

AMENDED ORDINANCE
ASSESSMENT OF COST IN CIVIL SUITS FOR ESTABLISHMENT
OF LAW LIBRARY

Upon motion made by John Bryan, second by Michael Ball and unanimously approved by the Russell County Board of Supervisors, that amended Ordinance, Assessment of Cost in Civil Suits for Establishment of Law Library, shown as follows, be adopted, public hearing having been held on August 17, 1987, pursuant to law.

O R D I N A N C E

WHEREAS, Section 42-19.4 of the Code of Virginia, as amended, authorizes the assessment by this Board of a certain additional cost in civil cases to help defray expenses of a County law library; and

WHEREAS, such a library would be of benefit to the Bar of this County and the judges and other judicial officers thereof; and also to all litigants in its courts including indigent criminal defendants for whom the public must provided competent legal counsel.

BE IT ORDAINED by the Board of Supervisors of Russell County, Virginia:

I

There is hereby imposed as a part of the costs incident to each civil action filed in the courts of this County a sum as follows:

- (1) In the Circuit Court of Russell County, Virginia, a fee of \$2.00 and
- (2) in the Russell County General District Court, a fee of \$2.00.

II

Such assessment shall be collected by the Clerk of the Court in which the action is filed, who shall remit all such sums collected to the Treasurer of the County to be held subject to disbursement by this Board for the acquisition of law books and law periodicals, for compensation to librarians and other necessary staff for the maintenance of such library, and for the cost of suitable quarters for such library.

III

The assessment provided for herein shall be in addition to all other costs prescribed by law for filing civil actions, but shall not apply to any action in which the Commonwealth or any political subdivision thereof or the Federal Government is a party and in which the costs are assessed against the Commonwealth, political subdivision thereof, or Federal Government.

V

Such law library shall be open for the use of the public, subject to such reasonable and necessary rules and conditions therefor as may be prescribed by the Clerk of the Circuit Court acting after due consultation with the Russell County Bar Association.

VI

Contributions to said law library fund may be accepted from any Bar Association.

This ordinance becomes effective immediately (9-01-87).

The Vote was:

Aye: Dr. Roy R. Smith
R. L. Settle
Kelly Chafin
Michael Ball
John Bryan
Absent: Kenneth Mutter
Nay: None

REFUND TO JAMES R. LOCKHART, CHIEF INVESTIGATOR

THAT WHEREAS, Linkous Honaker, a fugitive from Virginia was recently arrested in Washington County, Johnson City, Tennessee; and

WHEREAS, extradition proceedings were commenced and Mr. Honaker agreed to waive extradition; and

WHEREAS, the nature of the crime with which Mr. Honaker is charge is maiming with intent to kill (in violation of Section 18.2-51, Code of Virgtinia, 1950, as amended, and attempted rap - forcible sodomy (in violation of Section 18.2-67.5, Code of Virginia, 1950, as amended); and

WHEREAS, expenses were incurred by the Sheriff's office in traveling to Johnson City, Tennessee for the purpose oof obtaining Mr. Honaker and returning him to Russell County.

NOW, THEREFORE, Upon motion by Michael Ball, second by John Bryan and unanimously approved by the Board of Supervisors that reimbursement in the amount of \$31.50 be made to Chief Investigator, James R. Lockhart of the Russell County Sheriff's Department for travel expense, and Treasurer is hereby authorized to issue warrant in payment of same. This amount is to be reimbursed to Russell County by the Supreme Court of Virginia.

The Vote was:

Aye: Dr. Roy R. Smith
R. L. Settle
Kelly Chafin
Michael Ball
John Bryan
Absent: Kenneth Mutter
Nay: None

RESIGNATION OF L. D. OWENS,
MEMBER OF PARKS AND RECREATION COMMISISION

Motion was made by Michael Ball, second by Kelly Chafin, and unanimously approved by the Board of Supervisors that resignation of L. D. Owens, a member of the Parks and Recreation Commission be and hereby is accepted. County Administrator instructed to write Mr. Owens letter of apprecation for his past services on this Commission.

The Vote was:

Aye: Dr. Roy R. Smith
R. L. Settle
Kelly Chafin
Michael Ball
John Bryan
Absent: Kenneth Mutter
Nay: None

MEETING ADJOURNED

Upon motion by Kelly Chafin, second by R. L. Settle, and duly passed by tje Board that meeting be adjourned.

James A. Gillespie
Clerk

Roy R. Smith
Chairman