

VIRGINIA: County of Lee, to-wit:

At the Annual Meeting of the Lee County Board of Supervisors in the General District Courtroom of the Lee County Courthouse on January 17, 2023 at 5:30 p.m. thereof.

MEMBERS PRESENT: Larry Mosley, Chairman
Sidney Kolb
D. D. Leonard
David Jessee
Robert Smith

MEMBERS ABSENT: None

OTHERS PRESENT: Dane Poe, County Administrator
Angie Thomas, Administrative Assistant
Stacy Munsey, County Attorney

OTHERS ABSENT: None

INVOCATION

Richard Davis, Pastor of Jonesville First United Methodist Church 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 5:39 p.m.

Mr. Leonard stated he wanted to welcome the new District 4 Supervisor David Jessee.

ELECTION OF CHAIRMAN

Mr. Smith nominated D.D. Leonard to serve as Chairman for 2023.

Mr. Kolb nominated Larry Mosley to serve as Chairman for 2023.

Upon the question being put the vote was as follows.

Voting for Mr. Leonard: Mr. Leonard, Mr. Smith
Voting for Mr. Mosley: Mr. Jessee, Mr. Kolb, Mr. Mosley

Mr. Mosley was elected Chairman for 2023.

ELECTION OF VICE-CHAIRMAN

Mr. Mosley nominated Sidney Kolb to serve as Vice-Chairman for 2023.

Mr. Leonard nominated Robert Smith to serve as Vice-Chairman for 2023.

Upon the question being put the vote was as follows.

Voting for Mr. Smith: Mr. Leonard, Mr. Smith

Voting for Mr. Kolb: Mr. Jessee, Mr. Kolb, Mr. Mosley

Mr. Kolb was elected Vice-Chairman for 2023.

ESTABLISH TIME, DATE AND PLACE OF REGULAR MEETING

It was moved by Mr. Leonard, seconded by Mr. Kolb, to establish regular monthly meetings on the third Tuesday of each month at 5:30p.m. in the General District Courtroom of the Lee County Courthouse. Upon the question being put the vote was as follows.

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

RULES OF PROCEDURE

It was moved by Mr. Kolb, seconded by Mr. Leonard, to adopt the following Rules of Procedure as drafted. Upon the question being put the vote was as follows.

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

RULES OF PROCEDURE

LEE COUNTY BOARD OF SUPERVISORS

Section I – Meeting

Section 1-1: When and where regular meetings held

The date, time and place of the regular Board of Supervisors meeting shall be established at the January annual meeting. Should the Board subsequently prescribe any meeting time or place other than that initially established, it shall comply with Section 15.2-1416 of the Code of Virginia, as amended. (1)

Section 1-2: Special Meetings

The Board of Supervisors may hold such special meetings, as it deems necessary, at such time and place as it may find convenient; and it may adjourn from time to time as it may find convenient and/or necessary. A special meeting of the Board of Supervisors shall be called pursuant to, and in full compliance with, Sections 15.2-1417 and 15.2-1418 of the Code of Virginia, as amended. (2)

Section 1-3: Annual/semi-annual meetings

The first meeting held after the newly elected members of the governing body shall have qualified and the first meeting held in the corresponding month of each succeeding year shall be known as the annual meeting. (3)

Section 1-4: Quorum and method of voting

At any meeting a majority of the Supervisors shall constitute a quorum. (4) All questions submitted to the Board for decision shall be determined by a voice vote of a majority of the Supervisors voting on any such question, unless otherwise provided by law. (5) The name of each member voting and how he or she voted must be recorded. (6)

Section 1-5: Member absenting himself from meeting prior to adjournment

After the name of any member of the Board has been recorded as present at any meeting of the Board, a member shall not leave the meeting previous to adjournment unless by consent of the Board.

Section 1-6: Board to sit with open doors

The Board of Supervisors shall sit with open doors and all persons conducting themselves in an orderly manner may attend meetings; (7) provided, however, that Board may hold closed meetings as permitted by law. (8)

Section II – Officers

Section 2-1: Chair and Vice-Chair

At the annual meeting of the Board of Supervisors, the Board shall elect from its membership a Chair and a Vice-Chair in accordance with the provisions of Section 15.2-1422 of the Code of Virginia, as amended. The term of office for the Chair and Vice-Chair shall be for one (1) year, but they may be re-elected. In the case of the absence from any meeting of the Chair and Vice-Chair, the members present shall choose one of their number as temporary Chair, provided those members constitute a quorum. (9)

Section 2-2: Chair may administer oaths

The Chair shall have power to administer an oath to any person concerning any matter submitted to the Board or connected with its' powers and duties. (10)

Section 2-3: Clerk (duties, etc.)

The Clerk for the Board shall be the County Administrator and his/her duties and responsibilities shall be as set out in Section 15.2-1540 of the Code of Virginia, as amended. The Clerk may appoint a deputy as recording secretary if needed.

Section 2-4: Preservation of order

At meetings of the Board the presiding officer shall preserve order and decorum (11) and may require the Sheriff of Lee County, or at the Sheriff's option, a deputy to attend meetings of the Board to preserve order.

Section III – Conduct of Business

Section 3-1: Order of business

At meetings of the Board, subject to rearrangement by the Chair, absent an objection by the full Board, the order of business shall be as follows:

- (A) Call of order and roll call of members
- (B) Departmental Reports
- (C) Public hearings
- (D) Reports, requests, and recommendations of other departments
- (E) Citizens expression
- (F) Submission and approval of the minutes of the preceding meeting
- (G) Approval of Refunds
- (H) Approval of Warrant List
- (I) Delegations
- (J) Finance
- (K) Unfinished business
- (L) New business
- (M) Reports, requests and recommendations of the County Attorney
- (N) Reports, requests and recommendations of the County Administrator
- (O) Communications and instructions of members of the Board

When any matter is made the special order of business for a future meeting, it shall at such meeting take priority of all other business except the approval of the minutes of the last meeting.

Section 3-2: Manner of addressing Board generally; speaking only on question before Board

- (A) When any person, including Board Members, speaks to the Board, that person shall address the Chair and shall speak directly to the question before the Board.
- (B) No person in attendance at a meeting of the Board shall be permitted to address the Board while the members are considering any Motion, Resolution or Ordinance preliminary to a vote on the same except at the discretion of the Chair.
- (C) No Board Member shall engage in discussion or ask questions of those addressing the Board without first being recognized by the Chair.

Section 3-3: Use of offensive language or gestures; sectarian or political discussion

No member of the Board shall, in debate at any meeting of the Board, use any language or gesture calculated to offend or insult another member. No discussion of sectarian or partisan character shall be allowed at meetings of the Board. (12)

Section 3-4: Priority in speaking to Board

When two or more members wish to speak at the same time, the Chair shall name the person who shall speak first. (13)

Section 3-5: Speaking more than once on same subject

In any debate before the Board, no member of the Board shall speak more than once on the same question until all the others have spoken who desire to do so, nor more than twice on the same question, unless consent of the Board has been given. (14)

Section 3-6: Form of petitions, etc.

Every petition, communication or address to the Board shall be respectful language and, except in cases where it is otherwise allowed, shall be in writing.

Section 3-7: Motions

No proposition shall be entertained by the Chair until a Motion for the same has been duly made. The Chair may make a Motion without vacating the Chair. (15)

Section 3-8: Decisions on points of order

The Chair, when presiding at a meeting of the Board, without vacating the Chair, may give reasons for any decision made on any point of order and such decision shall be made without debate. (16)

Section 3-9: Same, appeal to Board

Any member of the Board may appeal to the Board regarding the decision of the Chair on any question of order, a majority vote of those present being necessary to overrule the Chair. (17)

Section 3-10: Motion to adjourn

At a meeting of the Board, a Motion to adjourn shall always be in order and shall be decided without debate. (18)

Section 3-11: Voting on appointments to office

Every appointment by the Board shall be by voice vote, recorded by name in the Minutes of the Board of Supervisors. (19)

Section 3-12: Suspending rules

The rules of the Board may be suspended with the concurrence of four-fifths (4/5) of the members present. (20)

Section 3-13: Roberts Rules of Order

The proceedings of the Board, except as otherwise provided in applicable State law, shall be governed by Roberts Rules of Order, Newly Revised.

Section IV – Public Hearings

Section 4-1: Speakers

At every public hearing, speakers wishing to address the Board shall clearly state their name and address and shall be subject to a time limitation of three (3) minutes per individual or five (5) minutes for an individual representing a group, or such other limitation as the Board, in its' discretion, may impose. Each speaker shall be limited to one appearance at each public hearing.

Section 4-2: Members' participation

Board Members shall limit their comments in public hearings to insure participation by the public without Board interference.

Section 4-3: Close of hearing

When a public hearing shall have been closed by the order of the Chair of the Board, no further public comments are in order.

Section V – Agenda

Section 5-1(A): Preparation

The Clerk shall prepare an Agenda for each regular meeting conforming to the order of business specified in Section 3-1 under Order of Business. Except where emergency circumstances require otherwise, every item to be placed on the Agenda shall

be received in the Office of the County Administrator by 10:00 a.m. on the Tuesday prior to any regular meeting of the Board.

Section 5-1(B): Notification

Any member absent from a meeting shall be notified of a recessed meeting, including place, time and items to be placed on the Agenda.

Section 5-2: Delivery

The Agenda shall be mailed, or hand delivered, to each Member of the Board and the Attorney to the Board at least six (6) days prior to the meeting.

Section 5-3: Request to appear before the Board of Supervisors

Any citizen (individual, firm, association, or corporation) desiring to appear before the Board of Supervisors to request Board action on any matter shall make such request to the Clerk or Agent as provided; however, no request shall be required in order to speak to the Board during the Citizens' Expression period.

Note: The purpose of the Citizens' Expression period at each regular meeting is to give all citizens an opportunity to appear before the Board to voice their opinions on matters of concern to them over which the Board has influence. Sections 4-1, 4-2 and 4-3 of these Rules of Procedure regarding public hearings will also apply to the Citizens' Expression period. This period should not be used to request specific Board action at that meeting. (See Section 5-3) If Board action is indicated as a result of information provided during this period, the matter should be placed on the Agenda for a future Board meeting.

NOTES

1. Code of Virginia, as amended, Section 15.2-1416.
2. Code of Virginia, as amended, Section 15.2-1417 and 1418.
3. Code of Virginia, as amended, Section 15.2-1416.
4. Code of Virginia, as amended, Section 15.2-1415.
5. Code of Virginia, as amended, Section 15.2-1420.
6. Constitution of Virginia, Article VII, Section 7.
7. Code of Virginia, as amended, Section 2.2-3707.
8. Code of Virginia, as amended, Section 2.2-3711.
9. Code of Virginia, as amended, Section 15.2-1422.
10. Code of Virginia, as amended, Section 15.2-1410.
11. The Virginia Local Legislator, Virginia Municipal League, Virginia Association of Counties, and the Institute of Government, University of Virginia, (1972) pp. 62-63.
12. Roberts, pp. 386-389.
13. Roberts, pp. 28-31.
14. Roberts, pp. 42-43.
15. Roberts, pp. 477-478.
16. Roberts, pp. 214-215.
17. Roberts, pp. 254-259.
18. Roberts, pp. 67-68, 234-240.
19. Roberts, pp. 43-50, 403-405.
20. Roberts, pp. 259-265.

PUBLIC HEARINGS

Mr. Poe stated there were some last minute corrections to the agenda and there was a typing error on the agendas provided to the public. The first public hearing should state that it is for a proposed street abandonment. The content under the heading is correct.

PROPOSED STREET ABANDONMENT

The Lee County Board of Supervisors held a Public Hearing on Tuesday, January 17, 2023 at 5:30 p.m. in the General District Courtroom of the Lee County Courthouse, 33640 Main Street, Jonesville, Virginia. The purpose of the Public Hearing was to receive public comment on the proposed abandonment of six streets shown on a plat of property owned by Larry M. Long and Carolyn Long in the White Shoals Magisterial District of Lee County, Virginia, Drawing # C-9519 dated March 15, 2022 and filed in the office of the Lee County Circuit Court Clerk in Map Cabinet G, Slide 18. The property is located on the South side of U.S. Highway 58 approximately 1.9 miles east of the Town of Rose Hill. If the abandonment is approved, title to the streets will be transferred to the adjacent property owner(s).

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.

Larry Long, Rose Hill, stated he is the property owner and the survey showed a lot of streets on the property which are a hindrance to him as to where he can put his home and driveway. He stated the adjacent property owner, who also previously owned this property, had provided a letter of support for the street abandonments.

There was no further public comment.

The Chairman closed the floor for public hearings.

It was moved by Mr. Smith, seconded by Mr. Kolb, to approve the proposed street abandonments. Upon the question being put the vote was as follows.

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

PROPOSED ROAD NAME CHANGE

The Lee County Board of Supervisors held a Public Hearing on Tuesday, January 17, 2023 at 5:30 p.m. in the General District Courtroom of the Lee County Courthouse located in Jonesville, Virginia. The purpose of the Public Hearing was to take public comment on a proposed road name change. Ralph and Leslie Gilley are requesting that Steve Reasor Drive be changed to one of the following names:

- Hackamore Lane
- Sunset Drive
- Shepherds Drive

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.

Mr. Poe stated Sunset Drive is already an assigned street and is not eligible.

Mr. Kolb asked which name the property owners preferred.

Mr. Poe advised Hackamore Lane is first on the list and there is another road with Shepherds Drive in the County so he suggests not using that either.

There was no further public comment.

The Chairman closed the floor for public comment.

It was moved by Mr. Leonard, seconded by Mr. Kolb, to approve the proposed road name change from Steve Reasor Dr. to Hackamore Lane. Upon the question being put the vote was as follows.

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

DEPARTMENT REPORTS

Written departmental reports for Building Inspector, Extension Office and Lee County Works were included in the packet.

CONSTITUTIONAL OFFICERS

TREASURER'S REPORT

The Treasurer's Report for the months of November and December, 2022 were submitted as follows:

November 2022

Revenues	\$ 13,704,388.34
Expenditures	\$ 7,969,178.15
General Fund	\$ 15,690,166.48
Total Assets and Liabilities	\$ 21,144,524.66

December 2022

Revenues	\$ 7,717,905.65
Expenditures	\$ 9,410,434.83
General Fund	\$ 16,811,426.36
Total Assets and Liabilities	\$ 19,452,124.88

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.

Debbie Artrip, Keokee, stated that at the October Meeting several people asked the Board to rescind the amendment that was made to the Landfill Ordinance allowing private landfills and the Board had never responded. Ms. Artrip asked for an answer whether the board will rescind this or re-vote and remove the word private. Ms. Artrip stated the Board has asked the Planning Commission to rezone certain sites with private landfills being part of the reason and that she understands twelve sites are in the Keokee/St. Charles area and wants to know if those sites are specifically for that meeting. Ms. Artrip stated the public would like to know before the meeting so they can come and express their concerns.

Mr. Mosley stated he didn't know anything about it.

Mr. Poe advised the Planning Commission is not considering any rezoning, but rather a change in the language of the Zoning Ordinance that would allow private landfills. Mr. Poe stated the only zone currently allowing landfills is the M-2, Manufacturing Zone. The only M-2 Zones in the coalfield area of the county are coal tipples which are typically small areas.

Ms. Artrip understood that previously mined land wouldn't be made available for any landfills.

Mr. Poe stated not unless it's currently zoned for M-2 and he isn't aware of any M-2 land that has previously been mined.

Ms. Artrip asked about the amendment on the landfill and stated the Board of Supervisors asked for the rezoning.

Mr. Mosley stated he wasn't aware of anything like that.

Mr. Poe stated the original motion of the Board was to request the Planning Commission consider a change to the Zoning Ordinance to allow private landfills. Upon researching other County Ordinances he found the Siting Ordinance which was adopted in 1988 and did not allow private landfills which made this a two-step process to allow private landfills. After completing the amendment to the Siting Ordinance, the matter was then referred to the Planning Commission to consider changing the text of the zoning ordinance to include private landfills as well as county owned landfills.

Ms. Artrip asked if that includes tipples in Keokee.

Mr. Poe stated any coal tipple that is currently zoned M-2, Manufacturing.

Ms. Artrip asked if they were requesting them to be rezoned.

Mr. Poe stated they are already zoned M-2, Manufacturing which now allows County operated landfills. The proposed change will allow county or private landfills.

Ms. Artrip asked about a response from the Board in changing the Siting Ordinance.

Mr. Mosley stated there is none. He stated the Board took the request into consideration but had no response. He then advised Ms. Artrip that her time was up.

Richard Shuler, Dryden, asked if there was a table of organization for the Sheriff's Office. He also asked how many law enforcement officers the county is short. Mr. Shuler stated a call was made to dispatch and was informed they were short of officers and could not get an officer there for 30 minutes. Mr. Shuler stated 30 minutes can get you in trouble if something is going on.

There was no further public expression.

The Chairman closed the floor for public comment.

APPROVAL OF MINUTES

It was moved by Mr. Kolb, seconded by Mr. Mosley, to approve the minutes of the December 20, 2022 Regular Meeting subject to a correction on page 16 regarding a question asked instead of a statement. Upon the question being put the vote was as follows.

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

APPROVAL OF REFUNDS

It was moved by Mr. Leonard, seconded by Mr. Smith, to approve a refund request to Appalachia Explosives LLC for \$801.00 and Eric and Cari Evans for \$30.60. Upon the question being put the vote was as follows.

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

ABSTAINING: Mr. Kolb

PAYROLL

The County Administrator reports that payroll warrants have been issued.

APPROVAL OF DISBURSEMENTS

It was moved by Mr. Leonard, seconded by Mr. Mosley, to approve the disbursements for the month of January in the amount of \$230,390.66. Upon the question being put the vote was as follows.

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

VOTING NO: Mr. Kolb

DELEGATIONS

SMARTSCALE PROJECT

Terry Cox, Stickleyville, stated he wanted to thank the Board for their public service. Mr. Cox asked the board to consider filing a VDOT Smartscale application for another 2,000 feet of passing lane on Powell Mountain by the August 1, 2023 deadline.

HEART OF APPALACHIA TOURISM

Kimberly Smith, Interim Executive Director, provided an update the Board on the Heart of Appalachia Tourism Authority. The organization was created by the General Assembly in 1993 to market the Coalfield Counties as a tourism destination. Ms. Smith stated a lot of focus is on outdoor recreation, sports cars and motorcycles due to the curvy roads of our region. Ms. Smith stated traffic to Appalachian Backroads website has increased 21% and they have distributed and mailed over 81,000 pieces of printed material over the last year and partner with regional news outlets. Ms. Smith stated an increase of social media traffic indicates New York City, Atlanta, Chicago, Nashville and Charlotte are the top five visitor locations. Ms. Smith stated Lee County has been a great partner in the past and hopes that will continue in the future.

Mr. Kolb asked if Ms. Smith was familiar with Powell Valley Electric Cooperative magazine.

Ms. Smith stated she was not.

Mr. Kolb advised everyone on Powell Valley Electric gets that magazine and it lists events in each county but there's never anything listed from Lee, Scott or Wise Counties.

Ms. Smith asked if Mr. Kolb could email that information to her.

Mr. Kolb stated he would.

SPEARHEAD TRAILS

Jack McClanahan, Assistant Executive Director, updated the Board on Spearhead Trails. Mr. McClanahan stated they have done a lot of work on Stone Mountain Trail and the next project is in the St. Charles area. Mr. McClanahan advised there has been a lot of interest of late in development of trails along Stone Mountain down to Cumberland Gap. Mr. McClanahan also stated the Town of Cumberland Gap is in the process of applying for a grant through the National Park Service to do a planning agenda for trails coming in and out of Cumberland Gap. Mr. McClanahan stated when Boonesborough was under siege they sent runners to Carters Fort for help. In one instance a runner was shot with an arrow and he proposes a commemorative run to memorialize this event. Mr. McClanahan stated 2026 is the 250th birthday of our country and there is an organization that wants each county to be a part of that celebration. The website is va250.org, it requires a resolution from each County Board of Supervisors to join and they may be eligible for funding for different events. Mr. McClanahan stated there is a gentleman with horses at the foot of the White Rocks and they are interested in working with him on horse trails.

Mr. Mosley asked where we were at on river access.

Mr. McClanahan stated to his understanding it has been revamped. Mr. McClanahan stated they did meet with Tennessee TVA and Nature Conservancy and hasn't heard anything lately but will find out and get back with the Board.

AIRPORT AUTHORITY REQUEST

It was moved by Mr. Kolb, seconded by Mr. Smith, to table this matter to closed session under prospective business. Upon the question being put the vote was as follows.

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

OLD BUSINESS

FLATWOODS CONVENIENCE CENTER CAMERAS

Mr. Poe stated they are waiting on the pole to be set to install the camera.

Mr. Kolb stated the motion on that was to include redoing the signs to include a number to call if you see a littering violation. Mr. Kolb stated to his understanding the signs haven't been put up and the additional information was left off.

Mr. Poe stated he would check on that.

COUNTY CODE RECODIFICATION

Mr. Poe stated the draft is still undergoing review.

RESCUE SQUAD FUNDING INFORMATION

Mr. Poe stated he doesn't have a full list on insurance costs and a few departments have not reported yet. Mr. Poe advised he has also requested the same information from the fire departments and lacks four departments on that but can share what he has. Mr. Poe asked if the Board wants a list of calls for the last 6 months.

Mr. Mosley stated that was the request.

Mr. Poe advised he would have that by the next meeting.

Mr. Leonard asked if the departments that hadn't responded have given a reason why they haven't.

Mr. Poe stated some responded they would get the information but haven't yet and others haven't responded at all.

Mr. Leonard stated they have had plenty of time to respond.

Mr. Poe stated he sent out a second text last week.

Mr. Leonard stated one of the problems we've had in the past is requesting information and some departments refuse to get you the information. Mr. Leonard stated he wants a list of the departments that haven't responded.

Mr. Poe stated he would give him a list and make follow up contacts as well.

Mr. Leonard stated he would make the assumption the ones that haven't responded don't need any money.

Mr. Kolb asked if Mr. Poe could tell them who hasn't responded.

Mr. Poe stated Blackwater, Jasper and Jonesville Fire Departments and St. Charles Rescue Squad.

Mr. Kolb asked how many rescue departments there are.

Mr. Poe stated there are six.

Mr. Kolb asked if there was enough information with having two thirds in to make a good decision. Mr. Kolb also stated the one that isn't responding is the one that doesn't take many calls and they are holding up the fair split of money by not responding.

Mr. Poe stated he would give the Board a copy of what he has tonight.

Mr. Kolb stated he would like to make a decision tonight. He stated that Jonesville is making 46% of the calls and getting the same amount of money as the ones going on 2 or 3 calls a week. Mr. Kolb also stated Claiborne County is coming across the state line to pick up people in Lee County and that shouldn't be happening.

Mr. Poe stated the issue with Claiborne County is if they are requested by our dispatch they can probably provide that under a mutual aid agreement since it is an emergency call.

Mr. Kolb asked what a ballpark figure is on insurance cost.

Mr. Poe stated for property and equipment a couple are running between \$12,800-\$13,500 and one is \$7,500. Pennington provided the building only.

Mr. Mosley asked if we could consolidate all of them and stated we are giving them the money to pay for it anyway.

Mr. Leonard stated he thinks they're all going through the same company.

Mr. Kolb stated the structure is also included and Jonesville has a newer building.

Mr. Kolb asked if all the money has been given out for this year.

Mr. Poe advised some had but not all of it.

Mr. Kolb stated he would like to see the Board get to the point where it can be split with half given out equally and the second half based on number of calls.

Mr. Poe stated since some departments have already received funding for the year it may be best to take an in depth look during the next budget cycle and determine how to allocate the funds.

PROPERTY DONATIONS

Mr. Poe stated he has four different property owners wanting to donate parcels back to the county. Mr. Poe stated he will provide copies to the board in the next few days.

WEBSITE REDESIGN

Mr. Poe stated he reached out to neighboring counties and found out they used Civic Plus, which is a nationwide company and are on state contract, with positive reviews. Mr. Poe stated we can go with them, select two or three companies to come in and do a demo or advertise.

Mr. Mosley asked if they were satisfied with the company.

Mr. Poe stated Scott County is just getting ready to unveil their site but their administrator was very complimentary of the process of redesigning their site and the City of Norton commented on how easy it was for local staff to update.

Mr. Mosley advised that's who we should go with since they are in the area.

Mr. Poe stated they were nationwide.

Mr. Kolb asked how we could get around procurement.

Mr. Poe stated they are under state contract.

Mr. Leonard stated he would make a motion to advertise stating if you just look at one person you're set at one price.

Mr. Kolb stated we have people in the county that could do the redesign and would want to give them a chance to see what they would charge.

Mr. Poe stated he would try to get a RFP out in the next few weeks.

NEW BUSINESS

BOARD APPOINTMENTS

SPEARHEAD TRAILBLAZERS

It was moved by Mr. Kolb, seconded by Mr. Smith, to appoint Jane Jones to a two-year term on Spearhead Trailblazers. Ms. Jones' term will expire on January 31, 2025. Upon the question being put the vote was as follows.

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

DRYDEN WATER AUTHORITY

It was moved by Mr. Jessee, seconded by Mr. Kolb, to table the Dryden Water Authority appointment. Upon the question being put the vote was as follows.

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

BUILDING CODE APPEALS

It was moved by Mr. Leonard, seconded by Mr. Kolb, to table the Building Code Appeals appointment. Upon the question being put the vote was as follows.

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

THE CROOKED ROAD

It was moved by Mr. Kolb, seconded by Mr. Leonard, to appoint Bryan Hogan to a four-year term on The Crooked Road. Mr. Hogan's term will expire on January 31, 2027. Upon the question being put the vote was as follows.

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

PLANNING COMMISSION

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

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

AIRPPORT AUTHORITY

Mr. Mosley asked what the new business was.

Mr. Poe replied that was Mr. Gilbert's resignation.

Mr. Mosley stated no action needed at this time.

SPEARHEAD TRAILS

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

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

AIRPORT AUTHORITY

It was moved by Mr. Mosley, seconded by Mr. Smith, to appoint Corey Ely to an unfulfilled term on the Airport Authority. Mr. Ely's term will expire on August 31, 2026. Upon the question being put the vote was as follows.

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

ABSTAINING: Mr. Kolb

Mr. Jessee asked to go back to the Dryden Water Authority appointment and stated he does have an appointment.

DRYDEN WATER AUTHORITY

It was moved by Mr. Jessee, seconded by Mr. Kolb, to re-appoint Patsy Quillen to a four-year term on the Dryden Water Authority. Ms. Quillen's term will expire on December 31, 2026. Upon the question being put the vote was as follows.

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

**DEPARTMENT OF SOCIAL SERVICES BOARD MEMBERS
SALARY INCREASE**

Mr. Leonard asked what their monthly pay was now.

Mr. Poe stated the request was not for an increase but an additional payment for the months of June, July, August and September of last year as they had multiple meetings due to staff vacancies.

Mr. Mosley asked if this was for a one-time payment.

Mr. Poe stated that's how he understood it.

Mr. Leonard asked how many meetings the Board has a month at budget time.

It was moved by Mr. Leonard, seconded by Mr. Smith, to take no action on the request for Department of Social Services Board Member salary increase. Upon the question being put the vote was as follows.

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

ABSTAINING: Mr. Kolb

K-9 SUPPLIES BUDGET INCREASE REQUEST

Mr. Poe stated the budget for this year is \$2,000 but since they have acquired another K-9 which has resulted in a shortfall of \$1,500 in the budget. Mr. Poe stated they are requesting \$1,500 to add to this budget year and increase next year's budget to \$3,500.

It was moved by Mr. Kolb, seconded by Mr. Leonard, to approve a supplemental appropriation in the amount of \$1,500.00 to Sheriff's Department, Line Item 4-001-31200-6024, K-9 Expenses. Upon the question being put the vote was as follows.

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

REPORTS AND RECOMMENDATIONS OF THE COUNTY ATTORNEY

Ms. Munsey stated she doesn't have anything to report on but does request closed session for issues concerning zoning, building inspector and pending litigation.

REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR

BEAR PROOF TRASH CAN FOR DOT PARK & RIDE

Mr. Poe stated a few months ago the Board passed a motion to purchase a bear proof trash can for the Dot Park & Ride. Mr. Poe stated the cost is anywhere from \$1,000 and up for a metal one. Mr. Collingsworth checked the price of materials to build a single can which would be \$329 with labor being in-house and for a double can the material cost would be \$618. Mr. Poe asked how the Board wanted to proceed.

Mr. Mosley advised you don't want anything too big so people won't be putting household trash in it.

Mr. Kolb asked if they could make one out of an old dumpster.

Mr. Poe stated those are typically repaired with new bottoms.

Mr. Smith stated he would do the single can.

It was moved by Mr. Leonard, seconded by Mr. Smith to approve the \$329.00 cost for materials to build a single can. Upon the question being put the vote was as follows.

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

REQUEST TO PURCHASE 2020 DODGE CHARGER

Mr. Poe stated one of the Police Chargers was wrecked and totaled and we have received insurance settlement of around \$28,000. Mr. Poe stated the Sheriff's Office found a 2020 Dodge Charger Police vehicle with just over 26,000 miles in Tampa, Florida at a price of \$21,995. Mr. Poe stated it would cost a few hundred dollars to install the radio from the old vehicle, around \$900 to add the striping and additional cost for a push bumper. Mr. Poe stated there would be the expense of sending two officers down to pick up the car.

Mr. Leonard stated he would make that motion under the condition the car hasn't been under water.

Mr. Poe advised the CARFAX report did not list any accidents or other issues.

It was moved by Mr. Leonard, seconded by Mr. Smith, to approve the purchase of the 2020 Dodge Charger Police Vehicle in Tampa Florida at a cost of \$21,995.00 with the contingency that it hasn't been under water. Upon the question being put the vote was as follows.

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

Mr. Poe stated the only other thing he has is a request for closed session under contracts, personnel and pending litigation.

REPORTS AND RECOMMENDATIONS OF THE BOARD

PLOTTER PURCHASE

Mr. Kolb asked what Mr. Poe had found out about the plotter.

Mr. Poe stated upon speaking with Rex he told him there was nothing wrong with it. Mr. Poe stated upon speaking with Mr. Edwards he stated it would be nice to have one for the upper floors. Mr. Poe recommended the Board look at this during the next budget cycle.

COMMUNITY DEVELOPMENT GRANT

Mr. Kolb asked if any action needs to be taken on Mr. Johnson's \$20,000 grant.

Mr. Poe stated no action was needed, the match on that was included in the budget.

AIRPORT RFP

Mr. Kolb asked about the RFP for spraying at the airport.

Mr. Poe stated he is working on that it will be advertised soon.

ALARM AT COURTHOUSE

Mr. Kolb stated Mike Twigg from the fire department advised if they had an alarm at the courthouse they didn't have any idea where to go.

Mr. Poe stated hasn't had a chance to run that down but would try to isolate that within the next 30 days.

VDOT BILL

Mr. Kolb stated someone called from VDOT said they received a bill from the County for picking up roadside litter and taking it to the transfer station. Mr. Kolb stated he doesn't recall the Board authorizing anyone to send a bill to VDOT.

Mr. Poe stated they may have received an invoice for tipping fees but if it was for roadside pickup we can adjust that.

Mr. Kolb asked Mr. Poe to contact them.

Mr. Poe asked which department it was.

Mr. Kolb stated it was Dryden.

AT&T MBO'S

Mr. Leonard asked Mr. Poe the status with the new AT&T MBO's.

Mr. Poe stated they have purchase orders on two and we need a location on the third.

Mr. Mosley asked whether a unit near the dead spot past the airport road going to Rose Hill would help that area.

Mr. Poe stated it probably would not because of the curves and there is only about a quarter mile range with these units.

Mr. Kolb stated these are AT&T MBO's and they would not help with Verizon.

Mr. Leonard stated there is a dead spot around Lee High.

Mr. Kolb stated one was going to Stone Creek and one to Robbins Chapel and thought one was going to Sticklelyville.

Mr. Poe stated there was not a definite decision made on the Sticklelyville location.

Mr. Mosley stated Verizon worked good in Sticklelyville.

PRIVATE LANDFILLS

Mr. Leonard stated he would like to make a motion to revote on private landfills.

Mr. Kolb stated there hasn't been a public hearing on it.

Mr. Poe stated it had been adopted as an ordinance. Roberts Rules of Order allows for a motion to be recalled for a vote but ordinances can only be amended after a public hearing. Mr. Poe stated he would refer the matter to the County Attorney.

Mr. Mosley asked if Mr. Leonard wanted to recall his motion.

Mr. Leonard stated he wanted the record to reflect the motion.

JASPER CONVENIENCE CENTER

Mr. Mosley asked about the Jasper property site.

Mr. Poe stated an application has been submitted for a Special Use Permit and he has contacted DEQ and they stated they have no role in the location of convenience centers.

Mr. Mosley asked about the trash since the schedule change was made.

Mr. Poe stated the volume at Jasper and Gibson Station has decreased since the closing on Sundays.

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.5. Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community; 2.2-3711 A.7. Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body; 2.2-3711 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; and 2.2-3711 A.29. Discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session 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. Jessee, Mr. Kolb, Mr. Leonard, Mr. Mosley, Mr. Smith

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

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

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

It was moved by Mr. Kolb, seconded by Mr. Leonard, to rescind the vote to advertise for the county reassessment. Upon the question being put the vote was as follows.

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

It was moved by Mr. Mosley, seconded by Mr. Kolb, to recess until January 23, 2023 at 5:30p.m. Upon the question being put the vote was as follows.

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

CHAIRMAN OF THE BOARD

CLERK OF THE BOARD