

**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 August 18, 2020 at 4:30 p.m. thereof.

MEMBERS PRESENT: D. D. Leonard, Chairman  
Larry Mosley, Vice Chairman  
Sidney Kolb  
Charles Slemp, Jr.  
Robert Smith

MEMBERS ABSENT: None

OTHERS PRESENT: Dane Poe, County Administrator  
Jeny Hughes, Administrative Assistant

OTHERS ABSENT: Stacy Munsey, County Attorney

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**INVOCATION**

Josh Leonard, Pastor of Beech Grove Baptist Church, led the invocation.

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**PLEDGE TO THE FLAG**

Mr. Mosley led the Pledge to the Flag.

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**MEETING CALLED TO ORDER**

The meeting was called to order at 4:49 p.m.

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**PUBLIC HEARING**

**PROPOSED DISPOSITION OF REAL PROPERTY**

The Lee County Board of Supervisors held a Public Hearing on Tuesday, August 18, 2020 at 4:30 p.m. in the General District Courtroom of the Lee County Courthouse in

Jonesville, Virginia. The purpose of the Public Hearing was to receive public comment on the proposed disposition of the following properties:

- Tax Parcel 21-(A)-132 containing approximately 59 ± acres in the Ely’s Creek community and fronting on State Routes 765 and 712.
- Tax Parcels 53A-(11)-BK2,1-4,8-11 and 53A-(11)-BK3,1-3,14-16 containing approximately 1.015 ± acres in the Town of Jonesville with frontage on U.S. Highway 58 and Johnson Street.
- Tax Parcel 28-(A)-30D containing approximately .009 ± acres in the Jasper community at the intersection of US Route 23 and State Route 611.

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The Chairman opened the floor for public comment.

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There was no public comment.

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The Chairman closed the floor.

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Mr. Poe stated that parcel 21-(A)-132 was acquired for the Powell River Ecosystem Restoration of the Ely and Puckett’s Creek Sub basin Project. The deed states that the land is being acquired for the Powell River Ecosystem Restoration, the Memorandum of Understanding for the project is between the Planning District Commission, The Division of Mines, Minerals and Energy, and the County and it covers the maintenance and upkeep of the project area. The MOU contains a term of 25 years from the date of execution, which was August 22, 2000. A Project Cooperation Agreement with the US Army Corps of Engineers was executed at the same time that stated the County would ensure the lands, easements and right of ways be maintained for operation of this project.

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Ms. Munsey stated that she has also looked over the agreements and her opinion would be to delay the sale of this property until the term expires.

It was moved by Mr. Kolb, seconded by Mr. Smith, to table Parcel 21-(A)-132 and move forward with the sale of the other two properties. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Kolb, Mr. Leonard, Mr. Mosley, Mr. Slempp, Mr. Smith

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### **DEPARTMENT REPORTS**

A written departmental report for Litter Control and Solid Waste was included in the Board Packet.

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### **CONSTITUTIONAL OFFICERS**

#### **TREASURER'S REPORT**

The Treasurer's Report for the month of June 2020 was submitted as follows:

Revenues	\$ 4,046,038.40
Expenditures	\$ 7,221,828.02
General Fund	\$ 2,963,282.78
Total Assets and Liabilities	\$ 7,449,703.29

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### **APPROVAL OF MINUTES**

It was moved by Mr. Kolb, seconded by Mr. Mosley, to approve the July 21, 2020 Regular Meeting and the August 5, 2020 Recessed Meeting. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Kolb, Mr. Leonard, Mr. Mosley, Mr. Slempp, Mr. Smith

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### **PAYROLL**

The County Administrator reports that payroll warrants have been issued.

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### **APPROVAL OF DISBURSEMENTS**

It was moved by Mr. Mosley, seconded by Mr. Slemp, to approve the disbursements for the month of June in the amount of \$129,436.38. Upon the question being put the vote was as follows.

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

VOTING NO: Mr. Kolb

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**SPECIAL USE PERMIT  
CAROLYN COOPER / REBEKAH BUSH**

The Lee County Planning Commission & Lee County Board of Supervisors held a joint public hearing on Tuesday, August 18, 2020 at 5:00 p.m. in the General District Courtroom of the Lee County Courthouse in Jonesville, Virginia. The purpose of the hearing was to solicit input on the following request: Carolyn Cooper/Rebekah Bush have applied for a Special Use Permit to allow a doublewide manufactured home in a V-C (Village Commercial District). Property is located in the Keokee Community and consists of approximately .50 acres of land. (Parcel # 8A-(1)-42). Property is located on the North side of State Route 606 approximately 1/8 mile past Zoni's Market.

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The Chairman opened the floor for public comment.

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There was no public comment.

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The Chairman closed the public hearing.

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Mr. Poe stated that there has been no opposition on this matter.

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The Planning Commission retired to the Conference Room to consider the Special Use Permit.

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**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, and five-minute time-period for a group.

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Donald Belcher, Pennington Gap, addressed about the Board about a neighbor's dogs barking all night. He asked the Board to consider adopting a noise ordinance.

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Mr. Leonard asked if there was any type of ordinance now.

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Mr. Poe stated that years ago there was an ordinance for refrigerator trailer trucks, and suggested that Mr. Belcher might consider a nuisance suit.

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Curtis Ready, St. Charles, addressed the Board about the proposed drug treatment center in St. Charles. He stated that from the edge of the proposed location to St. Charles Elementary School is less than 60 feet, and it does not need to be located next to the school.

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Bonnie Webb, St. Charles, addressed the Board in opposition of the proposed drug treatment center in St. Charles.

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**SPECIAL USE PERMIT  
CAROLYN COOPER / REBEKAH BUSH**

Mike Brindle, Chairman, stated that the Planning Commission voted to recommend approval of the Special Use Permit requested by Carolyn Cooper and Rebekah Bush.

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It was moved by Mr. Leonard, seconded by Mr. Kolb, to approve the Special Use Permit for Carolyn Cooper and Rebekah Bush. Upon the question being put the vote was as follows.

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

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**DELEGATIONS**

**RAY BELL  
AIRMED CARE  
MEMBERSHIP PROPOSAL**

Ray Bell, AirMed, presented a proposal for the County to offer membership to the County employees at a discounted rate. He stated that normally the yearly membership is \$85.00 per year and in this proposal, the membership has been reduced to \$60.00 per year for County Employees.

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Mr. Kolb asked if there were other providers in the area.

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Mr. Bell stated that there is not another service within a 50-mile radius of Lee County.

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**FINANCE**

**SUPPLEMENTAL APPROPRIATIONS**

**COMMISSIONER OF THE REVENUE**

It was moved by Mr. Mosley, seconded by Mr. Slempp, to approve the following Supplemental Appropriation in the amount of \$3,469.00. Upon the question being put the vote was as follows.

Revenue Source:			
3-001-23030-0015	COR VITA Grant	\$	3,469.00
Expenditure:			
4-001-12310-5885	COR VITA Grant	\$	3,469.00

VOTING AYE: Mr. Kolb, Mr. Leonard, Mr. Mosley, Mr. Slempp, Mr. Smith

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**COMMISSIONER OF THE REVENUE**

It was moved by Mr. Mosley, seconded by Mr. Slempp, to approve the following Supplemental Re-Appropriation in the amount of \$996.98. Upon the question being put the vote was as follows.

Revenue Source:			
3-001-23030-0015	COR VITA Grant	\$	996.98
Expenditure:			
4-001-12310-5885	COR VITA Grant	\$	996.98

VOTING AYE: Mr. Kolb, Mr. Leonard, Mr. Mosley, Mr. Slempp, Mr. Smith

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### **DRUG COURT EXPENDITURES**

It was moved by Mr. Mosley, seconded by Mr. Slempp, to approve the following Supplemental Re-Appropriation in the amount of \$18,711.20. Upon the question being put the vote was as follows.

Revenue Source:			
3-001-18990-0051	Drug Court Donations & Fees	\$	18,711.20
Expenditure:			
4-001-21120-5899	Drug Court Expenses	\$	18,711.20

VOTING AYE: Mr. Kolb, Mr. Leonard, Mr. Mosley, Mr. Slempp, Mr. Smith

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### **CWA COLLECTIONS PROGRAM**

It was moved by Mr. Mosley, seconded by Mr. Slempp, to approve the following Supplemental Re-Appropriation in the amount of \$5,703.10 Upon the question being put the vote was as follows.

Revenue Source:			
3-001-14010-0013	Commonwealth Attorney Collections	\$	5,703.10
Expenditure:			
4-001-22200-5899	CWA Collections Program Expenses	\$	5,703.10

VOTING AYE: Mr. Kolb, Mr. Leonard, Mr. Mosley, Mr. Slempp, Mr. Smith

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**SHERIFF DEPARTMENT**

It was moved by Mr. Mosley, seconded by Mr. Slemph, to approve the following Supplemental Re-Appropriation in the amount of \$1,347.65. Upon the question being put the vote was as follows.

Revenue Source:  
3-001-18990-0002                      Sheriff's Donations                      \$     1,347.65

Expenditure:  
4-001-31200-5899                      Sheriff's Donations                      \$     1,347.65

VOTING AYE: Mr. Kolb, Mr. Leonard, Mr. Mosley, Mr. Slemph, Mr. Smith

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**FINES & FORFEITURES**

It was moved by Mr. Mosley, seconded by Mr. Slemph, to approve the following Supplemental Re-Appropriation in the amount of \$9,945.06. Upon the question being put the vote was as follows.

Revenue Source:  
3-007-14010-0004                      State Forfeiture Proceeds                      \$     9,945.06

Expenditure:  
4-007-94100-5840                      State Forfeiture Proceeds                      \$     9,945.06

VOTING AYE: Mr. Kolb, Mr. Leonard, Mr. Mosley, Mr. Slemph, Mr. Smith

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**FINES & FORFEITURES**

It was moved by Mr. Mosley, seconded by Mr. Slemph, to approve the following Supplemental Re-Appropriation in the amount of \$4,064.32. Upon the question being put the vote was as follows.

Revenue Source:  
3-007-14010-0005                      Federal Forfeiture Proceeds (SHRF)                      \$     4,064.32

Expenditure:  
4-007-94100-5860                      Federal Forfeiture Proceeds                      \$     4,064.32

VOTING AYE: Mr. Kolb, Mr. Leonard, Mr. Mosley, Mr. Slemph, Mr. Smith



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**FINES & FORFEITURES**

It was moved by Mr. Mosley, seconded by Mr. Slempp, to approve the following Supplemental Re-Appropriation in the amount of \$13.36. Upon the question being put the vote was as follows.

Revenue Source:			
3-007-14010-0020	Sheriff Surplus Sales	\$	13.36
Expenditure:			
4-007-94100-5896	LCSO Surplus Sale Proceeds	\$	13.36

VOTING AYE: Mr. Kolb, Mr. Leonard, Mr. Mosley, Mr. Slempp, Mr. Smith

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**FINES & FORFEITURES**

It was moved by Mr. Mosley, seconded by Mr. Slempp, to approve the following Supplemental Re-Appropriation in the amount of \$617.22. Upon the question being put the vote was as follows.

Revenue Source:			
3-007-14010-0015	CWA State Asset Forfeiture	\$	617.22
Expenditure:			
4-007-94300-5850	CWA State Forfeiture Proceeds	\$	617.22

VOTING AYE: Mr. Kolb, Mr. Leonard, Mr. Mosley, Mr. Slempp, Mr. Smith

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**OLD BUSINESS**

**OFFICE OF EMERGENCY MEDICAL SERVICES GRANT**

Mr. Poe stated that last month the Board heard a request to accept a grant from the Office of Emergency Medical Services in the amount of \$44,800.00, which requires a local match of \$11,200.00. The grant is being provided to purchase new laptops for all rescue squad ambulances operating in the County. He provided a quote obtained by Alan Bailey for the laptops and mounts at a total cost of \$64,802.00; this would require an actual local match of \$20,002.00. The County is required to notify OEMS of a decision no later than September 1, 2020.

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It was moved by Mr. Mosley, seconded by Mr. Leonard, to approve the Office of Emergency Medical Services Grant in the amount of \$44,800.00 with a local cash match of \$20,002.00. Upon the question being put the vote was as follows.

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

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**NEW BUSINESS**

**BOARD APPOINTMENTS**

**BOARD OF ZONING APPEALS**

It was moved by Mr. Leonard, seconded by Mr. Mosley, to table this appointment. Upon the question being put the vote was as follows.

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

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**SOUTHWEST VIRGINIA COMMUNITY CORRECTIONS**

It was moved by Mr. Smith, seconded by Mr. Leonard, to appoint Diane Roberts to a two-year term on the Southwest Virginia Community Corrections Board. Ms. Roberts' term will expire August 31, 2022. Upon the question being put the vote was as follows.

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

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**CONVENIENCE CENTER FENCING FINAL PAYMENT**

Mr. Poe presented the Board with the invoice for final payment for fencing at the new Stone Creek / Route 606 convenience center site and expansion of the Dryden site. The County had previously paid 75% of the total cost and this request for the 25% balance in the amount of \$5,467.20. Both sites are complete and everything appears to be very satisfactory.

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It was moved by Mr. Kolb, seconded by Mr. Mosley, to approve the final payment for the convenience center fencing in the amount of \$5,467.20 . Upon the question being put the vote was as follows.

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

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**THOMPSON AND LITTON PRICE PROPOSAL FOR CLERK'S OFFICE ANALYSIS**

Mr. Poe stated that at last month's meeting the Board discussed the need for central heat and air in this space and agreed to look at other possible renovations including new windows, drop ceilings, new lighting and needed electrical upgrades. He obtained a proposal from Thompson and Litton for an analysis for possible renovations to the Circuit Court Clerks offices. After seeing the proposed price for the work, Mr. Poe requested additional detail on the costs. Mr. Houchins provided the following by email:

Architecture - \$7,866.00

This included a site visit, field measuring the spaces, creation of a floor plan for use by all disciplines for preliminary layouts, a cost estimate and narrative report. This could be reduced by \$2,000.00 if no floor plan is produced, however it will be required later if any design work by any discipline is performed.

Electrical Engineering - \$5,964.00

This includes a site visit, evaluation of existing electrical services and potential future needs, new lighting calculations and options, cost estimate and narrative report.

Mechanical Engineering - \$3,792.00

This includes a site visit, preliminary engineering for HVAC system selection and duct work layouts, cost estimate and narrative report.

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Mr. Kolb stated that the main concern was just one office and stated he would like to look into a portable unit being installed in that office and exhausting into the hallway or into the basement.

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Mr. Poe stated that everything has to be done by code and he would have to look into the matter.

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The chair called a 5-minute recess.

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The meeting was called back to order at 5:47 p.m.

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**UNITED WAY MEMORANDUM OF UNDERSTANDING**

Mr. Poe provided the Board with a copy of a request from United Way of Southwest Virginia for Lee County to consider entering into a Memorandum of Understanding with UWSVA, which could potentially allow them to obtain FEMA reimbursement for services they are currently providing with respect to COVID relief efforts.

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It was moved by Mr. Mosley, seconded by Mr. Slempp, to approve the Memorandum of Understanding with United Way. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Kolb, Mr. Leonard, Mr. Mosley, Mr. Slempp, Mr. Smith

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**APPALACHIAN VOICES LETTER OF SUPPORT**

Mr. Poe stated that he received a request from Adam Wells of Appalachian Voices regarding an effort to further solar development within the region. They are working to provide targeted analysis and technical assistance to help local manufacturers pivot or expand into the energy storage/electrification field, while also working to attract an established national player in that field to locate a facility in the region.

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Mr. Slempp asked if this was anything that could harm the County.

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Mr. Poe stated that it would be a win for everyone if coal property were converted to solar property.

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It was moved by Mr. Kolb, seconded by Mr. Slempp, to provide the letter of support to Appalachian Voices. Upon the question being put the vote was as follows.

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

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**COMMONWEALTH ATTORNEY DEHUMIDIFIER**

Mr. Poe stated that after last month's meeting, he visited the Commonwealth's Attorney office to see how the dehumidifier could be mounted in the restroom and drain into a sink to allow continuous operation as proposed by the Board. After looking at the overall situation, he does not believe this will help resolve the issue. There are currently five dehumidifiers operating in those offices, but none of them are in the Commonwealth Attorney's office. The closest one is in a hallway approximately ten feet from the doorway. If it is mounted in the bathroom, it will be even further from his office and the bathroom doors are typically left closed. Room dehumidifiers work well when operating in an enclosed room for which they are size rated; however, they will not circulate much air through doorways and down hallways.

Mr. Poe has previously discussed possible options with the HVAC maintenance contractor and the general consensus is to install a whole system dehumidifier. This is an expensive operation and, as dehumidifiers exhaust heat, it would further stress the cooling system during hot, humid weather. He will contact the contractor again to discuss other possible options to help remedy some of the humidity issues in the building, which are throughout the building.

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Mr. Kolb asked how long humidity has been an issue.

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Mr. Poe stated it has been an issue on for a long time.

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Mr. Kolb asked when the last time a whole system dehumidifier was quoted.

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Mr. Poe stated it has been a few years.

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Mr. Kolb asked who would install the shelf.

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Mr. Poe stated Gary Collingsworth.

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Mr. Kolb stated that Mr. Cridlin's staff are dumping the dehumidifiers twice daily, the motion was to install the shelf and the Board voted to approve that, so move forward with installing it and move on with the other issues.

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Mr. Poe stated he would get with Mr. Collingsworth to get the shelf installed as soon as his schedule permits.

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Mr. Mosley recommended to change the setting on the air supply line.

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#### **PERSONAL PROPERTY TAX RELIEF RATE FOR 2020**

Mr. Poe reported that this is an annual requirement to adjust the Personal Property Tax Relief based on the total number of vehicles based in Lee County. The rate for 2020 has been calculated by the Commissioner of the Revenue's office at 59.03%.

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

VOTING AYE: Mr. Kolb, Mr. Leonard, Mr. Mosley, Mr. Slemph, Mr. Smith

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#### **RESOLUTION 20-011**

**WHEREAS**, the Personal Property Tax Relief Act of 1998, Va. Code 58.1-3523 et seq. ("PPTRA"), has been substantially modified by the enactment of Chapter 1 of the Acts of Assembly, 2004 Special Session I (Senate Bill 5005), and the provisions of Item 503 of Chapter 951 of the 2005 Acts of Assembly (the 2005 revisions to the 2005-06 Appropriations Act, hereinafter cited as the "2005 Appropriations Act"); and

**WHEREAS**, these legislative enactments require the County to take affirmative steps to implement these changes, and to provide for the computation and allocation of relief provided pursuant to the PPTRA as revised; and

**WHEREAS**, these legislative enactments provide for the appropriation to the County of a fixed sum to be used exclusively for the provision of tax relief to owners of qualifying personal use vehicles that are subject to the personal property tax on such vehicles;

**NOW, THEREFORE, BE IT RESOLVED**, by the Lee County Board of Supervisors that qualifying vehicles obtaining situs within the County during tax year 2020, shall receive personal property tax relief in the following manner:

- Personal use vehicles valued at \$100 to \$20,000 will be eligible for 59.03% tax relief;
- Personal use vehicles valued at \$20,001 or more shall only receive 59.03% tax relief on the first \$20,000 of value; and
- All other vehicles which do not meet the definition of “qualifying” (business use vehicles, farm use vehicles, motor homes, etc.) will not be eligible for any form of tax relief under this program.

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**TOWN OF PENNINGTON GAP CARES ACT REIMBURSEMENT REQUEST**

Mr. Poe reported that he received a request from the Town of Pennington Gap for reimbursement under the CARES Act provided by the Commonwealth of Virginia. The total amount requested for reimbursement at this time is \$69,335.10.

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Mr. Kolb asked about a contract or Memorandum of Understanding with the Town of Pennington Gap repaying the County if any expenses are deemed ineligible.

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Mr. Poe stated there would need to be a contract drafted.

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It was moved by Mr. Kolb, seconded by Mr. Smith, to table this matter until a contract is drafted and signed. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Kolb, Mr. Leonard, Mr. Mosley, Mr. Slemph, Mr. Smith

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**REPORTS AND RECOMMENDATIONS OF THE COUNTY ATTORNEY**

None.

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**REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR**

**VRS DEFERRED COMPENSATION**

Mr. Poe stated that the Treasurer is requesting the County offer the Virginia Retirement System Deferred Compensation program in the County benefits package.

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It was moved by Mr. Leonard, seconded by Mr. Mosley to offer the VRS Deferred Compensation program to employees. Upon the question being put the vote was as follows.

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

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**HEALTH WAGON**

Mr. Poe stated that the Health Wagon is requesting the County provide \$5,100.00 to assist with additional COVID-19 testing, with the funds coming from the CARES Funding Grant.

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It was moved by Mr. Mosley, seconded by Mr. Kolb, to approve this request contingent upon testing being done in each district. Upon the question being put the vote was as follows.

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

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**REGIONAL LIBRARY**



Mr. Poe stated that the Regional Library is requesting that Counties provide them with CARES funds for the personal protection equipment, cleaning supplies and sneeze guard materials that have been installed at the local libraries, invoices will be provided at a future date.

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### **CDBG GRANT**

Mr. Poe stated that the Department of Housing and Community Development small business grant has been consolidated into a regional grant. The City of Norton has been designated the fiscal agent on this project, but each locality involved has a set aside amount. Lee County's portion of the funds would be \$500,000.00. There will need to be an Interagency Agreement between the County and the City of Norton.

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It was moved by Mr. Leonard, seconded by Mr. Smith, to approve the Interagency Agreement between the County and the City of Norton. Upon the question being put the vote was as follows.

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

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### **RABIES CLINIC**

Mr. Poe reported that the rabies clinics scheduled in the spring were postponed due to the COVID-19 pandemic. The Animal Hospital is proposing September 19, 2020 and October 3, 2020 for a drive-thru clinic at Thomas Walker High School and Lee High School. The Health Department has approved these clinics, and it now requires approval of the Board of Supervisors.

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Mr. Kolb recommended the Board use CARES funds to provide masks so no one gets turned away.

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It was moved by Mr. Mosley, seconded by Mr. Slemp, to approve the drive-thru rabies clinic. Upon the question being put the vote was as follows.

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

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**SMART SCALE PROJECT SUBMISSION**

Mr. Poe stated that the Smart Scale application for this year would be for the section in Pennington Gap between Mulberry Street and River Bend Drive, which is the section in front of McDonalds and Hardees, and would add a right hand turn lane. This would require adoption of the updated Resolution.

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Mr. Slemp left the meeting.

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

VOTING AYE: Mr. Kolb, Mr. Leonard, Mr. Mosley, Mr. Smith

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**LEE COUNTY SMART SCALE PROJECT SUBMISSION  
20-012**

**WHEREAS**, Lee County has prepared and submitted one project into the Smart Scale Six Year Primary Road Improvement Program for the current year; and

**WHEREAS**, the Smart Scale project identified is the US 58 Alternate between Mulberry Street and River Bend Drive in the Town of Pennington Gap; and

**WHEREAS**, this project is considered to be vital to improving and enhancing the safety of the transportation system in Lee County; and

**WHEREAS**, the Lee County Board of Supervisors has determined that this project meet the guidelines for submission;

**NOW, THEREFORE, BE IT RESOLVED**, the Lee County Board of Supervisors hereby acknowledges and affirms its full support for this project for the FY2022 Six Year Improvement Program Cycle;

**BE IT FURTHER RESOLVED**, this Board does encourage and request the Commonwealth Transportation Board and Virginia Department of Transportation to fund the submitted project and does support any and all such efforts.

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Mr. Slemp returned to the meeting.

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### **SCHOOL BOARD REQUEST**

Mr. Poe reported that he received a letter from the School Board requesting that the Board of Supervisors allocate all of the excess funds from Fiscal Year 2019-2020 in the amount of \$18,697.63 to the School Board Capital Reserve Fund. Mr. Poe stated that the agreement with the School Board is that 2/3 of the excess funds be allocated to the Capital Reserve Fund and 1/3 of the excess funds revert to the County's General Fund.

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It was moved by Mr. Mosley, seconded by Mr. Slemp, to allocate the excess funds as previously agree, with 2/3 going into the School Board's Capital Reserve Fund and 1/3 going into the County's General Fund. Upon the question being put the vote was as follows.

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

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### **REPORTS AND RECOMMENDATIONS OF THE BOARD**

#### **AIRPORT TERMINAL DOORS**

Mr. Kolb stated that there is a gap in the terminal doors at the airport and there needs to be a new weather strip installed in the middle of the doors.

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Mr. Poe stated that he would check into sweeps for the doors and to see if the doors may need adjustments.

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#### **CONVENIENCE CENTERS VEGETATION**

Mr. Kolb stated that the fences are getting grown up and some have trees growing up through them and ruining fences. He asked that the fence line be sprayed.

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#### **CONVENIENCE CENTER OPEN ON LABOR DAY**

It was moved by Mr. Kolb, seconded by Mr. Leonard, for the gates at the Convenience Centers to remain open the night before Labor Day and not be locked until closing time the following night. Upon the question being put the vote was as follows.

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

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### **AUTOMATIC DOORS**

Mr. Kolb asked that CARES Funds be used to update the main doors of the Courthouse to automatic doors.

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Mr. Leonard stated that automatic doors would be a good idea.

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### **LAW LIBRARY**

Mr. Kolb asked what the deadline was for the books to be removed from the Law Library.

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Mr. Poe stated September 4.

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### **BID ADVERTISEMENTS**

Mr. Kolb asked about the status of the recodification and fence spraying bids at the Airport.

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Mr. Poe stated that has not been advertised yet and the trees that will become an issue are not on the County's side. He asked if the Board had any changes to the sample RFP that was given to them at the last meeting.

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There were no changes to the RFP requested by the Board.

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### **UNEMPLOYMENT LOCATIONS**

Mr. Mosley stated that citizens could go to the Pioneer Center in Duffield and sign up for unemployment instead of having to go Norton.

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### **LIGHT BULBS**

Mr. Leonard stated that he would like to put some blue light bulbs around the Courthouse to show support for law enforcement.

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### **RESCUE SQUAD FUNDING**

Mr. Leonard asked when the rescue squads need to file invoices.

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Mr. Poe stated that he is going to try to get a memo out on that by the end of the week.

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### **CLOSED SESSION**

It was moved by Mr. Kolb, seconded by Mr. Leonard, to enter Closed Session pursuant to Code 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 Code Section 2.2-3711A.8. Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Kolb, Mr. Leonard, Mr. Mosley, Mr. Slemph, Mr. Smith

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

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

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### **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.

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### **AIRMED PROPOSAL**

It was moved by Mr. Mosley, seconded by Mr. Smith, to accept the proposal presented by AirMed. Upon the question being put the vote was as follows.

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

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### **CARES FUNDING FOR EMERGENCY SERVICES ORGANIZATIONS**

It was moved by Mr. Mosley, seconded by Mr. Smith, to provide up to \$60,000.00 the County Rescue Squads from CARES Act funding, with the amount being paid proportional to the number of calls answered between March 1, 2020 and July 31, 2020 and to provide up to \$2,500.00 to each volunteer fire department. Each Emergency Service Organization must provide proof of qualified expenditures. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Kolb, Mr. Leonard, Mr. Mosley, Mr. Slempp, Mr. Smith

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It was moved by Mr. Mosley, seconded by Mr. Leonard, to recess to September 8, 2020 at 5:30 p.m. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Kolb, Mr. Leonard, Mr. Mosley, Mr. Slempp, Mr. Smith

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CHAIRMAN OF THE BOARD

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CLERK OF THE BOARD