**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 December 21, 2021 at 5:30 p.m. thereof.

MEMBERS PRESENT:	D. D. Leonard, Chairman Sidney Kolb Larry Mosley Charles Slemp, Jr. Robert Smith
MEMBERS ABSENT:	None
OTHERS PRESENT:	Dane Poe, County Administrator Jeny Hughes, Administrative Assistant Stacy Munsey, County Attorney
OTHERS ABSENT:	None
INVOCATION  Dane Poe, County Administrator, led in the Invocation.	
PLEDGE TO THE FLAG	
Larry Mosley led the Pledge to the Flag.	
MEETING CALLED TO ORDER  The meeting was called to order at 5:36 p.m.	

# **PUBLIC HEARINGS**

# **SPECIAL USE PERMIT**

The Lee County Board of Supervisors scheduled a Public Hearing on December 21, 2021 at 5:30 p.m. in the General District Courtroom of the Lee County Courthouse

approximately 3.766 acres of lan Loop in Dryden, Virginia.	ge Commercial District. The property c d (Tax Parcel #25-(A)-27) and is located	at 468 Dryden
Mr. Leonard stated that the further action was needed.	nis request was withdrawn prior to the m	eeting and no
	ENDMENT TO FY 2021-2022 BUDGI	
December 21, 2021 at 5:30 p.m. Courthouse, Jonesville, Virginia. comment on a proposed amendm County Board of Supervisors has \$2,274,821.50 in unspent American This is a total of \$3,135,656.80 to	Supervisors held a public hearing on Tuin the General District Courtroom of the The purpose of the public hearing was ent to the Fiscal Year 2021-2022 Budge \$860,835.30 in unspent Federal CARES can Rescue Plan Act funds all from the pobe appropriated to the Fiscal Year 2021	Lee County to solicit public t. The Lee S Act funds and rior fiscal year. 1-22 Budget.
	e floor for public comment.	
There was no public com	ment.	
	floor for public comment.	
	sley, seconded by Mr. Slemp, to approve the amount of \$3,135,656.80. Upon the q	
Revenue Source: 3-001-41050-0099	Budget Supplements from Reserve	\$ 3,135,656.80
Expense: 4-001-11010-5890	CARES ACT	\$ 860,835.30

located in Jonesville, Virginia to solicit input on a Special Use Permit request. Magnolia Health & Wellness has applied for a Special Use Permit to allow an Alcohol and Drug

4-001-11010-5875	American Rescue Act Funds	\$ 2,274,821.50
<del>4</del> -001-11010-3073	Afficial Resear Act Fullus	$\Psi 2,277,021.30$

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

# **CONSTITUTIONAL OFFICERS**

# TREASURER'S REPORT

The Treasurer's Report for the month of December 2021 was submitted as follows:

Revenues	\$ 9,193,126.72
Expenditures	\$ 7,606,859.11
General Fund	\$ 14,156,249.68
Total Assets and Liabilities	\$ 17,808,393.89

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# COMMISSIONER OF THE REVENUE CHRIS JONES

Chris Jones, Commissioner of the Revenue, addressed the Board about his concerns regarding the reassessment. He stated that his office did not conduct the reassessments, did not send out the RFP and did not interview or hire the company. He stated that there was no uniformity in the assessment, with there being no increase in land values while structures increased. Other issues that he noted were that cell towers were assessed to property owners although the state assesses them to the tower owners which would result in double taxation. Also, any structure without a stated build date was depreciated as thought it were built in 1972.

Mr. Mosley stated that in the past, reassessors knocked on the doors and asked questions, this group used drones, sometimes at night.

Mr. Jones stated that he could see instances where drones could be a useful tool for inaccessible property, but it should not be the sole basis of the inspection. There is no substitute for boots on the ground.

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# **DELEGATIONS**

# DONNIE WILLIAMS REASSESSMENT

Donnie Williams addressed the Board about his concerns over the reassessment. He stated that reassessments are supposed to be 100% of fair market value. When he spoke to the appraisers at Brightminds, it was indicated that the cost approach was used, which is the least favorable approach because it uses the cost to rebuild the home but does not affect the value of the land.

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# GREG EDWARDS REASSESSMENT

Greg Edward addressed the Board about his concerns over the reassessment, stating that his home value increased by \$132,200.00 and his neighbor's home increased by \$222,000.00. He stated that the cost approach is normally only effective on a new construction and that the comparable sales approach should have been used. He stated that he hopes the Board does not pay this company another penny because he does not think the company met the standards in the contract.

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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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Anthony Apergis, Dryden, stated that he recently relocated from Seattle and asked the Board to look at the economic situation in Lee County and the wages supporting the area.

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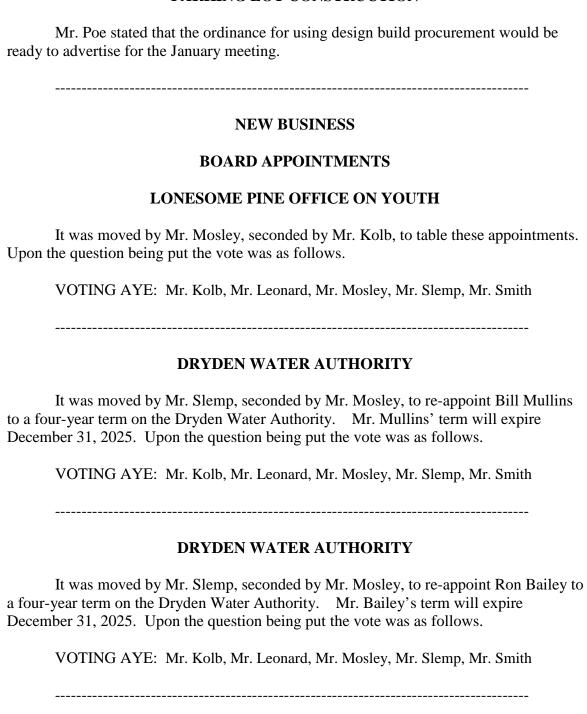
Roxy Clark, Jonesville, stated that she recently moved from Florida and received three reassessment tickets on the property she just purchased and she does not understand and cannot get anyone to explain the changes to her.

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Mr. Poe stated that if Ms. Clark would give him her phone number he would submit it to the assessor and have them to contact her.
There was no further public comment.
The Chairman closed the floor for public comment.
DEPARTMENT REPORTS
Written departmental reports for Community Development and the Works Program were included in the packet.
APPROVAL OF MINUTES
It was moved by Mr. Mosley, seconded by Mr. Slemp, to approve the minutes of the November 16, 2021 Regular Meeting and November 29, 2021 Recessed Meeting. Upon the question being put the vote was as follows.
VOTING AYE: Mr. Kolb, Mr. Leonard, Mr. Mosley, Mr. Slemp, Mr. Smith
PAYROLL
The County Administrator reports that payroll warrants have been issued.
APPROVAL OF DISBURSEMENTS
It was moved by Mr. Mosley, seconded by Mr. Smith, to approve the disbursements for the month of December, in the amount of \$736,963.53. Upon the question being put the vote was as follows.
VOTING AYE: Mr. Leonard, Mr. Mosley, Mr. Slemp, Mr. Smith
VOTING NO: Mr. Kolb

# **OLD BUSINESS**

# PARKING LOT CONSTRUCTION



PUBLIC SERVICE AUTHORITY

It was moved by Mr. Leonard, seconded by Mr. Kolb, to re-appoint Roger Gates to a four-year term on the Public Service Authority. Mr. Gates' term will expire December 31, 2025. Upon the question being put the vote was as follows.

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

# PUBLIC SERVICE AUTHORITY

It was moved by Mr. Slemp, seconded by Mr. Kolb, to re-appoint Greg Rasnic to a four-year term on the Public Service Authority. Mr. Rasnic's term will expire December 31, 2025. Upon the question being put the vote was as follows.

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

# REDEVELOPMENT AND HOUSING AUTHORITY

It was moved by Mr. Mosley, seconded by Mr. Kolb, to re-appoint Reba Nelson to a four-year term on the Redevelopment and Housing Authority. Ms. Nelson's term will expire December 31, 2025. Upon the question being put the vote was as follows.

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

# REGIONAL INDUSTRIAL FACILITIES AUTHORITY

It was moved by Mr. Kolb, seconded by Mr. Mosley, to re-appoint Richard Johnson to a four-year term on the Regional Industrial Facilities Authority. Mr. Johnson's term will expire December 31, 2025. Upon the question being put the vote was as follows.

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

# SOCIAL SERVICES

It was moved by Mr. Smith, seconded by Mr. Mosley, to re-appoint Wade Wilson to a four-year term on the Social Services. Mr. Wilson's term will expire December 31, 2025. Upon the question being put the vote was as follows.

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

ABSTAINING: Mr. Kolb	

# **SOCIAL SERVICES**

It was moved by Mr. Mosley, seconded by Mr. Smith, to re-appoint Eleanor Chadwell to a four-year term on the Social Services. Ms. Chadwell's term will expire December 31, 2025. Upon the question being put the vote was as follows.

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

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# SOUTHWEST VIRGINIA EMERGENCY MEDICAL SERVICES

It was moved by Mr. Smith, 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

# SOUTHWEST VIRGINIA WORKFORCE INVESTMENT BOARD

It was moved by Mr. Smith, seconded by Mr. Kolb, to re-appoint Larry Mosley to a one-year term on the Southwest Virginia Workforce Investment Board. Mr. Mosley's term will expire December 31, 2022. Upon the question being put the vote was as follows.

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

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# UPPER TENNESSEE RIVER ROUNDTABLE

It was moved by Mr. Kolb, seconded by Mr. Mosley, to table these appointments. Upon the question being put the vote was as follows.

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

# **SOUND SYSTEM BIDS**

Proposals for a new sound system for the General District Courtroom were due on November 19, 2021. BIS Digital, the only vendor to respond, submitted two proposals as follows:

Basic Quote \$12,663.23 Option 1 Quote \$14,807.98

The Basic quote will provide new microphones, speakers, wiring and installation. It also includes a software system that will record audio and can be expanded for video capability as well.

The Option 1 quote includes everything in the Basic plus additional capabilities that allow greater control of the audio system and use of Ethernet cabling which is easier to manage. Expansion of the system in the future for video or presentations is also easier with this system.

Previously, the committee appointed to review the quotes selected Option 1 as the preferred system as it would allow easier and greater expansion in the future.

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It was moved by Mr. Mosley, seconded by Mr. Kolb, to purchase the option one sound system from BIS Digital in the amount of \$14,807.98. Upon the question being put the vote was as follows.

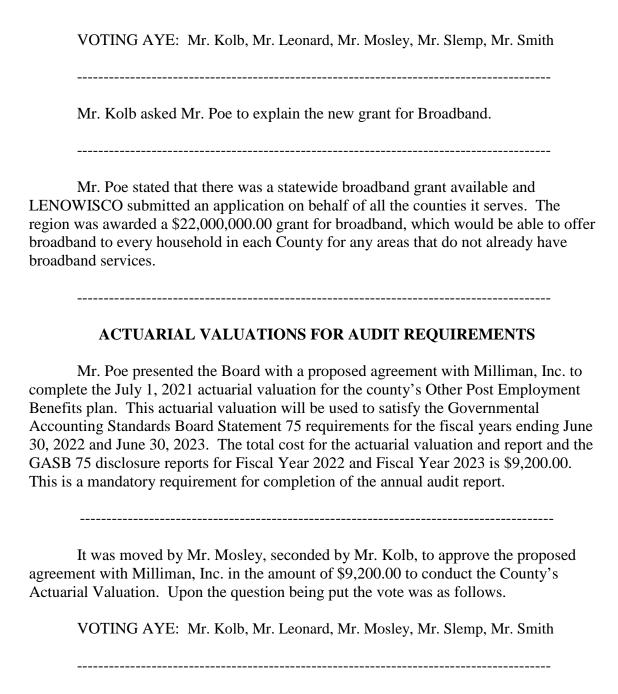
VOTING AYE: Mr. Kolb, Mr. Leonard, Mr. Mosley, Mr. Slemp, Mr. Smith

# SCOTT COUNTY TELEPHONE BROADBAND PROJECT INVOICES

Mr. Poe received two invoices from Scott County Telephone Cooperative for October and November progress billing on the Distance Learning project and the Block Grant project. The Distance Learning project invoice is \$78,760.90 and is funded by the CARES Act funds. The Block Grant project invoice is \$89,439.86 and is funded by a Department of Housing and Community Development Block Grant. Mr. Poe requests approval to pay both invoices.

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It was moved by Mr. Mosley, seconded by Mr. Slemp, to approve payment of the Scott County Telephone Cooperative invoices in the amount of \$78,760.90 and \$89,439.86 for work completed in October and November. Upon the question being put the vote was as follows.

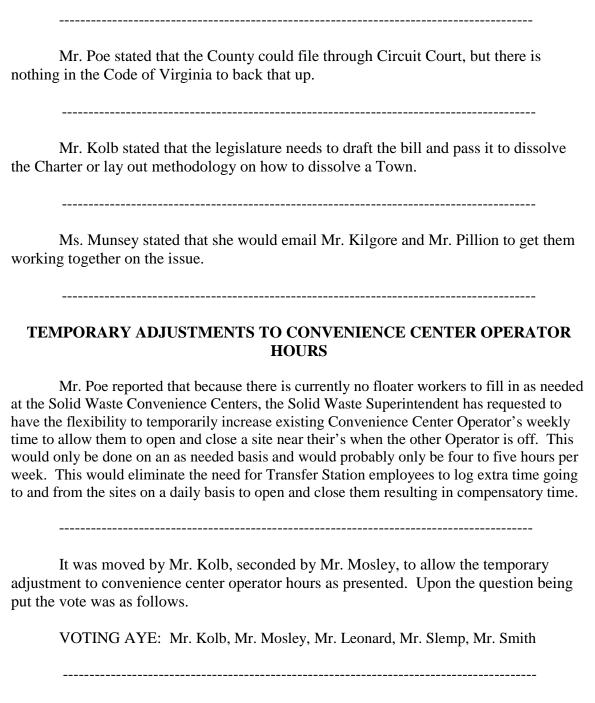


# **GRANTWRITER CONTRACT**

Mr. Poe reported that the current grantwriter contract with Robert Bost expired November 30, 2021. The original contract was signed December 1, 2018 with a one-year term and the option to extend the agreement for two one-year terms. The original agreement also included the Lee County School Board but they have chosen not to participate after the first one-year term.

If the Board wishes to continue these services, a new contract will need to be approved and signed. The current payment for these services is \$1,000.00 per month.	
It was moved by Mr. Kolb, seconded by Mr. Smith, to approve a new one year grantwriter contract with Robert Bost at a cost of \$1,050.00 per month. Upon the question being put the vote was as follows.	
VOTING AYE: Mr. Kolb, Mr. Leonard, Mr. Slemp, Mr. Smith	
VOTING NO: Mr. Mosley	
TOWN OF ST. CHARLES CHARTER	
Mr. Poe stated that the Board may wish to discuss a possible course of action to resolve the matter of the Town of St. Charles charter. The town has had no sitting Mayor or Council since June 30, 2016. Those individuals elected in 2016 were not sworn into office by the prescribed time. In the 2018 and 2020 town elections, there were no candidates who filed with the Registrar's Office and there were no votes cast in the election. The next prescribed election for the town is in May of 2020; however, action by the 2021 General Assembly requires towns to move their elections from May to November to coincide with other local elections. The County has borne the cost of the past three town elections as there has been no council and no town staff to collect revenues, approve payments and conduct town business.  The last information received for Delegate Kilgore's office indicated that the Town's charter was not issued by the General Assembly but rather by an action of the Circuit Court in 1914.	
Mr. Kolb asked if the legislature said they would not introduce a bill.	
Mr. Poe stated that Delegate Kilgore's office kicked it back to the County previously because it needed to go through Circuit Court.	

Ms. Munsey stated that she had been in contact with Senator Pillion's office and her understanding was because it had not been done through legislative action it would have to go to the Circuit Court.



# REPORTS AND RECOMMENDATIONS OF THE COUNTY ATTORNEY

# FOSTER CARE PILOT PROGRAM

Ms. Munsey stated that she has been contacted by the Commonwealth's Attorney of Wise County regarding a pilot program that is going to be instituted in Southwest Virginia for parent representation in foster care cases. This program would be fully funded with Federal funds and would require no local funding. The Board would need to adopt a resolution in support of the program.

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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. Mosley, Mr. Leonard, Mr. Slemp, Mr. Smith

# A RESOLUTION SUPPORTING THE ESTABLISHMENT OF A PILOT FOSTER CARE INTERDISCIPLINARY LAW OFFICE IN THE 30<sup>th</sup> JUDICIAL CIRCUIT 21-023

**WHEREAS**, the County of Lee has committed to continually improving its foster care system; and

**WHEREAS**, Virginia has unacceptably low reunification rates between children removed to foster care and their parents; and

**WHEREAS**, other jurisdictions have adopted Interdisciplinary Law Offices which support reunification by providing families not only with effective court representation, but also with assistance regarding housing, public benefits, re-entry advocacy, employment, counseling, educational services, healthcare, mental health programs, and related services; and

**WHEREAS**, the creation of these offices in other jurisdictions has dramatically improved reunification rates in those jurisdictions, shortened the time children spend in foster care, and achieved significant cost savings; and

**WHEREAS**, the creation of these offices in other jurisdictions have improved outcomes for children, without compromising their safety; and

**WHEREAS**, the Southwest Virginia Legal Aid Society, the Commonwealth's Attorney's Office for Wise County, and the Lonesome Pine Office on Youth have pledged to work alongside a pilot Interdisciplinary Law Office to provide holistic representation to parents in furtherance of improving reunification rates; and

**WHEREAS**, parents deserve effective legal representation in safeguarding their rights against child removal, and effective legal representation requires that advocates for parents be treated equally to departments seeking removal; and

**WHEREAS**, the proposed pilot office shall endeavor to more efficiently and economically provide necessary services to parents to support reunification with their children, and shall endeavor to reduce the difficulties that parents and families with multiple needs encounter in obtaining available and necessary services;

<b>NOW, THEREFORE, BE IT RESOLVED,</b> that the Lee County Board of Supervisors supports the establishment of a foster care Interdisciplinary Law Office in the 30 <sup>th</sup> Judicial Circuit.	
REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR	
FAA GRANT	
Mr. Poe reported that he was notified that the application to the Federal Aviation Administration submitted last month for the Airport Rescue Grant to prevent, prepare for and respond to the Coronavirus pandemic, in the amount of \$22,000.00 was approved. The grant can be used for reimbursement of operational expenses or debt service payments.	
It was moved by Mr. Kolb, seconded by Mr. Mosley, to authorize the County Administrator and County Attorney to sign off on the grant, subject to the County Attorney's review and approval. Upon the question being put the vote was as follows.  VOTING AYE: Mr. Kolb, Mr. Mosley, Mr. Leonard, Mr. Slemp, Mr. Smith	
REASSESSMENT PROGRESS INVOICES	
Mr. Poe stated that he received an invoice from Brightminds for 224 additional parcels and valuation of mobile homes in the amount \$35,749.35.	
Mr. Kolb stated that there are some things to go through before approving payment and requested this be taken up in closed session.	
It was moved by Mr. Kolb, seconded by Mr. Mosley, table this matter. Upon the question being put the vote was as follows.	
VOTING AYE: Mr. Kolb, Mr. Mosley, Mr. Leonard, Mr. Slemp, Mr. Smith	

# REPORTS AND RECOMMENDATIONS OF THE BOARD

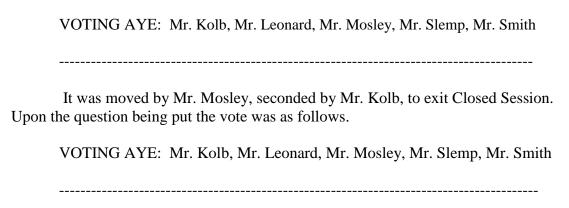
# **BASKETBALL COURT**

Mr. Smith stated that he and Mr. Poe looked at the area for the basketball court a Thomas Walker and now there needs to be some estimates on the fencing and lighting.
Mr. Poe stated he hopes to have Mr. Collingsworth view the site and work on some materials costs and site work costs.
Mr. Kolb stated his preference is to give the project to a local contractor.
PAINTING HALLWAY WALLS
Mr. Kolb stated that the Works Program painted the main stairway and did a good ob painting. He has spoken to them about the area outside of the General District Court Clerk's office, and he would like the Board's approval to have that area painted.
It was moved by Mr. Kolb, seconded by Mr. Slemp, to allow the Works Program to paint that area. Upon the question being put the vote was as follows.
VOTING AYE: Mr. Kolb, Mr. Mosley, Mr. Leonard, Mr. Slemp, Mr. Smith
CLOSED SESSION REQUEST
Mr. Mosley stated he would like to go into closed session for personnel.
APRA FUNDING
Mr. Slemp asked if the funding to the Community Centers had been sent out yet.
Mr. Poe stated that he would check into that and make sure they go out.

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# **CLOSED SESSION**

It was moved by Mr. Kolb, seconded by Mr. Mosley, to enter Closed Session pursuant to 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, 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, 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 affected, and 2.23711 A.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.



# CERTIFICATE OF CLOSED SESSION

**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.

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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# **JET A TANK**

It was moved by Mr. Kolb, seconded by Mr. Mosley, to authorize the Airport Authority to approve the recommendation of award of the Jet A tank to the Virginia Department of Aviation prior to January 18, 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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# **BRIGHTMINDS INVOICE**

It was moved by Mr. Kolb, seconded by Mr. Mosley, to table the Brightminds invoice payment to the January meeting. 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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# **DISCHARGE EMPLOYEE**

It was moved by Mr. Mosley, seconded by Mr. Slemp, to discharge Misty Clark from employment as E-911 Dispatcher. Upon the question being put the vote was as follows.

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

ABSTAINING: Mr. Leonard

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It was moved by Mr. Mosley, seconded by Mr. Smith, to recess to January 11, 2022 at 5:00 p.m. Upon the question being put the vote was as follows.

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

CHAIRMAN OF THE BOARD	CLERK OF THE BOARD