

VIRGINIA: County of Lee, to-wit:

At the Regular Meeting of the Lee County Board of Supervisors in the General District Courtroom of the Lee County Courthouse on March 19, 2013 at 5:00 p.m. thereof.

MEMBERS PRESENT: Jason Crabtree, Chairman
Carl Bailey
Larry Mosley
Tina Rowe
Charles Slempp, Jr.

MEMBERS ABSENT: None

OTHERS PRESENT: C. M. Callahan, Jr., County Attorney
Dane Poe, County Administrator
Jeny Hughes, Administrative Assistant

OTHERS ABSENT: None

INVOCATION

Layne Pennington, Pastor of Jonesville First United Methodist Church, led in the Invocation.

PLEDGE TO THE FLAG

Layne Pennington led the Pledge to the Flag.

MEETING CALLED TO ORDER

The meeting was called to order at 5:05 p.m.

PUBLIC HEARINGS

PRECINCT POLLING PLACE CHANGES

The Lee County Board of Supervisors held a Public Hearing on Tuesday, March 19, 2013 at 5:00 p.m. in the General District Courtroom of the Lee County Courthouse located in Jonesville, Virginia. The purpose of the Public Hearing is to take public comment on a proposed amendment to the Ordinance establishing the boundary lines of election districts, boundary lines of election precincts, and polling places for each precinct in the County of Lee, Virginia. If adopted, the amendment will make the following changes to election precincts and polling places:

- Ewing Precinct polling place will be moved to Thomas Walker High School due to the closing of Ewing Elementary School.
- North Jonesville Precinct (currently voting at the School Board office) and South Jonesville Precinct will be consolidated into one precinct designated as Jonesville Precinct. The polling place will be at Jonesville Middle School.
- West Pennington Precinct (currently voting at the Pennington Gap Library) will be consolidated into Ben Hur Precinct and the polling place will be at the Lee County Vocational School.
- Stickleyville Precinct polling place will be moved to the Stickleyville Volunteer Fire

- Department building due to the closing of Stickleyville Elementary School.
- Jasper Precinct polling place will be moved to the Jasper Volunteer Fire Department building for improved access and parking.
- Stone Creek Precinct (currently voting at Stone Creek Polling House) will be consolidated into St. Charles Precinct and the polling place will be at St. Charles Elementary School.
- Keokee Precinct polling place will be moved to the Keokee School Gymnasium building due to the closing of Keokee Elementary School.
- East Pennington Precinct will be designated as Pennington Precinct and the polling place will remain at Pennington Middle School.

The Chairman opened the floor for public comment.

There was no public comment on this matter.

The Chairman closed the floor for public comment.

It was moved by Ms. Rowe, seconded by Mr. Mosley, to approve the Ordinance to Establish Boundary Line of Election Districts, Boundary line of Precincts, and Polling Places for each Precinct in the County of Lee, Virginia. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

AN ORDINANCE TO ESTABLISH BOUNDARY LINES OF ELECTION DISTRICTS, BOUNDARY LINES OF PRECINCTS, AND POLLING PLACES FOR EACH PRECINCT IN THE COUNTY OF LEE, VIRGINIA

ARTICLE I. IN GENERAL

Sections 6.1 – 6.10. Reserved.

ARTICLE II. ELECTION DISTRICTS AND PRECINCTS

DIVISION 1. GENERALLY

Section 6-11. Established.

Pursuant to the authority contained in Code of Virginia § 15.2-1211 and §§ 24.2-304.1 through 24.2-310.1, the election districts, precincts and their respective polling places for the county are hereby created and established as set forth in this article.

Section 6-12. Boundaries generally.

The boundaries of the election districts and precincts established in this article are as set forth in this article and on the maps attached to the ordinance from which this article is derived.

Sections 6-13 – 6-17. Reserved.

DIVISION 2. DISTRICTS

Section 6-18. Designated; population.

The election districts and their calculated populations are set forth as follows:

Election District Number 1, with a total population of 4881, includes Elydale, Ewing and Rose Hill.

Election District Number 2, with a total population of 4885, includes Blackwater, Flatwoods, and Jonesville.

Election District Number 3, with a total population of 6299, includes Ben Hur and Woodway.

Election District Number 4, with a total population of 4690, includes Stickleyville, Jasper, Seminary and Dryden.

Election District Number 5, with a total population of 4832, includes St. Charles, Pennington, Robbins Chapel and Keokee.

Section 6-19. Boundaries - District Number 1.

The boundaries of Election District Number 1 are as follows:

Beginning at a point, said point being known as Tri-State Peak (Kentucky, Tennessee and Virginia) and also defining the western-most point in Lee County's boundary; thence northeast from said point following the top of Cumberland Mountain and the Lee County and Virginia – Tennessee State Boundary approximately 25.8 miles to the Hagan Tunnel on the CSXT Railway; thence leaving Cumberland Mountain, and the Lee County and Virginia-Kentucky State boundary, in a southerly direction with said tunnel, and the Election Districts 1 and 2 dividing line, to the CSXT Railway main line; thence east along the railroad, and said dividing line, approximately 0.19 mile to an unimproved road; thence southerly along the road, and the Election Districts 1 and 2 dividing line, approximately 0.30 mile to Virginia State Route 621; thence west along Route 621 to its intersection with Virginia State Route 789 at Hagan; thence continuing with Route 621, and said dividing line, in a southerly direction to its intersection with Virginia State Route 664; thence southerly and continuing with Virginia State Route 664, and the dividing line between Election Districts 1 and 2, to its intersection with U.S. Highway 58 at Smiley; thence continuing southerly with Virginia State Route 664, and said dividing line, approximately 2.35 miles to its intersection with Virginia State Route 658; thence continuing southerly following Virginia State Route 664, and the Election Districts 1 and 2 dividing line, 0.20 miles to its intersection with Virginia State Route 676; thence south and west continuing with Virginia State Route 664, and said dividing line, 0.18 mile to its intersection again with Virginia State Route 676; thence in a southwesterly direction with Route 664, and the Election Districts 1 and 2 dividing line, 1.28 miles to its intersection with Virginia State Route 850; thence southwest with Route 664, and said dividing line, 0.96 mile to its intersection with Virginia State Route 855 at Wilson Hill; thence leaving Route 664 and continuing with Route 855 and the Election Districts 1 and 2 dividing line, southerly 0.98 mile to its intersection with Virginia State Route 661; thence westerly with Route 661, and said dividing line, 1.14 mile to its intersection with Virginia State Route 667 and the Rose Hill – White Shoals Magisterial District Line; thence southeast with the Rose Hill – White Shoals Magisterial District Line, and the Election Districts 1 and 2 dividing line, to the Lee County, Virginia – Tennessee State Line; thence west with said Lee County, Virginia – Tennessee State Line, approximately 21.625 miles to the point of beginning.

Section 6-20. Boundaries - District Number 2.

The boundaries of Election District Number 2 are as follows:

Beginning at a point, said point being the intersection of Hagan Tunnel, the top of Cumberland Mountain and the Lee County and Virginia-Kentucky State Line; thence north and east with the top of Cumberland Mountain approximately 4.16 miles to the Jonesville - White Shoals Magisterial District Line; thence with said line and the Election District 2 and 3 dividing line southeasterly approximately 0.50 mile to Virginia State Route 818; thence with Route 818, the Election Districts 2 and 3 dividing line and said Magisterial Line 0.20 mile to its intersection with Virginia State Route 621; thence continuing southeast with Route 621, and said dividing line, 0.10 mile to its intersection with Virginia State Route 656; thence with Route 656, the Election Districts 2 and 3 dividing line, and the Jonesville – White Shoals Magisterial Line 0.50 mile to the intersection of Virginia State Route 659; thence leaving the Magisterial Boundary and continuing easterly with Route 659 and the Election Districts 2 and 3 dividing line 1.69 miles to its intersection with Virginia State Route 652; thence continuing eastward along Route 659, and the Election Districts 2 and 3 boundary, approximately 3.45 miles to its intersection with U.S. Alternate 58; thence west and then south with U.S. Alternate 58, and said boundary, 2.63 mile to the intersection with U.S. Highway 58 in the Town of Jonesville; thence easterly, with U.S. Highway 58, and said boundary, 0.63 mile to Virginia State Route 70; thence continuing east with U.S. Highway 58 and the Election District 2 and 3 dividing line, 0.93 mile to Virginia State Route 641; thence east with U.S. 58, and the Election Districts 2 and 3 boundary, approximately 0.57 mile to its intersection again with Virginia State Route 641; thence leaving U.S. 58 and proceeding south with Route 641, and the Election Districts 2 and 3 boundary approximately 1.50 miles to the intersection with Virginia State Route 783; thence easterly with Route 783 and the Election Districts 2 and 3 boundary, a short distance to a minor tributary of Powell River, its source being Cheek Spring; thence with said tributary and the Election Districts 2 and 3 boundary a short distance to its mouth in Powell River, a corner common to Districts 2, 3 and 4; thence west with the meanders of Powell River, and the Election Districts 2 and 4 boundary, to Virginia State Route 739; thence east and south following Route 739 and the Election District 2 and 4 boundary, approximately 2.05 miles to its intersection with Virginia State Route 617; thence west following Route 617 and the Election District 2 and 4 boundary, approximately 0.39 miles to an unimproved road located 0.17 miles east of Virginia State Route 70; thence south following said unimproved road and the Election District 2 and 4 boundary, approximately 0.25 miles to an unnamed stream; thence continuing south following said stream and the Election District 2 and 4 boundary, approximately 0.36 miles to its mouth in Wallen Creek; thence west with Wallen Creek, and the Election District 2 and 4 boundary, approximately 1.5 miles to Virginia State Route 70; thence south with Route 70, and the Election District 2 and 4 boundary, approximately 0.08 miles to its intersection with Virginia State Route 612; thence east 0.23 miles with Route 70, and said boundary, to its intersection again with Virginia State 612; thence east following Route 612, and the Election Districts 2 and 4 boundary, approximately 0.57 mile to an unnamed tributary of Wallen Creek; thence south with the tributary's meanders, and said boundary, to the top of Powell Mountain; thence north and east along the top of Powell Mountain, and the Election Districts 2 and 4 boundary, approximately 6.68 miles to the Lee County – Scott County boundary line; thence southwest along said line approximately 6.03 miles to the Lee County and Virginia - Tennessee boundary line near Dona; thence west with said boundary approximately 16.75 miles to the Rose Hill – White Shoals Magisterial District Line and the southeast corner of Election District 1 southwest of Beech Grove Church; thence northwest with said Rose Hill – White Shoals Magisterial District Line, and the line separating Election District 1 and Election District 2, to the intersection of Virginia State Routes 661 and 667; thence easterly with Virginia State Route 661, 1.14 mile to the intersection of Virginia State Route 855; thence northerly with Route 855 and the line dividing Election District 1 and 2, 0.98 mile to its intersection with Virginia State Route 664; thence northerly with Route 664, and said dividing line, 0.96 mile to its intersection with Virginia State Route 850; thence continuing northerly with Route 664, and said dividing line, 1.28 mile to its intersection with Virginia State Route 676: thence continuing

northerly with Route 664 and said dividing line, 0.18 mile to its intersection again with Route 676; thence continuing northerly with Route 664, and the line dividing Election District 1 and 2, 2.35 mile to its intersection with U.S. Highway 58 at Smiley; thence northerly with Virginia State Route 621, and the line dividing Election Districts 1 and 2, 0.80 mile to its intersection with Virginia State Route 789 near Hagan; thence continuing east with Route 621, and the line dividing Election Districts 1 and 2, 0.15 mile to its intersection with an unnamed and unimproved road; thence with said road, and the line dividing Election Districts 1 and 2, 0.30 mile to its end at the CSXT Railway main line; thence west with said railroad, and the line dividing Election Districts 1 and 2, approximately 0.19 mile to its crossing of the Hagan Tunnel; thence north with the line of said tunnel, and the line dividing Election Districts 1 and 2, approximately 0.50 mile to the point it crosses under the top of Cumberland Mountain and the point of beginning.

Section 6-21. Boundaries - District Number 3.

The boundaries of Election District Number 3 are as follows:

Beginning at a point, said point being the intersection of the ridge lines of the Cumberland Mountain and Stone Mountain due north of Ocoonita; thence with the top of the ridge of Stone Mountain, and the Election Districts 3 and 5 dividing line east 3.40 miles to a point on said ridge 0.23 mile northwest of the source of an unnamed tributary of Poor Valley Creek north of Pennington Gap; thence southeast with the tributary to its mouth in Poor Valley Creek north of Virginia State Route 621; thence southeast a short distance to Virginia State Route 621 and the Jonesville-Rocky Station Magisterial Line; thence east with Route 621, the line dividing Election District 3 & 5, and said Magisterial Line approximately 1.15 miles to the point where the Jonesville-Rocky Station Magisterial Line leaves Route 621; thence south, with said Magisterial Boundary Line and District 3 and 5 dividing line, 0.40 mile to the eastern perimeter of U.S. Bureau of the Census Block # 511059503001028; thence southeasterly with said perimeter to its intersection with Virginia State Route T-1103 in Pennington Gap, thence east with Route T-1103, and the line dividing Election District 3 and 5, 0.09 mile to its intersection with Virginia State Route T-1128; thence south with Route T-1128, and said dividing line, 0.06 mile to its intersection with U.S. Alternate 58 (West Morgan Ave.) in Pennington Gap; thence east with U.S. 58 Alternate, West Morgan Ave., and said dividing line, 1.09 mile to its intersection with Virginia State Route T-640; thence south with Route T-640, and said dividing line, 0.16 mile south to its intersection with Virginia State Route T-1129; thence continuing with T-640, and the Election Districts 3 and 5 dividing line, 0.04 mile to its intersection with Virginia State Route T-1117; thence continuing southwest with Route T-640, and said dividing line, 0.25 mile to its intersection with Virginia State Route T-1123; thence continuing southwest with Route T-640, and the Election Districts 3 and 5 dividing line, 0.11 mile to its intersection with Virginia State Route T-1106; thence continuing southwest 0.06 mile along Route T-640, and said dividing line, to the south corporate boundary line of the Town of Pennington Gap; thence continuing as Virginia State Route 640, and the Election Districts 3 and 5 dividing line, south 0.39 mile to its intersection with Virginia State Route 1122; thence continuing south with Route 640, and said dividing line, 0.20 mile to its intersection with Virginia State Route 641; thence southwest continuing with Route 640, and the Election Districts 3 and 5 dividing line, 0.70 mile to its intersection again with Virginia State Route 641; thence continuing with Route 640, and said dividing line, southeast 0.75 mile to its intersection with Virginia State Route 639; thence continuing with Route 640, and the Election Districts 3 and 5 dividing line, south and west 1.39 miles to a bridge crossing Shafer Creek; thence southeast with said Shafer Creek, and said dividing line, to its mouth in Powell River; thence east with the meanders of said Powell River, and the Election Districts 3 and 5 dividing line, approximately 3.6 miles to the U.S. 421 bridge at Woodway; thence continuing east with Powell River and its meanders, and the dividing line between Election Districts 3, 4 and 5, approximately 6.7 miles to the Yokum – Rocky Station Magisterial District line; thence following same, and the Election Districts 3 and 4 dividing line, southeast to the intersection of Virginia State Route 642 and 743; thence southeast with Route 642, the aforementioned Magisterial District Line, and

the Election Districts 3 and 4 dividing line, 0.06 mile to its intersection with Virginia State Route 798; thence southeast 0.30 mile with Route 798, and said dividing line, to its terminus; thence west following an unnamed and unimproved road, and the Election Districts 3 and 4 dividing line, 0.68 mile to its end at an unnamed tributary of the Powell River; thence south following the creek to the top of Wallen Ridge; thence southwest along the top of said ridge, and the Election Districts 3 and 4 dividing line, to Buzzard Roost; thence leaving said ridge and proceeding east along Fox Branch, and said dividing line, to its intersection with an unnamed and unimproved road; thence with said road, and the Election Districts 3 and 4 dividing line, south and east approximately 2.25 miles to its intersection with Old U.S. 58-421 northwest of Sticklelyville; thence southwest with Old U.S. 58-421 and said dividing line approximately 0.57 mile to the top of Wallen Ridge; thence southwest with the top of Wallen Ridge, and the Election Districts 3 and 4 dividing line, southwest approximately 5.04 miles to Slagle Gap; thence leaving the top of Wallen Ridge and following an unnamed and unimproved road, and the Election Districts 3 and 4 dividing line, southwest approximately 0.76 mile to its intersection with Virginia State Route 618 and the Rocky Station-Jonesville Magisterial District Line; thence with said Magisterial District Line, and the Election Districts 3 and 4 dividing line, northwest approximately 1.57 miles to its intersection with Powell River approximately 0.20 mile southwest of the Poteet Bridge; thence south and west with the Powell River, its meanders and the Election Districts 3 and 4 dividing line, approximately 4.16 miles to the mouth of an unnamed tributary of Powell River flowing from Cheek Spring and a corner common to Election Districts 2, 3 and 4; thence north with said tributary and the Election Districts 2 and 3 boundary to its intersection with Virginia State Route 783; thence westerly a short distance with Route 783 and the Election District 2 and 3 boundary to its intersection with Virginia State Route 641; thence northwesterly with Route 641 and said Election District boundary 1.50 miles to its intersection with U.S. Highway 58; thence continuing west with U.S. Highway 58, and the dividing line between Election Districts 2 and 3, 0.57 mile to the intersection of Virginia State Route 641; thence west with U.S. Highway 58, and said dividing line, 0.93 mile to Virginia State Route 70; thence continuing west on U.S. Highway 58, and the line dividing Election 2 and 3, 0.63 mile to the intersection of U.S. Highway 58 and 58 Alternate in Jonesville; thence north and east with U.S. Highway 58 Alternate, and said dividing line, 2.63 mile to its intersection with Virginia State Route 659; thence with Route 659 and the dividing line between Election Districts 2 and 3 westward approximately 3.45 miles to its intersection with Route 652; thence continuing with Route 659, and the Election Districts 2 and 3 boundary, 1.69 miles to the intersection of Virginia State Route 656 and the Jonesville – White Shoals Magisterial Line; thence northwesterly with Route 656, the Election Districts 2 and 3 boundary and said Magisterial Line 0.50 mile to the intersection of Virginia State Route 621; thence northwest with Route 621, the Election District boundary and said Magisterial Line 0.10 mile to the intersection of Virginia State Route 818; thence northerly with Route 818, the Election District 2 and 3 boundary, and said Magisterial Line 0.20 mile to its end; thence continuing northerly with the Election District and Magisterial line approximately 0.50 mile to the top of Cumberland Mountain; thence easterly with the top of the ridge of said Cumberland Mountain, the Lee County boundary and the Kentucky – Virginia State Line, approximately 5.00 miles to the intersection of the ridge lines of Cumberland and Stone Mountain and the point of beginning.

Section 6-22. Boundaries - District Number 4.

The boundaries of Election District Number 4 are as follows:

Beginning at a point, said point being 1.25 miles southeast of U.S. 23, on the top of the ridge of Powell Mountain, and a point common with boundaries of the two adjacent counties of Wise and Scott; thence southwest with top of the ridge of Powell Mountain and the Lee County – Scott County boundary to Bowling Knob; thence continuing with the top of the ridge of Powell Mountain and the Lee County – Scott County boundary southwest to the butt of Powell Mountain and Cliff Mountain near Jasper; thence continuing southwest with said Lee County – Scott County boundary crossing U.S. Highway 23, south of Jasper,

to the top of the ridge of Powell Mountain; thence continuing south and west with the top of the ridge of Powell Mountain and the Lee County – Scott County boundary, to the point where U.S. 58-421 crosses Powell Mountain; thence continuing with the top of the ridge of Powell Mountain and the Lee County – Scott County line 4.75 miles to a point where the Lee County – Scott County line leaves Powell Mountain northwest of Virginia State Route 604 near Pleasant View Church; thence continuing south and west along the top of Powell Mountain and the line of Election Districts 2 and 4 approximately 6.68 miles to an unnamed tributary of Wallen Creek; thence north with said tributary's meanders and said District 2 and 4 boundary to its intersection Virginia State Route 612; thence west following Route 612 and the Election District 2 and 4 boundary approximately 0.57 mile to Virginia State Route 70; thence west with Route 70 and said Election District 2 and 4 boundary 0.23 mile to its intersection again with Route 612; thence north continuing with Route 70 and the Election District 2 and 4 boundary approximately 0.08 miles to its intersection with Wallen Creek; thence east with Wallen Creek and the Election District 2 and 4 boundary approximately 1.5 miles to the mouth of an unnamed stream; thence north following said stream and the Election District 2 and 4 boundary approximately 0.36 miles to its headwaters near an unimproved road; thence north following said unimproved road and the Election District 2 and 4 boundary approximately 0.25 miles to its intersection with Virginia Route 617; thence east following Route 617 and the Election District 2 and 4 boundary approximately 0.39 miles to Virginia State Route 739; thence northwest following Route 739 and the Election District 2 and 4 boundary approximately 2.05 miles to Powell River; thence north and east following the Powell River, its Meanders, and the Election District 2 and 4 boundary easterly to the mouth of an unnamed tributary of Powell River, its source being Cheek Spring and a corner to Election District 2, 3 and 4, 4.30 miles to a point 0.20 mile southwest of the Poteet Bridge in the Rocky Station – Jonesville Magisterial District Line; thence southeast with said line, and the dividing line between Districts 3 and 4, 1.57 miles to its intersection with Virginia State Route 618; thence northeast following an unnamed and unimproved road, and said dividing line, to the top of Wallen Ridge at Slagle Gap; thence with the top of Wallen Ridge, and the dividing line between Election Districts 3 and 4, 5.04 miles to a point where the top of said ridge intersects Old U.S., 58-421; thence with Old U.S. 58-421 and said dividing line east approximately 0.57 mile to its intersection with an unnamed and unimproved road; thence with said road, and the dividing line between Election Districts 3 and 4, 2.25 miles to its intersection with Fox Branch; thence with Fox Branch, and said dividing line, west to the top of Wallen Ridge at Buzzard Roost; thence northeast along the top of said ridge, and the Election District 3 and 4 dividing line, approximately 0.25 mile to an unnamed tributary of the Powell River; thence with the tributary, and said dividing line, north to its intersection with an unnamed and unimproved road approximately 0.68 mile west of the end of Virginia State Route 798; thence with Route 798, and said dividing line, northwest to its intersection with Virginia State Route 642 and the Yokum – Rocky Station Magisterial District Line; thence northwest with Route 642, said Magisterial District Line and the Election District 3 and 4 dividing line, 0.06 mile to the intersection of Virginia State Route 743; thence continuing northwest with Yokum – Rocky Station Magisterial District Line, and said dividing line, to the Powell River; thence west with the Powell River, its meanders, and the Election District 3 and 4 dividing line, approximately 3.90 miles to the intersection of an unnamed and unimproved road, an extension of Virginia State Route 861 and a corner to Election Districts 3, 4 and 5; thence with said road and the line dividing Election District 4 and 5 east and north approximately 0.66 mile to the end of Route 861; thence with Route 861 and said dividing line 0.22 mile to its intersection with Virginia State Route 630; thence west with Route 630 and the Election District 4 and 5 dividing line 0.57 mile to a minor stream flowing into a sink; thence northeast with the stream and said dividing line to its source at the top of Big Hill Ridge; thence crossing the ridge and with the dividing line between Election Districts 4 and 5 northeast approximately 0.20 mile to the source of an unnamed stream; thence north and west with the stream and said dividing line to the CSXT Railroad; thence southeast with same and the dividing line between Election Districts 4 and 5

approximately 0.30 mile to the U.S. 58 Alternate bridge crossing the railroad; thence with U.S. 58 Alternate, and said dividing line, 0.38 mile to its intersection with Virginia State Route 629; thence continuing with U.S. 58 Alternate, and the Election District 4 and 5 dividing line, west a short distance to Virginia Route 767; thence north following Route 767 and the line dividing Election District 4 and 5 approximately 0.66 mile to the intersection of Routes 621 and 767 at the Yokum – Rocky Station Magisterial District Line; thence with said Magisterial District Line, and the Election District 4 and 5 dividing line, northwest approximately 0.75 mile to the top of Stone Mountain west of Dalton Gap; thence east with the top of the ridge of Stone Mountain, and the Election District 4 and 5 boundary, approximately 4.25 miles to the Old Olinger Lookout Tower; thence northeast with Stone Mountain, and said dividing line, approximately 4.73 miles to the Lee County – Wise County boundary northwest of High Butte; thence southeast approximately 5.50 miles with the Lee County – Wise County boundary crossing the CSXT Railroad, Powell River, U.S. 58 Alternate, U.S. 23 and the Southern Railroad to the point of beginning.

Section 6-23. Boundaries - District Number 5.

The boundaries of Election District Number 5 are as follows:

Beginning at a point, said point being the intersection of the ridge lines of the Cumberland Mountain and Stone Mountain due north of Ocoonita, and also being a common corner with Election District 3 and the Virginia – Kentucky State Line; thence north and east with said state line, the Harlan County – Lee County line and Cumberland Mountain crossing U.S. 421, approximately 8.00 miles to the top of the ridge of Little Black Mountain northwest of Dominion; thence with said ridge, the Virginia – Kentucky State Line, and the Lee County – Harlan County line approximately 16.00 miles to the northern-most corner of Lee County intersecting the Lee County – Wise County boundary line; thence with said boundary southeast approximately 5.00 miles to the top of the ridge of Stone Mountain northwest of High Butte; thence southwest with said ridge and the Election Districts 4 and 5 dividing line approximately 4.73 miles to the Old Olinger Lookout Tower; thence southwest, continuing with the top of the ridge of Stone Mountain, approximately 4.25 miles to the Yokum – Rocky Station Magisterial Line and point common to Election Districts 4 and 5; thence continuing with said Magisterial District Line, and the Election Districts 4 and 5 dividing line, approximately 0.75 mile to the intersection of Virginia State Routes 621 and 767; thence with Virginia State Route 767, and the Election District 4 and 5 dividing line, south approximately 0.66 mile to its intersection with U.S. Alternate 58; thence east with U.S. Alternate 58, and the Election District 4 and 5 dividing line, a short distance to the intersection with Virginia State Route 629; thence continuing with U.S. 58 Alternate, and the Election Districts 4 and 5 dividing line, approximately 0.38 mile to the U.S. 58 Alternate bridge crossing the CSXT railroad; thence northwest with the CSXT railroad and the line dividing Election Districts 4 and 5 approximately 0.30 mile to its intersection with an unnamed stream; thence with said stream, and the election Districts 4 and 5 dividing line, to its source at the top of Big Hill Ridge; thence west crossing the ridge, and with the Election Districts 4 and 5 dividing line, to the source of an unnamed stream; thence with same and said dividing line to its intersection with Virginia State Route 630; thence with Route 630, and the Election Districts 4 and 5 dividing line, approximately 0.57 mile to the intersection of Virginia State Route 861; thence south with Route 861, and the Election Districts 4 and 5 dividing line, 0.22 mile to its end in an unnamed and unimproved road; thence with said road, and the Election Districts 4 and 5 dividing line, south and west approximately 0.66 mile to the Powell River and a corner to Election Districts 3, 4 and 5; thence with Powell River, its meanders, and the Election Districts 3 and 5 dividing line west approximately 2.8 miles to the U.S. 421 bridge at Woodway; thence west continuing with Powell River, its meanders and the Election Districts 3 and 5 dividing line, approximately 3.6 miles to the mouth of Shafer Creek; thence west with same and the Election Districts 3 and 5 dividing line, to its crossing of Virginia State Route 640; thence northeast with Route 640, and the Election Districts 3 and 5 dividing line, 1.39 miles to its intersection with Virginia State Route 639; thence continuing with Route 640, and the Election Districts 3 and 5 dividing

line, north 0.75 mile to its intersection with Virginia State Route 641; thence continuing north with Route 640, and the Election Districts 3 and 5 dividing line, 0.70 mile to its intersection again with Route 641; thence continuing north with Route 640, and the Election Districts 3 and 5 dividing line, 0.20 mile to its intersection with Virginia State Route 1122, thence continuing north with Route 640, and the Election Districts 3 and 5 dividing line, 0.39 mile to the south corporate boundary of Pennington Gap; thence continuing with Route 640 as T-640, and the Election Districts 3 and 5 dividing line, 0.06 mile north to the intersection with Virginia State Route T-1106; thence continuing with Route T-640, and the Election Districts 3 and 5 dividing line, northeast 0.11 mile to the intersection of Virginia State Route T-1123; thence continuing with Route T-640, and said dividing line, northeast 0.25 mile to the intersection of Virginia State Route T-1117; thence continuing with Route T-640, and the Election Districts 3 and 5 dividing line, north 0.04 mile to the intersection of Virginia State Route T-1129; thence continuing north with Route T-640, and said dividing line, 0.16 mile to U.S. 58 Alternate (West Morgan Ave.); thence with U.S. 58 Alternate (West Morgan Ave.), and the Election District 3 & 5 dividing line, 1.09 mile to the intersection of U.S. 58 Alternate and Virginia State Route T-1128; thence north with Virginia State Route T-1128, and said dividing line, 0.06 mile, to its intersection with Virginia State Route T-1103; thence west with Route T-1103, and said dividing line, 0.09 mile to its intersection with the eastern perimeter of U.S. Bureau of the Census Block # 5511059503001028; thence northwesterly with said perimeter, and the Election District 3 and 5 dividing line, to its intersection with the Jonesville-Rocky Station Magisterial Line; thence north with said magisterial boundary, and the Election Districts 3 and 5 dividing line, to Virginia State Route 621; thence continuing west with Route 621 and said Election District and Magisterial line approximately 1.15 miles to a point just south of the mouth of an unnamed tributary of Poor Valley Creek; thence leaving the Magisterial line and Route 621, north a short distance to the mouth of the tributary; thence with said tributary north to its source 0.23 miles southeast of the ridge of Stone Mountain; thence northwest 0.23 mile to the top of the ridge of Stone Mountain; thence west with the ridge of Stone Mountain, and the Election District 3 & 5 dividing line, approximately 3.4 miles to the point of beginning.

Sections 6-24 – 6-29. Reserved.

DIVISION 3. PRECINCTS AND POLLING PLACES

Section 6-30. Designated; boundaries-In Election District Number 1.

The precincts in Election District Number 1 and their boundaries are as follows:

Elydale Precinct #101: Beginning at a point, said point being known as Tri-State Peak (Kentucky, Tennessee and Virginia) and also defining the westernmost point in Lee County's boundary; thence northeast from said point following the top of Cumberland Mountain and the Lee County and Virginia – Tennessee State Boundary approximately 12.0 miles to Chadwell Gap; thence southeasterly with Chadwell Gap Trail and the Elydale – Ewing Precinct dividing line to Virginia State Route 688; thence with Route 688 and said dividing line southwest to its intersection with Virginia State Route 690; thence southerly with Route 690 and the Elydale – Ewing Precinct line to the intersection of Route 690 and U.S. 58 at Caylor; thence continuing with U.S. 58 and said line west to its intersection with State Route 684; thence east with Route 684 and Elydale – Ewing Precinct line 1.09 miles to its intersection again with Route 690; thence southerly continuing with Route 690 and said precinct line to the Virginia – Tennessee State Line; thence west with said state line approximately 10.0 miles to the point of beginning.

Ewing Precinct #102: Beginning at a point on the top of Cumberland Mountain on the Lee County and Virginia – Kentucky State Line at Chadwell Gap, a corner common to the Elydale and Ewing Precinct; thence northeasterly with said state line and the top of Cumberland Mountain approximately 5.6 miles to a point just north of the source of an unnamed tributary of Indian Creek

northwest of Ely Gap; thence southeast with said tributary and the Ewing and Rose Hill Precinct Line to an unnamed and unimproved road parallel to Indian Creek west of Ely Gap; thence west with the road and said Precinct Line approximately 1.30 miles to its intersection with another unnamed and unimproved road proceeding south toward U.S. 58; thence southeast with said road and the Ewing and Rose Hill Precinct Line approximately 0.25 mile to its intersection with a tributary of Indian Creek northeast of the Ewing community; thence southeast with the tributary and said Precinct Line to Indian Creek; thence continuing southeast with Indian Creek to the abandoned CSXT railroad right of way; thence east with same and said Precinct line a short distance to an unimproved road; thence south with same and the Ewing – Rose Hill Precinct Line a short distance to U.S. 58; thence west with U.S. 58 and said precinct line to its intersection with Virginia State Route 744; thence with Route 744 and the Ewing and Rose Hill Precinct Line southerly 3.7 miles to the Virginia – Tennessee State Line; thence west with same approximately 5.0 miles to the intersection of Virginia State Route 690, a corner common to the Elydale and Ewing Precinct; thence northerly with said Precinct line following Routes 690, 684, U.S. 58, 688, and Chadwell Gap Trail, to the top of the ridge of Cumberland Mountain at Chadwell Gap and the point of beginning.

Rose Hill Precinct #103: Beginning at a point, said point being the intersection of Hagan Tunnel on the CSXT Railway, the top of Cumberland Mountain and the Lee County and Virginia – Kentucky State Line; thence leaving Cumberland Mountain, and the Lee County and Virginia – Kentucky State boundary, in a southerly direction with said tunnel, the Election Districts 1 and 2 dividing line, and the Rose Hill – Flatwoods Precinct Line, to the CSXT Railway main line; thence east along the railroad, and said dividing line, approximately 0.19 mile to an unimproved road; thence southerly along the road, the Election Districts 1 and 2 dividing line, and the Rose Hill – Flatwoods Precinct Line, approximately 0.30 mile to Virginia State Route 621; thence west along Route 621, and said dividing line, to its intersection with Virginia State Route 789 at Hagan; thence continuing with Route 621, and said dividing line, in a southerly direction to its intersection with Virginia State Route 664; thence southerly and continuing with Virginia State Route 664, the dividing line between Election Districts 1 and 2 and the Rose Hill – Flatwoods Precinct Line, to its intersection with U.S. Highway 58 at Smiley; thence continuing southerly with Virginia State Route 664, and said dividing line, approximately 2.35 miles to its intersection with Virginia State Route 658; thence continuing southerly following Virginia State Route 664, the Election Districts 1 and 2 dividing line and the Rose Hill – Flatwoods Precinct Line, 0.20 miles to its intersection with Virginia State Route 676; thence south and west continuing with Virginia State Route 664, and said dividing line, 0.18 mile to its intersection again with Virginia State Route 676; thence in a southwesterly direction with Route 664, the Election Districts 1 and 2 dividing line and the Rose Hill – Flatwoods Precinct Line, 1.28 miles to its intersection with Virginia State Route 850; thence southwest with Route 664, and said dividing line, 0.96 mile to its intersection with Virginia State Route 855 at Wilson Hill; thence leaving Route 664 and continuing with Route 855, the Election Districts 1 and 2 dividing line and the Rose Hill – Flatwoods Precinct Line, southerly 0.98 mile to its intersection with Virginia State Route 661; thence westerly with Route 661, and said dividing line, 1.14 mile to its intersection with Virginia State Route 667 and the Rose Hill – White Shoals Magisterial District Line; thence southeast with the Rose Hill – White Shoals Magisterial District Line, the Election Districts 1 and 2 dividing line, and the Rose Hill – Flatwoods Precinct Line, to the Lee County, Virginia – Tennessee State Line; thence west with said Lee County, Virginia – Tennessee State Line approximately 6.6 miles to its intersection with Virginia State Route 744, a corner common to the Ewing and Rose Hill Precincts; thence northerly with said Precinct Line following Route 744 3.7 miles to its intersection with U.S. 58; thence east with U.S. 58, and the Ewing and Rose Hill Precinct Line, a short distance to an unnamed and unimproved road; thence north a short distance with the road and said precinct line to the abandoned CSXT railroad right of way; thence west with same, and the Ewing – Rose Hill Precinct Line, a short distance to Indian Creek; thence northwest with

same, and said Precinct Line, a short distance to an unnamed tributary of Indian Creek; thence with the tributary and the Ewing – Rose Hill Precinct Line, northwest to its intersection with an unnamed and unimproved road northeast of Ewing; thence with same northerly approximately 0.75 mile to its intersection with an unnamed and unimproved road running parallel and north of Indian Creek; thence with the road and the Ewing – Rose Hill Precinct Line 1.30 miles to its intersection with an unnamed tributary of Indian Creek; thence with the tributary and said precinct line northwest to the top of the ridge of Cumberland Mountain northwest of Ely Gap, a corner common to the Ewing and Rose Hill Precincts; thence with to of said ridge, the Lee County boundary and the Virginia – Kentucky State Line approximately 8.20 miles to the point of beginning.

Section 6-31. Designated; boundaries-In Election District Number 2.

The precincts in Election District Number 2 and their boundaries are as follows:

Blackwater Precinct #201: Beginning at a point, said point being the intersection of the Jonesville – White Shoals Magisterial District Line and Powell Mountain on the Lee County and Virginia – Tennessee State Line and a corner common to the Blackwater, Flatwoods and Jonesville Precinct; thence northeast with the top of the ridge of Powell Mountain and the Blackwater – Jonesville Precinct Line, approximately 5.5 miles to the site of the old Hunter Lookout Tower and the end of the tower access trail; thence easterly with said trail, and the Blackwater – Jonesville Precinct Line, to Virginia State Route 70 at Hunter Gap on the top of the ridge of Powell Mountain; thence north and east along the top of Powell Mountain, the Election Districts 2 and 4 boundary, and the Blackwater – Stickleyville Precinct Line, approximately 6.68 miles to the Lee County – Scott County boundary line; thence southwest along said line approximately 6.03 miles to the Lee County and Virginia – Tennessee boundary line near Dona; thence west with said boundary, approximately 10.6 miles to the top of the ridge of Powell Mountain and the point of beginning.

Flatwoods Precinct #202: Beginning at a point, said point being at the top of Cumberland Mountain on the Lee County and Virginia – Kentucky State Line, a corner common to Election District 2 and 3, the Flatwoods and Ben Hur Precinct, and the Jonesville – White Shoals Magisterial Line approximately 0.50 mile north of the end of Virginia State Route 818; thence southerly with said District and Magisterial Line approximately 0.50 mile to Route 818; thence with Route 818, the Election Districts 2 and 3 dividing line and said Magisterial line 0.20 mile to the intersection with Virginia State Route 621; thence continuing southeast with Route 621, and said dividing line, 0.10 mile to its intersection with Virginia State Route 656; thence with Route 656, the Flatwoods – Ben Hur Precinct line, and the Jonesville – White Shoals Magisterial Line 0.50 mile to the intersection of Virginia State Route 659; thence leaving the Magisterial boundary and continuing easterly with Route 659 and the Ben Hur – Jonesville Precinct line to its intersection with Sugar Run Creek; thence leaving Route 659 and proceeding westerly with Sugar Run to its mouth in Dry Creek; thence south with Dry Creek, the Flatwoods – Jonesville Precinct line and the Jonesville – White Shoals Magisterial line to its intersection with Virginia State Route 656; thence continuing south with Route 656, the Jonesville – White Shoals Magisterial Line, and the Flatwoods and Jonesville Precinct line, approximately 3.0 miles to U.S. 58 west of Jonesville; thence southeast with Route 656, the Jonesville – White Shoals Magisterial Line and the Flatwoods – Jonesville Precinct boundary, approximately 1.70 miles to its intersection with Virginia State Route 662; thence east 0.15 mile with Route 662, the Magisterial line and said precinct line, to its intersection with Virginia State 730; thence south with Route 730 and the Flatwoods Jonesville Precinct Line to its intersection with Virginia State Route 616 south of Powell River; thence east a short distance with Route 616, and said Precinct Line to Wallen Creek; thence southerly with Wallen Creek, the Flatwoods – Jonesville Precinct line and the Jonesville – White Shoals Magisterial line, to Virginia State Route 665; thence southerly with Route 665, said Precinct line, and the Magisterial Line 0.75 mile to Virginia State Route 612;

thence southeast, leaving Route 665, following the Jonesville – White Shoals Magisterial Line and the Flatwoods – Jonesville Precinct Line to the Lee County and Virginia – Tennessee State Line; thence west with same approximately 6.3 miles to the Rose Hill – White Shoals Magisterial Line and a corner common to the Rose Hill and Flatwoods Precinct and Election Districts 1 and 2 boundary; thence with the eastern boundary of the Rose Hill Precinct and the Election Districts 1 and 2 boundary as previously described, northerly to the top of the ridge of Cumberland Mountain at Hagan Tunnel; thence with said Mountain and the Lee County and Virginia – Kentucky State Line north and east approximately 4.16 miles to the point of beginning.

Jonesville Precinct #203: Beginning at a point, said point being the intersection of Virginia State Route 656 and Dry Creek 0.38 mile south of the mouth of Sugar Run and also being a corner common to Election District 2 and 3 and the Flatwoods, Ben Hur and Jonesville Precincts; thence leaving Route 656 and proceeding north along Dry Creek and said boundary to the mouth of Sugar Run; thence with Sugar Run, the Election Districts 2 and 3 boundary line, and the Ben Hur – Jonesville Precinct Line, easterly to its intersection with Virginia State Route 659; thence leaving Sugar Run and continuing easterly with Route 659, and said boundary and Precinct line, to its intersection with Virginia State Route 652; thence continuing eastward along Route 659, the Election Districts 2 and 3 boundary, and the Ben Hur – Jonesville Precinct line, approximately 3.45 miles to its intersection with U.S. 58 Alternate; thence west and then south with U.S. Alternate 58, and said boundary, 2.63 mile to the intersection with U.S. Highway 58 at the corner of Park and Main Streets in Jonesville; thence continuing east with U.S. 58, and the Jonesville – Ben Hur Precinct Line, to the intersection of Virginia State Route 70; thence continuing east with U.S. 58, and the aforesaid Precinct Line; leaving the Town of Jonesville, to the intersection of Virginia State Route 641, thence continuing east with U.S. 58, the Election Districts 2 and 3 boundary, and the Ben Hur – Jonesville Precinct lines, approximately 0.57 mile to its intersection again with Virginia State Route 641; thence leaving U.S. 58 and proceeding south with Virginia State Route 641, said Election District boundary, and the Jonesville – Ben Hur Precinct line, approximately 1.50 miles to the intersection of Virginia State Route 783; thence easterly with Route 783, the Election District 2 and 3 boundary and said precinct line, a short distance to a minor tributary of Powell River, its source being Cheek Spring; thence south with said tributary, the Election District boundary, and the precinct line, a short distance to its mouth in Powell River; a corner common to Election Districts 2, 3 and 4 and the Jonesville, Ben Hur and Stickleyville Precincts; thence west with the meanders of Powell River, the Election Districts 2 and 4 boundary, and the Jonesville – Stickleyville Precinct Line, to Virginia State Route 739; thence east and south following Route 739, the Election Districts 2 and 4 boundary, and the Jonesville – Stickleyville Precinct Line approximately 2.05 miles to its intersection with Virginia State Route 617; thence west following Route 617, the Election Districts 2 and 4 boundary, and the Jonesville – Stickleyville Precinct Line, approximately 0.39 miles to an unimproved road located 0.17 miles east of Virginia State Route 70; thence south following said unimproved road and the Election District 2 and 4 boundary, approximately 0.25 miles to an unnamed stream; thence continuing south following said stream, the Election District 2 and 4 boundary, and the Jonesville – Stickleyville Precinct line approximately 0.36 miles to its mouth in Wallen Creek; thence west with Wallen Creek, the Election District 2 and 4 boundary, and the Jonesville – Stickleyville Precinct line approximately 1.5 miles to Virginia State Route 70; thence south with Route 70, the Election District 2 and 4 boundary, and the Jonesville – Stickleyville Precinct line approximately 0.08 miles to its intersection with Virginia State Route 612; thence east 0.23 mile with Route 70 and said Election District boundary and Precinct Line, to its intersection again with Virginia State Route 612; thence east following Route 612, the Election Districts 2 and 4 boundary, and the Jonesville – Stickleyville Precinct Line, approximately 0.57 mile to an unnamed tributary of Wallen Creek; thence south with the tributary's meanders, and said Precinct line to the top of Powell Mountain; thence west with the top of the ridge of Powell Mountain and the Jonesville – Blackwater Precinct Line to the point where Route

70 intersects with the old Hunter Lookout Tower trail at Hunter Gap on Powell Mountain; thence westerly with said trail, and the Jonesville – Blackwater Precinct Line, to the site of the lookout tower on top of the ridge of Powell Mountain; thence with the top of the ridge of Powell Mountain and said Precinct Line approximately 5.50 miles to the Lee County and Virginia – Tennessee State line and a corner common to Jonesville, Blackwater and Flatwoods Precincts and the Jonesville – White Shoals Magisterial District; thence northwest with said Magisterial District line, and the Jonesville – Flatwoods Precinct line to the intersection of Virginia State Routes 612 and 665; thence northerly with Route 665, said Precinct line and the Magisterial Line, approximately 0.75 mile to Wallen Creek; thence northeasterly with Wallen Creek, the Jonesville – Flatwoods Precinct Line and the Jonesville – White Shoals Magisterial Line, to Virginia State Route 616 south of the mouth of Wallen Creek in Powell River; thence west with Route 616, said Precinct Line and the Magisterial Line, a short distance to the intersection of Virginia State Route 730; thence north with Route 730, the Magisterial Line and the Jonesville – Flatwoods Precinct Line to its intersection with Virginia State Route 662; thence west with Route 662, and said Magisterial and Precinct Line, 0.15 mile to the intersection of Virginia State Route 656; thence northwest with Route 656, the Jonesville – White Shoals Magisterial Line and the Jonesville – Flatwoods Precinct Line, 1.70 miles to the intersection of U.S. 58; thence east with U.S. 58 and said Magisterial and Precinct line, approximately 0.25 mile to the intersection again with Virginia State Route 656; thence proceeding north with Route 656, and the Jonesville-Flatwoods Precinct line, approximately 3.0 miles to the point of beginning.

Section 6-32. Designated; boundaries-In Election District Number 3.

The precincts in Election District Number 3 and their boundaries are as follows:

Ben Hur Precinct #301: Beginning at a point, said point being the intersection of the ridge lines of the Cumberland Mountain and Stone Mountain due north of Ocoonita; thence with the top of the ridge of Stone Mountain, the Election Districts 3 and 5 dividing line, and the Ben Hur – St. Charles Precinct Line, approximately 3.4 miles to a point on said ridge 0.23 mile northwest of the source of an unnamed tributary of Poor Valley Creek north of Pennington Gap; thence southeast with the tributary, and the Ben Hur – Pennington Precinct Line to its mouth in Poor Valley Creek north of Virginia State Route 621; thence southeast with said Precinct Line a short distance to Virginia State Route 621 and the Jonesville – Rocky Station Magisterial Line; thence east with Route 621, said Magisterial Line and the Ben Hur – Pennington Precinct Line, approximately 1.15 miles to the point where the Jonesville – Rocky Station Magisterial Line leaves Route 621; thence with the Magisterial Line and said Precinct Line southeast approximately 0.40 miles to a point, said point being the northwest corner of U.S. Bureau of the Census Block # 511059503001028 at its intersection with the Jonesville – Rocky Station Magisterial Line; thence southeasterly with the perimeter of said Census Block, the Election Districts 3 and 5 boundary and the Ben Hur - Pennington Gap Precinct line, to its intersection with Virginia State Route T-1103 in Pennington Gap, thence east with Route T-1103, the line dividing Election District 3 and 5 and said precinct line, 0.09 mile to its intersection with Virginia State Route T-1128; thence south with Route T-1128, and said dividing line, 0.06 mile to its intersection with U.S. Alternate 58 (West Morgan Ave.) in Pennington Gap; thence east with U.S. 58 Alternate, West Morgan Ave., and said dividing line, 1.09 mile to its intersection with Virginia State Route T-640; thence south with Route T-640, and said dividing line, 0.16 mile south to its intersection with Virginia State Route T-1129; thence continuing with T-640, the Election Districts 3 and 5 boundary and said Precinct line, 0.04 mile to its intersection with Route T-1117; thence continuing southwest with Route T-640, and said dividing line, 0.25 mile to its intersection with Route T-1123; thence continuing southwest with Route T-640, the Election Districts 3 and 5 boundary and the Ben Hur - Pennington Precinct line, 0.11 mile to its intersection with Route T-1106; thence continuing southwest 0.06 mile along Route T-640, and said dividing line, to the south corporate boundary line of the Town of Pennington Gap; thence continuing

as Virginia State Route 640, the Election Districts 3 and 5 boundary and said Precinct line, south 0.39 mile to its intersection with Virginia State Route 1122; thence continuing south with Route 640, and said dividing line, 0.20 mile to its intersection with Virginia State Route 641; thence continuing with Route 640, the Election Districts 3 and 5 boundary and the Pennington Precinct line, 0.70 mile to its intersection again with Virginia State Route 641; thence continuing with Route 640, and said dividing line, southeast 0.75 mile to its intersection with Virginia State Route 639; thence continuing with Route 640, the Election Districts 3 and 5 boundary and said Precinct line, south and west 1.39 miles to a bridge crossing Shafer Creek and a point common to Ben Hur, Pennington and Woodway Precincts; thence continuing with Route 640 leaving the Election District 3 and 5 boundary, and proceeding with the Ben Hur – Woodway Precinct line 0.06 mile to Virginia State Route 643 and a corner common to the Ben Hur and Woodway Precincts; thence leaving Route 643 and continuing with the Jonesville – Rocky Station Magisterial District Line, and the Ben Hur – Woodway Precinct Line, to its intersection with the Powell River 0.20 mile southwest of the Poteet bridge on U.S. 58, a corner common to Ben Hur, Woodway and Sticklelyville Precincts; thence south and west with the Powell River, its meanders, and a line dividing Election Districts 3 and 4 and the Ben Hur and Sticklelyville Precincts, approximately 4.16 miles to the mouth of an unnamed tributary of Powell River flowing from Cheek Spring near Virginia State Route 783 and a corner to Election Districts 2, 3 and 4 and the Ben Hur, Sticklelyville and Jonesville Precincts; thence north with said tributary, the Election Districts 2 and 3 boundary and the Ben Hur – Jonesville Precinct line a short distance to its intersection with Virginia State Route 783; thence west with Route 783 and the aforementioned Election District and Precinct Line, a short distance to its intersection with Virginia State Route 641; thence north with Route 641, the Election Districts 2 and 3 boundary, and the Ben Hur – Jonesville Precinct line approximately 1.50 miles to its intersection with U.S. 58; thence continuing west with U.S. 58, the line dividing Election Districts 2 and 3, and Ben Hur and Jonesville Precincts, approximately 0.57 mile to the intersection of Virginia State Route 641, thence continuing west with U.S. Highway 58, the line dividing Election Districts 2 and 3 and the Ben Hur – Jonesville Precinct, 0.93 mile to Virginia State Route 70; thence continuing west on U.S. Highway 58, the line dividing Election 2 and 3 and Ben Hur – Jonesville Precinct, 0.63 mile to the intersection of U.S. Highway 58 and 58 Alternate in Jonesville; thence north and east with U.S. Highway 58 Alternate, the line dividing Election 2 and 3 and Ben Hur – Jonesville Precinct, 2.63 mile to its intersection with Virginia State Route 659; thence with Route 659, the dividing line between Election Districts 2 and 3, and Ben Hur and Jonesville Precincts, westward approximately 3.45 miles to its intersection with Route 652; thence continuing westward with Route 659 and said dividing line to its intersection with Sugar Run, a corner common to Ben, Jonesville and Flatwoods Precincts; thence continuing with Route 659, the Election District 2 and 3 boundary and the Ben Hur – Flatwoods Precinct line to its intersection with Virginia State Route 656 and the Jonesville – White Shoals Magisterial Line; thence northerly with Route 656, the Election Districts 2 and 3 boundary, the Ben Hur – Flatwoods Precinct line, and the Magisterial line 0.50 mile to its intersection with Virginia State Route 621; thence northwest with Route 621 and said dividing line 0.10 mile to its intersection with Virginia State Route 818; thence with Route 818, the Election Districts 2 and 3 boundary, the Ben Hur – Flatwoods Precinct line, and the Magisterial line 0.20 mile to the end of Route 818; thence northerly with said Precinct, Election District and Magisterial District dividing line approximately 0.50 mile to the top of Cumberland Mountain; thence easterly with the top of the ridge of said Cumberland Mountain, the Lee County boundary and the Kentucky – Virginia State Line; approximately 5.00 miles to the intersection of the ridge lines of Cumberland and Stone Mountains and the point of beginning.

Woodway Precinct #302: Beginning at a point, said point being at a bridge crossing Shafer Creek on Virginia State Route 640 south of Pennington Gap and a corner common to Election Districts 3 and 5; thence southeast with said Shafer Creek, and said dividing line, to its mouth in Powell River; thence east with the

meanders of said Powell River, the Election Districts 3 and 5 boundary and the Pennington – Woodway Precinct line, approximately 3.6 miles to the U.S. 421 bridge at Woodway; thence continuing east with Powell River, its meanders, the boundary between Election Districts 3 and 5 and the Pennington – Woodway Precinct line, approximately 2.8 miles to a point, said point being a corner to Election Districts 3, 4 and 5 and the Woodway, Pennington, and Dryden Precincts; thence continuing with Powell River, its meanders, the Election Districts 3 and 4 boundary, and the Woodway – Dryden Precinct line, approximately 3.9 miles to the Yokum – Rocky Station Magisterial Line; thence following same, the Election Districts 3 and 4 boundary and the Dryden – Woodway Precinct line, southeast to the intersection of Virginia State Route 642 and 743; thence southeast with Route 642, the aforementioned Magisterial District Line, the Election Districts 3 and 4 boundary and the Precinct line, 0.06 mile to its intersection with Virginia State Route 798; thence southeast 0.30 mile with Route 798, and said dividing line, to its terminus; thence west following an unnamed and unimproved road, the Election Districts 3 and 4 boundary and the Dryden – Woodway Precinct line, 0.68 mile to its end at an unnamed tributary of the Powell River; thence south following the creek, the District 3 and 4 boundary, and said Precinct line, to the top of Wallen Ridge, a point common with Woodway, Dryden and Sticklelyville Precincts; thence southwest along the top of said ridge, the Election Districts 3 and 4 boundary, and the Sticklelyville – Woodway Precinct line, to Buzzard Roost; thence leaving said ridge and proceeding east along Fox Branch, and said dividing line, to its intersection with an unnamed and unimproved road; thence with said road, the Election Districts 3 and 4 boundary and the Sticklelyville – Woodway Precinct line, south and east approximately 2.25 miles to its intersection with Old U.S. 58-421 northwest of Sticklelyville; thence southwest with Old U.S. 58-421 and said dividing line approximately 0.57 mile to the top of Wallen Ridge; thence southwest with the top of Wallen Ridge, the Election Districts 3 and 4 boundary and said Precinct line, approximately 5.04 miles to Slagle Gap; thence leaving the top of Wallen Ridge and following an unnamed unimproved road, the Election Districts 3 and 4 dividing line, and the Sticklelyville – Woodway Precinct line, southwest approximately 0.76 mile to its intersection with Virginia State Route 618 and the Rocky Station – Jonesville Magisterial District Line; thence with said Magisterial District Line, the Election Districts 3 and 4 boundary and said Precinct line, northwest approximately 1.57 miles to its intersection with Powell River approximately 0.20 mile southwest of the Poteet Bridge on U.S. 58, a corner common to Woodway, Ben Hur and Sticklelyville Precincts; thence northwest continuing with the Jonesville – Rocky Station Magisterial District Line, and the Ben Hur Precinct Line to the intersection of Virginia State Routes 640 and 643, a corner common to the Ben Hur, Pennington and Woodway Precincts; thence northeast with Route 640, leaving the Magisterial line, and proceeding with the West Pennington Precinct line, 0.06 mile to a bridge across Shafer Creek, and the point of beginning.

Section 6-33. Designated; boundaries-In Election District Number 4.

The precincts in Election District Number 4 and their boundaries are as follows:

Sticklelyville Precinct #401: Beginning at a point, said point being at the top of Powell Mountain in the Lee County -Scott County boundary line 1.10 miles southwest of U.S. 23 at Jasper; thence continuing south and west with top of the ridge of Powell Mountain and the Lee County -Scott County boundary, to the point U.S. 58-421 crosses Powell Mountain; thence continuing with the top of the ridge of Powell Mountain and the Lee County -Scott County line 4.75 miles to a point where the Lee County -Scott County line leaves Powell Mountain northwest of Virginia State Route 604 near Pleasant View Church; thence continuing south and west along the top of Powell Mountain, the line of Election Districts 2 and 4, and the Blackwater - Sticklelyville Precinct line, approximately 6.68 miles to an unnamed tributary of Wallen Creek; thence north with said tributary's meanders, the District 2 and 4 boundary and the Jonesville - Sticklelyville Precinct line to its intersection with Virginia State Route 612; thence west following Route 612, the

Election District 2 and 4 boundary, and the Jonesville - Sticklelyville Precinct Line, approximately 0.57 mile to Virginia State Route 70; thence west with Route 70, the Election District 2 and 4 boundary, and the Sticklelyville - Jonesville Precinct Line, 0.23 mile to its intersection again with Route 612; thence north continuing with Route 70, the Election District 2 and 4 boundary and said precinct line, approximately 0.08 miles to its intersection with Wallen Creek; thence east with Wallen Creek, the Election District 2 and 4 boundary, and the Jonesville – Sticklelyville Precinct line approximately 1.5 miles to the mouth of an unnamed stream; thence north following said stream, the Election District 2 and 4 boundary, and the Jonesville – Sticklelyville Precinct line approximately 0.36 miles to its headwaters near an unimproved road; thence north following said unimproved road, the Election District 2 and 4 boundary, and the Jonesville – Sticklelyville Precinct line approximately 0.25 miles to its intersection with Virginia Route 617; thence east following Route 617, the Election District 2 and 4 boundary, and the Jonesville – Sticklelyville Precinct line approximately 0.39 miles to Virginia State Route 739; thence northwest following Route 739, the Election District 2 and 4 boundary, and the Jonesville – Sticklelyville Precinct line approximately 2.05 miles to Powell River; thence north and east following the Powell River, its meanders, the Election District 2 and 4 boundary, and said precinct line, easterly to the mouth of an unnamed tributary of Powell River, its source being Cheek Spring, a corner to Election District 2, 3 and 4, and to the Sticklelyville - Ben Hur and Jonesville Precincts; thence continuing east with the Powell River, its meanders, the dividing line between Election Districts 3 and 4, and the Ben Hur - Sticklelyville Precinct boundary , 4.3 miles to a point 0.20 mile southwest of the Poteet Bridge in the Rocky Station -Jonesville Magisterial District Line, and a corner common to the Ben Hur, Woodway and Sticklelyville Precincts; thence southeast with said magisterial line, the dividing line between Districts 3 and 4, and the Woodway-Sticklelyville Precinct Line, 1.57 mile to its intersection with Virginia State Route 618; thence northeast leaving the Magisterial Line following an unnamed and unimproved road, said dividing line and the Woodway - Sticklelyville Precinct Line, to the top of Wallen Ridge at Slagle Gap; thence with top of Wallen Ridge, the dividing line between Election Districts 3 and 4, and said Precinct Line, 5.04 miles to a point where the top of said ridge intersects Old U.S. 58-421; thence with Old U.S. 58-421, said dividing line and the Woodway - Sticklelyville Precinct Line, east approximately 0.57 mile to its intersection with an unnamed and unimproved road; thence with said road, the dividing line between Election Districts 3 and 4, and said Precinct Line, 2.25 miles to its intersection with Fox Branch; thence with said branch, said dividing line, and the Woodway - Sticklelyville Precinct Line, west to the top of Wallen Ridge at Buzzard Roost; thence northeast along the top of said ridge, the Election District 3 and 4 dividing line and said Precinct line, approximately 0.25 mile to the intersection of the Woodway and Dryden Precinct Line and a corner common to Dryden, Woodway and Sticklelyville Precincts; thence continuing northeast along the top of Wallen Ridge and the Sticklelyville - Dryden Precinct Line to the intersection of an unnamed road and Wallen Ridge 1.0 mile northeast of Buzzard Roost; thence southeast with said road, and the Sticklelyville - Jasper Precinct line approximately 0.60 mile to its intersection with an unnamed tributary of Fox Branch; thence continuing southeast with the stream and said precinct line to its mouth in Fox Branch; thence southeast with Fox Branch and the Sticklelyville - Jasper Precinct line, to its mouth in Dry Creek; thence northeast with Dry Creek, its meanders and the Sticklelyville - Jasper Precinct line approximately 1.7 miles to a spur of Wallen Ridge; thence crossing said spur approximately 0.10 mile to an unnamed tributary of Scotts Branch; thence northeast with said stream and the Sticklelyville - Jasper Precinct line to its mouth in Scotts Branch; thence north and east with Scotts Branch and said Precinct line, to its easternmost headwater at the intersection of Virginia State Routes 619 and 611, the Jefferson National Forest Boundary and Powell Mountain; thence southeast with the Jefferson National Forest Boundary, the top of the ridge of Powell Mountain and the Sticklelyville - Jasper Precinct line, approximately 3.0 miles to the point of beginning.

Jasper Precinct #402: Beginning at a point, said point being the intersection of an unnamed road and Wallen Ridge, approximately 1.0 mile east

of Buzzard Roost; thence with the top of Wallen Ridge and the Dryden – Jasper Precinct line northeast to Virginia State Route 619 at Lovelady Gap, a corner common to Dryden, Seminary and Jasper Precincts; thence continuing northeast with the top of Wallen Ridge and the Seminary – Jasper Precinct line to the Lee County – Wise County boundary line; thence southeast with the county boundary approximately 2.25 miles, crossing U.S. 23 and Southern Railroad, to the top of the ridge of Powell Mountain; a point common with the adjacent counties of Wise and Scott; thence southwest with the top of the ridge of Powell Mountain and the Lee County – Scott County boundary to Bowling Knob; thence continuing with the top of the ridge of Powell Mountain and the Lee County – Scott County boundary southwest to the butt of Powell Mountain and Cliff Mountain near Jasper; thence continuing southwest with said Lee County – Scott County boundary crossing U.S. Highway 23, south of Jasper, to the top of the ridge of Powell Mountain; thence continuing north and west with the top of the ridge of Powell Mountain, the Jasper – Sticklelyville Precinct Line, and the Jefferson National Forest Boundary approximately 3.0 miles to the intersection of Virginia State Routes 611 and 619 at the easternmost headwater of Scotts Branch; thence continuing with the Sticklelyville – Jasper Precinct line and said headwater downstream west then south to a minor tributary of Scotts Branch; thence southwesterly with said tributary and the Sticklelyville – Jasper Precinct to its source on a spur of Wallens Ridge; thence leaving the tributary, and proceeding southwest crossing said spur 0.10 mile to the headwaters of Dry Creek; thence continuing southwest with Dry Creek and the Sticklelyville - Jasper Precinct line approximately 1.7 miles to the mouth of Fox Branch; thence leaving Dry Creek and following Fox Branch and said Precinct line west approximately 0.83 mile to where it forks; thence with the unnamed fork and the Sticklelyville – Jasper Precinct line northwest approximately 0.42 mile to its intersection with an unnamed road; thence with said road, and the Precinct line approximately 0.60 mile northwest to the top of Wallen Ridge and the point of beginning.

Seminary Precinct #403: Beginning at a point, said point being the intersection of Virginia State Route 605 and the Lee County – Wise County line northwest of Powell River, thence southeast with the county line, crossing Powell River and U.S. 58 Alternate, approximately 1.75 miles to the top of Wallens Ridge; thence southwest with said ridge, and the Jasper – Seminary Precinct line, approximately 6.0 miles to Lovelady Gap at Virginia State Route 619; thence north leaving Wallen Ridge following an unnamed stream, and the Dryden – Seminary Precinct line to its mouth in Camp Creek; thence northwesterly with Camp Creek, and the Dryden – Seminary Precinct line, approximately 0.57 mile to Virginia State Route 733; thence north with Route 733, and the precinct line, to U.S. 58 Alternate; thence southwest with U.S. 58 Alternate and the Dryden – Seminary Precinct line, approximately 0.10 mile to Virginia State Route 753; thence northwest with Route 753, and the Precinct line, approximately 0.10 mile to an unnamed and unimproved road; thence with the road and the Dryden – Seminary Precinct line, to its crossing of an unnamed stream; thence with said stream, and the precinct line, north to its source at an unnamed and unimproved road; thence with same and the precinct line to Stocker Knob; thence southwest from said Knob, and with the top of a ridge and the Dryden – Seminary Precinct line, approximately 0.57 mile to an unnamed tributary of Powell River; thence northwest with the stream and Dryden – Seminary Precinct line, to its mouth in Powell River; thence westerly with the river and the Dryden – Seminary Precinct line, approximately 0.40 mile to its intersection with an unnamed and unimproved road; thence easterly with said road, and the Precinct line; to its intersection with Virginia State Route 621; thence southwesterly with Route 621 and the Dryden – Seminary Precinct line, approximately 0.75 mile to its intersection with an unnamed tributary of Powell River; thence northwest with said tributary and the Precinct line to the top of the ridge of Stone Mountain at the Old Olinger Lookout Tower; thence with said ridge and the Dryden – Seminary Precinct line northeast approximately 0.50 mile to the boundary between Keokee and Robbins Chapel Precinct at McConnell Branch; thence continuing with Stone Ridge and the Election Districts 4 and 5 boundary northeast approximately 4.35 mile to the Wise County – Lee County Boundary near High Butte; thence southeasterly with said

boundary approximately 1.40 miles to Virginia State Route 605 and the point of beginning.

Dryden Precinct #404: Beginning at a point, said point being on top of Wallen Ridge 0.25 mile northeast of Buzzard Roost at the source of an unnamed tributary of the Powell River; thence with the tributary, the Election Districts 3 and 4 boundary and the Woodway – Dryden Precinct line, to its intersection with an unnamed and unimproved road approximately 0.68 mile west of the end of Virginia State Route 798; thence east with said unnamed road, the Election Districts 3 and 4 dividing line, and said precinct line, 0.68 mile to the end of Virginia State Route 798; thence with Route 798, said dividing line and precinct line, northwest to its intersection with Virginia State Route 642 and the Yokum – Rocky Station Magisterial District Line; thence northwest with Route 642, said Magisterial District Line, the Election District 3 and 4 dividing line, and the Woodway – Dryden Precinct line, 0.06 mile to the intersection of Virginia State Route 743; thence continuing northwest with the Yokum – Rocky Station Magisterial District Line, and said dividing line, to the Powell River; thence west with the Powell River, its meanders, and the Election District 3 and 4 dividing line, approximately 3.90 miles to the intersection of an unnamed and unimproved road, and extension of Virginia State Route 861 and a corner to Election Districts 3, 4 and 5, and Dryden, Woodway and Pennington Precincts; thence with said road and the line dividing Election District 4 and 5 and Dryden – Pennington Precinct, east and north approximately 0.66 mile to the end of Route 861; thence with Route 861, said dividing line and Precinct line, 0.22 mile to its intersection with Virginia State Route 630; thence west with Route 630, the Election District 4 and 5 dividing line, and the Dryden – Pennington Precinct northeast approximately 0.20 mile to the source of an unnamed stream; thence north and west with the stream and said dividing line to the CSXT Railroad; thence southeast with same, the dividing line between Election Districts 4 and 5, and said Precinct line, approximately 0.30 mile to the U.S. 58 Alternate bridge crossing the railroad; thence with U.S. 58 Alternate, and said dividing line, 0.38 mile to its intersection with Virginia State Route 629; thence continuing with U.S. 58 Alternate, the Election District 4 and 5 dividing line and the Dryden – Pennington Precinct line, west to Virginia State Route 767; thence north following Route 767, the line dividing Election District 4 and 5, and the Dryden-t Pennington Precinct line, approximately 0.66 mile to the intersection of Route 767 and Route 621 at the Yokum – Rocky Station Magisterial District Line; thence with said Magisterial District Line, the Election District 4 and 5 dividing line, and the Dryden – Pennington Precinct line, northwest approximately 0.75 mile to the top of Stone Mountain west of Dalton Gap, and a corner common to Pennington, St. Charles and Dryden Precincts; thence east with top of the ridge of Stone Mountain, the Election District 4 and 5 boundary and the Robbins Chapel – Dryden Precinct line, approximately 4.25 miles to the old Olinger Lookout Tower; thence southeast leaving Stone Mountain following an unnamed tributary of Powell River, and the Seminary – Dryden Precinct line, to its intersection with Virginia State 621; thence northeast with Route 621, and said Precinct line approximately 0.65 mile to its intersection with an unnamed and unimproved road parallel to Powell River; thence southwest with the road, and the Dryden – Seminary Precinct line to its intersection with Powell River; thence northeast with Powell River, and said precinct line, approximately 0.40 mile to the mouth of an unnamed stream northwest of Stocker Knob; thence southeast with said stream and the Dryden – Seminary Precinct line, to its source on the top of a ridge; thence northeast with top of the ridge, and said precinct line, to an unnamed and unimproved road on Stocker Knob; thence southwesterly with said road, and the Precinct line, approximately 0.90 mile to the source of an unnamed stream; thence south with said stream, and the Dryden – Seminary Precinct line, to its intersection of an unnamed and unimproved road; thence continuing south with said road, and the Precinct line, to its intersection with Virginia State Route 753; thence with Route 753 and the Dryden – Seminary Precinct line, approximately 0.10 mile to its intersection with U.S. 58 Alternate; thence with U.S. 58 Alternate and the Precinct line, northeast approximately 0.20 mile to its intersection with Virginia State Route 733; thence south with Route 733, and the Dryden –

Seminary Precinct line, to Camp Creek; thence southwest with Camp Creek and the Precinct line, approximately 0.57 mile to the mouth of an unnamed tributary of Camp Creek; thence southeasterly with said creek, and the Dryden – Seminary Precinct line to its source at the top of Wallen Ridge on Virginia State Route 619 at Lovelady Gap; thence southwesterly with the top of the ridge of Powell Mountain and the Dryden – Jasper Precinct line approximately 4.30 miles to the point of beginning.

Section 6-34. Designated; boundaries-In Election District Number 5.

The precincts in Election District Number 5 and their boundaries are as follows:

St. Charles Precinct #501: Beginning at a point, said point being the intersection of an unnamed and unimproved road and the Lee County, Virginia – Kentucky State Line at the top of the ridge of Little Black Mountain near Hanging Rock; thence with said road and the St. Charles – Robbins Chapel Precinct line southwesterly to its intersection with a power transmission line; thence with said power line, and the precinct line, westerly to its intersection with an unnamed and unimproved extension of Virginia State Route 636 at Monarch; thence with this road, and the St. Charles – Robbins Chapel Precinct line, approximately 0.30 mile to the end of Route 636; thence continuing with an unimproved road, and the St. Charles – Robbins Chapel Precinct line southwest then southeast to the top of the ridge of Lone Mountain, at a point where the road forks, a corner common to St. Charles and Robbins Chapel Precincts; thence southeasterly with the east fork of the unimproved road, and the St. Charles – Robbins Chapel Precinct line, approximately 0.83 mile to the end of state maintenance of Virginia State Route 878; thence southeasterly leaving the unimproved road and proceeding on Route 878, 0.57 mile to its intersection with a power line; thence southwest with the power line and said Precinct line, to its intersection with Virginia State Route 628 west of Meadow Fork Church; thence easterly with Route 628, and the St. Charles – Robbins Chapel Precinct line to its intersection with Virginia State Route 766 at Burkhart Chapel; thence continuing with Route 628, and the Precinct line, southerly a short distance to Reeds Creek; thence southerly with Reeds Creek and the St. Charles – Robbins Chapel Precinct line, a short distance to its intersection again with Route 628; thence with Route 628, and said Precinct line, approximately 0.45 mile to its intersection again with Reeds Creek; thence with Reeds Creek and the St. Charles – Robbins Chapel Precinct line, southeast approximately 0.57 mile to its mouth in the North Fork of Powell River; thence with the North Fork of Powell River and said Precinct line easterly to the mouth of a tributary just south of the first Southern railroad bridge east of the Purcell community, a point in the Rocky Station and Yokum Station Magisterial line; thence southeast with the Magisterial line and the St. Charles – Robbins Chapel Precinct line, to the top of Stone Mountain near Dalton Gap; thence southwesterly with the top of the ridge of Stone Mountain, and the St. Charles – Pennington Precinct line, approximately 2.12 miles to the source of an unnamed tributary of the North Fork of Powell River; thence southerly with the creek and the St. Charles – Pennington Precinct line to Virginia State Route 621; thence west with Route 621 and said Precinct line approximately 0.90 mile to its intersection with North Fork of Powell River, a corner common to Pennington and St. Charles Precincts; thence northerly with the Powell River, and the Pennington – St. Charles Precinct line, to an unimproved road; thence with said road, and the Precinct line, a short distance to U.S. 421; thence northerly with U.S. 421, and the Pennington – St. Charles Precinct line, 0.25 mile to a point just north of Stone Face Rock on Stone Mountain; thence southwesterly with the top of the ridge of Stone Mountain, and the St. Charles – Pennington Precinct line, approximately 3.04 miles to a point, said point being a common corner to Ben Hur and St. Charles and Pennington Precincts; thence continuing with the top of the ridge of Stone Mountain and the Ben Hur – St. Charles Precinct line, approximately 3.40 miles to the intersection of the ridge lines of Stone and Cumberland Mountains north of Ocoonita; thence with the top of the ridge of Cumberland Mountain and the Lee County, Virginia – Kentucky State Line, approximately 14.60 miles to the point of beginning containing the incorporated town of St. Charles in its entirety.

Pennington Precinct #502: Beginning at a point, said point being the intersection of the top of the ridge of Stone Mountain and the Rocky –Yokum Station Magisterial Line near Dalton Gap; thence continuing with said Magisterial District Line, the Election Districts 4 and 5 dividing line, and the Dryden – Pennington Precinct line, approximately 0.75 mile to the intersection of Virginia State Routes 621 and 767; thence with Virginia State Route 767, leaving the Magisterial line, and with the Election District 4 and 5 dividing line and Dryden - Pennington Precinct line, south approximately 0.66 mile to its intersection with U.S. Alternate 58; thence east with U.S Alternate 58, the Election district 4 and 5 dividing line and said Precinct line, a short distance to the intersection with Virginia State Route 629; thence continuing with U.S. 58 Alternate, the Election Districts 4 and 5 dividing line, and said Precinct, approximately 0.38 mile to the U.S. 58 Alternate bridge crossing the CSXT railroad; thence northwest with the CSXT railroad, the line dividing Election Districts 4 and 5, and the Precinct line, approximately 0.30 mile to its intersection with an unnamed stream; thence with said stream, the Election Districts 4 and 5, and Dryden – Pennington Precinct dividing line, to its source at the top of Big Hill Ridge; thence west crossing the ridge, with the Election Districts 4 and 5 dividing line, and said Precinct line, to the source of an unnamed stream; thence with the same and said dividing line to its intersection with Virginia State Route 630; thence with Route 630, the Election Districts 4 and 5 dividing line, and the Precinct line, approximately 0.57 mile to the intersection of Virginia State Route 861; thence south with Route 861, the Election Districts 4 and 5 dividing line, and the Dryden – Pennington Precinct line, 0.22 mile to its end in an unnamed and unimproved road; thence with said road, the Election Districts 4 and 5 dividing line, and the Precinct line, south and west approximately 0.66 mile to the Powell River, a corner to Election Districts 3, 4 and 5 and the Dryden, Pennington and Woodway Precincts; thence with Powell River, its meanders, the Election Districts 3 and 5 dividing line, and the Pennington – Woodway Precinct line, west approximately 2.80 miles to the U.S. 421 bridge at Woodway, thence west continuing with Powell River, its meanders, the Election Districts 3 and 5 dividing line, and said Precinct, approximately 3.60 miles to the mouth of Shafer Creek; thence west with same, the Election Districts 3 and 5 dividing line, and the Pennington – Woodway Precinct line, to its crossing of Virginia State Route 640, a corner common to Election Districts 3 and 5 and the Woodway, Ben Hur and Pennington Precincts; thence northeast with Route 640, the Election Districts 3 and 5 dividing line and the Ben Hur - Pennington Precinct line, 1.39 miles to its intersection with Virginia State Route 639; thence continuing with Route 640, the Election Districts 3 and 5 dividing line, and said Precinct line, north 0.75 mile to its intersection with Virginia State Route 641; thence continuing north with Route 640, the Election Districts 3 and 5 dividing line and the Precinct line, 0.70 mile to its intersection again with Route 641; thence continuing north with Route 640, the Election Districts 3 and 5 dividing line, and the Ben Hur - Pennington Precinct line, 0.20 mile to its intersection with Virginia State Route 1122; thence continuing north with Route 640, the Election Districts 3 and 5 dividing line, and said Precinct, 0.39 mile to the south corporate boundary of Pennington Gap; thence continuing with Route 640 as T-640, the Election Districts 3 and 5 dividing line, and the Precinct line, 0.06 mile north to intersection with Virginia State Route T-1123; thence continuing with Route T-640, and said dividing line, northeast 0.25 mile to the intersection of Virginia State Route T-1117 ; thence continuing with Route T-640, and the Election Districts 3 and 5 dividing line and the Ben Hur - Pennington Precinct line, north 0.04 mile to the intersection of Virginia State Route T-1129; thence continuing north with Route T-640, and said dividing line, 0.16 mile to U.S. 58 Alternate; thence with U.S. 58 Alternate (West Morgan Ave.), the Election District 3 & 5 dividing line and the Ben Hur - Pennington Precinct line, 1.09 mile to the intersection of U.S. 58 Alternate and Virginia State Route T-1128; thence north with Virginia State Route T-1128, and said dividing line, 0.06 mile, to its intersection with Virginia State Route T-1103; thence west with Route T-1103, and said dividing line, 0.09 mile to its intersection with the eastern perimeter of U.S. Bureau of the Census Block # 5511059503001028; thence northwesterly with said perimeter, the Election District 3 and 5 dividing line and the Ben Hur –

Pennington Precinct line, to its intersection with the Jonesville-Rocky Station Magisterial Line; thence north with said magisterial boundary, the Election Districts 3 and 5 dividing line and the Pennington – Ben Hur Precinct line, to Virginia State Route 621; thence continuing west with Route 621 and said dividing line approximately 1.15 miles to a point just south of the mouth of an unnamed tributary of Poor Valley Creek; thence leaving the Magisterial line and Route 621, north a short distance to the tributary source 0.23 mile southeast of the ridge of Stone Mountain; thence northwest 0.23 mile to a point at the top of the ridge of Stone Mountain, corner to St. Charles, Ben Hur and Pennington Precincts; thence east with the ridge of Stone Mountain, and the St. Charles – Pennington Precinct line approximately 3.04 miles to a point just south of U.S. 421 at Pennington Gap near Stone Face Rock; thence north a short distance with said Precinct line to U.S 421, thence south and east following U.S 421, and the St. Charles - Pennington Precinct line, 0.25 mile to an unnamed and unimproved road; thence north with said road and Precinct line, a short distance to the North Fork of Powell River; thence South with same and the St. Charles - Pennington Precinct line to its intersection with Virginia State Route 621; thence easterly with Route 621 and the St. Charles - Pennington Precinct line approximately 0.90 mile to its intersection with an unnamed tributary of North Fork of Powell River; thence leaving Route 621, and following the tributary, and the St. Charles - Pennington Precinct line, north to its source on the top of the ridge of Stone Mountain; thence east with the ridge, and said Precinct line approximately 2.12 miles to the point of beginning.

Robbins Chapel Precinct #503: Beginning at a point, said point being at the source of Bundy Creek on the top of the ridge of Little Black Mountain in the Lee County and Virginia – Kentucky State Line; thence southerly with Bundy Creek, and the Keokee – Robbins Chapel Precinct line, approximately 0.13 mile to its intersection with an unnamed and unimproved road, an extension of Virginia State Route 756 at Calvin; thence southwest with the road, and said Precinct line, approximately 0.40 mile to its intersection with Virginia State Route 756; thence with Route 756, and the Keokee – Robbins Chapel Precinct line, south 0.50 mile to its intersection with Virginia State Route 606 near Shephard Hill; thence southeast with Route 606 and the Precinct line, approximately 0.47 mile to its intersection with Virginia State Route 625; thence with Route 625 and the Keokee – Robbins Chapel Precinct line, approximately 0.75 mile to its intersection with an unimproved road parallel to a spur of Southern Railroad; thence a short distance with the unimproved road and the Precinct line to Bundy Creek; thence south with the creek, and the Keokee – Robbins Chapel Precinct line, to its mouth in the North Fork of Powell River; thence southwest with the river, and said Precinct line, to the mouth of Payne Branch in the Sigma community; thence east with Payne Branch and the Keokee – Robbins Chapel Precinct line, a short distance to its intersection with the Southern Railroad; thence continuing with Payne Branch southeast approximately 1.0 mile to a point, said point being the southeast fork of Payne Branch; thence southeast with said fork, approximately 0.50 mile to the top of a spur of Stone Mountain at the source of a fork of McConnell Branch; thence northeast with said fork of McConnell Branch to McConnell Branch; thence southeast with McConnell Branch to its source at the top of the ridge of Stone Mountain; thence southwest with the top of the ridge of Stone Mountain approximately 0.50 mile to the Old Olinger Lookout Tower, thence continuing southwest with Stone Mountain and the Robbins Chapel – Dryden Precinct line approximately 4.25 miles to the Yokum – Rocky Station Magisterial Line near Dalton Gap, a corner to Pennington, St Charles, Dryden and Robbins Chapel precincts; thence northwest with said Magisterial Line to the mouth of a tributary of the North Fork of Powell River, just south of the first Southern Railway Bridge east of Purcell; thence north and west a short distance with the river, and the St Charles – Robbins Chapel Precinct line, to the mouth of Reeds Creek; thence northwesterly with Reeds Creek and said Precinct line, approximately 0.57 mile to its intersection with Virginia State Route 628; thence northwesterly with Route 628 and the St. Charles – Robbins Chapel Precinct line approximately 0.45 mile to its intersection again with Reeds Creek; thence northerly with Reeds Creek, and said Precinct line, a short distance to its

intersection again with Route 628 south of Burkhart's Chapel; thence north with Route 628, and the Precinct line, a short distance to its intersection with Virginia State Route 766; thence west continuing with Route 628 and the St. Charles – Robbins Chapel Precinct line to its intersection with a power line west of Meadow Fork Church; thence northeast with the power line and said Precinct line, to its intersection with Virginia State Route 878; thence northwest with Route 878, and the St. Charles – Robbins Chapel Precinct line, 0.57 mile to its end; thence continuing as an unimproved road and with said Precinct line approximately 0.83 mile to the top of the ridge of Lone Mountain at the forks of said road and a corner to St. Charles and Robbins Chapel Precincts; thence continuing northwest then northeast with the road and the St. Charles – Robbins Chapel Precinct line, to its intersection with Virginia State Route 636 at its end in an unimproved road; thence with the unimproved road and the St. Charles – Robbins Chapel Precinct line, 0.30 mile to its intersection with a power line; thence northeast with the power line, and said Precinct line, to its intersection with an unnamed and unimproved road near Hanging Rock; thence with said road and the St. Charles – Robbins Chapel Precinct line, northeasterly to the top of the ridge of Little Black Mountain on the Lee County, Virginia – Kentucky State Line; thence with said State line approximately 4.0 miles to the point of beginning.

Keokee Precinct #504: Beginning at a point, said point being the northeast corner of the Robbins Chapel Precinct, on the Lee County and Virginia – Kentucky State Line at the source of Bundy Creek north of Calvin; thence with said State line northeasterly approximately 4.75 miles to the northernmost corner of the Lee County boundary and a common corner with the Wise County line; thence with said boundary southeast approximately 5.0 miles to the top of the ridge of Stone Mountain northwest of High Butte; thence southwest with said ridge, the Election Districts 4 and 5 dividing line and the Keokee – Dryden Precinct line approximately 4.35 miles to the source of McConnell Branch; thence northwest with McConnell Branch and said Precinct line approximately 0.50 mile to its confluence in Payne Branch; thence with Payne Branch and the Dryden – Keokee Precinct line, northwest approximately 1.0 mile to the Southern railroad near the Sigma community; thence continuing with said creek a short distance to its mouth in the North Fork of the Powell River; thence northeasterly with the river, and the Robbins Chapel – Keokee Precinct line, crossing Virginia State Route 625 to the mouth of Bundy Creek; thence continuing northeasterly with Bundy Creek, and said Precinct line, a short distance to its intersection with an unnamed and unimproved road parallel to a spur of Southern Railroad; thence north with the road, and the Robbins Chapel – Keokee Precinct line, a short distance to its intersection with Virginia State Route 625; thence northerly with Route 625 and said Precinct line, approximately 0.75 mile to its intersection with Virginia State Route 606; thence northwest with Route 606, and the Robbins Chapel – Keokee Precinct line, approximately 0.47 mile to its intersection with Virginia State Route 756 near Shephard Hill; thence northerly with Route 756, and said Precinct line, approximately 0.50 mile to its end at Calvin in an unnamed and unimproved road; thence northeasterly with said road, and the Precinct line, approximately 0.40 mile to its intersection with Bundy Creek, thence northwesterly with Bundy Creek, and the Robbins Chapel – Keokee Precinct line, approximately 0.13 mile to its source on the top of the ridge of Little Black Mountain on the Lee County and Virginia – Kentucky State Line, at the point of beginning.

Section 6-35. Central absentee voter precinct.

Pursuant to the authority of Code of Virginia, § 24.2-712, there is hereby established a Central Absentee Voter Precinct to be used in all elections. The polling place for such precinct shall be located in the Conference Room (Room 208) of the Lee County Courthouse, Main Street, Jonesville, Virginia and shall be operated consistent with the provisions of the Code of Virginia, § 24.2-712, as amended.

Section 6-36. Polling places.

The polling places for the precincts designated in this division are as follows:

ELECTION DISTRICT NUMBER 1

<i>Precinct</i>	<i>Polling Place</i>
Elydale #101	Elydale Elementary School
Ewing #102	Thomas Walker High School
Rose Hill #103	Rose Hill Elementary School

ELECTION DISTRICT NUMBER 2

<i>Precinct</i>	<i>Polling Place</i>
Blackwater #201	Blackwater Vol. Fire Department Building
Flatwoods #202	Flatwoods Primary School
Jonesville #203	Jonesville Middle School

ELECTION DISTRICT NUMBER 3

<i>Precinct</i>	<i>Polling Place</i>
Ben Hur #301	Lee County Vocational School
Woodway #302	Elk Knob Elementary School

ELECTION DISTRICT NUMBER 4

<i>Precinct</i>	<i>Polling Place</i>
Stickleyville #401	Stickleyville Vol. Fire Dept. Building
Jasper #402	Jasper Vol. Fire Dept. Building
Seminary #403	Seminary Precinct Building
Dryden #404	Dryden Primary School

ELECTION DISTRICT NUMBER 5

<i>Precinct</i>	<i>Polling Place</i>
St. Charles #501	St. Charles Elementary School
Pennington #502	Pennington Middle School
Robbins Chapel #503	Robbins Chapel Precinct Building
Keokee #504	Keokee Elementary School Gym

This Ordinance shall be effective immediately upon adoption subject to approval of all federal and state regulatory agencies and authorities.

ADOPTED this the 19th day of March, 2013.

ROSE HILL COMPREHENSIVE COMMUNITY DEVELOPMENT PROJECT

The Lee County Board of Supervisors held a public hearing Tuesday, March 19, 2013, at 5:00 p.m., in the General District Courtroom of the Lee County Courthouse, to solicit public input on a proposed Community Development Block Grant (CDBG) application to be submitted to the Virginia Department of Housing and Community Development for the Rose Hill Comprehensive Community Development project. The project will involve housing rehabilitation activities and the extension of public sewer service into presently unserved areas of the community. All interested citizens are encouraged to attend.

The draft CDBG proposal or a fact sheet will be presented for comment along with information on projected beneficiaries, including the number of low- and moderate-income residents to benefit from the proposed project, and plans to minimize displacement. Citizens will also be given an opportunity to comment on Lee County’s past use of CDBG funds.

Frank Kibler, Lenowisco, reported that he has been assisting the Lee County Housing Authority and Lee County Public Service Authority in planning on this project. Mr. Kibler stated that they are prepared to proceed with the application process, and needed the Board to adopt a Resolution in support of this project. Mr. Kibler added that this project will help with 45 sewer connections in the Rose Hill area, along with seven housing rehabilitations and four demolitions. The total cost for those activities is \$949,585 and there are two sources of local funding that will be applied, local funds will be from IPR Program Income through the Housing Authority, and GA funds through Lenowisco totaling \$110,000, and the request to the Department of Housing and Community Development will be \$839,585.

The Chairman opened the floor for public comment.

There was no public comment on this matter.

The Chairman closed the floor for public comment.

It was moved by Mr. Bailey, seconded by Mr. Mosley, to approve the following Resolution in support of the CDBG application for the Rose Hill Comprehensive Community Development Project. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

**RESOLUTION IN SUPPORT OF
COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION
ROSE HILL COMPREHENSIVE COMMUNITY DEVELOPMENT
13-006**

WHEREAS, the County of Lee, Virginia, wishes to apply for \$839,585 in Virginia Community Development Block Grant (VCDBG) funds for the “Rose Hill Comprehensive Community Development” project; and

WHEREAS, other project funding, identified in the application, will provide the balance of the total project cost of \$949,585; and

WHEREAS, citizen participation requirements have been met through two duly advertised public hearings; and

WHEREAS, the project will meet the VCDBG National Objective of providing benefit to low- or moderate-income (LMI) persons by providing new public sewer service to a projected 45 households, of which an estimated 36 will be LMI households, and by providing housing rehabilitation services to eight (8) households, all of whom are LMI households.

NOW, THEREFORE BE IT RESOLVED by the Board of Supervisors of Lee County, Virginia, that the County Administrator of Lee County, Virginia, is hereby authorized to sign and submit any and all appropriate documents relevant to this Virginia Community Development Block Grant proposal.

SCHOOL BOND ISSUE

The Lee County Board of Supervisors held a Public Hearing on Tuesday, March 19, 2013 at 5:00 p.m. in the General District Courtroom of the Lee County Courthouse in Jonesville, Virginia. The purpose of the Public Hearing is to receive public comment on a proposed issue of bonds for the Lee County School Board. The bonds would be in a total amount of approximately \$2,285,000 and would be used to retire the interim financing loan obtained for construction of the 2008 addition to the Dryden Elementary School.

The Chairman opened the floor for public comment.

There was no public comment on this matter.

The Chairman closed the floor for public comment.

It was consensus of the Board to table this matter until later in the meeting.

DEPARTMENTAL REPORTS

ECONOMIC DEVELOPMENT

Mike James, Economic Development Director, reported that the Planning Commission is continuing to work on updating the Zoning Ordinance, and hopes to have the process ready to hold public hearings in October or November. Mr. James also stated that the IDA audit for 2011 is complete; the 2012 audit is underway and he should have a rough draft of that in April. He also updated the Board on the status of the Cell Towers, stating that he has made contact with citizens in the Blackwater and Stone Creek areas and have found people that are willing to donate property for a cell tower site. He will send a formal request to the Virginia Coalfield Coalition to include these areas in the next round of towers. The closing on the land for the tower site at Constitutional Oaks should be in April, and construction on the site can begin once the property is transferred. The

contractor for the Cell Tower in Gibson Station has been in contact with him; however, no permits have been applied for nor issued.

TOURISM

Joan Minor, Tourism Director, reported that Sue Crockett continues to participate in 'Round the Mountain and Heartwood regional activities. The committee is working on getting a chairman to have a representative on the Heart of Appalachia Tourism Authority. Ms. Minor has met with Buzz Witt on the proposed Appalachian Backroads motorcycle route. She stated that the Spearhead Trailblazers held a work day in Lee County to open up the Wilderness Area. The Crooked Road is no longer pursuing the National Heritage Area designation. The Tourism Director continues to gather information about upcoming events for the state website.

Ms. Rowe asked if there were any events planned for National Trails Day.

Ms. Minor stated she could contact Mike McKinney about serving as a trail guide again.

Ms. Rowe asked if the other committee members have specific duties.

Ms. Minor stated that Kenny Thomas is good with the outdoor events.

Ms. Rowe asked that Ms. Minor work to get the other committee members actively involved.

CONSTITUTIONAL OFFICERS

TREASURER'S REPORT

The Treasurer's Report for the month of February 2013 was submitted as follows:

Revenues	\$ 4,140,292.46
Expenditures	\$ 4,563,342.70
General Fund	\$ 13,132,456.99
Total Assets and Liabilities	\$ 18,518,806.74

PUBLIC EXPRESSION

The Chairman opened the floor for public comment and advised that each speaker would be limited to a three minute time period for individuals, five minutes for group.

Richard Shuler, Dryden, addressed the Board about trash and recycling issues, and the possibility of finding someone that will take aluminum cans.

Mr. Crabtree stated that the schools are currently doing a plastic bag recycling drive. He added that there is a gap in educational programs, and Mr. Fleenor is trying to start programs for the high school levels.

There was no further public comment.

The Chairman closed the floor for public comment.

APPROVAL OF MINUTES

It was moved by Ms. Rowe, seconded by Mr. Mosley, to approve the minutes of the February 19, 2013 Regular Meeting. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

PAYROLL

The County Administrator reports that payroll warrants have been issued.

APPROVAL OF DISBURSEMENTS

It was moved by Mr. Bailey, seconded by Mr. Slemp, to approve the disbursements for the month of March in the amount of \$245,581.56. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

DELEGATIONS

**SOUTHWEST VIRGINIA REGIONAL JAIL
REGIONAL JAIL AUTHORITY EXPANSION AND REFINANCING
STEVEN CLEAR**

Steven Clear, Superintendant, Southwest Virginia Regional Jail, stated that in the fall of 2009, the Authority Board completed a Community-Based Correction Plan for Southwest Virginia. The plan provided a forecast of the number of inmates housed in the Authority's facilities through fiscal year 2025. The Authority has a current Virginia Department of Corrections rated capacity of 896, and a permanent bed count of 1549 with an additional 315 temporary beds. An expansion plan was submitted to the Virginia Department of Corrections Board in December of 2011. They approved the expansion plan, recommended 50% reimbursement from the state and forwarded it to the General Assembly for appropriations. During the General Assembly Session of 2012, \$16,910,186 was appropriated to pay for 50% of the construction cost for the expansion. The Authority is seeking approval to finance the Authority's portion of this expansion through the Virginia Resources Authority. If the rates are acceptable and savings are appropriate, the Authority would also refinance the previous debt through the VRA at this time.

Mr. Poe added that refinancing the existing debt has been studied extensively, and it was determined that the cost savings are significant enough to go that route. He stated they would not be extending the debt term and it would be retired by the same date as the original bonds.

Mr. Crabtree asked about the end of the year true up, and how the refinancing will affect the existing budget.

Mr. Poe stated the additional cost of debt service is going to go up based on expansion, but we will see a slight reduction in savings from refinancing the existing debt. He added there are many factors that go into the true up calculations and this year Lee County is projected to owe additional contributions for the year.

Mr. Clear added that Lee County has 130 inmates, which is only 7% of the total population.

It was moved by Mr. Crabtree, seconded by Mr. Slemp, to adopt the following Resolution in support of the Jail Facility Revenue Bond. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF LEE, VIRGINIA, APPROVING THE EXECUTION AND DELIVERY OF A SUPPORT AGREEMENT OR AGREEMENTS WITH THE SOUTHWEST VIRGINIA REGIONAL JAIL AUTHORITY FOR THE ISSUANCE BY SUCH AUTHORITY OF ITS JAIL FACILITY REVENUE BOND OR BONDS AND JAIL FACILITY GRANT REVENUE ANTICIPATION NOTES
13-003

WHEREAS, the Southwest Virginia Regional Jail Authority (**the “Authority”**) is a public instrumentality of the Commonwealth of Virginia created pursuant to Article 3.1, Chapter 3, Title 53.1, Code of Virginia of 1950, as amended (**the “Act”**) by resolutions duly adopted by the governing bodies of the Counties of Buchanan, Dickenson, Lee, Russell, Scott, Smyth, Tazewell, Washington and Wise, Virginia and the City of Norton, Virginia (**collectively, the “Member Jurisdictions”**) for the purpose of developing regional jail facilities (**collectively, the “Regional Jail”**) to be operated on behalf of the Member Jurisdictions by the Authority;

WHEREAS, the Authority and the Member Jurisdictions have entered into a Southwest Virginia Regional Jail Authority Service Agreement, dated February 1, 2003, which was amended to include Tazewell County by an Amended Service Agreement dated as of July 1, 2005 (**the "Service Agreement"**), in which the Authority has agreed to, design, construct and equip the Regional Jail and obtain financing therefor.

WHEREAS, the Authority desires to issue its jail facility revenue bond (**the "New Money Local Bond"**), the proceeds of which, together with other available funds, are expected to be sufficient to finance a portion of the construction and improvement of additions to the Regional Jail facilities in an estimated maximum aggregate principal amount of \$24,000,000 (**collectively, the “Project”**);

WHEREAS, the Authority proposes to issue its jail facility revenue refunding bond (**the "Refunding Local Bond," and, together with the New Money Local Bond, the "Local Bond"**) to finance the refunding, redemption and defeasance of all or a portion of the Authority's outstanding \$61,095,000 Jail Facilities Revenue Bonds, Series 2003 (**the "2003 Bonds"**), subject to certain debt service savings parameters as determined by the Authority, in an aggregate principal amount sufficient to refund, redeem and defease the 2003 Bonds;

WHEREAS, the Authority's financial advisor, Davenport & Company LLC (**the "Financial Advisor"**) has advised the Authority that the Virginia Resources Authority (**"VRA"**), a public body corporate and political subdivision of the Commonwealth of Virginia, is willing to finance the Project and refinance the 2003 Bonds, if appropriate, at favorable rates to the Authority and that alternatively the Authority may choose to issue the Local Bond in a public offering utilizing one or more underwriting firms (**the "Underwriter"**);

WHEREAS, VRA has indicated its willingness to purchase such Local Bond from a portion of the proceeds of its Series 2013A VRA Bonds (**as more particularly defined in the below-defined Local Bond Sale and Financing Agreement, the "VRA Bonds"**) and to provide a portion of the proceeds thereof to the Authority to finance the Project and refinance the 2003 Bonds and pay certain costs of issuance of the Local Bond, in accordance with the terms of a Local Bond Sale and Financing Agreement to be dated as of a date to be specified by VRA, between VRA and the Authority (**the "Local Bond Sale and Financing Agreement"**) and alternatively if the Local Bond is issued in a public offering the proceeds thereof may be used for the same purposes in accordance with the terms of a bond purchase agreement (**the "Bond Purchase Agreement"**) to be entered into between the Authority and the Underwriter;

WHEREAS, the Authority desires to issue its jail facility grant revenue anticipation note in an estimated maximum aggregate principal amount of \$19,000,000 (**the "Note"**) to be sold to a purchaser to be selected by the Authority, the proceeds of which, together with proceeds from the sale of the New Money Local Bond are expected to be sufficient to finance a portion of the construction of the Project;

WHEREAS, VRA has indicated that its agreement to purchase the Local Bond will be conditioned upon each of the Member Jurisdictions undertaking non-binding obligations to appropriate from time to time moneys to the Authority in connection with payments due on the Local Bond and a similar agreement to purchase the Note by the purchaser thereof will require a similar non-binding obligation to appropriate;

WHEREAS, the Board of Supervisors (**the "Board of Supervisors"**) of the County of Lee, Virginia (**the "County"**) has through the issuance of the 2003 Bonds and the execution of the Service Agreement previously indicated its support of the financing the Project and the issuance of the Local Bond by the Authority and desires to enter into a support agreement evidencing such obligation to better secure VRA or such other purchasers of the Local Bond (**the "Bond Support Agreement"**) and a support agreement to better secure the purchaser of the Note, if required in such Note transaction (**a "Note Support Agreement"**).

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF LEE, VIRGINIA:

1. It is determined to be in the best interests of the County and its citizens for the Board of Supervisors to support the issuance of the Local Bond by the Authority and enter into the Bond Support Agreement to better secure VRA or such other purchasers of the Local Bond as described above and a Note Support Agreement to better secure the purchaser of the Note.
2. It is acknowledged and agreed that (i) VRA would not purchase the Local Bond without the security and credit enhancement provided by the Bond Support Agreement, (ii) VRA will be an express, intended third party beneficiary of the Service Agreement, and (iii) VRA is treating the Bond Support Agreement as a "local obligation" within the meaning of Section 62.1-199 of the Code of Virginia

of 1950, as amended, including amendments thereto taking effect as of July 1, 2011 (the "**Virginia Code**"), which in the event of a nonpayment thereunder authorizes VRA or the trustee for VRA's bonds to file an affidavit with the Governor that such nonpayment has occurred pursuant to Section 62.1-216.1 of the Virginia Code. In purchasing the Local Bond, VRA is further relying on Section 62.1-216.1 of the Virginia Code, providing that if the Governor is satisfied that such nonpayment has occurred, the Governor will immediately make an order directing the Comptroller to withhold all further payment to the County of all funds, or of any part of them, appropriated and payable by the Commonwealth of Virginia to the County for any and all purposes, and the Governor will, while the nonpayment continues, direct in writing the payment of all sums withheld by the Comptroller, or as much of them as is necessary, to VRA, so as to cure, or cure insofar as possible, such nonpayment.

3. In consideration of the Authority's undertakings with respect to the financing plans of the Project and the plan to refund, redeem and defease the 2003 Bonds, the Chairman or Vice-Chairman of the Board of Supervisors, either of whom may act, is hereby authorized and directed to execute and deliver the Bond Support Agreement and a Note Support Agreement. The Bond Support Agreement and the Note Support Agreement shall be in substantially the forms presented to this meeting, which are each hereby approved, with such completions, omissions, insertions or changes not inconsistent with this resolution as may be approved by the Chairman or Vice-Chairman of the Board of Supervisors, in their sole discretion, the execution thereof by the Chairman or Vice-Chairman of the Board of Supervisors to constitute conclusive evidence of his or her approval of such completions, omissions, insertions or changes.
4. The County Administrator is hereby authorized and directed to carry out the obligations imposed by the Bond Support Agreement and the Note Support Agreement on the County Administrator, and to take all proper steps on behalf of the County as may be required, in accordance with the plan of financing set forth above, including, but not limited to, any amendments, supplements or certifications under the Service Agreement in connection therewith, if any, or any other documents relating to the financing of the Project or the refunding, redemption and defeasance of the 2003 Bonds.
5. Nothing contained herein or in the Bond Support Agreement or the Note Support Agreement is or shall be deemed to be a lending of the credit of the County to the Authority, VRA or to any holder of the Local Bond or the Note or to any other person, and nothing herein contained is or shall be deemed to be a pledge of the faith and credit or the taxing power of the County, nor shall anything contained herein or in the Bond Support Agreement or the Note Support Agreement legally bind or obligate the Board of Supervisors to appropriate funds for purposes described in the Bond Support Agreement or the Note Support Agreement.
6. All actions previously taken by representatives or agents of the County in furtherance of the plan of financing of the Project, the refinancing of the 2003 Bonds and the issuance of the Local Bond and the Note are hereby ratified and approved.
7. This resolution shall take effect immediately.

FINANCE

MONTHLY APPROPRIATIONS

It was moved by Mr. Mosley, seconded by Mr. Bailey, to adopt the following Resolution. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

**RESOLUTION
MONTHLY AND QUARTERLY APPROPRIATIONS
13-004**

WHEREAS, the Lee County Board of Supervisors has approved the Headstart Budget, Lee County Public School Budget and Virginia Public Assistance Budget for FY2012-13; and

WHEREAS, it is now necessary to appropriate sufficient funds for the contemplated expenditures as they are contained in the Headstart, Lee County Public School and Virginia Public Assistance Budgets;

NOW, THEREFORE, BE IT RESOLVED, that the following activities, 25% of the amount shown is appropriated for a 3-month period ending June 30, 2013;

HEADSTART

Federal Funds	\$ 1,343,793
TOTAL HEADSTART	\$ 1,343,793

WHEREAS, the Lee County Board of Supervisors has approved the Lee County Public School Budget and Virginia Public Assistance Budget for FY2012-13; and

WHEREAS, it is now necessary to appropriate sufficient funds for the contemplated expenditures as they are contained in the Lee County Public School and Virginia Public Assistance Budgets;

NOW, THEREFORE, BE IT RESOLVED, that the following activities 1/12 of the amount shown is appropriated for a 1-month period ending April 30, 2013;

VIRGINIA PUBLIC ASSISTANCE

Federal/State Funds	\$ 6,022,218
Local Funds	<u>1,068,481</u>
TOTAL VIRGINIA PUBLIC ASSISTANCE	\$ 7,090,699

LEE COUNTY PUBLIC SCHOOLS

Categorical Appropriation:

Instruction	\$ 24,030,343
Administration, Attendance and Health	2,065,227
Pupil Transportation	2,137,300
Operation and Maintenance	3,350,600
School Food Services	1,688,110
Facilities	547,967
Technology	852,725
Partially Self-Funded Insurance Fund	<u>4,650,000</u>
TOTAL	\$39,322,272

Source of Revenue:

Federal Funds	\$ 4,675,075
State Funds	24,741,951
Other Funds	81,600

Self Insured Health Fund	4,650,000
Local Funds	4,963,668
Lottery Carryover Funds	<u>209,978</u>
TOTAL PUBLIC SCHOOLS	\$ 39,322,272

1. The Lee County Treasurer is hereby authorized and directed to transfer sums as needed to meet expenses already incurred. The transfer will be from the General Fund to the Headstart, Public School and Virginia Public Assistance funds and will not exceed the foregoing one and three months appropriations.

Adopted this the 19th Day of March, 2013

SUPPLEMENTAL APPROPRIATIONS

DEPARTMENT OF SOCIAL SERVICES

It was moved by Mr. Bailey, seconded by Mr. Mosley, to approve a supplemental appropriation in the amount of \$40,000.00 to Fund 002, Auxiliary Grants, Line Item 4-002-53100-0004. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

DEPARTMENT OF SOCIAL SERVICES

It was moved by Mr. Bailey, seconded by Mr. Mosley, to approve a supplemental appropriation in the amount of \$75,000.00 to Fund 002, Adoption Subsidy, Line Item 4-002-53100-0012. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

DEPARTMENT OF SOCIAL SERVICES

It was moved by Mr. Bailey, seconded by Mr. Mosley, to approve a supplemental appropriation in the amount of \$30,000.00 to Fund 002, View Purchase, Line Item 4-002-53100-0014. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

OLD BUSINESS

TRANSFER STATION HOURS OF OPERATION

Mr. Poe reported that Gary Collingsworth, Transfer Station Supervisor, had followed up with the Town of Pennington and their plan of operation is not to leave Pennington with a load of trash after 3:00 PM. Mr. Collingsworth also checked the Town of Jonesville's tickets, and their latest recorded time was 2:48 PM.

It was moved by Mr. Crabtree, seconded by Ms. Rowe, to approve the change of operating hours of the Transfer Station to 7:00 AM to 3:30 PM effective April 1, 2013. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

NEW BUSINESS

BOARD APPOINTMENTS

AIRPORT AUTHORITY

It was moved by Mr. Bailey, seconded by Mr. Mosley, to appoint Jason McConnell to the Airport Authority. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

AIRPORT AUTHORITY

Ms. Rowe tabled her appointment for this board.

COAL HAUL ROAD COMMITTEE

It was moved by Ms. Rowe, seconded by Mr. Slemp, to re-appoint Patricia Williams to a four-year term on the Coal Haul Road Committee. Ms. Williams' term will expire March 31, 2017. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

PROPOSED RABIES CLINIC SCHEDULE

Mr. Poe reported that the Lee County Animal Hospital has tentatively scheduled rabies clinic on April 13, April 20, and May 4, 2013.

It was moved by Mr. Mosley, seconded by Mr. Slemp, to approve the rabies clinic schedule on April 13, April 20, and May 4, 2013. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

CABLE FRANCHISE REQUEST

Mr. Poe reported that he has received a request from Greg Edwards, on behalf of Sunset Digital Communications, requesting that Lee County grant Sunset a negotiated cable franchise. Mr. Poe stated there are currently two cable companies operating in the County, and those are by ordinance. He stated the County does not have a negotiated agreement with either one. Mr. Poe has given Mr. Callahan the information to review and it could possibly take several meetings to complete negotiations on a proposed ordinance.

HEALTH INSURANCE RENEWAL RATE

Mr. Poe reported that the County has received the renewal rate for health insurance, and there would be no increase in the employee health insurance rates for the 2013 - 2014 fiscal year. The rates are as follows:

<u>Coverage</u>	<u>Total Cost</u>	<u>Employee Pays</u>	<u>County Pays</u>
Single	\$ 568.00	\$ 113.60	\$ 454.40
Dual	1,051.00	357.96	693.04
Family	1,534.00	647.76	886.24

It was moved by Ms. Rowe, seconded by Mr. Slemp, to accept the Health Care Insurance Rates as presented. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

REPORTS AND RECOMMENDATIONS OF COUNTY ATTORNEY

None.

REPORTS AND RECOMMENDATIONS OF COUNTY ADMINISTRATOR

TRAILS UPDATE

Mr. Poe reported that he has spoken with the Town of Pennington and the Phase I project has started, and they are waiting on approval to advertise for bids to build the remaining portion of trails. On the County's side of Phase II, there has been some positive progress made, and there is some interest from a coal company to work with the County and allow access to 100 acres. The next step will be getting easements on that property.

STORMWATER MANAGEMENT

Mr. Poe reported that he is continuing to work on the draft ordinance. The draft ordinance will be ready to send to the State by April 1, at which time the County will also request an extension on the implementation date. Mr. Poe added that he received a brief proposal from Daniel Boone Soil and Water Conservation on their interest in taking over Erosion and Sediment Control and Stormwater Management. He is going to check into which way would be the most cost effective for the County and will report back to the Board.

COMMONWEALTH'S ATTORNEY EQUIPMENT REQUEST

Mr. Poe reported that Shawn Hines, Commonwealth's Attorney, has made a request to the State Compensation Board to transfer vacancy savings from his Temporary Salaries budget to fund the purchase of needed equipment. He has requested the transfer of \$4,707.86 to fund the purchase of three desktop computers at \$914.96 each, one laptop computer at \$1,262.98 and one printer at \$700.00. The state reimbursement for equipment is based on the Fiscal Stress Index of each locality. Lee County would be

required to pay 20.31% of the cost or \$956.17. Mr. Hines is requesting the Board's approval of the local match.

It was moved by Ms. Rowe, seconded by Mr. Crabtree, to approve the Commonwealth's Attorney's equipment request in the total amount of \$4,707.86 with a local match being \$956.17. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

SURPLUS PROPERTY

Mr. Poe reported that the School Board has declared the three closed schools as surplus property. He has received one deed for the Sticklelyville property, and two deeds for the Keokee property. Penn Virginia Resources had a reversion clause on certain tracts of the Keokee property, and have transferred their interest in the property to the County. They retained interest in one tract. On the Ewing property, one tract of the property will go to the County and one will revert to the original owner, it is uncertain at this time which tract the building is on.

REPORTS AND RECOMMENDATIONS OF THE BOARD

SCHOOL BOND ISSUE

Mr. Bailey asked Mr. Mark Carter, School Superintendant, if he would like to address the Board on the School Bond.

Mr. Carter stated that the School Board is asking that the Board of Supervisors adopt a Resolution for refinancing a short-term loan on the Dryden School Addition. Mr. Carter stated that the short term financing was originally obtained by the IDA, and the IDA is requesting the loan be refinanced because the loan holder is not obligated to renew the loan when it expires. He believes this is the best option for all parties.

Ms. Rowe asked if the School Board has means in the budget to service the debt.

Mr. Carter stated yes.

LIGHTING OF STONE FACE ROCK

Ms. Rowe asked Mr. Poe about the progress of the lighting of Stone Face Rock.

Mr. Poe stated he has not been able to discuss this with the Town Manager, but will work on it.

BUDGET WORKSHOP

Ms. Rowe asked when the budget workshops would start.

Mr. Poe stated that data entry has begun and should be completed within a week. He could have requested budgets ready to present to the Board in a couple of weeks.

BOYS AND GIRLS CLUBS

Ms. Rowe asked what role a County plays in getting Boys and Girls Clubs in the area.

Mr. Poe stated that he believed it was community driven, but he would check into it further.

DISTRICT 5 MEETING

Ms. Rowe stated she will be having a meeting for District 5 on March 28, 2013 at 6:00 PM at Legends in the meeting room.

TOWN OF PENNINGTON FIRE DEPARTMENT

It was moved by Ms. Rowe to give the Pennington Gap Fire Department \$10,000 to assist in the purchase of a ladder truck.

Mr. Poe reported that Pennington Fire Department had recently received approximately \$42,000 in State Fire Programs funds through the County.

It was moved by Mr. Slemph to give each County Fire Department \$10,000.

Mr. Crabtree asked how much per year the County gives to each Department.

Mr. Poe stated that the County gives \$10,000 per agency per year.

Ms. Rowe withdrew her motion.

Mr. Slemph withdrew his motion.

CENTRALIZED ACCOUNTING

Mr. Crabtree asked about the status of Centralized Accounting.

Mr. Poe stated that it was the consensus of the Board at the last meeting to ask the School Board to convert to Bright Software System. Mr. Poe added that he met with the Superintendent and it was to be presented to the School Board at their meeting. He stated they took no action on the matter.

ANIMAL CONTROL TRUCK

Mr. Crabtree asked the status of the new truck for Animal Control.

Mr. Poe stated that it is almost ready to be bid out. He wants to get quotes from local dealers, and quotes from the state contract. The two different types of beds we are looking for will have to come from Indiana or Iowa. The truck will then have to go to one of those locations to have the bed installed. If we order a truck, we would have it drop shipped to one of those locations.

SCHOOL BOND ISSUE

Mr. Crabtree asked Mr. Callahan if this would fall under investing of public funds for closed session.

Mr. Callahan stated it would not in this case as this is only a matter of approval of the Board.

Mr. Crabtree added that the School Board currently has a debt service budget of \$272,000, however they have been paying roughly \$8,000 toward the debt, and this will ultimately come back to the County.

Mr. Slemp asked if there was any alternative.

Mr. Crabtree stated that the School Board could seek alternate funding.

Mr. Slemp stated that any financing is going to come back to the County no matter where it comes from.

It was moved by Mr. Mosley, seconded by Mr. Slemp to approve the following Resolution in support of the School Bond Issue. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

**RESOLUTION AUTHORIZING THE ISSUANCE OF GENERAL
OBLIGATION SCHOOL BONDS OF LEE COUNTY, VIRGINIA,
IN AN AMOUNT NOT TO EXCEED \$2,285,000, TO BE SOLD TO
THE VIRGINIA PUBLIC SCHOOL AUTHORITY AND
PROVIDING FOR THE FORM AND DETAILS OF THE BONDS
13-005**

WHEREAS, the Board of Supervisors (the “Board”) of Lee County, Virginia (the “County”), has determined that it is necessary and expedient to borrow an amount not to exceed \$2,285,000 and to issue its general obligation school bonds for the purpose of refinancing certain capital projects for school purposes; and

WHEREAS, the Board has held a public hearing on March 19, 2013, duly noticed, on the issuance of the Bonds (as defined below) in accordance with the requirements of Section 15.2-2606, Code of Virginia 1950, as amended (the “Virginia Code”); and

WHEREAS, the School Board of the County has, by resolution, requested the Board to authorize the issuance of the Bonds and consented to the issuance of the Bonds; and

WHEREAS, the Bond Sale Agreement (as defined below) shall indicate that \$2,175,000 is the amount of proceeds requested (the “Proceeds Requested”) from the Virginia Public School Authority (the “VPSA”) in connection with the sale of the Bonds; and

WHEREAS, VPSA’s objective is to pay the County a purchase price for the Bonds which, in VPSA’s judgment, reflects the Bonds’ market value (the “VPSA Purchase Price Objective”), taking into consideration such factors as the amortization schedule the County has requested for the Bonds relative to the amortization schedules requested by other localities, the purchase price to be received by VPSA for its bonds and other market conditions relating to the sale of VPSA’s bonds; and

WHEREAS, such factors may result in the Bonds having a purchase price other than par and consequently (i) the County may have to issue a principal amount of Bonds that is greater than or less than the Proceeds Requested in order to receive an amount of proceeds that is substantially equal to the Proceeds Requested, or (ii) if the maximum authorized principal amount of the Bonds set forth in Section 1 below does not exceed the Proceeds Requested by at least the amount of any discount, the purchase price to be paid to the County, given the VPSA Purchase Price Objective and market conditions, will be less than the Proceeds Requested.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF LEE COUNTY, VIRGINIA:

1 **Authorization of Bonds and Use of Proceeds.** The Board determines that it is advisable to contract a debt and issue and sell its general obligation school bonds in an aggregate principal amount not to exceed \$2,285,000 (the “Bonds”) for the purpose of financing or refinancing certain capital projects for school purposes as described in Exhibit B. The Board authorizes the issuance and sale of the Bonds in the form and upon the terms established pursuant to this Resolution.

2 **Sale of the Bonds.** It is determined to be in the best interest of the County to accept the offer of VPSA to purchase from the County, and to sell to VPSA, the Bonds at a price, determined by VPSA to be fair and accepted by the Chairman of the Board and the County Administrator, or either of them that is substantially equal to the Proceeds Requested, except that the Bonds may be sold for a purchase price not lower than 95% of the Proceeds Requested if issuing the Bonds in the maximum principal amount authorized by Section 1 of this Resolution is insufficient, given the VPSA Purchase Price Objective and market conditions, to generate an amount of proceeds substantially equal

to the Proceeds Requested. The Chairman of the Board, the County Administrator, or either of them and such other officer or officers of the County as either may designate are hereby authorized and directed to enter into a Bond Sale Agreement, dated as of April 12, 2013, with VPSA providing for the sale of the Bonds to VPSA. The agreement shall be in substantially the form submitted to the Board at this meeting, which form is approved (the "Bond Sale Agreement").

3 **Details of the Bonds.** The Bonds shall be dated the date of issuance and delivery of the Bonds; shall be designated "General Obligation School Bonds, Series 2013"; shall bear interest from the date of delivery thereof payable semi-annually on each January 15 and July 15 beginning January 15, 2014 (each an "Interest Payment Date"), at the rates established in accordance with Section 4 of this Resolution; and shall mature on July 15 in the years (each a "Principal Payment Date") established in accordance with Section 4 of this Resolution and in the amounts (the "Principal Installments") established in accordance with Section 4 of this Resolution, subject to the provisions of Section 4 of this Resolution.

4 **Interest Rates and Principal Installments.** The County Administrator is hereby authorized and directed to accept the interest rates on the Bonds established by VPSA, provided that each interest rate shall be five one-hundredths of one percent (0.05%) over the interest rate to be paid by VPSA for the corresponding principal payment date of the bonds to be issued by VPSA (the "VPSA Bonds"), a portion of the proceeds of which will be used to purchase the Bonds, and provided further that the true interest cost of the Bonds does not exceed six percent (6.00%) per annum. The Interest Payment Dates are subject to change by VPSA. The County Administrator is authorized and directed to accept the Interest Payment Dates, the Principal Payment Dates and the Principal Installments established by VPSA, provided that the aggregate principal amount of the Bonds shall not exceed the amount authorized by this Resolution and the final maturity of the Bonds shall not exceed 30 years from the date the Bonds are issued. The execution and delivery of the Bonds as described in Section 8 hereof shall conclusively evidence such interest rates established by VPSA and Interest Payment Dates, Principal Payment Dates and the Principal Installments established by VPSA as having been so accepted as authorized by this Resolution.

5 **Form of the Bonds.** The Bonds shall be initially in the form of a single, temporary typewritten bond substantially in the form attached hereto as Exhibit A.

6 **Payment; Paying Agent and Bond Registrar.** The following provisions shall apply to the Bonds:

(a) For as long as VPSA is the registered owner of the Bonds, all payments of principal, premium, if any, and interest on the Bonds shall be made in immediately available funds to VPSA at, or before 11:00 a.m. on the applicable Interest Payment Date, Principal Payment Date or date fixed for prepayment or redemption, or if such date is not a business day for Virginia banks or for the Commonwealth of Virginia, then at or before 11:00 a.m. on the business day next succeeding such Interest Payment Date, Principal Payment Date or date fixed for prepayment or redemption.

(b) All overdue payments of principal and, to the extent permitted by law, interest shall bear interest at the applicable interest rate or rates on the Bonds.

(c) US Bank, National Association, Richmond, Virginia, is designated as Bond Registrar and Paying Agent for the Bonds.

7 **Prepayment or Redemption.** The Principal Installments of the Bonds held by VPSA coming due on or before July 15, 2023, and the definitive Bonds for which the Bonds held by VPSA may be exchanged that mature on or before July 15, 2023, are not subject to prepayment or redemption prior to their stated maturities. The Principal Installments of the Bonds held by VPSA coming due after July 15, 2023, and the definitive bonds for which the Bonds held by VPSA may be exchanged that mature after July 15, 2023, are subject to prepayment or redemption at the option of the County prior to their stated maturities in whole or in part, on any date on or after July 15, 2023, upon payment of the prepayment or redemption prices (expressed as percentages of Principal Installments to be prepaid or the

principal amount of the Bonds to be redeemed) set forth below plus accrued interest to the date set for prepayment or redemption:

<u>Dates</u>	<u>Prices</u>
July 15, 2023 through July 14, 2024	101%
July 15, 2024 through July 14, 2025	100½%
July 15, 2025 and thereafter	100%

Provided, however, that the Bonds shall not be subject to prepayment or redemption prior to their stated maturities as described above without first obtaining the written consent of VPSA or the registered owner of the Bonds. Notice of any such prepayment or redemption shall be given by the Bond Registrar to the registered owner by registered mail not more than ninety (90) and not less than sixty (60) days before the date fixed for prepayment or redemption.

8 **Execution of the Bonds.** Either of the Chairman or Vice Chairman of the Board is authorized and directed to execute and deliver the Bonds and the Clerk or any Deputy Clerk of the Board is authorized to affix the seal of the County to the Bonds and to attest the same.

9 **Pledge of Full Faith and Credit.** For the prompt payment of the principal of, premium, if any, and the interest on the Bonds as the same shall become due, the full faith and credit of the County are hereby irrevocably pledged, and in each year while any of the Bonds shall be outstanding there shall be levied and collected in accordance with law an annual ad valorem tax upon all taxable property in the County subject to local taxation sufficient in amount to provide for the payment of the principal of and premium, if any, and the interest on the Bonds as such principal, premium, if any, and interest shall become due, which tax shall be without limitation as to rate or amount and in addition to all other taxes authorized to be levied in the County to the extent other funds of the County are not lawfully available and appropriated for such purpose.

10 **Use of Proceeds Certificate and Certificate as to Arbitrage.** The Chairman of the Board, the County Administrator and such other officer or officers of the County as either may designate are hereby authorized and directed to execute a Certificate as to Arbitrage and a Use of Proceeds Certificate each setting forth the expected use and investment of the proceeds of the Bonds and containing such covenants as may be necessary in order to show compliance with the provisions of the Internal Revenue Code of 1986, as amended (the “Code”), and applicable regulations relating to the exclusion from gross income of interest on the Bonds and on the VPSA Bonds. The Board covenants on behalf of the County that (i) the proceeds from the issuance and sale of the Bonds will be invested and expended as set forth in such Certificate as to Arbitrage and such Use of Proceeds Certificate and that the County shall comply with the other covenants and representations contained therein and (ii) the County shall comply with the provisions of the Code so that interest on the Bonds and on the VPSA Bonds will remain excludable from gross income for Federal income tax purposes.

11 **State Non-Arbitrage Program; Proceeds Agreement.** The Board hereby determines that it is in the best interests of the County to authorize and direct the County Treasurer to participate in the State Non-Arbitrage Program in connection with the Bonds. The Chairman of the Board, the County Administrator and such officer or officers of the County as either may designate are hereby authorized and directed to execute and deliver a Proceeds Agreement with respect to the deposit and investment of proceeds of the Bonds by and among the County, the other participants in the sale of the VPSA Bonds, VPSA, the investment manager and the depository, substantially in the form submitted to the Board at this meeting, which form is hereby approved.

12 **Continuing Disclosure Agreement.** The Chairman of the Board, the County Administrator and such other officer or officers of the County as either may designate are hereby authorized and directed to execute a Continuing Disclosure Agreement, as set forth in Appendix F to the Bond Sale Agreement, setting forth the reports and notices to be filed

by the County and containing such covenants as may be necessary in order to show compliance with the provisions of the Securities and Exchange Commission Rule 15c2-12, under the Securities Exchange Act of 1934, as amended, and directed to make all filings required by Section 3 of the Bond Sale Agreement should the County be determined by VPSA to be a MOP (as defined in the Continuing Disclosure Agreement).

13 **Filing of Resolution.** The appropriate officers or agents of the County are hereby authorized and directed to cause a certified copy of this Resolution to be filed with the Circuit Court of the County.

14 **Further Actions.** The members of the Board and all officers, employees and agents of the County are hereby authorized to take such action as they or any one of them may consider necessary or desirable in connection with the issuance and sale of the Bonds and any such action previously taken is hereby ratified and confirmed.

15 **Effective Date.** This Resolution shall take effect immediately.

CLOSED SESSION

It was moved by Mr. Bailey, seconded by Ms. Rowe, to enter Closed Session pursuant to Section 2.2-3711 A.1., discussion, consideration or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees or employees of any public body, and Section 2.2-3711 A. 3., discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

It was moved by Mr. Crabtree, seconded by Mr. Bailey, to come out of Closed Session. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

CERTIFICATE OF CLOSED SESSION

It was unanimously agreed as follows.

WHEREAS, the Lee County Board of Supervisors has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provision of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a Certification by this Lee County Board of Supervisors that such Closed Meeting was conducted within Virginia law;

NOW, THEREFORE, BE IT RESOLVED, that the Lee County Board of Supervisors hereby certified that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from Closed Meeting in which this Certification Resolution applies and (ii) only such public business matters as were identified in the Motion convening the Closed Meeting were heard, discussed or considered by the Lee County Board of Supervisors.

It was moved by Mr. Bailey, seconded by Mr. Crabtree, to authorize the County Administrator to proceed with offers on the Collins and Graham properties. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemph

It was moved by Mr. Crabtree, seconded by Ms. Rowe to recess until March 20, 2013 at 10:00 AM at the Lee County Airport. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemph