

VIRGINIA: County of Lee, to-wit:

At the Special Called Meeting of the Lee County Board of Supervisors in the General District Courtroom of the Lee County Courthouse on March 28, 2018 at 6:00 p.m. thereof.

MEMBERS PRESENT: Robert Smith, Chairman
Nathan Cope
D. D. Leonard
Larry Mosley
Charles Slemm, Jr.

MEMBERS ABSENT: None

OTHERS PRESENT: Dane Poe, County Administrator
Stacy Munsey, County Attorney

OTHERS ABSENT: Jeny Hughes, Administrative Assistant

MEETING CALLED TO ORDER

The meeting was called to order at 6:09 p.m.

CLOSED SESSION

It was moved by Mr. Leonard, seconded by Mr. Cope, to enter Closed Session pursuant to Section 2.2-3711 A.6. The investing of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely. Upon the question being put the vote was as follows. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Cope, Mr. Leonard, Mr. Mosley, Mr. Slemm, Mr. Smith

It was moved by Mr. Mosley, seconded by Mr. Leonard, to exit Closed Session. Upon the question being put the vote was as follows. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Cope, Mr. Leonard, Mr. Mosley, Mr. Slemm, Mr. Smith

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.

DRYDEN INDUSTRIAL BUILDING REPAIRS FUNDING

It was moved by Mr. Cope, seconded by Mr. Leonard, to approve up to \$165,000 in additional funds from the Economic Development Funds for the Dryden Industrial Building repairs contingent upon no other funding being available. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Cope, Mr. Leonard, Mr. Mosley, Mr. Slemp, Mr. Smith

RESOLUTION REGARDING OPIOID CRISIS AND LAWSUIT JOINDER

Mr. Poe stated that the Board had made a motion on joining the Opioid Crisis Lawsuit, he has been in touch with Delegate Kilgore and has a Resolution complete.

Ms. Munsey stated she has gotten some information on the lawsuit as well, and has been speaking with Bill Bradshaw from Wise County. There are two different groups that are going in different directions with the lawsuit. Wise County will not be going with the group that Delegate Kilgore is going with. She has a conference call scheduled

for April 30th with an attorney with the other group and she will report back to the Board on the information she receives.

It was moved by Mr. Leonard, seconded by Mr. Slemp, to approve Resolution 8-012. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Cope, Mr. Leonard, Mr. Mosley, Mr. Slemp, Mr. Smith

**RESOLUTION OF THE BOARD OF SUPERVISORS OF
LEE COUNTY, VIRGINIA
18-012**

WHEREAS, the Lee County Board of Supervisors is the policy-determining body of Lee County, Virginia pursuant to Virginia Code § 15.2-403; and

WHEREAS, the Lee County Board of Supervisors has the authority to take action to protect the public health, safety, and welfare of the residents and citizens of Lee County; and

WHEREAS, there exists a serious public health and safety crisis involving opioid abuse, addiction, morbidity, and mortality in Lee County; and

WHEREAS, the diversion of legally produced controlled substances into the illicit market causes or contributes to the serious public health and safety crisis involving opioid abuse, addiction, morbidity, and mortality in Lee County; and

WHEREAS, the opioid crisis unreasonably interferes with rights common to the general public of Lee County; involves a significant interference with the public health, safety, peace, comfort, and convenience of citizens and residents of Lee County; includes the delivery of controlled substances in violation of State and Federal law and regulations; and therefore constitutes a public nuisance; and

WHEREAS, the opioid crisis is having an extended and far reaching impact of the general public, health, and safety, of residents and citizens of Lee County and must be abated; and

WHEREAS, the violation of any laws of the State of Virginia, or of the United States of America controlling the distribution of a controlled substance is inimical, harmful, and adverse to the public welfare of the residents and citizens of Lee County constitutes a public nuisance; and

WHEREAS, the Lee County Board of Supervisors has the authority to abate, or cause to be abated, any public nuisance including those acts that unreasonably interfere with rights common to the general public of Lee County and/or involve a significant interference with the public health, safety, peace, comfort, and convenience of citizens and residents of Lee County; and

WHEREAS, Lee County has expended, is expending, and will continue to expend in the future County funds to respond to the serious public health and safety crisis involving opioid abuse, addiction, morbidity, and mortality within Lee County; and

WHEREAS, the Lee County Board of Supervisors has received information and believes that those in the chain of distribution of controlled substances (manufacturers and wholesale distributors) in Lee County, Virginia, and surrounding areas may have violated Federal and/or State laws and regulations that were enacted to prevent the diversion of legally produced controlled substances into the illicit market;

NOW, THEREFORE, BE IT RESOLVED by the Lee County Board of Supervisors that based upon the above the Lee County Board of Supervisors declares the opioid crisis a public nuisance which must be abated for the benefit of Lee County and its residents and citizens.

BE IT FINALLY RESOLVED that all resolutions that are inconsistent with this resolution are rescinded.

TRANSFER STATION GENERAL LABORER INTERVIEWS

Mr. Poe stated that the deadline for applications for the General Laborer position was today at 4:30 p.m. A target date for interviews would be the second week of April to meet the May 1 start date.

It was the consensus of the Board to hold interviews on April 11, 2018 at 5:00 p.m.

It was moved by Mr. Mosley, seconded by Mr. Cope, to recess to April 11, 2018 at 5:00 p.m. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Cope, Mr. Leonard, Mr. Mosley, Mr. Slemp, Mr. Smith

CHAIRMAN OF THE BOARD

CLERK OF THE BOARD