDRED FIFTY THOUSAND AND NO CENTS (\$1,750,000.00)**

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, Tim Hess, G. Roger Rife, Craig Stiltner, David Rose, Trey Adkins, G. Roger Rife and zero (0) nays, this board did hereby approve to schedule a public hearing for **Monday, the 1<sup>st</sup> day of April at 5:30 o’clock p.m.**, to hear public comments concerning amending the budget to provide an additional appropriation to the Buchanan County’s budget for the fiscal year 2023/2024 in the total amount of **One Million Seven Hundred Fifty Thousand and No Cents (\$1,750,000.00)** for an amendment to the Buchanan County Coal and Gas Road Improvement Fund Plan for FY 2023-2024 for the US 460/121 Project from the Town of Grundy corporations limits to the Kentucky Stateline.

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**IN RE: BILLIE CAMPBELL, TERRA TECH ENGINEERING SERVICES – REGARDING JM BEVINS ELEMENTARY SCHOOL AND PRATER ELEMENTARY SCHOOL**

Billie Campbell with Terra Tech Engineering Services stated myself and David Roark have prepared some preliminary numbers regarding the cost for demolition of Prater and JM Bevins Elementary.

Prater Elementary School is estimated at \$158,500.00 and JM Bevins is estimated

at \$197,300.00, stated Mr. Campbell. Also, to put the gymnasium back at both schools is estimated around \$600,000.00 each. This would be removing the school's classrooms and putting the gyms back at both schools, commented Mr. Campbell.

Lee Dotson, North Grundy District Supervisor stated this is very important for the North Grundy District. We don't have a gymnasium or a community center, which the gymnasium could be used for too.

Craig Stiltner, Rocklick District Supervisor stated I have two gymnasiums in my district and both of them stay booked. When I was a school board member the biggest complaint, we had from constituents was there was not enough gymnasium to play ball.

After a general discussion by the board upon motion by Lee Dotson seconded by David Rose and with a roll call vote of seven (7) yeas, Lee Dotson, Tim Hess, G. Roger Rife, Craig Stiltner, David Rose, Trey Adkins, G. Roger Rife and zero (0) nays, this board did hereby approve an additional appropriation to the following accounts for the demolition, potential asbestos costs and carpentry work for JM Bevins Elementary School and Prater Elementary School:

- Additional appropriation in the amount of \$197,300.00 to JM Bevins Elementary School account number 01-71060-7011-01;
- Additional appropriation in the amount of \$158,500.00 to Prater Elementary School account number 01-71060-7011-02.

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**IN RE:            CONSIDER APPROVING TO ISSUE A CHECK FOR REQUEST #3 FROM BUCHANAN COUNTY PUBLIC SERVICE AUTHORITY IN THE AMOUNT OF \$309,501.12 FROM THE COAL HAUL ROAD FY 2023-2024 (VARIOUS INVOICES)**

After a general discussion by the board upon motion by Craig Stiltner seconded by Tim Hess and with the following roll call vote of seven (7) yeas, Lee Dotson, Tim Hess, G. Roger Rife, Craig Stiltner, David Rose, Trey Adkins, G. Roger Rife and zero (0) nays, this board did hereby approve to issue a check for request #3 from Buchanan County Public Service Authority in the amount of \$309,501.12 from the Coal Haul Road FY 2023-2024 (various invoices).

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**IN RE:            CONSIDER APPROVING TO ISSUE A CHECK FOR REQUEST #4 FROM BUCHANAN COUNTY PUBLIC SERVICE AUTHORITY IN THE AMOUNT OF \$650,000.00 FROM THE COAL HAUL ROAD FY 2023-2024 (LOCAL SHARE HURLEY XI AND XII)**

After a general discussion by the board upon motion by Tim Hess seconded by Craig Stiltner and with the following roll call vote of seven (7) yeas, Lee Dotson, Tim Hess, G. Roger Rife, Craig Stiltner, David Rose, Trey Adkins, G. Roger Rife and zero (0) nays, this board did hereby approve to issue a check for request #4 from Buchanan

County Public Service Authority in the amount of \$650,000.00 from the Coal Haul Road FY 2023-2024 (Local Share Hurley XI and XII).

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**IN RE:            CONSIDER APPROVING THE FOLLOWING LAND USE PERMITS FROM CNX/POCAHONTAS GAS LLC. AND AUTHORIZE THE CHAIRMAN AND COUNTY ADMINISTRATOR TO EXECUTE THE PERMITS WITH APPROVAL AS TO FORM BY THE COUNTY ATTORNEY**

Marcus Stiltner, Coal Haul Road Engineer stated the Land Use Permit for county road 5450 GX (South Expansion Gathering Line Z33F) is locate in the Garden Magisterial District on Sandy Gap Road. Land Use Permit for county road 5450 GX (South Expansion Gathering Line Y34F) is located in the Garden Magisterial District on Sandy Gap Road and Land Use Permit for county road 5445 GX (South Expansion Gathering Line Z33J) is located in the Garden Magisterial District on Davis Mt. Road. I've reviewed these permits and all can be approved by the board, he commented.

Mr. Moise, County Attorney asked if all of these county roads were right of ways by prescriptive easement.

Mr. Stiltner answered that yes, they were.

After a general discussion by the board upon motion by Jeff Cooper seconded by Trey Adkins and with the following roll call vote of seven (7) yeas, Lee Dotson, Tim Hess, G. Roger Rife, Craig Stiltner, David Rose, Trey Adkins, G. Roger Rife and zero (0) nays, this board did hereby approve the following Land Use Permits from CNX/Pocahontas Gas LLC. and authorized the chairman and county administrator to execute the permits with approval as to form by the county attorney:

- Place a 16" & 20" pipeline under county road number 5450 GX (South Expansion Gathering Line Z33F) located in the Garden Magisterial District;
- Place a 16" & 20" pipeline under county road number 5450 GX (South Expansion Gathering Line Y34F) located in the Garden Magisterial District;
- Place a 16" & 20" pipeline under county road number 5445 GX (South Expansion Gathering Line Z33J) located in the Garden Magisterial District.

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**IN RE:            CONSIDER APPROVING EXTENDING BANNER CHURCH ROAD, COUNTY ROAD NUMBER 3202 LOCATED IN THE PRATER MAGISTERIAL DISTRICT**

After a general discussion by the board upon motion by David Rose seconded by Trey Adkins and with the following roll call vote of seven (7) yeas, Lee Dotson, Tim Hess, G. Roger Rife, Craig Stiltner, David Rose, Trey Adkins, G. Roger Rife and zero (0) nays, this board did hereby approve to extend Banner Church Road, County Road Number 3203 located in the Prater Magisterial District 200 feet.

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**IN RE:            CONSIDER APPROVING TO PURCHASE SEVEN COMPACT TRACTORS**

After a general discussion by the board upon motion by Craig Stiltner seconded by Tim Hess and with the following roll call vote of seven (7) yeas, Lee Dotson, Tim Hess, G. Roger Rife, Craig Stiltner, David Rose, Trey Adkins, G. Roger Rife and zero (0) nays, this board did hereby approve to purchase seven (7) compact tractors in the amount of \$286,776.00 from Turf Pros, who was the low responsive responsible bid.

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**IN RE:            CONSIDER APPROVING TO PURCHASE A 2008 LOADER**

Ater a general discussion by the board upon motion by Craig Stiltner seconded by David Rose and with the following roll call vote of seven (7) yeas, Lee Dotson, Tim Hess, G. Roger Rife, Craig Stiltner, David Rose, Trey Adkins, G. Roger Rife and zero (0) nays, this board did hereby approve to purchase a 2008 loader in the amount of \$60,100.00 from Ber-Del Enterprises, Inc. the low responsive responsible bid, which will be ratified at the April board of supervisors meeting.

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**IN RE:            CONSIDER ADOPTING A RESOLUTION IN REGARDS TO THE ENVIRONMENTAL REVIEW FOR THE REMAINING PHASES OF HURLEY WATER LINE EXTENSION PROJECT (PHASES XI & XII)**

Ater a general discussion by the board upon motion by Craig Stiltner seconded by Jeff Cooper with a roll call vote of seven (7) yeas, Lee Dotson, Tim Hess, G. Roger Rife, Craig Stiltner, David Rose, Trey Adkins, G. Roger Rife and zero (0) nays, this board did hereby adopt the following Resolution in regards to the Environmental Review for the Remaining Phases of Hurley Water Line Extension Project (Phases XI & XII).

**RESOLUTION**

**ADOPTION OF ENVIRONMENTAL REVIEW FOR REMAINING PHASES OF HURLEY WATER LINE EXTENSION PROJECT (PHASES XI & XII)**

**WHEREAS**, In January 2024, *Cumberland Plateau Planning District Commission* completed an Environmental Review document for the *Remaining Phases of Hurley Water Line Extension Project* on the behalf of the *Buchanan County Board of Supervisors*; and,

**WHEREAS**, that Environmental Review document was prepared for the purposes of satisfying contractual obligations set forth in the funding agreement between *Buchanan*

County Board of Supervisors and the Virginia Department of Housing and Community Development for its Community Development Block Grant program (CDBG); and,

**WHEREAS**, the Virginia Department of Housing Community Development also acts as the administrator of funding provided to the Commonwealth of Virginia through the Appalachian Regional Commission’s Area Development grant program; and,

**WHEREAS**, the Buchanan County Board of Supervisors has also been awarded funding for the Remaining Phases of Hurley Water Line Extension Project from the Appalachian Regional Commission’s Area Development grant program; and,

**WHEREAS**, the aforementioned Environmental Review document was prepared in such a way that it also satisfies the requirements of the aforementioned Appalachian Regional Commission program;

**NOW, THEREFORE, BE IT RESOLVED**, that the Buchanan County Board of Supervisors formally adopts the January 2024 Remaining Phases of Hurley Water Line Extension Project Environmental Review document, and the information contained within said document, so as to also satisfy the contractual requirements regarding Environmental Reviews outlined by the Virginia Department of Housing and Community Development and the Appalachian Regional Commission.

This resolution was adopted by the Buchanan County Board of Supervisors on the 11<sup>th</sup> day of March, 2024.

**Buchanan County Board of Supervisors**

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

**Attest:**

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

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

**IN RE:            CONSIDER APPROVING BUCHANAN COUNTY HEAD START  
SUBMISSION AND IMPLEMENTATION OF A CHANGE OF  
SCOPE/ENROLLMENT REDUCTION APPLICATION  
(GRANT#03CH11870)**

Ater a general discussion by the board upon motion by Lee Dotson seconded by Craig Stiltner with a roll call vote of seven (7) yeas, Lee Dotson, Tim Hess, G. Roger Rife, Craig Stiltner, David Rose, Trey Adkins, G. Roger Rife and zero (0) nays, this board did hereby approve Buchanan County Head Start submission and implementation of a Change of Scope/Enrollment Reduction grant application (Grant#03CH11870).

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

**IN RE:            CONSIDER ADOPTING THE SOLE SOURCE NOTICE AND  
RESOLUTION REGARDING THE AWARD OF CONTRACT TO  
THERMO SCIENTIFIC PORTABLE ANALYTICAL  
INSTRUMENTS INCORPORATED, WHICH HAS BEEN  
DETERMINED TO THE SOLE SOURCE FOR THE TRUNARC  
HANDHELD ELECTRONIC NARCOTIC ANALYZER IN THE  
AMOUNT OF \$41,033.00**

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, Tim Hess, G. Roger Rife, Craig Stiltner, David Rose, Trey Adkins, G. Roger Rife and zero (0) nays, this board did hereby approve the Sole Source Notice and Resolution regarding the award of Contract to Thermo Scientific Portable Analytical Instruments Incorporated, which has been determined to the Sole Source for the TruNarc Handheld Electronic Narcotic Analyzer in the amount of \$41,033.00 to be paid from Fund 33.

**NOTICE**

**RE: PENDING AWARD OF CONTRACT TO THERMO SCIENTIFIC  
PORTABLE ANALYTICAL INSTRUMENTS INCORPORATED WHICH  
HAS BEEN DETERMINED TO BE THE SOLE SOURCE FOR THE  
TRUNARC HANDHELD ELECTRONIC NARCOTIC ANALYZER**

**PLEASE TAKE NOTICE:**

- 1) Pursuant to information received from Annette Blumer, Government Contracts Manager for Thermo Scientific Portable Analytical Instruments Incorporated for the TruNarc, Unlimited, along with information obtained from John Przybylski of the Virginia Department of Forensic Science, the only approved presumptive mobile device as per the Virginia Register of Regulations is the Thermo Fisher TruNarc handheld electronic Narcotic Analyzer which is manufactured by Thermo Scientific Portable Analytical Instruments Incorporated and according Thermo Scientific Portable Analytical Instruments Incorporated been determined to be the only source practicably available for the Thermo Fisher TruNarc electronic Narcotic Analyzer; and
- 2) The Buchanan County, Va., Board of Supervisors will consider a Resolution to approve and award the contract or Purchase Order to Thermo Scientific Portable Analytical Instruments Incorporated for the TruNarc, Unlimited electronic Narcotic Analyzer at its March 11<sup>th</sup>, 2024 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 11<sup>th</sup> day of March 2024.

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Robert Craig Horn, County Administrator  
Buchanan County, Virginia

**RESOLUTION**

**RE: AWARD OF CONTRACT TO**

**THERMO SCIENTIFIC PORTABLE ANALYTICAL INSTRUMENTS  
INCORPORATED THAT CAN PROVIDE THE TRUNARC, UNLIMITED AND  
HAS BEEN DETERMINED TO BE SOLE SOURCE**

WHEREAS, the Buchanan County Sheriff’s Office conducted an investigation of potential vendors in regard to the contemplated procurement of the TruNarc, Unlimited; and

WHEREAS, after a thorough investigation including the information received from Annette Blumer, Government Contracts Manager for Thermo Scientific Portable Analytical Instruments Incorporated for the TruNarc, Unlimited, along with information obtained from John Przybylski of the Virginia Department of Forensic Science, the only approved presumptive mobile device as per the Virginia Register of Regulations is the Thermo Fisher TurNarc handheld electronic Narcotic Analyzer; and according has been determined that to be the only source practicably available; and

WHEREAS, Thermo Scientific Portable Analytical Instruments Incorporated has provided a quote of **Forty-One Thousand and Thirty-Three Dollars** (\$41,033.00) to provide TruNarc, Unlimited, which includes the TruNarc Solution Kit at \$733.00;

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 as approved in form by the County Attorney, or issue a Purchase Order that provides. for the purchase price of **Forty-One Thousand and Thirty-Three Dollars** (\$41,033.00) to provide TruNarc, Unlimited (handheld electronic Narcotic Analyzer), which includes the TruNarc Solution Kit at \$733.00;

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 has been determined Thermo Scientific Portable Analytical Instruments Incorporated for the TruNarc, Unlimited, to be the only source practicably available for the Thermo Fisher TruNarc handheld electronic Narcotic Analyzer.

This Resolution was adopted on the 11<sup>th</sup> day of March, 2024.

Recorded Vote:  
Moved by: Craig Stiltner  
Seconded by: Lee Dotson  
Yeas: Seven  
Nays: Zero

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

ATTEST:

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

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**IN RE: CONSIDER ADOPTING THE SOLE SOURCE NOTICE AND RESOLUTION REGARDING THE CONTACT WITH POWERPHONE TO BE THE ONLY SOURCE PRACTICABLY AVAILABLE FOR TOTAL RESPONSE SOFTWARE FOR THE BUCHANAN COUNTY SHERIFF'S OFFICE IN THE AMOUNT OF \$12,946.38**

After a general discussion by the board of supervisors upon motion by Craig Stiltner seconded by Lee Dotson with a roll call vote of seven (7) yeas, Lee Dotson, Tim Hess, G. Roger Rife, Craig Stiltner, David Rose, Trey Adkins, G. Roger Rife and zero (0) nays, this board did hereby approve the Notice and Resolution regarding the award to PowerPhone to be the only source practicably available for Total Response Software for the Buchanan County Sheriff's Office in the amount of \$12,946.38 for one year.

**NOTICE**

**RE: PENDING AWARD OF CONTRACT TO POWERPHONE THAT CAN PROVIDE THE TOTAL RESPONSE SOLUTION AND HAS BEEN DETERMINED TO BE SOLE SOURCE**

**PLEASE TAKE NOTICE:**

- 1) Pursuant to information received from the PowerPhone, it has been determined that PowerPhone is the sole source vendor to offer the Total Response Solution, which allows the Sheriff's Office to assist a caller in providing basic medical care to a person until rescue arrives on the scene.
- 2) The Buchanan County, Va., Board of Supervisors will consider a Resolution to approve and award the contract to PowerPhone for the Total Response Solution at its March 11<sup>th</sup>, 2024 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 11<sup>th</sup> day of March, 2024.

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Robert Craig Horn, County Administrator  
Buchanan County, Virginia

**RESOLUTION**

**RE: AWARD OF CONTRACT TO POWERPHONE THAT CAN PROVIDE THE TOTAL RESPONSE SOLUTION SOFTWARE AND HAS BEEN DETERMINED TO BE SOLE SOURCE**

WHEREAS, the Buchanan County Sheriff's Office conducted an investigation of potential vendors in regard to the contemplated procurement of the Total Response Solution Software; and

WHEREAS, last year after a thorough investigation including the information received from Tara Milardo, Vice President of Sales & Marketing for PowerPhone for the Total Response Solution Software, which has been determined that PowerPhone to be the only

source practicably available for Total Response Software that includes a patented advisory component called Response Advisor; and

WHEREAS, PowerPhone has provided a quote of **Twelve Thousand Nine Hundred Forty-Six Dollars and Thirty-Eight Cents** (\$12,946.38) to provide Total Response Solution Software for one (1) year, which includes annual software plan (annual maintenance) at \$7,374.38 and one full year for the training license (site license) at \$5,572.00 totaling **Twelve Thousand Nine Hundred Forty-Six Dollars and Thirty-Eight Cents** (\$12,946.38);

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 to approved in form by the County Attorney, that provides. for the purchase price of **Twelve Thousand Nine Hundred Forty-Six Dollars and Thirty-Eight Cents** (\$12,946.38) to provide Total Response Solution Software for one (1) year, which includes annual software plan (annual maintenance) at \$7,374.38 and one full year for the training license (site license) at \$5,572.00 totaling **Twelve Thousand Nine Hundred Forty-Six Dollars and Thirty-Eight Cents** (\$12,946.38);

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 PowerPhone and that PowerPhone has been determined to be the only source practicably available for Total Response Solution Software, that includes a patented advisory component called Response Advisor.

This Resolution was adopted on the 11<sup>th</sup> day of March, 2024.

Recorded Vote:

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

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

ATTEST:

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

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**IN RE: CONSIDER APPROVING USER AGREEMENT FOR SOLID WASTE DISPOSAL BETWEEN BUCHANAN, DICKENSON, RUSSELL COUNTIES AND CUMBERLAND PLATEAU REGIONAL WASTE MANAGEMENT AUTHORITY (CPRWMA) AND AUTHORIZE THE CHAIRMAN AND COUNTY ADMINISTRATOR TO EXECUTE THE AGREEMENT ON BEHALF OF BUCHANAN COUNTY WITH APPROVAL AS TO FORM BY THE COUNTY ATTORNEY**

After a general discussion by the board upon motion of Jeff Cooper seconded by Tim Hess and with a roll call vote of seven (7) yeas, Lee Dotson, Tim Hess, G. Roger Rife, Craig Stiltner, David Rose, Trey Adkins, G. Roger Rife and zero (0) nays, this board did hereby approve the User Agreement for Solid Waste Disposal between Buchanan, Dickenson, Russell Counties and Cumberland Plateau Regional Waste Management Authority (CPRWMA) and authorized the chairman and county administrator to execute the agreement on behalf of Buchanan County with approval as to

form by the county attorney. A copy of the User Agreement is located in the Buchanan County Administrator's Office for review.

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**IN RE: CONSIDER APPROVING THE CUMBERLAND PLATEAU REGIONAL WASTE MANAGEMENT AUTHORITY MANPOWER SERVICE AGREEMENT AND AUTHORIZE THE CHAIRMAN OF THE BUCHANAN COUNTY BOARD OF SUPERVISORS AND COUNTY ADMINISTRATOR FOR BUCHANAN COUNTY, VIRGINIA TO EXECUTE SUCH AGREEMENT ON BEHALF OF BUCHANAN COUNTY WITH THE APPROVAL AS TO FORM BY THE COUNTY ATTORNEY**

After a general discussion by the board upon motion by Tim Hess seconded by Jeff Cooper and with a roll call vote of seven (7) yeas, Lee Dotson, Tim Hess, G. Roger Rife, Craig Stiltner, David Rose, Trey Adkins, G. Roger Rife and zero (0) nays, this board did hereby approve the Cumberland Plateau Regional Waste Management Authority Manpower Service Agreement and authorized the Chairman of the Buchanan County Board of Supervisors and County Administrator for Buchanan County, Virginia to execute such Agreement on behalf of Buchanan County with the approval as to form by the County Attorney.

**CUMBERLAND PLATEAU REGIONAL WASTE MANAGEMENT AUTHORITY  
MANPOWER SERVICE AGREEMENT**

THIS AGREEMENT made as of this 11<sup>th</sup> day of March, 2024, by and between Cumberland Plateau Regional Waste Management Authority (hereinafter referred to as the "Authority") and the County of Buchanan, Virginia, a political subdivision of the Commonwealth of Virginia, (hereinafter referred to as "County").

WHEREAS, the Authority, after causing the construction thereof, has agreed to operate and manage a transfer station in the County of Buchanan to ensure the availability of an economical and environmentally sound method to handle and dispose of solid waste generated in Buchanan County; and

WHEREAS, the Authority desires to secure manpower services to operate the Authority's transfer station; and

WHEREAS, the County has offered to provide said manpower services; and

WHEREAS, the Authority agrees to retain County for manpower services in order to efficiently and economically operate the Authority's transfer station in Buchanan County; and

WHEREAS, in reliance on this Agreement, the County will employ the personnel necessary to ensure County's performance hereunder and will provide a leachate truck for the purpose of pumping and transporting leachate from the transfer station to an approved disposal location.

NOW, THEREFORE, FOR AND IN CONSIDERATION of the respective covenants herein contained, the parties have agreed as follows:

#### REPRESENTATIONS AND CERTIFICATIONS

Both parties hereto specifically represent and certify that each has (1) reviewed and understands the terms and conditions as stated herein; (2) that each has the requisite right, power and authority necessary for the execution hereof; and (3) that any and all requirements imposed by the Virginia Public Procurement Act have been satisfied.

Both parties hereto, by the execution hereof, expressly and unequivocally agree, that County shall be considered as an Independent Contractor hereunder and that no liability resulting from any willful or negligent act or failure to act by County's employees shall be attributable to the Authority. The County specifically agrees unless otherwise prohibited by law, to fully indemnify and protect the Authority from any suit or claim arising out of any breach of this Agreement by the County. The Authority specifically agrees unless otherwise prohibited by law, to fully indemnify and protect the County from any suit or claim arising out of any breach of this Agreement by the Authority.

#### AUTHORITY AND COUNTY OBLIGATIONS

The Authority agrees to be responsible for costs associated with the operation of the transfer station *except* those cleaning and personal hygiene items, wages, taxes, workmen's compensation insurance, liability insurance and other fringe benefits paid to, or for the benefit of, the workers employed by the County assigned to the Authority's transfer station.

#### QUALITY OF SERVICE ON PERSONNEL/PERFORMANCE EVALUATION

The Authority shall maintain the Transfer Station open for performance of this Agreement between the hours of 7:30 a.m. and 4:00 p.m., Monday through Friday, excluding observed holidays as provided for in the User Agreement executed between the Authority and the County. If the County wishes to open additional hours, it shall do so at its own manpower expense. The actual operating hours may be altered, provided both parties agree to changes in the normal posted hours.

#### SCOPE OF SERVICE CONTRACTOR OBLIGATIONS

The County shall be responsible for securing necessary certification and approvals from relevant federal, state and local governmental agencies having jurisdiction over its personnel; provided however, the Authority shall retain responsibility for obtaining all permits and approvals relating to the general operation of the Transfer Station. During the term hereof, the County shall provide the personnel certified by the Virginia Department of Professional and Occupational Regulations for the daily operation of the Transfer Station, all in compliance and certified with applicable laws and regulations. Transfer

Station personnel will report directly to the Buchanan County Public Works Director and the Authority's Director of Waste Services. Job descriptions and responsibilities will be determined by the Authority and the County Administrator. A copy is on file at the Authority office located at 135 Highland Drive, Lebanon, VA. The County shall provide a leachate truck for the purpose of pumping and transporting leachate from the transfer station to an approved disposal location and County will supply fuel, tags and insurance for this leachate truck. The Authority agrees to provide uniforms/approved boots for the personnel assigned to the transfer station and employees shall be required to wear uniforms daily.

#### TERM OF CONTRACT

This Agreement shall be effective as of the 5<sup>th</sup> day of April, 2024. The initial term of this Agreement shall be one (1) year commencing on the 5<sup>th</sup> day of April, 2024. The term of this Agreement shall extend for an additional one-year, upon the same terms and conditions as herein, unless either party elects to cancel this Agreement by three (3) months written notice to the other party prior to the end of this term or of any hold over term.

#### NONDISCRIMINATION

The County shall not discriminate against any person because of race, sex, age, creed, color, religion, natural origin or handicap.

#### INSURANCE

The County or its sub-contractor shall provide and maintain during active operations hereunder, Workers' Compensation Insurance which shall meet the requirement of the Commonwealth of Virginia.

The County or its sub-contractor shall provide and maintain during active operations hereunder Public Liability Insurance, to protect against all claims arising out of the County's negligent or willful acts or omissions in the course of its operations that result in bodily injury, death or property damage.

The County or its sub-contractor shall upon the full execution of this Agreement and thereafter upon request, furnish Authority evidence that the insurance relative to its said acts or omissions is in force, provided, however, any certificate of insurance shall in no way alter or amend such insurance coverage to increase the level or extent expressly set forth herein.

The limits of liability of all insurance required herein not expressly set forth hereinabove shall be as set forth in Exhibit "A", which is attached hereto and made a part hereof.

#### COVID-19, PANDEMIC AND EPIDEMIC POLICY

The parties agree to adopt the Covid-19, Pandemic and Epidemic Policy (Policy) attached hereto and incorporated by reference herein as Exhibit "B" for transfer station

employees. The Policy is in effort to reduce workplace hazards by the prevention and mitigation of the spread of Covid-19 or other illness identified as a pandemic or epidemic, in accordance with Virginia.

Department of Labor and Industry guidelines.

#### DEFAULT

Except as otherwise provided herein, if either party defaults in the performance of any of the warranties, covenants or conditions contained herein for thirty (30) days after the other party has given the defaulting party written notice of such default and the party defaulting shall not have commenced to cure such default within said period and to pursue diligently the completion thereof, the other party may: (i) terminate this Agreement as of any date at least thirty (30) days after the last day of the thirty (30) day period; (ii) cure the default at the expense of the defaulting party and (iii) have recourse to any other right or remedy to which it may be entitled by law or equity, including, but not limited to, the right for all damage or loss suffered as a result of such default and termination. In the event either party waives default by the other party, such waiver shall not be construed or determined to be a continuing waiver of the same or any subsequent default. In the event that in the exercise of due diligence during the aforesaid thirty (30) day period such cure cannot reasonably be effected or completed, such cure period shall be extended to include such additional time as is reasonably necessary to effect or complete such cure provided the defaulting party exercises continuous diligent efforts to cure such default during such extended period.

#### GENERAL PROVISIONS

Neither party shall assign or transfer or permit the assignment or transfer of this Agreement or the rights hereunder without the prior written consent of the other party. The Authority expressly reserves the power to demand Contractor to provide qualified personnel at the transfer station. In the event that said employees are not performing to the Authority's needs or specifications, the County will immediately cure said deficiency by supplying alternative.

qualified personnel. The Contractor will as outlined in this agreement supply at least (3) certified operators as approved by the Virginia Department of Professional and Occupational Regulation Board during daily operations.

This Agreement constitutes the entire agreement and understanding between the parties hereto, and it shall not be considered modified, altered, changed, amended or revoked unless in writing and signed by the parties hereto.

From and after the date of this Agreement, the County's performance hereunder may be suspended, and its obligations hereunder excused in the event and during the period that such performance is prevented by a cause or causes beyond the reasonable control of the County. Such causes may include, by way of example and not limitations,

acts of God, acts of war, riot, fire, explosion, accident, flood or sabotage, lack of adequate fuel, power or raw materials, judicial, administrative or governmental laws, regulations, requirements, rules, orders or actions; injunctions or restraining orders; the failure of any governmental body to issue or grant, or the suspension or revocation or modification of any license, permit or other authorization necessary for the services envisioned by the Agreement; national defense requirements; labor strike, lockout or injunction.

If any term, clause or provision of this Agreement or the application thereof to any person or circumstances shall, to any extent be illegal, invalid or unenforceable under present or future laws effective during the term hereof, then it is the intention of the parties hereto that the remainder of this Agreement, or the application of such term, clause or provision to persons or circumstances other than those to which it is held illegal, invalid or unenforceable, shall not be affected thereby, and it is also the intention of the parties hereto that in lieu of each term, clause or provision that is illegal, invalid or unenforceable term, clause or provision as may be possible to affect the expressed intent of the parties and be legal, valid and enforceable.

This Agreement shall be governed by and construed in accordance with the laws of the Commonwealth of Virginia and any disputes hereunder shall be resolved by the Circuit Court of Buchanan County, Virginia.

The covenants, terms, conditions and provisions of this Agreement shall extend to and be binding upon the successors and assigns of the respective parties.

All notices or other communications to be given hereunder shall be in writing and shall be deemed given when mailed by registered or certified United States mail, addressed to the Cumberland Plateau Regional Waste Management Authority, 135 Highland Drive, Suite C, Lebanon, VA 24266, or addressed to Buchanan County, P.O. Drawer 950, Grundy, VA 24614.

IN WITNESS WHEREOF, the parties hereto cause their presence to be signed and sealed this 11<sup>th</sup> day of March, 2024, written by their respective officers pursuant to authorizations contained in duly adopted resolutions or ordinances, as the case may be.

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

Attest:

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

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**IN RE: CONSIDER APPOINTMENT TO THE APPALACHIAN COLLEGE OF PHARMACY BOARD OF TRUSTEES**

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 appoint Tim Hess to the Appalachian College of Pharmacy Board of Trustees for a three-year term ending March 2027.

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**IN RE: CONSIDER ADOPTING A RESOLUTION REGARDING THE SCHEDULING PROBLEMS WITH MEDICAID FUNDED TRANSPORTS IN BUCHANAN COUNTY, VIRGINIA**

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 adopt the following Resolution regarding the scheduling problems with Medicaid Funded Transports in Buchanan County, Virginia.

**RESOLUTION**

**IN RE: SCHEDULING PROBLEMS WITH MEDICAID FUNDED TRANSPORTS IN BUCHANAN COUNTY, VIRGINIA**

**WHEREAS**, it has come to the attention of this Board that there are serious problems with scheduling Medicaid Funded Transports for patients in Buchanan County, Va. which impact on patients relying on such transports for medical appointments; and

**WHEREAS**, United Health Care contracts with Modivcare Solutions, LLC to provide non-emergency transports for its Medicaid members; and

**WHEREAS** the following scheduling problems have occurred with Modivcare Solutions, LLC:

- 1) Modivcare has scheduled transportation providers located in Richmond, Va to provide non-emergency transportation to Medicaid patients located in Buchanan County, Va. resulting in hours of delay in regard to transportation for the patient; along with a waste of Medicaid fund resource when there are multiple non-emergency transportation providers located in Buchanan County, Va. that can provide the transportation more efficiently and at lower costs to Medicaid; and
- 2) Modivcare has scheduled Medicaid transportation in Buchanan County with providers who cannot speak English causing a breakdown in communication between transportation provider and Medicaid patients; and
- 3) Modivcare has provided Medicaid transportation in Buchanan County in which the transportation provider dropped the patient off for a medical appointment and then left causing a severely disabled Medicaid patient to have to wait for hours before being transported back home; and
- 4) Modivcare dispatched a transport van for transport when an ambulance with a stretcher was required to transport the Medicaid patient; and

**WHEREAS**, Modivcare Solutions, LLC inefficient scheduling of non-emergency transportation for Medicaid patients in Buchanan County has resulted in a waste of Medicaid resources and a disservice to Medicaid patients and their families in Buchanan



County, Va.; and

**NOW THEREFORE, BE IT RESOLVED**, by the Buchanan County, Virginia Board of Supervisors that the Board hereby requests the Virginia Department of Medical Assistance to require Modivcare Solutions, LLC to correct its inefficient scheduling of non-emergency transportation of Medicaid patients in Buchanan County which has resulted in poor service to Medicaid patients in Buchanan County, Va. and waste of Medicaid funding.

**FURTHERMORE, BE IT RESOLVED**, that the County Administrator of Buchanan County, Va. send a copy of this resolution to Karen Kimsey, Director of DMAS, to Senators Travis Hackworth and Todd Pillon, Delegate Will Morefield, Congressman Morgan Griffith, and to U.S. Senators Tim Kaine and Mark Warner.

This Resolution was adopted by the Buchanan County Board of Supervisors on the 11<sup>th</sup> day of March, 2024.

Recorded vote:

Moved: Craig Stiltner

Seconded: Lee Dotson

Yeas: Seven

Nays: Zero

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

Buchanan County Board of Supervisors

ATTEST:

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

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**IN RE:            CONSIDER RATIFYING THE RESOLUTION REGARDING THE  
                     APPROPRIATION OF FUNDS FOR THE REMAINING PHASES  
                     OF THE HURLEY REGIONAL WATER PROJECT**

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 ratify the following Resolution regarding the appropriation of funds for the remaining phases of the Hurley Regional Water Project.

**RESOLUTION  
APPROPRIATION OF FUNDS  
REMAINING PHASES OF HURLEY REGIONAL WATER PROJECT**

WHEREAS, Buchanan County, Virginia has been obligated, contingent on certain conditions \$1,000,000.00 from the Virginia Community Development Block Grant (CDBG) for the Remaining Phases of Hurley Regional Water Project; and

NOW THEREFORE, BE IT RESOLVED, that the County of Buchanan hereby appropriates the project's full \$1,000,000.00 budget to its FY24 budget for the Remaining Phases of Hurley Regional Water Project, contingent on receiving the funds from the Virginia Department of Housing and Community Development.

This 11<sup>th</sup> day of March, 2024.

Robert Craig Horn, County Administrator

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**IN RE:            CONSIDER RATIFYING THE RESOLUTION REGARDING THE  
                         APPROPRIATION OF FUNDS FOR THE HUNTS FORK  
                         WATERLINE EXTENSION PROJECT**

After a general discussion by the board upon motion by Trey Adkins 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 ratify the following Resolution regarding the appropriation of funds for the Hunts Fork Waterline Extension Project.

**RESOLUTION  
APPROPRIATION OF FUNDS  
HUNTS FORK WATERLINE EXTENSION PROJECT**

WHEREAS, Buchanan County, Virginia has been obligated, contingent on certain conditions \$570,000.00 from the Virginia Community Development Block Grant (CDBG) Program as well as an additional \$1,500,000.00 from CDBG's One-Time Supplemental Infrastructure Funds Program for the Hunts Fork Waterline Extension Project; and

NOW THEREFORE, BE IT RESOLVED, that the County of Buchanan hereby appropriates the project's full \$2,070,000.00 budget to its FY24 budget for the Hunts Fork Waterline Extension Project, contingent on receiving the funds from the Virginia Department of Housing and Community Development.

This 11<sup>th</sup> day of March, 2024.

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Robert Craig Horn, County Administrator

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**IN RE:            CONSIDER RATIFYING THE APPLICATION FOR FEDERAL  
                         ASSISTANCE SF-424, MEMORANDUM OF UNDERSTANDING  
                         FOR ARC PROJECT AND THE ASSURANCES-CONSTRUCTION  
                         FOR THE BIG ROCK/CONAWAY WASTEWATER TREATMENT  
                         PLANT**

After a general discussion by the board upon motion by Tim Hess 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 ratify the application for Federal Assistance SF-424, Memorandum of Understanding for ARC Project and the Assurances-Construction for the Big Rock/Conaway Wastewater Treatment Plant.

**IN RE: CONSIDER ADOPTING A RESOLUTIONS FOR THE RATIFICATION OF THE ACCEPTANCE OF DEED BY AND BETWEEN CHARLES DARRELL AND ARTEMIA COCHRAN, HUSBAND AND WIFE 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 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 for the ratification of the Acceptance of Deed by and between Charles Darrell and Artemia Cochran, husband and wife 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 CHARLES DARRELL COCHRAN AND ARTEMIA COCHRAN, 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 240000130 between Charles Darrell Cochran and Artemia Cochran, 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. 4013.

This Resolution was adopted by the Buchanan County Board of Supervisors on this the 11<sup>th</sup> day of March, 2024 by a roll call vote of seven for and zero against.

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

ATTEST:

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

**IN RE: CONSIDER APPROVING ADDITIONAL APPROPRIATIONS FOR THE BUCHANAN COUNTY SHERIFF’S OFFICE FOR ADDITIONAL FUNDING FROM THE COMPENSATION BOARD**

After a general discussion by the board upon motion by 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 approve the following additional appropriations for the Buchanan County Sheriff's Office for additional funding from the compensation board:

- Salary and Wages, account number 31020-1150 in the amount of \$40,831.00;
- FICA, account number 31020-2100 in the amount of \$3,123.57;
- Retirement, account number 31020-2210 in the amount of \$7,251.59;
- Group Life, account number 31020-2400 in the amount of \$547.14

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**IN RE:            CONSIDER APPROVING THE VENDOR SERVICE AGREEMENT FOR SNOW REMOVAL FROM ANDRE DEEL.**

After a general discussion by the board upon motion by 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 approve the Vendor Service Agreement for snow removal from Andre Deel.

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**IN RE:            CONSIDER APPROVING AN ADDITIONAL APPROPRIATION TO BUCHANAN COUNTY ELECTORAL BOARD IN THE AMOUNT OF \$31,000.00 EARMARKED FOR THE DUEL PRESIDENTIAL PRIMARY ELECTION HELD ON MARCH 5<sup>TH</sup>, 2024**

After a general discussion by the board upon motion by Tim Hess 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 an additional appropriation to Buchanan County Electoral Board in the amount of \$31,000.00 earmarked for the Dual Presidential Primary Election held on March 5<sup>th</sup>, 2024.

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**IN RE:            CONSIDER APPROVING ADDITIONAL APPROPRIATIONS**

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 the following additional appropriations:

- Additional appropriation in the amount of \$1,076.00 to Sheriff's Office, extradition of prisoners account number 31020-5550;
- Additional appropriation in the amount of \$75.00 to Rocklick District Park and Rec. account number 71040-5604-06;
- Additional appropriation in the amount of \$225.00 to Rocklick District Park and Rec. account number 71040-5604-06;
- Additional appropriation in the amount of \$54.73 to Circuit Court Clerk's Office to

account number 21060-3320 (copier paper etc.);

- Additional appropriation in the amount of \$475.00 to William P. Harris Park to account number 71040-6022-02;
- Additional appropriation in the amount of \$75.00 to Commissioner of Revenue, account number 12090-6001 (office supplies).

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

**IN RE: CONSIDER RATIFYING PART-TIME EMPLOYEES**

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 ratify the following part-time employees:

|                    |                    |              |
|--------------------|--------------------|--------------|
| Russell Smith      | General Properties |              |
| Kennith McClanahan | Knox HSB           | Snow Removal |
| Mark Blankenship   | North Grundy HSB   | Snow Removal |
| John Lester        | North Grundy HSB   | Snow Removal |
| Louis Jackson      | South Grundy HSB   | Snow Removal |
| Bernice Quinn      | Prater HSB         | Snow Removal |

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**IN RE: CONSIDER APPROVING TO HIRE TEMPORARY PART-TIME WEED CUTTERS**

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 allow each district to hire three (3) temporary part-time weed cutters at the same rate of pay as last year starting April 1<sup>st</sup>, 2024.

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

**IN RE: CONSIDER APPROVING A TRANSFER**

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 to transfer \$11,500.00 from Trey Adkins Athletic Center to Knox Fire and Rescue Squad.

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

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

Upon a motion by David Rose seconded by Tim Hess and with a roll call vote of seven (7) yeas, Jeff Cooper, Lee Dotson, Craig Stiltner, Tim Hess, David Rose, 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)(8), consultation with legal counsel regarding property located at Council Park; Virginia Code Section, 2.2-3711 (A)(8), consultation with legal counsel regarding Contract for EMT and CE Training and Virginia Code Section, 2.2-3711 (A)(8), consultation with legal counsel regarding the Buchanan County Department of Social Services.

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Motion was made by Craig Stiltner to return from closed session seconded by David Rose and with the following roll call vote of seven (7) yeas, Trey Adkins, Lee Dotson, David Rose, 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 forty-nine (49) minutes.

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A motion by Craig Stiltner seconded by Jeff Cooper that the Board certify that in the closed session just concluded, nothing was discussed except the matter specifically identified in the motion to convene in closed session and lawfully permitted to be so discussed under the provisions of the Virginia Freedom of Information Act cited in that motion. The motion was agreed upon by the following roll call vote seven (7) yeas, Lee Dotson, Tim Hess, G. Roger Rife, Craig Stiltner, David Rose, Trey Adkins and zero (0) nays.

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**IN RE:           CONSIDER ADOPTING A RESOLUTION REGARDING THE  
DISSOLUTION OF THE ADMINISTRATIVE BOARD OF THE  
BUCHANAN COUNTY DEPARTMENT OF SOCIAL SERVICES**

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, Tim Hess, G. Roger Rife, Craig Stiltner, David Rose, Trey Adkins and zero (0) nays, this board did hereby adopt the following Resolution regarding the dissolution of the Administrative Board of the Buchanan County Department of Social Services and appoint Robert C. Horn, County Administrative to serve as the Local Government Official.

**RESOLUTION**

**IN RE: THE DISSOLUTION OF THE ADMINISTRATIVE BOARD OF THE  
BUCHANAN COUNTY  
DEPARTMENT OF SOCIAL SERVICES**

**THAT WHEREAS**, the Buchanan County Board of Supervisors this date having determined to dissolve the Administrative Board for the Department of Social Services and to thereafter appoint a local government official board and Advisory Board for the Department consisting of residents of the County; and

**NOW THEREFORE, BE IT RESOLVED**, by the Buchanan County Board of Supervisors pursuant to the authority of section 63.2-302 of the 1950 Code of Virginia, as amended, that Administrative Board is hereby dissolved as of 9:00 o'clock p.m. on March 11<sup>th</sup>, 2024, and that in its place and stead appoint the County Administrator to serve as local government official board and an Advisory Board consisting of County residents be appointed by this board by a separate Resolution.

This Resolution was adopted on the 11<sup>h</sup> day of March 2024 by the following roll call vote:

|                |     |
|----------------|-----|
| G. Roger Rife  | yea |
| Lee Dotson     | yea |
| David Rose     | yea |
| Tim Hess       | yea |
| Trey Adkins    | yea |
| Craig Stiltner | yea |
| Jeff Cooper    | yea |

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

ATTEST:

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

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**IN RE:            CONSIDER ADOPTING A RESOLUTION REGARDING THE  
                         APPOINTMENT OF AN ADVISORY BOARD FOR THE  
                         BUCHANAN COUNTY DEPARTMENT OF SOCIAL SERVICES**

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, Tim Hess, G. Roger Rife, Craig Stiltner, David Rose, Trey Adkins and zero (0) nays, this board did hereby adopt the following Resolution regarding the appointment of an Advisory Board for the Buchanan County Department of Social Services.

**RESOLUTION**

**IN RE: APPOINTMENT OF AN ADVISORY BOARD FOR THE BUCHANAN COUNTY DEPARTMENT OF SOCIAL SERVICES**

**THAT WHEREAS**, the Buchanan County Board of Supervisors dissolved the Administrative Board for the Buchanan County Department of Social Services on March 11, 2024 and named the County Administrator as the Local Government Official Board and resolved that an Advisory Board be appointed for the Department of Social Services; and

**NOW THEREFORE, BE IT RESOLVED**, by the Buchanan County Board of Supervisors, that Robert Craig Horn, the County Administrator is hereby appointed as the local government official board and that the following persons are appointed as an Advisory Board for the Buchanan County Department of Social Services for the terms following their names:

| <b><u>DISTRICT</u></b> | <b><u>APPOINTED MEMBER</u></b> | <b><u>EXPIRES</u></b>        |
|------------------------|--------------------------------|------------------------------|
| HURRICANE              | TOM MACKEY                     | July 6 <sup>th</sup> , 2027  |
| KNOX                   | HASSELL BAILEY                 | July 6 <sup>th</sup> , 2025  |
| NORTH GRUNDY           | GREG ROWE                      | July 6 <sup>th</sup> , 2024  |
| PRATER                 | JOSH HORN                      | July 6 <sup>th</sup> , 2026  |
| ROCK LICK              | AMANDA BLANKENSHIP             | July 6 <sup>th</sup> , 2027  |
| SOUTH GRUNDY           | LYNN SMITH                     | July 6 <sup>th</sup> , 2026  |
| GARDEN                 | HOWIE FULLER                   | April 1 <sup>st</sup> , 2024 |

; and

**RESOLVED**, that the Director of the Department of Social Services shall be an ex officio member, without vote, of the Advisory Board and that the local Director shall serve as the secretary of the Advisory Board; and it is further

**RESOLVED**, as follows:

- A. The Advisory Board shall elect its own chairman and shall meet at least bimonthly. In addition to regularly scheduled meetings, it may meet at the call of the chairman or on the petition of at least one-half of the members.
- B. The powers and duties of the Advisory Board shall be as follows:
  - 1. To interest itself in all matters pertaining to the public assistance and social services needed by people of the political subdivision served by the local department;
  - 2. To monitor the formulation and implementation of public assistance and social services programs by the local department;
  - 3. To meet with the local government official who constitutes the local board (County Administrator) at least four times a year for the purpose of



making recommendations on policy matters concerning the local department;

4. To make an annual report to the governing body concurrent with the budget presentation of the local department, concerning the administration of the public assistance and social services programs; and
5. To submit to the governing body from time to time, other reports that the Advisory Board deems appropriate.

**BE IT FURTHER RESOLVED** that each of such Advisory Board members be paid the sum of \$100.00 per month for each month in which he or she attends a regular meeting of the Board, as compensation for his or her services as a member in addition to his or her reasonable and necessary expenses pursuant to §63.2-310 of the 1950 Code of Virginia, as amended. Such sums shall be paid from the funds that were budgeted for Administrative Board Members.

This Resolution was adopted on the 11<sup>th</sup> day of March 2024 by the following roll call vote:

|                |     |
|----------------|-----|
| G. Roger Rife  | yea |
| Lee Dotson     | yea |
| David Rose     | yes |
| Tim Hess       | yes |
| Trey Adkins    | yea |
| Craig Stiltner | yea |
| Jeff Cooper    | yea |

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G. ROGER RIFE, CHAIRMAN OF THE  
BUCHANAN COUNTY BOARD OF SUPERVISORS

ATTEST:

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ROBERT CRAIG HORN, COUNTY ADMINISTRATOR

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

**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:

|  |            |
|--|------------|
| Appalachian College of Pharmacy "Garden Days"      | \$5,000.00 |
| Feeding My Sheep                                   | \$3,000.00 |
| William P. Harris Park and Rec. "Kids Fishing Day" | \$2,000.00 |
| Council Vol. Fire Department "Kids Fishing Day"    | \$1,000.00 |

|   |            |
|---|------------|
| BSSWCD (Council Community Ctr. Local farmers) | \$700.00   |
| Hurley High School (Junior/Senior Class Prom) | \$1,000.00 |
| Twin Valley Little League Boosters, Inc.      | \$3,000.00 |
| Twin Valley High School (Boys and Girls Club) | \$1,200.00 |

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**IN RE:            CONSIDER SCHEDULING A PUBLIC HEARING REGARDING  
THE PROPOSED CONVEYANCE BY THE BUCHANAN COUNTY  
INDUSTRIAL DEVELOPMENT AUTHORITY TO THE TOWN OF  
GRUNDY**

L. Lee Moise, County Attorney requested the board to consider scheduling a public hearing for Monday, April 1<sup>st</sup> regarding the conveyance of property owned by the Buchanan County Industrial Development Authority (IDA) to the Town of Grundy. The county has some interest in the property, stated Mr. Moise. There are two conditions in the deed:

1.        In the event the IDA ever intends to sell or dispose of the property, the Buchanan County Board of Supervisors must approve of any such sale or disposition by majority votes; and
2.        In the event the IDA leases or grants a leasehold interest to any party, or sells such property to any party, the IDA shall receive the revenue from such leasehold interest or sale, if any, to be deposited into the general revenue fund of Buchanan County.

After a general discussion by the board upon motion by Trey Adkins seconded by David Rose 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 for **Monday, April 1<sup>st</sup> at 5:15 p.m.** regarding the conveyance of property owned by the Buchanan County Industrial Development Authority (IDA) to the Town of Grundy.

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**IN RE:            CONSIDER APPROVE THE AGREEMENTS BETWEEN  
BUCHANAN COUNTY, VIRGINIA AND ALBERT MCPEEK, EMS  
EDUCATION COORDINATOR FOR EMT CERTIFICATION  
TRAINING AND CONTINUE EMT EDUCATION TRAINING FOR  
BUCHANAN COUNTY’S RESCUE SERVICES**

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 the following Agreements between Buchanan County, Virginia and Albert McPeek, EMS Education Coordinator for EMT Certification Training and Continue EMT Education Training for Buchanan County’s Rescue Services.

**AGREEMENT BETWEEN BUCHANAN COUNTY, VIRGINIA  
AND ALBERT McPEEK, EMS EDUCATION COORDINATOR  
FOR PROVIDING CONTINUING EMT EDUCATION TRAINING**

Now come the parties, Mr. Albert McPeek, EMS Education Coordinator (hereinafter referred to as "Contractor" and Buchanan County, Va., a political subdivision of the Commonwealth of Virginia, (hereinafter referred to as "County") and hereby agree to the following terms for the Contractor to provide continuing education credits for EMTs:

- 1) That the parties have agreed that the contractor will provide:
  - a) Continuing education credit classes for EMTs who are members of rescue squads based and operating in Buchanan County Va.;
  - b) The County shall pay the Contractor \$50.00 per hour for providing said class for continuing education credit for EMTs (40 hours);
  - c) If the Contractor with the agreement of the County provides monthly classes of four hours of continuing education credits, the County shall pay the Contractor \$200 per month;
  - d) If the Contractor provides the continuing education classes for a total of 40 hours for the year the County shall pay the Contractor \$2,000.00; and
  - e) The Contractor's Proposal for the Provision of Emergency Medical Services Continuing Education Training is attached and incorporated and made part of this Agreement as Exhibit "A".

EXECUTED IN DUPLICATE ORIGINALS:  
IN WITNESS HEREOF:

ALBERT McPEEK, EMS EDUCATION COORDINATOR

BY: \_\_\_\_\_  
Albert McPeek, EMS Education Coordinator

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

**AGREEMENT BETWEEN BUCHANAN COUNTY, VIRGINIA  
AND ALBERT McPEEK, EMS EDUCATION COORDINATOR  
FOR PROVIDING CONTINUING EMT EDUCATION TRAINING**

Now come the parties, Mr. Albert McPeek, EMS Education Coordinator (hereinafter referred to as "Contractor" and Buchanan County, Va., a political subdivision of the Commonwealth of Virginia, (hereinafter referred to as "County") and hereby agree to the following terms for the Contractor to provide continuing education credits for EMTs:

- 2) That the parties have agreed that the contractor will provide:
  - f) Continuing education credit classes for EMTs who are members of rescue squads based and operating in Buchanan County Va.;

- g) The County shall pay the Contractor \$50.00 per hour for providing said class for continuing education credit for EMTs (40 hours);
- h) If the Contractor with the agreement of the County provides monthly classes of four hours of continuing education credits, the County shall pay the Contractor \$200 per month;
- i) If the Contractor provides the continuing education classes for a total of 40 hours for the year the County shall pay the Contractor \$2,000.00; and
- j) The Contractor’s Proposal for the Provision of Emergency Medical Services Continuing Education Training is attached and incorporated and made part of this Agreement as Exhibit “A”.

EXECUTED IN DUPLICATE ORIGINALS:  
 IN WITNESS HEREOF:

ALBERT McPEEK, EMS EDUCATION COORDINATOR

BY: \_\_\_\_\_  
 Albert McPeek, EMS Education Coordinator

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

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

**IN RE: CONSIDER APPROVING A LETTER OF SUPPORT FOR FUNDING FOR THE BUCHANAN COUNTY PUBLIC SERVICE AUTHORITY REGARDING TWO MAJOR CAPITAL IMPROVEMENT PROJECTS: (1) IMPROVEMENTS TO THE CONAWAY WASTEWATER TREATMENT PLANT AND (2) VARIOUS SEWER REHABILITATION AND REPLACEMENT PROJECTS (THE “PROJECTS”).**

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 the following letter of support for the Buchanan County Public Service Authority regarding Two Major Capital Improvement Projects: (1) Improvements to the Conaway Wastewater Treatment Plant and (2) Various Sewer Rehabilitation and Replacement Projects (The “Projects”).

March 11, 2024

RE: Buchanan County Support of Buchanan County Public Service Authority

To whom it may concern:

Historically, Buchanan County, Virginia (the “County”) has provided operational support to Buchanan County Public Service Authority (the “Authority”) on an annual ongoing basis. For fiscal year 2024, the County’s budgeted support to the Authority totaled \$1,995,948.

The Authority is currently moving forward with two major capital improvement projects: (1) improvements to the Conaway Wastewater Treatment Plant and (2) various Sewer Rehabilitation and Replacement projects (the “Projects”). The Authority anticipates funding these projects through a combination of grants, local funding sources, and loans through the Department of Environmental Quality.

County and Authority staff have reviewed the Plan of Finance developed by Davenport & Company LLC dated March 7, 2024, and understand that the estimated additional support from the County is projected to be approximately \$1,000,000 per year. The Plan of Finance has been shared with the County Board of Supervisors and Authority Board, both of which understand the necessary additional commitment required by the County. Due to the magnitude of the Projects under consideration and their significance to the County as a whole, the County Board of Supervisors intends to provide the additional annual support necessary for the Authority meet its financial obligations associated with the Projects.

Please direct any questions you may have to me (the County’s County Administrator), the Authority’s Executive Director, or the Authority’s consultants (Thompson & Litton or Davenport & Company LLC).

Thank you,

Robert Craig Horn  
County Administrator  
Buchanan County, Virginia

CC:

Bob Anderson, Executive Director, Buchanan County Public Service Authority  
Brad Vandyke, Assistant Director, Buchanan County Public Service Authority  
Lee Moise, County Attorney, Buchanan County, Virginia  
Rick Chitwood, Vice President, Thompson & Litton  
Pam Young, Project Manager, Thompson & Litton  
David Rose, Senior Vice President & Manager of Public Finance, Davenport & Company LLC  
Roland Kooch, Senior Vice President, Davenport & Company LLC  
Ben Wilson, Vice President, Davenport & Company LLC

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**IN RE:            CONSIDER APPROVING AN ADDITIONAL APPROPRIATION  
                         TO FIRE/RESCUE INSURANCE FUND**

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 an additional appropriation in the amount of \$12,000.00 to Fire/Rescue Insurance Fund.

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**IN RE:            CONSIDER APPROVING ADDITIONS IN FISCAL YEAR  
                         2024/2025 BUDGET**

After a general discussion by the board upon motion by 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 approve to include in fiscal year 2024/2025 budget the purchase of 100 chairs and pavement of the golf path at Willowbrook Golf Course.

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**IN RE:            CONSIDER SCHEDULING A BUDGET WORK SESSION**

After a general discussion by the board upon motion by Tim Hess seconded by Jeff Cooper and with a roll call vote of six (6) yeas, Lee Dotson, G. Roger Rife, David Rose, Craig Stiltner, Tim Hess, Jeff Cooper, zero (0) nays, and one (1) absent, Trey Adkins, this board did hereby approve to schedule a budget work session for Wednesday, March 20<sup>th</sup> at 5:00 p.m.

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**IN RE:            ADJOURNMENT**

After a general discussion by the board upon motion by Craig Stiltner seconded by Tim Hess and with a roll call vote of six (6) yeas, Lee Dotson, G. Roger Rife, David Rose, Craig Stiltner, Tim Hess, Jeff Cooper, zero (0) nays, and one (1) absent, Trey Adkins, this board did hereby approve to adjourn the meeting.

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

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