

VIRGINIA: County of Lee, to-wit:

At the Recessed Meeting of the Lee County Board of Supervisors in the General District Courtroom of the Lee County Courthouse on February 8, 2024 at 6:00 p.m. thereof.

MEMBERS PRESENT: D. D. Leonard, Chairman
Brian Shoemaker, Vice Chairman
Josh Flanary
Mike Kidwell
Roger Waddell

MEMBERS ABSENT: None

OTHERS PRESENT: Dane Poe, County Administrator
Robby Wright, Assistant Administrator
Stacy Munsey, County Attorney

OTHERS ABSENT: Angie Thomas, Administrative Assistant

MEETING CALLED TO ORDER

The meeting was called to order at 6:13 p.m.

The Chairman amended the agenda to take up old business prior to going into closed session.

OLD BUSINESS

PAY PARKING LOT POLICY CHANGE

Mr. Poe stated at the January meeting the general consensus of the Board was to remove paid parking in the old drugstore lot and make it all free parking. No formal action was taken and a formal motion is needed to make that change.

Mr. Waddell asked how the parking lot will be labeled.

Mr. Poe stated the existing sign will be removed and the lot will just be open to anyone for parking.

It was moved by Mr. Shoemaker, seconded by Mr. Waddell, to rescind the reserved parking for this lot and make it all free parking. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Flanary, Mr. Kidwell, Mr. Leonard, Mr. Shoemaker, Mr. Waddell

REGIONAL IMPROVEMENT COMMISSION APPOINTMENT

Mr. Poe stated this appointment is vacant. In order to have voting privileges at an upcoming meeting, a formal appointment is needed.

It was moved by Mr. Leonard, seconded by Mr. Flanary, to appoint Dane Poe to the Regional Improvement Commission. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Flanary, Mr. Kidwell, Mr. Leonard, Mr. Shoemaker, Mr. Waddell

ANIMAL CONTROL DEPUTY POSITION ADVERTISEMENT

Mr. Poe requested closed session for this matter.

SOLID WASTE ISSUES

Gary Collingsworth, Public Works Superintendent, provided a power point presentation on solid waste with handouts for the Board members. He identified several issues at the convenience centers as follows:

- Business contractors dumping construction debris, car parts and tires
- Scavengers going through garbage and leaving it on the ground
- Landlords dumping furniture, carpet and other items
- Out of County waste being dumped
- Cost to the County taxpayers for illegal dumping
- He also stated that tickets for violations are often dismissed in court
- The Jasper site gets use by residents from Wise and Scott counties.

There was a discussion about what is allowed to be dumped at convenience centers and what can be done to insure that violators are punished.

Mr. Waddell stated his suggestion for putting cameras in the trucks was for this reason.

Mr. Collingsworth stated there are cameras at some convenience center sites but there are vandalism problems and the weather has to be good to get tag numbers. He stated he was advised by a judge that it should be a video recording to document the complete event. He also recommended amending the solid waste and litter ordinances to have more severe penalties.

Another issue is that the 14 fenced convenience centers are open 91 hours per week but only manned 25 hours per week. He also presented information on how many hours some other counties have their sites open and stated that some close their sites on Sunday

There was a discussion on whether issuing county decals would help police the sites.

Mr. Leonard stated he agrees that the litter codes need to be updated.

Mr. Collingsworth stated the code need to be changed and define the fines.

Mr. Leonard stated if we can get the codes updated and see how much improvement that will make as we try to work through the other improvements.

There was a discussion about increasing the fines and working with the judges to impose them.

Mr. Shoemaker stated it doesn't matter how many laws and codes we have if there's no one to enforce them and asked when the last ticket was written.

Mr. Collingsworth stated he did not know.

Mr. Poe stated most of emphasis of Litter Control has been on trash and junk around houses. He stated this could be discussed at the Regular Meeting since Litter Control will be present.

Mr. Leonard stated the Works Program has some extra people that could possibly work at one of the trouble sites.

Mr. Collingsworth provided information on how neighboring counties in Tennessee handle their waste and the fact that some Tennessee residents bring their trash to our sites which are less regulated than the ones in their county.

Mr. Collingsworth also provided maps to the Board showing convenience center sites and coverage areas and how most overlap each other. He suggested there is potential to eliminate some sites. He also mentioned a county that utilizes mini transfer stations with varying schedules.

Mr. Collingsworth presented a budget report with Solid Waste costs for 2020-2024. He also presented costs for equipment, labor, fuel and maintenance costs if the county loaded and hauled the waste to a disposal site. He also provided a list of possible alternating schedules that could reduce overall hours that sites are open each week.

Mr. Waddell asked if Mr. Poe or Mr. Wright had any input on the issue.

Mr. Poe stated Solid Waste costs have increased for both disposal and transportation. He stated equipment cost have gone up considerably in the last 5 years along with fuel and maintenance. With regard to the County opening a landfill, he stated the time and cost of development is considerable and the County does not generate enough waste to make it economically feasible without outside waste.

Mr. Collingsworth stated permit fees for a landfill now are over \$5,000,000.00. He stated the reason the landfills are so competitive is in order to operate and break even 350tons a day is needed and Lee County only averages between 290 and 310 tons a week. He added outside garbage has to be brought in to cover operating costs.

Mr. Kidwell asked about using an incinerator.

Mr. Poe stated incinerators are a different permit and you still have waste that won't burn.

Mr. Kidwell stated with a four inch natural gas pipeline going through Rose Hill that would be a perfect place to put one.

Mr. Poe stated the upfront cost of a landfill is expensive. He added we don't have the volume to feasibly operate our own landfill.

Mr. Flanary asked if the site workers at convenience centers are full time.

Mr. Collingsworth stated they are part time 25 hours a week.

There was a general discussion about possible savings in the solid waste program and those savings could be used to provide labor to man the convenience center sites more hours per week.

Mr. Poe stated he has an item for closed session under Investing in Public Funds.

CLOSED SESSION

It was moved by Mr. Leonard, seconded by Mr. Shoemaker, 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.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, 2.23711 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 litigation posture of the public body; and consultation with legal counsel employed or retaining by a public body regarding specific legal matters requiring the provision of legal advice by such counsel, 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. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Flanary, Mr. Kidwell, Mr. Leonard, Mr. Shoemaker, Mr. Waddell

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

VOTING AYE: Mr. Flanary, Mr. Kidwell, Mr. Leonard, Mr. Shoemaker, Mr. Waddell

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.

AVIATION FUELS CONTRACT

Mr. Poe stated the Airport Authority is currently purchasing fuel from Titan Aviation and they are proposing the Board sign a three-year Aviation Fuels contract with pricing basically the same. They offer some marketing and advertising and will brand it as Titan. They issue credit cards that a lot of pilots carry and would be able to use at our facility which are currently not accepted. He stated this could boost our sales and their marketing services could steer traffic to the airport.

Mr. Leonard stated Mr. Kolb went through the contract and made some changes that would be beneficial to the County and all changes were accepted.

It was moved by Mr. Leonard, seconded by Mr. Flanary, to accept the three-year contract with Aviation Fuels. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Flanary, Mr. Kidwell, Mr. Leonard, Mr. Shoemaker, Mr. Waddell

ADVERTISEMENT FOR DEPUTY ANIMAL CONTROL OFFICER

It was moved by Mr. Flanary, seconded by Mr. Leonard, to advertise for a Deputy Animal Control Officer. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Flanary, Mr. Kidwell, Mr. Leonard, Mr. Shoemaker, Mr. Waddell

STATE REQUEST FOR PROPOSAL FOR OFFICE SPACE

Mr. Kidwell stated there is a RPF from the State Probation and Parole Office looking for office space in Lee County. He recommended looking hard to find space for these departments.

He stated the County has the old Head Start building and Registrar's office with the Registrar's office having the most space.

Mr. Poe asked Ms. Munsey to check State Code and see if the County has the authority or if it would need to go through the EDA.

Mr. Kidwell said the State would help pay for renovations to a property if needed.

Mr. Poe stated the County owns the old Institute building, Registrar's office, and the old Head Start house.

Mr. Kidwell stated with the right building other offices can be combined with them.

Mr. Leonard asked if the state would give money to help renovate a building.

Mr. Kidwell stated they gave \$400,000.00 to help renovate a building in Duffield.

There was a discussion about renovating the old Institute building.

EDA DIRECTOR SEARCH

There was a discussion about re-advertising and hiring an EDA Director.

It was moved by Mr. Kidwell, seconded by Mr. Leonard, to adjourn. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Flanary, Mr. Kidwell, Mr. Leonard, Mr. Shoemaker, Mr. Waddell