

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 October 15, 2024 at 6:00 p.m. thereof.

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

MEMBERS ABSENT: None

OTHERS PRESENT: Robby Wright, County Administrator
Angie Thomas, Administrative Assistant

OTHERS ABSENT: Stacy Munsey, County Attorney

INVOCATION

Robby Wright, County Administrator, led in the Invocation.

PLEDGE TO THE FLAG

Brian Shoemaker led the Pledge to the Flag.

MEETING CALLED TO ORDER

The meeting was called to order at 6:02p.m.

Mr. Leonard stated he wants everyone to be aware that an officer is present and thanked the officer for attending the meeting. He stated we will hold the meeting civil and if anyone doesn't agree they will be asked to leave.

PUBLIC HEARINGS

JOHN MAST SPECIAL USE PERMIT REQUEST

The Lee County Board of Supervisors held a Public Hearing on Tuesday, October 15, 2024 at 6:00 p.m. in the General District Courtroom of the Lee County Courthouse located in Jonesville, Virginia to solicit input on a Special Use Permit request. John Mast has applied for a Special Use Permit to allow construction equipment and/or farm implement sales, rental, service, and repair business, but not including junkyard or automobile graveyards, and provided that no repair of vehicles shall be conducted outside of completely enclosed buildings and in view from any adjacent property or public street. The property consists of +/- .532 acres and is located in an A-1 (Agricultural District) at 208 Boones Path Rd. (Portion of Tax Parcel # 66-(1)-3).

Clint Carter, County Building Inspector and Zoning Administrator, stated Mr. Mast came into the office to pull a permit as a farming structure for his personal use. It became apparent to him after the community reached out to him to work on other vehicles it was going to become a business, he then contacted the office for the need for a Special Use Permit and to run the building through with a building permit instead of as a farm use structure. He stated the Planning Commission unanimously recommended approval.

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.

John Mast stated his original plan was for a personal use structure but after being asked to work on other people's tractors and equipment he realized it could turn into a business. Therefore he is requesting a Special Use Permit.

There was no further public comment.

The Chairman closed the floor for public comment.

It was moved by Mr. Waddell, seconded by Mr. Shoemaker, to approve John Mast's Special Use Permit request. Upon the question being put the vote was as follows.

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

ROBERT YODER SPECIAL USE PERMIT REQUEST

The Lee County Board of Supervisors held a Public Hearing on Tuesday, October 15, 2024 at 6:00 p.m. in the General District Courtroom of the Lee County Courthouse located in Jonesville, Virginia to solicit input on a Special Use Permit request. Robert Yoder has applied for a Special Use Permit to allow cutting and selling of firewood in an A-1 (Agricultural District). The property is located at 849 Flatwoods Rd. and consists of +/- 34.0 acres of land. (Tax Parcel # 68-(A)-63).

Clint Carter, Building Inspector and Zoning Administrator, stated Mr. Yoder asked what was required for the cutting and selling of firewood on his property. Upon meeting with Mr. Yoder he determined it will be a rather extensive operation within the business model and will be handling quite a bit of lumber. The Planning Commission voted unanimously to approve the Special Use Permit.

The Chairman opened the floor for public comment.

There was no public comment.

The Chairman closed the floor for public comment.

It was moved by Mr. Waddell, seconded by Mr. Shoemaker, to approve Robert Yoder's Special Use Permit request. Upon the question being put the vote was as follows.

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

CAROLYN REASOR SPECIAL USE PERMIT REQUEST

The Lee County Board of Supervisors held a Public Hearing on Tuesday, October 15, 2024 at 6:00 p.m. in the General District Courtroom of the Lee County Courthouse located in Jonesville, Virginia to solicit input on a Special Use Permit request. Carolyn Reasor has applied for a Special Use Permit to allow an event venue in an A-1 (Agricultural District). The property is located South of 527 Old Woodway Rd. and consists of +/- 8.3 acres of land. (Tax parcel # 26-(3)-3).

Clint Carter, Building Inspector and Zoning Administrator, stated the Event Venue is a relatively new term defined in the Zoning Ordinance. He reported Ms. Reasor had been in contact with Mr. Poe, the previous County Administrator, for the past several months discussing what steps need to be taken for a venture she is looking at doing. She has applied for the Special Use Permit to do a Wedding Venue. He stated there was some discussion at the Planning Commission Meeting about an issue with the entrance to the property. He spoke with Stacy Munsey, County Attorney, about the entrance and her advice was that is a civil matter for them to work out. The Planning Commission unanimously approved the Special Use Permit request and advised the issues with the entrance may possibly need to be settled in Civil Court.

Mr. Kidwell asked if the Planning Commission has any say so on the right-of-way.

Mr. Carter stated they have no jurisdiction.

Mr. Waddell asked if there was clarification on the right-of-way.

Mr. Carter stated based off of the GIS Mapping the County uses it appears to be a right-of-way.

The Chairman opened the floor for public comment.

Carolyn Reasor, Dryden, stated she has been gathering information and working with a business advisor on a Wedding Venue for about a year. She has done research, developed a business plan, a 5 year cash flow projection and applied for the Special Use Permit. If approved she plans on using the venue for weddings, birthday parties, showers, family reunions and holiday events. The property she and her husband plan to put the venue on has been in her husband's family for 40 years along with the road that leads up to the property and has a deed stating they own the road. They plan on hiring an engineer and all proper steps will be done up to code and county standards. She has all of her information in order if the Board would like to see it.

Mr. Leonard asked if they currently have all the information.

Mr. Wright stated the Board has the information presented when the permit was applied for.

Ms. Reasor stated she didn't have all the information at that time but has it now and presented it to the Board.

Mr. Leonard stated the biggest concern is the conflict over the entrance.

Ms. Reasor stated she has the deed and map showing they own the land and can present it to the Board.

Mr. Leonard stated not at this time and added it wouldn't mean anything without a lawyer present.

Mr. Shoemaker asked how soon she anticipates starting on the venue.

Ms. Reasor stated upon approval of the permit projection time would be sometime late summer to open.

Mr. Waddell asked what the occupancy numbers are.

Mr. Carter stated he hasn't seen the blueprints yet and what Ms. Reasor is talking about would be an Assembly Occupancy. He added it would be up to the architect or designer to figure the occupant load and would be based on the square footage of the structure.

Ms. Reasor stated the barn will be 6,000 square feet.

There was a lengthy discussion concerning the entrance to the property and the right-of-way dispute between the property owners but it was conveyed this would be a civil matter and the only responsibility held by the Board of Supervisors would be the decision on the Special Use Permit request.

Lonnie Hale, Dryden, stated they are neighbors with the Reasor's. He is not opposed to the venue and thinks it would be a fantastic thing for the community and if they could get past the right-of-way issue they could probably work together. He has festivals on his property for kids they come out to feed the animals and they fix pizza and hot dogs but this is not a business for them if he breaks even he is happy. Again he has no problem with the venue but the issue with the right-of-way they just can't get past.

There was no further public comment.

The Chairman closed the floor for public comment.

It was moved by Mr. Shoemaker, seconded by Mr. Flanary, to approve Carolyn Reasor's Special Use Permit request. Upon the question being put the vote was as follows.

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

Prior to the vote there was a discussion.

GARY & TAMMY WILLIAMS SPECIAL USE PERMIT REQUEST

The Lee County Board of Supervisors held a Public Hearing on Tuesday, October 15, 2024 at 6:00 p.m. in the General District Courtroom of the Lee County Courthouse located in Jonesville, Virginia to solicit input on a Special Use Permit request. Garry & Tammy Williams has applied for a Special Use Permit to allow an automobile salvage yard and/or automobile graveyard in an A-1 (Agricultural District). The property is located at 1936 Hickory Flats Rd. and consists of +/- 4.60 acres of land. (Tax Parcel # 37-(A)-113).

Clint Carter, County Building Inspector and Zoning Administrator, stated this Special Use Permit came about due to a complaint received through the County Administrators Office. The Administrator at the time, Dane Poe, brought the complaint to him and he went out and looked at the situation. Mr. Carter stated by definition in the ordinance any area outside of a completely enclosed building used for the storage, keeping or parking of 2 or more motor vehicles of any kind incapable of being operated or not at the moment practical to make operative constitutes an automobile graveyard. Upon looking at the complaint it was determined Mr. Williams did have multiple vehicles that were not economically feasible, also there is some overlap with the ordinances with Litter Control. He stated Mr. Fortner has looked at the situation and was waiting to see what is worked out through zoning before progressing with any action. He stated this was a complaint that had to be addressed. He notified Mr. Williams by certified letter that he was in violation of the ordinance and gave him the option to remove the vehicles or apply for a Special Use Permit. However there is a 3rd option not stated in the letter and that is to have the vehicles in a fully enclosed structure. He reported that Mr. Williams had been cleaning up the property for other issues and stated he would move the vehicles back but once all this got blown up he stated he would not move the vehicles until the issue was resolved. There was a lot of discussion and complaints at the Planning Commission meeting. He added within the Zoning Ordinance there is no requirement for screening in the A-1 District for an automobile graveyard. If the Special Use Permit were to be passed the Board would have the option to add stipulations to require screening and this was mentioned throughout the Planning Commission meeting. He stated Mr. Williams did plant some shrubs and trees that that will take time and hopefully will make somewhat of a screen. The County Ordinance states 2 or more inoperable vehicles while the State Code defines it as 5 or more inoperable vehicles constitutes an automobile graveyard. There was a discussion at the Planning Commission meeting about possibly doing an

amendment to lessen some of the restrictions but no action has been taken at this point by the Planning Commission or the Board.

Mr. Flanary asked if the State Code is 5.

Mr. Carter stated from what he could find it is 5 or more but Ms. Munsey said she will look into it.

Mr. Kidwell asked who decides if it is a junk vehicle.

Mr. Carter stated if the vehicle is not tagged.

Mr. Wright stated there are other factors defined in the code such as being tagged and having a valid inspection sticker along with several other things.

Mr. Kidwell stated in town there is a huge junkyard beside of the highway and asked what he is operating under.

Mr. Carter stated there are properties in existence prior to the ordinance taking effect. The ordinance took effect late 1993 or early 1994 and anything in place prior to that would be grandfathered in but there are efforts being made that if it has expanded its footprint of where it stood at the enactment of zoning to try to bring some things into compliance.

Mr. Kidwell stated he has dealt with this in District 1 and is still dealing with it and it is next to a graveyard. He stated we need clear guidelines for determining what is considered junk vehicles.

Mr. Wright stated the code pretty well defines what an operable vehicle is. Also, by code, putting a tarp over a vehicle does not constitute getting a vehicle out of view.

Mr. Carter stated any Special Use Permit granted goes with that property if it is sold the next property owner has that Special Use Permit. He added Mr. Williams is not looking to have a vehicle salvage yard the vehicles are his personal vehicles but if something happened and the property is sold it could carry and be used for such in the future.

Mr. Kidwell asked if the vehicles are tagged.

Mr. Carter stated no.

Mr. Leonard stated one reason people are throwing this up is due to lack of taking care of the previously discussed problem on the four-lane. He stated this has been dealt with since he has been on the Board of Supervisors nothing has been taken care of. This gives people every reason in the world to think they can do stuff like that.

Mr. Carter stated it makes his and Mr. Fortner's job harder because that's what is thrown up to them.

Mr. Kidwell stated we are operating under an ordinance from 1993 and it needs to be updated.

Mr. Leonard stated regardless he thinks they all know that is out of the grandfather footprint.

Mr. Wright stated he has been contacted and some concessions have been made.

Mr. Carter stated they are working on getting that handled outside of court.

Mr. Leonard stated the sooner it gets resolved the better.

The Chairman opened the floor for public comment.

Edith Bowen, Jonesville, stated she is here in opposition to granting Gary and Tammy Williams a Special Use Permit for an automobile graveyard. She stated when you have numerous vehicles setting next to a cemetery rusted with no engine or hood they are definitely not drivable. She has many family members and friends buried there and own 4 plots herself. She hates to see this eyesore every time she goes to the cemetery and is sure everyone else does too. She recommended if approval is granted giving them 60 days to install an 8 foot privacy fence.

Chad Stidham, stated it's always the small business. He asked if they are going to give him a hard time why aren't they going to give everyone a hard time over junk cars. He asked if Mr. Williams can't come back after the County if they force him to do this because the Board isn't making everyone that has junk cars in their yard fence them up.

Mr. Leonard stated they are in the process of doing that.

Mr. Stidham asked about the people with junk cars that live on the four-lane.

Mr. Leonard stated these people have been given notices and a lot of it comes here in this room and goes no further. He stated there's not a person on the Board that is against small businesses but there are right and wrong ways to go about things.

Mr. Stidham stated he gets it but it should be the same for everyone. He stated people in the County pick and choose who can have what.

Mr. Leonard stated the Board is all about businesses that's how we generate money.

Mr. Stidham stated the older and retired folks don't want business.

Mr. Leonard stated there's probably not a person in Lee County that wants a junkyard beside them and asked if he wouldn't agree.

Mr. Stidham stated he has been in the junk business and they could put thirty acres behind his house and he doesn't care.

Mr. Leonard stated a lot of people put their life savings into their property and don't want a junkyard beside them. He stated you have to go about things the right way and he doesn't know if this was done the right way.

Mr. Shoemaker stated Mr. Carter explained it well in that nobody was out looking for this, a complaint was made.

Mr. Leonard stated there is a similar situation on the western end of the County.

Mr. Wright stated we actually have four incidents were working on now.

Mr. Leonard stated one person is not being singled out and added more people need to get involved and attend Board of Supervisors meetings and see what goes on. The only time people will come out is if it involves them personally.

Mr. Waddell stated he doesn't think Mr. Williams is being singled out a complaint was made and Mr. Carter has to do his job.

Mr. Leonard stated he appreciates Mr. Stidham coming in and standing up for small businesses.

Mr. Wright stated during the Planning Commission Meeting Mr. Williams said this is not a business venture.

Mr. Stidham stated Mr. Williams doesn't want a business but he is being forced to do it. This property borders his property and if something happens to him and someone ends up with it and builds a scrap yard then what will people do. He is afraid people are going to push for something they really don't want.

Mr. Leonard stated that would have to be taken before the Zoning Committee before that could be done.

Cynthia Kinser, Pennington Gap, stated she owns property near the proposed site and has a lot of family members buried at the cemetery. She opposes the Special Use Permit request stating the automobile graveyard would adversely affect the values of the property in the community. She asked the Board to deny the Special Use Permit request.

Doug McConnell, co-owner of Lee Memorial Gardens, stated there are 13,000 people buried at the cemetery from every district that the Board represents and an additional 5,500 others that have purchased plots. He stated they are a small business with 2 full time and 2 part time employees and this is hurting their business because people have called and said they won't come to the cemetery. He stated he is in opposition of the Special Use Permit request.

Mr. Leonard asked Mr. Carter what the Planning Commission's recommendation was.

Mr. Carter stated there were 4 board members present at the Planning Commission meeting and the commission determined the Special Use Permit wasn't applicable for what Mr. Williams wanted to do. Therefore the 3 voting members voted unanimously to deny the Special Use Permit request with Ms. Williams abstaining.

There was no further public comment.

The Chairman closed the floor for public comment.

It was moved by Mr. Shoemaker, seconded by Mr. Kidwell, to accept the Planning Commission's recommendation to deny Garry & Tammy Williams Special Use Permit request. Upon the question being put the vote was as follows.

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

PROPOSED DISPOSITION OF REAL PROPERTY

The Lee County Board of Supervisors held a public hearing on Tuesday, October, 15, 2024 at 6:00pm in the General District Courtroom of the Lee County Courthouse located in Jonesville, Virginia. The purpose of the Public Hearing is to receive public comment on the proposed disposition of real property as follows:
Tax Parcel 22-(A)-250C - Bob's Branch Lot.

Mr. Wright stated this public hearing is to declare property donated by Roger Adams as surplus. The property is in the middle of other parcels donated by Mr. Adams a couple of years ago that were sold at auction.

The Chairman opened the floor for public comment.

There was no public comment.

The Chairman closed the floor for public comment.

It was moved by Mr. Kidwell, seconded by Mr. Flanary, to approve the Proposed Disposition of Real Property based on the County Administrators recommendation. Upon the question being put the vote was as follows.

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

The Chairman called for a 5 minute recess.

DEPARTMENTAL REPORTS

Written departmental reports for Building Inspections, E-91, Extension Office, Litter Control and Works Program were included in the agenda packet.

Mr. Waddell asked if Emergency Management was declared in time.

Mr. Flanary stated yes.

Mr. Waddell stated Mr. Kilgore was questioning about it.

Mr. Wright stated Ms. Coleman and FEMA went around and conducted damage assessments from Hurricane Helene today. He reported we are getting every form of assistance except for Individual Assistance (IA) and that determination has not been made yet. He added all agriculture damage will be handled through the Extension Office or the ASCS Office. He stated posts have been made to inform residents on how to self report or he recommended seeing Ms. Coleman for assistance with reporting damage.

Mr. Kidwell stated he was notified by Senator Todd Pillion on Thursday that Lee County was approved for public assistance.

Mr. Shoemaker stated he and Mr. Waddell spoke with Mr. Kilgore who said Governor Youngkin was requesting Lee County's paper work.

Mr. Waddell stated it needed to be turned in by Monday.

Mr. Wright stated there was a little bit of a lag entering the information but it should all be entered.

Mr. Flanary asked if there was other information that we were unaware of that should have come from Ms. Coleman and Mr. Wright.

Mr. Wright stated there were things they weren't aware of and that did delay information getting in on time.

Mr. Flanary asked if we were in the process of getting it entered.

Mr. Wright stated it's all entered now unless there is something he is unaware of.

Mr. Waddell stated Mr. Kilgore informed them that this needs to be done.

Mr. Flanary asked if Mr. Wright can reach out to his office.

Mr. Wright stated he will reach out to his office.

Mr. Shoemaker stated Mr. Kilgore said the governor called him Friday and asked where Lee County's paperwork was.

Mr. Leonard stated he thinks the concern was that we didn't show up on the initial list.

Mr. Wright stated that was a clerical error that caused Lee County not to show up on the original report.

Mr. Flanary asked when the last time the Board met on this issue was.

Mr. Shoemaker stated last Monday.

Mr. Wright stated that was for agricultural.

Mr. Kidwell stated there is a sign at the Convenience Center at the landfill that is still saying closed at 1:00pm on Sundays and needs to be changed.

Mr. Wright stated the landfill closes earlier.

Mr. Waddell stated the sign is at the front gate and he can stop by in the morning and remove it.

Mr. Wright stated the correct hours need to be put on it.

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.

There was no public comment.

The Chairman closed the floor for public comment.

APPROVAL OF MINUTES

It was moved by Mr. Flanary, seconded by Mr. Kidwell, to approve the minutes of the September 17, 2024 Regular Meeting. Upon the question being put the vote was as follows.

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

APPROVAL OF REFUNDS

It was moved by Mr. Leonard, seconded by Mr. Shoemaker, to approve the following Refunds. Upon the question being put the vote was as follows.

Andrew & Candace Harris

\$556.01

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

PAYROLL

The County Administrator reports that payroll warrants have been issued.

APPROVAL OF DISBURSEMENTS

It was moved by Mr. Flanary, seconded by Mr. Kidwell, to approve the disbursements for the month of October in the amount of \$261,213.17. Upon the question being put the vote was as follows.

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

DELEGATIONS

MARK MIKLETCH OLD PENNINGTON GAP AIRPORT

Mr. Wright requested to table this matter until next month's meeting.

It was moved by Mr. Kidwell, seconded by Mr. Flanary, to table this delegation until the November meeting. Upon the question being put the vote was as follows.

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

FINANCE

SUPPLEMENTAL RE-APPROPRIATION

DOMESTIC VIOLENCE

It was moved by Mr. Flanary, seconded by Mr. Leonard, to approve the following supplemental appropriation in the amount of \$7,644.83. Upon the question being put the vote was as follows.

Revenue Source:

3-001-23020-0020	Donations- Domestic Violence	\$ 7,644.83
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Expenditure:

4-001-31210-5899	Donations- Domestic Violence	\$ 7,644.83
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VOTING AYE: Mr. Flanary, Mr. Kidwell, Mr. Leonard, Mr. Shoemaker, Mr. Waddell

FORFEITURE EXPENDITURES

It was moved by Mr. Flanary, seconded by Mr. Leonard, to approve the following supplemental re-appropriation in the amount of \$6,444.75. Upon the question being put the vote was as follows.

Revenue Source:

3-007-14010-0004	State Forfeiture Proceeds	\$ 6,444.75
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Expenditure:

4-007-94100-5840	State Forfeiture Proceeds	\$ 6,444.75
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VOTING AYE: Mr. Flanary, Mr. Kidwell, Mr. Leonard, Mr. Shoemaker, Mr. Waddell

FORFEITURE EXPENDITURES

It was moved by Mr. Flanary, seconded by Mr. Leonard, to approve the following supplemental re-appropriation in the amount of \$2,588.24. Upon the question being put the vote was as follows.

Revenue Source:

3-007-14010-0015	CWA State Asset Forfeiture	\$ 2,588.24
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Expenditure:

4-007-94300-5840	CWA State Forfeiture Proceeds	\$ 2,588.24
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VOTING AYE: Mr. Flanary, Mr. Kidwell, Mr. Leonard, Mr. Shoemaker, Mr. Waddell

NEW BUSINESS

BOARD APPOINTMENTS

BUILDING CODE APPEALS

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

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

LONESOME PINE REGIONAL INDUSTRIAL FACILITIES AUTHORITY

It was moved by Mr. Flanary, seconded by Mr. Shoemaker, to appointment Leslie Litton to the unfulfilled term on the Lonesome Pine Regional Industrial Facilities. Ms. Litton's term will expire on December 31, 2027. Upon the question being put the vote was as follows.

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

UPPER TN RIVER ROUNDTABLE

It was moved by Mr. Kidwell, seconded by Mr. Leonard, to advertise for public interest in this appointment. Upon the question being put the vote was as follows.

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

Prior to the motion there was a discussion.

TEXTING SERVICE

Mr. Wright stated the Treasurer, Commissioner of Revenue and others have expressed interest in a texting service for the county. The messages would be used in the case of closures, tax reminders, etc. It would also build a database that would be useful to push out any general information deemed appropriate for the service. Citizens would have to volunteer for the service as the standard texting charge would apply to their phone, but this is not as much an issue as it used to be with most cellular customers having unlimited text message plans.

He discussed this with a couple of companies that offer this service and the one with the most value is SoGoSites. This service would cost \$500.00 a year and although it does have a limit to the number of total messages before there would be an overage charge, he does not feel we would reach that level. Other companies quoted in the \$7,000 to \$8,000 range for the same type of service. Also the Sheriff's Office is using this service now and is happy with their support and service. This is not a dire need but it is a service in which 2 departments have expressed keen interest and there are situations where our Administrative Office would benefit, assuming we can get courthouse staff to agree to receive these messages and /or alerts.

Mr. Shoemaker asked if this can be broken down into groups.

Mr. Wright stated yes you can create groups citizens and employees would have to opt in to the service because text messaging costs would apply but most people have unlimited text anyway.

There was a discussion about the texting service and who will be in control of sending out messages.

It was moved by Mr. Leonard, seconded by Mr. Shoemaker, to approve the texting service for the courthouse with the County Administrators office in charge of sending out messages. Upon the question being put the vote was as follows.

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

LENOWISCO-VACO LEGISLATIVE MEETING

Mr. Wright stated he received a request from the LENOWISCO Planning Commission for cost sharing of the Southwest Virginia Legislative Reception in the amount of \$3,500.00. He added this is an increase from the past several years but the county has always participated. He stated he attended this event last year and it is a good opportunity to speak with stake holders concerning legislative activities.

It was moved by Mr. Leonard, seconded by Mr. Kidwell, to approve \$3,500 for the LENOWISCO Planning Commission cost sharing for the Southwest Virginia Legislative Reception. Upon the question being put the vote was as follows.

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

SWVRJ AUTHORITY 2ND QUARTER, 2025 BILLING

Mr. Wright stated he received the 2nd Quarter, 2025 Southwest Regional Jail Authority billing for Lee County totaling \$567,193.15. This bill includes the state responsible inmates the Board voted not to fund for this fiscal year. He calculated the deduction in the amount of \$61,067.76 and will leave a balance of \$506,125.39 which will be processed with the next check run. He wanted to make the Board aware that the calculations were completed per their request.

Mr. Shoemaker asked if the \$61,067.76 was for state responsible inmates.

Mr. Wright stated yes this is an average for the month.

Mr. Leonard stated they should be liable for the one year inmates also.

VACO VOTING CREDENTIALS

Mr. Wright stated he received a request from the VACO to designate voting credentials for the VACO meeting on November 12 at the Omni Hotel Resort at 10am. He is booked for this meeting and believes he can get a room for a Board member if they would like to attend. If not, he will be attending and the Board can designate him as a voting member. He stated the more active you are in this organization the more you learn about what legislative action is coming and how to react to it.

It was moved by Mr. Waddell, seconded by Mr. Shoemaker, to designate Robby Wright as the VACO voting member for Lee County. Upon the question being put the vote was as follows.

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

REPORTS AND RECOMMENDATIONS OF THE COUNTY ATTORNEY

The County Attorney was not present.

REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR

SOCIAL SERVICES LEAK IN COMPUTER ROOM

Mr. Wright stated the mini-split in the computer room at Social Services has a refrigerant leak and we keep replacing the refrigerant. The cost to replace this unit with a new Mitsubishi unit is around \$2,000 however there are cheaper units available. He asked what the Boards pleasure was.

Mr. Leonard asked if we hadn't fixed everything over there last year.

Mr. Wright stated we just put a new air conditioning unit in about 2 months ago to service some of the offices but this unit has been giving trouble since he has worked here.

Mr. Flanary asked if this unit is dedicated just to the electronics room.

Mr. Wright stated yes that is the only room it services. He stated the problem is we keep putting refrigerant in and in 6 months or so we would have spent enough money to have paid for a new unit.

Mr. Shoemaker asked if they can't find the leak.

Mr. Wright stated according to 2 separate heating and air companies they are hard to fix.

Mr. Leonard asked if he has quotes.

Mr. Wright stated he has 1 quote for a Mitsubishi at a cost of \$1987.00

Mr. Leonard stated the Board has spent a fortune on the Social Services Building on heating and air a year or two ago.

Mr. Wright stated the building has been there awhile and he thinks the heating and air systems are getting to the end of their life. The unit Mr. Leonard is talking about is the big unit that serves most of the building and has been in about a year and a half also we just replaced another unit back in August.

OFFICES AT SOCIAL SERVICES

Mr. Waddell asked about the offices at Social Services.

Mr. Wright stated they have 5 offices empty now and have 3 job postings.

UPDATE ON SOCIAL SERVICES

He reported he has had a couple more meetings with Social Services and has not been able to reconcile their numbers with the Treasurer's office yet but has a lot of information from them and gave a detailed explanation for the process of filing for reimbursement. He doesn't know how long it will take to reconcile their numbers but they won't stop until they get there.

Mr. Waddell asked if the lack of timely billing has gotten any better.

Mr. Wright stated it has gotten a little better. One thing he has asked them to start doing is to request reimbursements for the invoices they have and not waiting until they have all the invoices.

Mr. Leonard asked if all 5 of the available offices at Social Services are well air conditioned.

Mr. Wright stated yes.

Mr. Leonard asked if one of those offices could be converted to a computer room.

Mr. Wright stated yes but it would probably cost the same amount of money if not more.

Mr. Kidwell asked how big the computer room is.

Mr. Wright stated 5"x7".

Mr. Kidwell asked if we are going to put a heating and air unit in it.

Mr. Wright stated yes.

Mr. Kidwell asked if the door can be open for climate control.

Mr. Wright stated then you run into more issues due to dust and contaminates.

Mr. Waddell stated a few years ago they were having issues with mold.

Mr. Wright stated he can't speak to that.

Mr. Shoemaker asked if generally the computer server rooms or something of that magnitude have its own heating and air source.

Mr. Wright stated yes.

Mr. Flanary stated it's like the radio system with our towers each building has their own air conditioning unit and if they start overheating the radios wouldn't function properly.

Mr. Wright stated a motion is not needed due to the cost being under the amount he is authorized to spend.

WESTERN LEE SEWER PROJECT

Mr. Wright stated there is some movement on the Western Lee Sewer Project which includes the county being responsible to obtain and complete easement activity. He received some files from Lane that shows where the line is going to run and he has a lot of questions about what they are doing. He stated we have to get a bunch of easements and he isn't sure why we can't stay on the right of ways. He advised the cost is going to be quite great and figured we would want to be comfortable with that before moving on.

COUNTER OFFER ON PROPERTY AT LEE HIGH

Mr. Wright requested for closed session under contracts.

WELDING REPAIRS AT TRANSFER STATION

Mr. Wright reported at the last recessed meeting the Vocational School offered to look at the welding repairs needed at the Transfer Station. He added we are excited to get that done and for the students get to see their skills at work in the real world. Mr. Collingsworth has offered to stay and make sure everyone is safe. He stated we will try to get that done this week.

TOWN OF PENNINGTON GAP TRAILER REQUEST

Mr. Wright reported Mr. Skidmore sent a letter requesting financial assistance for the Town of Pennington Gap on purchasing a new trailer to haul the new UTV purchased with grant funds. He stated they have used the UTV once but do not have a good way to haul it. He thinks the cost of the trailer is in the range of \$5,600.

Mr. Kidwell stated the cost is \$5,895.

Mr. Waddell asked if it is a trailer to haul the UTV or transport what's behind the UTV.

Mr. Flanary stated it is to haul the UTV.

Mr. Waddell asked if they could use the one they one they move the excavator with.

Mr. Shoemaker stated they want something that is loaded and ready to go. It is an emergency vehicle.

Mr. Flanary stated they keep one loaded on a trailer ready to go and he assumes they want to have two loaded and ready to go.

Mr. Leonard requested closed session for this matter under public funds.

TOURISM BOARD APPOINTMENT

Mr. Wright stated Mr. Shoemaker has a potential Tourism Board Appointment coming up.

REPORTS AND RECOMMENDATIONS OF THE BOARD

BOARD APPOINTEES

Mr. Kidwell stated Board appointees should not be paid if they don't show up for Board meetings.

Mr. Wright stated we do not pay Board members if they do not attend meetings.

Mr. Kidwell stated he was told we do pay them.

Mr. Wright stated he will verify that information and send out an email to the Board members.

Mr. Shoemaker asked how we know if members are in attendance.

Mr. Wright stated they send us information on attendance and not every Board pays.

Mr. Kidwell encouraged everyone to get out and vote.

Mr. Flanary thanked everyone that checked on his family during the loss of his father-in-law.

CLOSED SESSION

It was moved by Mr. Shoemaker, seconded by Mr. Kidwell, to enter Closed Session pursuant to 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, Section 2.2-3711 A.6, The investing of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected, and 2.23711 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. Flanary, Mr. Kidwell, Mr. Leonard, Mr. Shoemaker, Mr. Waddell

It was moved by Mr. Shoemaker, seconded by Mr. Waddell, 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.

MOVE EDA DIRECTORS MAIN OFFICE

It was moved by Mr. Leonard, seconded by Mr. Flanary, to move the EDA Director's main office location to the Lee County Airport effective November 1, 2024 and to revisit this move at the appropriate time to determine if it is effective. Upon the question being put the vote was as follows.

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

VOTING NO: Mr. Shoemaker, Mr. Waddell

It was moved by Mr. Shoemaker, seconded by Mr. Kidwell, to recess to joint meeting with the Airport Board on October 29, 2024 at 6:00p.m. at the Airport Conference Room. Upon the question being put the vote was as follows.

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