

**VIRGINIA:** County of Lee, to-wit:

At the Regular Meeting of the Lee County Board of Supervisors in the General District Courtroom of the Lee County Courthouse on August 20, 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 County Administrator  
Angie Thomas, Administrative Assistant  
Stacy Munsey, County Attorney

OTHERS ABSENT: None

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### **INVOCATION**

Chase Crickenberger, Pastor of Jonesville Methodist Church, led the invocation.

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### **PLEDGE TO THE FLAG**

Mr. Shoemaker led the Pledge to the Flag.

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### **MEETING CALLED TO ORDER**

The meeting was called to order at 6:04 p.m.

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### **PUBLIC HEARINGS**

#### **KELI OSBORNE SPECIAL USE PERMIT REQUEST**

The Lee County Board of Supervisors held a Public Hearing on Tuesday, August 20, 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. Keli Osborne/White Rocks Development, Inc. has applied for a Special Use Permit to allow an Event Venue in an A-1, Agricultural District. The property is located on Briar Cliff Dr, just East of Sand Cave Rd in the Ewing Community and consists of approximately 21.55 acres of land, Tax Parcel #63A-(22)-TR4.

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Clint Carter, Building Inspector & Zoning Administrator, stated Ms. Osborne is in a contract to purchase the property contingent on approval of the Special Use Permit. She intends to build a barn type structure to hold weddings and possibly high school proms. He stated the Planning Commission unanimously approved the Special Use Permit and recommended approval from the Board.

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The Chairman opened the floor for public comment and advised that each speaker would be limited to a three-minute time-period for individuals, and five-minute time-period for a group.

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There was no public comment.

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The Chairman closed the public hearing.

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It was moved by Mr. Kidwell, seconded by Mr. Shoemaker, to approve Keli Osborne /White Rocks Development, Inc Special Use Permit request to allow an Event Venue in an A-1, Agricultural District. Upon the question being put the vote was as follows.

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

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### **PROPOSED AMENDMENT TO FY 2024-2025 BUDGET**

The Lee County Board of Supervisors held a Public Hearing on Tuesday, August 20, 2024 at 6:00 p.m. in the General District Courtroom of the Lee County Courthouse located in Jonesville, Virginia. The purpose of the public hearing was to solicit public comment on a proposed amendment to the Fiscal Year 2024-2025 Budget. The Lee County School Board has carryover state and federal funding in the amount of \$4,089,855.69 from the prior fiscal year which requires no additional local match. The Lee County School Board is requesting re-appropriation of these funds to the current fiscal year budget.

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Brian Dean, School Board Superintendant, stated this is carryover state money in the amount of \$4,089,855.69 and is a combination of about \$1.4million All-in Tutoring money, about \$1million Infrastructure and Operations and the remaining Direct State Agent Public Education. He asked the Board to approve the Appropriations Resolution for Fiscal Year 2024-25.

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The Chairman opened the floor for public comment and advised that each speaker would be limited to a three-minute time-period for individuals, and five-minute time-period for a group.

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There was no public comment.

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The Chairman closed the public hearing.

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

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

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**RESOLUTION  
24-010**

**LEE COUNTY SCHOOL BOARD  
SUPPLEMENTAL APPROPRIATION**

**WHEREAS**, Lee County Public Schools has carryover funding of State funds received in the prior fiscal year in the amount of \$4,089,855.69; and

**WHEREAS**, these funds require no additional local match; and

**WHEREAS**, the Lee County School Board respectfully requests these funds be re-appropriated to the current fiscal year as allowed by Chapter 2 of the 2022 Virginia Acts of Assembly (Special Session I);

**NOW, THEREFORE, BE IT RESOLVED**, the Lee County Board of Supervisors grants a supplemental appropriation to the 2023-24 School Budget in the amount of \$4,089,855.69;

**BE IT FURTHER RESOLVED**, that the revised total Lee County School Board appropriation for the 2024-25 fiscal year be increased from Sixty-Four Million, Nine Hundred Ninety-Six Thousand, One Hundred Ninety-Seven Dollars (\$64,996,197) to Sixty-Nine Million, Eighty-Six Thousand, Fifty-Two Dollars and Sixty-Nine Cents (\$69,086,052.69).

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### **PROPOSED DISPOSITION OF REAL PROPERTY**

The Lee County Board of Supervisors held a Public Hearing on Tuesday, August 20, 2024 at 6:00 p.m. in the General District Courtroom of the Lee County Courthouse located in Jonesville, Virginia. The purpose of the Public Hearing was to receive public comment on the proposed disposition of real property as follows:

- Tax Parcel 35-(A)-130A consisting of approximately 1.755 acres which includes the Lee High Tennis Courts;
  - Portions of Tax Parcel 53A-(20)-1 consisting of the former Jonesville Institute Building and the Agriculture Shop building;
  - A portion of Tax Parcel 53A-(20)-1B consisting of the former Head Start Office building.
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The Chairman opened the floor for public comment and advised that each speaker would be limited to a three-minute time-period for individuals, and five-minute time-period for a group.

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Kenny Roddenberry, Jonesville, was present on behalf of the Lee County Historical and Genealogical Society to address the proposed disposition on tax-parcel 53A-(20)-1 the former Jonesville Institute Building and Agriculture Shop Building. He stated their primary mission is to discover, collect and preserve materials that illustrate the history of Lee County including the preservation of historic buildings, monuments and markers. The society recognizes the historical significance of the Jonesville Institute and Agriculture Shop buildings and respectfully urged the Board of Supervisors to preserve these buildings.

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Mr. Waddell stated he feels the same way as Mr. Roddenberry and asked what the Historical Societies plans were for the buildings.

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Mr. Roddenberry stated after the public hearing and finding out the Counties position on the matter they would make a decision based on the information obtained and if this is something they could champion as a preservation opportunity. He stated there are a lot of questions including the condition of the buildings and property.

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Mr. Waddell asked if the Historical Society would be willing to move.

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Mr. Roddenberry stated not right away.

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Mr. Waddell stated the Board looked at the Institute Building earlier this year and the repair cost is more than tearing down and rebuilding.

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Mr. Wright stated that is correct in order to get the first floor up to current code the estimated cost is \$1.3million.

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Mr. Waddell stated he wanted the Historical Society to know what they would be facing as far as repair cost.

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Mr. Wright explained the \$1.3million is for the first floor repairs and listed additional repairs that would be needed.

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Mr. Roddenberry stated he understands but would like to explore the opportunity of available grants and take this on not just as the Historical Society but as a community effort. He stated through social media posts they have had a lot of interest from the community about the buildings. He would like to have further discussion with the Board and added there are a lot of questions and things to explore.

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Mr. Leonard stated he has been on the Board for 9 years and he has never been approached by anyone wanting to do anything with the Institute Building. He stated the County can't afford the upkeep on the building but if someone has a proposal on how to keep the building the Board is willing to listen and added the Institute Building is one of the prettiest buildings around.

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Mr. Flanary stated since the post was made he was approached by someone about the possibility of making a County Museum out of the Institute Building. He added if there's a group interested and willing to do that he would be in favor of that also.

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Mr. Leonard stated it seems like everyone waits and hopes these moments won't come before they want to step up and do anything about it.

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Mr. Kidwell asked if there were any other schools in the County in this registry.

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Mr. Roddenberry stated not to his knowledge.

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Mr. Leonard stated the Keokee gym is on it.

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Mr. Roddenberry stated they are willing to try and added they are here and willing to work together.

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Dianne Morris, Jonesville, recommended the City to put out a request for a developer to come in and look at the sites and come up with a plan and added there are a lot of grants and tax credits available. She stated she has seen this done in other cities and counties.

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Amy Clark, Big Stone Gap, is originally from Jonesville and thought the building was still in use. She stated she lives close to Appalachia and has seen Appalachian Rising Ventures restore all the old buildings in town and businesses are developing. She knows it is expensive but it can be done if you contract with the right people. She is the professor of Communications Studies at UVA Wise and co-founder of the Center of Appalachian Studies and they have a vested interest in Appalachia's history, central Appalachia's history and Lee County's history. She stated these buildings represent our heritage and for every building that is erased you have a town that is just like every other town that has nothing unique about it. If restored the Institute Building is big enough to house a museum or an artisan collective. She stated people will stop and spend their tourism dollars. She urged the Board to think about other possibilities and possibly forming a committee to think about how to restore these buildings.

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Jeff Johnson, Vice Mayor of Jonesville, asked, if the County can't work with people to get grants and give them a time frame to find grants, what will be the next course of action for the buildings be and if the County owns the property.

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Mr. Kidwell stated to answer his question the County owns the building and the property.

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Mr. Kidwell asked if the Town of Jonesville talked about doing anything with Institute Building.

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Mr. Johnson stated no, the town doesn't have the budget for that.

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Steve Garrett, Jonesville, stated people should have been here before now and come up with a plan to do something with the building because it is a historic building. He asked the Board to work with Mr. Roddenberry and give them time to get a plan together.

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Mr. Leonard stated he doesn't think any of the Board members put a timeline on selling the building and the Board was hoping this would generate some public interest in the building and got what they were hoping for.

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Mr. Johnson stated it's not feasible to restore the building to rent or lease and added it would have to be something done historically.

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Mr. Leonard stated it's hard to explain to people maintaining a building that we know we will never be able to do anything with and it is a waste of tax payer dollars. He added the goal was to get it out there and get some conversation going.

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Mr. Leonard asked the County Building Inspector to speak on the condition of the building.

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Clint Carter, Building Inspector and Zoning Administrator, stated the previous Board asked about a year and half ago for him to start doing quarterly inspections on the vacant county owned buildings. He stated the Institute Building is a dilapidated structure and has a lot of issues and added if updating for office space it has to be ADA compliant and there would be a lot of expense. He agrees with Mr. Garrett in the current condition something historical needs to be done with the building.

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There was no further public comment.

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The Chairman closed the public hearing.

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## **DEPARTMENT REPORTS**

Written departmental reports for Litter Control, Animal Control, Solid Waste and Works Program were included in the Board Packet.

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## **CONSTITUTIONAL OFFICERS**

### **COMMONWEALTH'S ATTORNEY COLLECTION OF DELINQUENT FINES**

Mr. Wright stated this is the money collected by the Commonwealth Attorney's Office for delinquent fines and costs. The total collected was \$37,564 half \$18,782 goes to the state and the other \$18,782 goes to the County. Pursuant to the agreement with the Commonwealth's Attorney's Office half of the County's part or \$9,391 goes to the CWA Collections Program Expense and the remaining \$9,391 to the County. He stated this used to be with a third party but this way the County reaps a portion of the collections.

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## **PUBLIC EXPRESSION**

The Chairman opened the floor for public comment and advised that each speaker would be limited to a three-minute time-period for individuals, and five-minute time-period for a group.



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Dale Thomas, Jonesville, asked about the Convenience Centers hours being changed to 1:00pm-5:00pm on Sunday's.

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Mr. Waddell stated that was instituted to try to slow down some of the outside garbage coming into the County that we are paying for.

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Mr. Thomas asked if he thought people won't bring outside garbage in from 1:00pm-5:00pm

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Mr. Waddell stated it will slow down some and if were left up to him Convenience Centers would be closed on Sunday's.

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Mr. Thomas asked why.

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Mr. Waddell stated because people have 78 hours through the week to get rid of garbage if closed on Sunday.

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Mr. Thomas stated the County has cameras up that they are paying for and asked how many people have been charged by the use of the cameras.

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Mr. Wright stated when using the cameras and taking a still the resolution is not great but is a deterrence to people dropping off tires and other garbage that should be delivered directly to the Transfer Station. He stated without a definite picture from the cameras the courts will not take any action.

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Mr. Thomas stated the workers are tied up all day having to open at 1:00pm and back by 5:00pm to close.

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Mr. Waddell stated that is something we came up with to save some money.

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Mr. Thomas stated he agrees if the Convenience Centers aren't going to be open all day close them on Sunday's.

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There was no further public comment.

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The Chairman closed the floor.

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**APPROVAL OF MINUTES**

It was moved by Mr. Flanary, seconded by Mr. Shoemaker, to approve the June 20, 2024 Recessed Meeting, June 25, 2024 Recessed Meeting, June 27, 2024 Recessed Meeting, July 16, 2024 Regular Meeting and the August 1, 2024 Special Called Meeting with the noted corrections. Upon the question being put the vote was as follows.

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

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**PAYROLL**

The County Administrator reports that payroll warrants have been issued.

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**APPROVAL OF DISBURSEMENTS**

It was moved by Mr. Flanary, seconded by Mr. Leonard, to approve the disbursements for the month of August in the amount of \$297,831.62. Upon the question being put the vote was as follows.

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

The Chairman amended the Agenda to take up Proposed Disposition of Real Property, Tax Parcel 35-(A)-130A and a portion of Tax Parcel 53A-(20)-1B.

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**PROPOSED DISPOSITION OF REAL PROPERTY TAX PARCEL 35-(A)-130A**

It was moved by Mr. Leonard, seconded by Mr. Kidwell, to approve to sell Tax Parcel 35-(A)-130A consisting of approximately 1.755 acres which includes the Lee High Tennis Courts. Upon the question being put the vote was as follows.

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

VOTING NO: Mr. Waddell

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Mr. Waddell stated we may need the money next year more than now and if we sell now we won't have anything else to offer.

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**PROPOSED DISPOSITION OF REAL PROPERTY TAX PARCEL 53A-(20)-1B**

It was moved by Mr. Kidwell, seconded by Mr. Shoemaker, to approve to sell Tax Parcel 53A-(20)-1B consisting of the former Head Start Office Building. Upon the question being put the vote was as follows.

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

VOTING NO: Mr. Waddell

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**DELEGATIONS**

**OTIS CATRON  
MORGAN CEMETARY**

Otis Catron, Ewing, stated he came to the Board 3 months ago concerning junk cars around Morgan Cemetery and that is why he is here today. He stated the cars are at the entrance of the cemetery. He spoke with the property owners and they won't do anything with the cars and also offered to buy the cars but they will not sell them. He talked with others that would like to see the cars moved also. He is asking the Board keep the cars 300-500 feet away from cemeteries.

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Mr. Shoemaker asked Clint Carter, Zoning Administrator, if that was a zoning issue.

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Mr. Carter stated it very well could be and asked if the cars belong to the property owners.

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Mr. Kidwell stated yes it is his family out of town.

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Mr. Kidwell asked if the property was residential not commercial.

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Mr. Catron stated yes.

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Mr. Kidwell asked if there is an ordinance on residential property with junk cars.

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Mr. Carter asked how many junk cars are on the property.

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Mr. Catron stated three.

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Mr. Carter asked if the cars were operable.

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Mr. Catron stated no.

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Mr. Carter stated with the Zoning Ordinance, without knowing what the property is zoned, it sounds like it would fall under the definition of an automobile grave yard and they are only allowed in a handful of zones and most if not all of the time by Special Use Permit. Therefore if there is no permit in place it would be a zoning violation.

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Mr. Kidwell asked if that is for residential property.

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Mr. Carter stated if two or more inoperable vehicles are on a residential property by definition would constitute an automobile graveyard.

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Mr. Wright stated he looked at this earlier today but didn't check to see how the property was zoned. Also he and Mr. Kidwell went by the property and he thinks there may be more than three cars. He stated he will do some homework and get with Mr. Carter to see if they can get something done.

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**FINANCE**

**SUPPLEMENTAL RE-APPROPRIATIONS**

**COMMONWEALTH ATTORNEY**

It was moved by Mr. Shoemaker, seconded by Mr. Flanary, to approve the following Supplemental Re-Appropriation in the amount of \$9,869.82. Upon the question being put the vote was as follows.

Revenue Source:

3-001-14010-0013	Commonwealth Attorney Collection (Fines)	\$	9,869.82
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Expenditure:

4-001-22200-5899	CWA Collection Program Expenses	\$	9,869.82
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VOTING AYE: Mr. Flanary, Mr. Kidwell, Mr. Leonard, Mr. Shoemaker, Mr. Waddell

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**ANIMAL CONTROL**

It was moved by Mr. Shoemaker, seconded by Mr. Flanary, to approve the following Supplemental Re-Appropriation in the amount of \$4,630.55. Upon the question being put the vote was as follows.

Revenue Source:

3-001-13013-0001	Donations-Animal Control	\$	4,630.55
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Expenditure:

4-001-35100-5830	Donations-Animal Control	\$	4,630.55
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VOTING AYE: Mr. Flanary, Mr. Kidwell, Mr. Leonard, Mr. Shoemaker, Mr. Waddell

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**GENERAL DISTRICT COURT**

It was moved by Mr. Shoemaker, seconded by Mr. Flanary, to approve the following Supplemental Re-Appropriation in the amount of \$604.40. Upon the question being put the vote was as follows.

Revenue Source:

3-001-18030-0006	Reimbursements	\$	604.40
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Expenditure:

4-001-21200-5210	Postal Services	\$	604.40
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VOTING AYE: Mr. Flanary, Mr. Kidwell, Mr. Leonard, Mr. Shoemaker, Mr. Waddell

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**DRUG COURT EXPENDITURES**

It was moved by Mr. shoemaker, seconded by Mr. Flanary, to approve the following Supplemental Re-Appropriation in the amount of \$5,000.00. Upon the question being put the vote was as follows.

Revenue Source:

3-001-18990-0051	Drug Court Donations & Fees	\$	5,000.00
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Expenditure:

4-001-21120-5899	Drug Court Expenses	\$	5,000.00
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VOTING AYE: Mr. Flanary, Mr. Kidwell, Mr. Leonard, Mr. Shoemaker, Mr. Waddell

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**SHERIFF DEPARTMENT**

It was moved by Mr. Shoemaker, seconded by Mr. Flanary, to approve the following Supplemental Re-Appropriation in the amount of \$15,739.85. Upon the question being put the vote was as follows.

Revenue Source:  
3-001-18990-0002                      Sheriff's Donations                      \$      15,739.85

Expenditure:  
4-001-31200-5899                      Sheriff's Donations                      \$      15,739.85

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

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### **FINES & FORFEITURES**

It was moved by Mr. Shoemaker, seconded by Mr. Flanary, to approve the following Supplemental Re-Appropriation in the amount of \$2,124.01. Upon the question being put the vote was as follows.

Revenue Source:  
3-007-14010-0004                      State Forfeiture Proceeds                      \$      2,124.01

Expenditure:  
4-007-94100-5840                      State Forfeiture Proceeds                      \$      2,124.01

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

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### **FINES & FORFEITURES**

It was moved by Mr. Shoemaker, seconded by Mr. Flanary, to approve the following Supplemental Re-Appropriation in the amount of \$33,598.20. Upon the question being put the vote was as follows.

Revenue Source:  
3-007-14010-0005                      Federal Forfeiture Proceeds (SHRF)                      \$      33,598.20

Expenditure:  
4-007-94100-5860                      Federal Forfeiture Proceeds                      \$      33,598.20

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

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### **FINES & FORFEITURES**

It was moved by Mr. Shoemaker, seconded by Mr. Flanary, to approve the following Supplemental Re- Appropriation in the corrected amount of \$4,242.59. Upon the question being put the vote was as follows.

Revenue Source:			
3-007-14010-0015	CWA State Asset Forfeiture	\$	4,242.59

Expenditure:			
4-007-94300-5850	CWA State Forfeiture Proceeds	\$	4,242.59

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

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## **OLD BUSINESS**

### **REZONING REQUEST DEMAS YODER**

Clint Carter, Zoning Administrator, stated Demas Yoder approached him about the process of converting a temporary sawmill to a permanent sawmill operation. He stated as it is currently zoned in A-1, a temporary sawmill is an allowed use but the definition of how that use is defined is cutting products on that property. Therefore hauling logs in from other locations and cutting them would make it a permanent sawmill. He asked Mr. Poe about options to make this a legal sawmill and they determined M-2 to be the only legal zone for a permanent sawmill. He stated when the Planning Commission met there was a lot of discussion and if there was an option to approach this under a Special Use Permit in an A-1. He explained the process of going this route and that Mr. Yoder would be looking at another 4 month process. He feels they have 3 options either approve the rezoning or not, send back to the Planning Commission to look at for potential Special Use Permit or he can move his sawmill onto his property across the state line. Per Mr. Wright's request he and Mr. Cox drove down Route 679 by Mr. Yoder's property and didn't see any issues with the road.

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Mr. Wright asked what the zoning law on the Tennessee side of his property is.

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Mr. Carter stated he has no idea.

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Mr. Waddell stated he doesn't think that property can be accessed through Tennessee and they would have to travel Virginia roads.

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Mr. Wright stated he was wondering if the sawmill would be allowed in Tennessee's zoning law.

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Mr. Carter stated he doesn't know what Tennessee allows.

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Mr. Waddell asked Mr. Carter for his recommendation.

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Mr. Carter stated he hates to tell anybody they can't do something they want to do but occasionally the answer has to be no. He added it would be a fine line of potentially creating an Industrial Manufacturing District in what is an A-1 Agricultural District.

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Mr. Kidwell asked if the Planning Commission voted to approve the rezoning request.

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Mr. Carter stated yes.

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Randy Hensley, Jonesville, lives on Longleaf Road and stated about 100 yards from his house the road is falling in from the culverts. He stated they have been running that sawmill for 5 years. This is the third meeting he has attended and each time has been told a portable sawmill is to saw lumber off your own property. He asked are we above the law or are they. He stated the road is not feasible for log trucks flying by and the school busses have to about get out of the road to pass and this is a safety issue.

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Mr. Leonard stated he understands what he is saying but it sounds like Mr. Yoder is going to haul logs anyway. He asked if this is a State Police issue.

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Mr. Hensley asked if they were paying any taxes.

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Mr. Waddell stated he thinks they contribute to the tax base.

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Mr. Wright stated he isn't aware of any code that allows them to forgo paying taxes.

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Mr. Hensley stated Mr. Yoder already has a commercial sawmill ready to put in if the rezoning request is approved. He advised the road is not feasible for log trucks and recommended they put the sawmill on their property on the four lane where it's feasible to get in and off the road.

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Mr. Poe entered the meeting at 7:10pm.

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It was moved by Mr. Shoemaker, seconded by Mr. Flanary, to deny Demas Yoder's Rezoning Request and allow him to pursue a Special Use Permit. Upon the question being put the vote was as follows.

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

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The Chairman called for a five-minute recess.

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## **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

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## **ECONOMIC DEVELOPMENT AUTHORITY**

It was moved by Mr. Flanary, seconded by Mr. Kidwell, to appoint Billy Willis to a four-year term on the Economic Development Authority. Mr. Willis' term will expire on July 31, 2028. Upon the question being put the vote was as follows.

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

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### **LONESOME PINE OFFICE ON YOUTH**

It was moved by Mr. Leonard, seconded by Mr. Shoemaker, to appoint Maya Echeverria to a one-year term on the Lonesome Pine Office on the Youth Board. Ms. Echeverria's term will expire on June 30, 2025. Upon the question being put the vote was as follows.

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

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### **LONESOME PINE OFFICE ON YOUTH**

It was moved by Mr. Leonard, seconded by Mr. Shoemaker, to appoint Miley Stapleton to a one-year term on the Lonesome Pine Office on the Youth Board. Ms. Stapleton's term will expire on June 30, 2025. Upon the question being put the vote was as follows.

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

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### **SOUTHWEST VA COMMUNITY CORRECTIONS**

It was moved by Mr. Flanary, seconded by Mr. Leonard, to re-appoint Diane Roberts to a two-year term on the Southwest Virginia Community Corrections Board. Ms. Robert's term will expire on August 31, 2026. Upon the question being put the vote was as follows.

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

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### **UPPER TN RIVER ROUNDTABLE**

It was moved by Mr. Leonard, seconded by Mr. Flanary, 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

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**PD1 BEHAVIORAL HEALTH SERVICES' BIENNIAL PERFORMANCE CONTRACT  
FY24-25 AMENDMENT**

Mr. Wright stated the Planning District One has submitted material changes to the Behavioral Health Services' Biennial Performance Contract FY24-25Admendment. He stated the original contract was approved by the Board during the July, 2023 Regular Monthly Meeting and these changes are to help facilitate the funding and delivery of program services as well as better align with the strategic initiatives of the Commonwealth. The Community Services Board must have their Performance Contract approved or renewed by the governing body of each city or county that established it and by the Department in order to receive state funds. The department cannot provide any state-controlled funds after September 30<sup>th</sup> if the contract is not signed. He stated Kim Howard, Financial Officer of Planning District 1, is present to answer any questions.

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

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

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**RESOLUTION  
24-011**

**COMMUNITY SERVICES BOARD PERFORMANCE CONTRACT**

**WHEREAS**, title 37.2 of the Code of Virginia, 1950, as amended, creates the Virginia Department of Mental Health, Mental Retardation and Substance Abuse Services, hereinafter referred to as the Department, to ensure the delivery of publicly-funded services to citizens of the Commonwealth with mental illnesses, mental retardation and alcohol or other drug abuse or dependence; and

**WHEREAS**, Sections 37.2-501 of the Code of Virginia, 1950, as amended, require every city and county to establish or join a community services board that plans an provides, directly and contractually, publicly-funded local mental health, mental retardation, and substance abuse services; and

**WHEREAS**, Section 37.2-508 of the Code of Virginia, 1950, as amended, establishes the performance contract as the primary accountability and funding mechanism between the Department and each Community Services Board; and

**WHEREAS**, Section 37.2-508 of the Code of Virginia, 1950, as amended, further requires every operating Community Services Board to submit its biennial performance contract

to each political subdivision that established it as an agency for the political subdivision's approval prior to submission of the Contract to the Department; and

**WHEREAS**, the Counties of Lee, Scott, Wise and the City of Norton have joined together to establish Planning District One Behavioral Health Services; and

**WHEREAS**, Planning District One Behavioral Health Services has submitted material changes to the FY2024 and FY2025 biennial Community Services Board Performance Contract previously approved by the Lee County Board of Supervisors;

**NOW, THEREFORE, BE IT RESOLVED**, that the Lee County Board of Supervisors hereby approves Amendment 1 Planning District One Behavioral Health Services FY2024 and FY2025 Performance Contract including the material changes submitted and dated June 28, 2024.

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### **PUMP AND HAUL SEPTIC SYSTEM REQUEST**

Mr. Wright stated Sandra Rodrigues of Pennington Gap is requesting the Board's approval to apply for a pump and haul septic system for her property. A pump and haul septic system consists of a tank with an alarm system that will indicate when the tank needs to be pumped. He stated the County's stipulation for approval of this request has historically been requiring the owner to have a contract for maintenance of the system (periodic pumping) and a \$1,000.00 bond or letter of credit payable to Lee County in the event of an accidental spill or other event where the contents would have to be removed from the site. He added this pump and haul septic will not be used for housing and only be used for a craft shed on the property. Ms. Rodrigues is aware and willing to complete this requirement if and when the request is approved.

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It was moved by Mr. Leonard, seconded by Mr. Shoemaker, to approve Sandra Rodrigues' pump and haul septic system request. Upon the question being put the vote was as follows.

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

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### **REPLACEMENT HEAT PUMP-DEPARTMENT OF SOCIAL SERVICES**

Mr. Wright stated an estimate was included in the Board packets for repair of the existing heat pump at Social Services from Southwest Heating and Air (SWHA) of Pennington Gap, VA for replacement compressor and refrigerant at a cost of \$3,760.00. Also estimates for a new 2.5-14 Seer Unit replacement heat pump from SWHA of Pennington Gap, VA for an American Standard at a cost of \$8,400.00, Mid Mountain Heating & Cooling of Big Stone Gap, VA for a

Trane at a cost of \$7,800.00 and a RunTru at a cost of \$6,900.00, Warren Associates Dev Inc. of Big Stone Gap, VA for a Carrier at a cost of \$6,425.98 and Graham Heating & Air Conditioning of Middlesboro, KY for a Rheem at a cost of \$5,150.00 with a 5 year parts and labor warranty and \$6,350.00 with a 10 year parts and labor warranty. He advised the heat pumps with the 10 year warranty on parts and labor are the best value.

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It was moved by Mr. Kidwell, seconded by Mr. Leonard, to purchase a new Rheem heat pump with a 10 year warranty on parts and labor at a cost of \$6,350.00 from Graham Heating & Air Conditioning of Middlesboro, KY. Upon the question being put the vote was as follows.

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

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Prior to the vote there was a discussion.

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#### **DONATION OF PROPERTY TO LEE COUNTY**

Mr. Wright stated Roger Adams has offered to donate a piece of property to the County. The property is located near the turn off to Puckett's Creek (in Penn Lee) that he initially thought was part of several parcels donated a couple of years ago. He added the property was treated as surplus and sold.

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Mr. Poe stated there is very little information on the property.

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Mr. Wright stated the property hasn't been broken down into tracts on the GIS therefore he can't speak to the specific location.

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Ms. Munsey asked how he came to realize that tract was left out.

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Mr. Poe stated he got a tax bill.

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It was moved by Mr. Leonard, seconded by Mr. Kidwell, to accept the parcel of property in Penn Lee donated to the County by Roger Adams. Upon the question being put the vote was as follows.

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

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### **LONESOME PINE OFFICE ON YOUTH**

Mr. Wright stated the Lonesome Pine Office on the Youth funding request was denied during the budget process. He added they are requesting the Board reconsider or offer any funding deemed appropriate by the Board. A letter detailing their programs offered in Lee County was provided to the Board.

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Mr. Leonard asked Glenda Collins to speak on the Lonesome Pine Office on Youth program.

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Ms. Collins stated she feels Lonesome Pine Office on Youth is a good value to the County. Lee County has 5 board members, 2 youth and 3 adult, on the Youth Services Board. She stated they are paid \$40.00 per meeting they attend for 10 meetings and requested the Board consider covering the \$2,000 cost to pay the Board members however if the Board sees its way clear to contribute more than that it would be helpful. She stated they have several programs that are grant funded and those grants don't always cover everything. She stated they serve Lee, Scott, Wise and the City of Norton. She stated they employ 5 full time and 22 part time employees.

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Mr. Waddell asked if any of the other Counties cut their funding this year.

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Ms. Collins stated Norton cut their funding by \$1,000.

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Mr. Waddell asked what employees' salaries range.

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Ms. Collins stated part time make anywhere from \$14-\$18 dollars per hour and salaried employees range from \$28,000-\$56,000.

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Mr. Waddell asked if the employees have degrees.

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Ms. Collins stated yes.

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Mr. Leonard stated in a conversation he had with another Board member he feels like the program does a lot with Lee County kids.

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It was moved by Mr. Leonard, seconded by Mr. Flanary, to do a Supplemental Appropriations for \$2,000 to Lonesome Pine Office on Youth. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Flanary, Mr. Kidwell, Mr. Leonard, Mr. Shoemaker, Mr. Waddell  
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### **CIRCUIT COURT CLERK COPIERS**

Mr. Wright provided the Board with detailed quotes for copiers for the Circuit Court Clerk's Office. The copiers were budgeted for during the workshops. Quotes were received from 3 sources (Tri-City Business, Hungate and Dex Imaging). He stated the initial cost for Hungate was the lowest cost. However, when calculating the operating and maintenance costs over the life of the 2 copiers, Tri-city Business proves to be the best value. Also Tri-City Business offered a \$200 discount per copier if purchased together.

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It was moved by Mr. Leonard, seconded by Mr. Flanary, to purchase copiers from Tri-City Business at a cost of \$2,220.00 for 4051i and \$4,075.00 for 451i. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Flanary, Mr. Kidwell, Mr. Leonard, Mr. Shoemaker, Mr. Waddell  
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### **PPTRA RESOLUTION**



Mr. Wright stated the State of Virginia has allocated funds to provide tax relief for qualifying vehicles in the County of Lee. The amount of tax relief is based upon the total dollars from the Commonwealth divided by the total tax of all qualifying vehicles in the County. He stated owners of qualified vehicles assessed at \$100 to \$20,000 will be eligible to receive a 48.28% tax relief on that vehicle and if the qualified vehicle is assessed at \$20,001 and above, the vehicle will be eligible for the same percentage relief but only on the first \$20,000. He added a qualified vehicle is any passenger car, motorcycle, pickup or panel truck having a registered gross weight of less than 10,001 pounds and not considered to be for business use, a lease where the leasing company pays the tax or expensed pursuant to Section 179 of the Internal Revenue Service Code.

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It was moved by Mr. Leonard, seconded by Mr. Shoemaker, adopt the following resolution. Upon the question being put the vote was as follows.

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

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## **RESOLUTION 24-012**

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

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

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

**NOW, THEREFORE, BE IT RESOLVED**, by the Lee County Board of Supervisors that qualifying vehicles obtaining situs within the County during tax year 2024, shall receive personal property tax relief in the following manner:

- Personal use vehicles valued at \$100 to \$20,000 will be eligible for 48.28% tax relief;
- Personal use vehicles valued at \$20,001 or more shall only receive 48.28% tax relief on the first \$20,000 of value; and

- All other vehicles which do not meet the definition of “qualifying” (business use vehicles, farm use vehicles, motor homes, etc.) will not be eligible for any form of tax relief under this program.

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## **RETIREMENT AND BOARD RESIGNATION**

Mr. Poe stated he wanted to take this opportunity to thank this Board, and all previous seven Boards under which he has served, for the opportunity that he has been afforded for the past 28 years. He considers it an honor to have served the County for this period of time and especially to have worked alongside the many dedicated and skilled employees that he has had the privilege of working with. He stated they are, and always will be, a part of extended family.

Mr. Poe stated with his retirement effective September 1, 2024 he submitted his resignation from the Southwest Virginia Regional Jail Board, the E911 Standards Committee, and the Lonesome Pine Regional Industrial Facilities Authority effective August 31, 2024. He also submitted his resignation from the Bristol Transportation District Regional Improvement Commission effective August 20, 2024. He recommended the Assistant County Administrator Robby Wright be appointed to the Regional Improvement Commission effective immediately.

He also suggested the Board take action at this meeting to officially appoint Mr. Wright as the County Administrator effective September 1, 2024.

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Mr. Leonard stated serving and working alongside Mr. Poe has been an honor. He also stated you don't see many people with the dedication that he has put in for so many years and appreciates all the help he has given him the nine years he has been on the Board. He added we can't thank him enough for all he has done for Lee County and he highly respects him.

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Mr. Flanary stated he has enjoyed working with Mr. Poe and added he has done a lot to help Lee County and has earned a lot of respect for him.

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Mr. Kidwell stated he would like to thank Mr. Poe for his service and knows it's not an easy job. He has dealt with both party lines and that takes a tough soul and good Christian person and that's hard to come by in politics.

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Mr. Waddell stated 28 years says a lot.

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Mr. Poe stated the trend in Southwest Virginia has turned in the last several years there used to be a lot of turnover but that has stabilized a lot in this area. He believes it is due to communication and education of the Boards learning to work together with their administrators.

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Mr. Shoemaker thanked Mr. Poe for all his help with the new Board members this year and added Mr. Wright has some big shoes to fill.

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Mr. Poe stated he will fill them quickly and added when he first started he questioned if he would make it the remainder of the term and never imagined it would last this long.

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Mr. Wright stated it has been an honor to work with Mr. Poe for the last 8 months.

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Mr. Leonard stated the Board thanks Mr. Poe for his service to the County and accepts his resignations.

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It was moved by Mr. Leonard, seconded by Mr. Shoemaker, to appoint Robby Wright as the new County Administrator effective September 1, 2024 and appoint Mr. Wright to the Bristol Transportation Regional Improvement Commission effective immediately. Upon the question being put the vote was as follows.

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

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Prior to the vote there was a discussion about future board appointments.

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#### **REPORTS AND RECOMMENDATIONS OF THE COUNTY ATTORNEY**

Ms. Munsey stated she has nothing to report but wanted to echo what has already been said and added Mr. Poe has certainly made her job easier.

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## **REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR**

### **POSSIBLE ROAD ABANDONMENT**

Mr. Poe stated he has been approached by the current owner of the old airport property. There is a State road in the secondary system that still goes up to the old airport with a gate at the end of the property and he is the only property owner that needs access to it. The County has about a one acre tract reserved when the County radio system was partially there. He stated this gentleman has requested the Board consider abandoning a major portion of the road. He explained the requirements of road abandonment to him and that he would have to provide an area for VDOT to turn their trucks around. He stated with respect to the Counties property he spoke with the radio company representative and Ms. Coleman in E-911 and determined the property is not being used for any radio communications now. He stated the gentleman is interested I acquiring the property and he can't say the County has any use for the property. He explained the process of disposing of the property and having a public hearing.

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Mr. Leonard asked if the property can be used for VDOT's turn around.

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Mr. Poe stated no and the gentleman is trying to get traffic as far away from the airstrip as possible. There is a gate at the edge of his property line but the access road is taking people on top of the hill bypassing the gate. He explained the process of the abandonment.

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Mr. Flanary stated as far as paging goes EMS is currently having some issues with receiving pages in the Town of Pennington Gap and Dryden area. He stated he would like to reserve that property for possible future use.

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Mr. Leonard stated he doesn't like abandoning roads unless the property owner owns all the property involved.

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Mr. Poe stated the individual has indicated that he has acquired all of the property constituting the runway but will confirm with him.

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There was a discussion about the property and possible road abandonment.

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Mr. Flanary stated he would like to further research this matter.

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Mr. Leonard stated he would like to do further research on the matter before making a decision.

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There was a discussion about the EMS Communication Base.

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Mr. Poe stated it sounds like the Board would like to retain the property for now.

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**ADDITIONAL FUNDING FOR CSA PROGRAM**

Mr. Poe stated at a previous meeting the Department of Social Services made a request for additional funding for the CSA Program and stated they have discussed the ramifications of not providing the funding to pay bills. He stated he spoke to Michele Brooks, Social Services Director, and she has information regarding the current expense issues.

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Ms. Brooks stated they are still trying to finish out the Fiscal Year ending June 30<sup>th</sup>. They have until the end of the September to get all the bills paid and thinks they can get that done by the end of the August. She is expecting the total to be significantly lower than expected. She stated they had one child in a very expensive placement around \$60,000 per month and that child has been moved to another placement.

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Mr. Poe recommended the Board revisit the matter at the September Board Meeting with the exact numbers from Social Services.

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Ms. Brooks stated she anticipates having the exact numbers by the end of the month which she will provide to the County Administrators Office.

Mr. Poe stated he wishes the Board the best and knows it will be a difficult new year. He apologized and stated he thought the cash would last longer but you can't anticipate what's going to happen. He hopes for the mercy and grace of the public to understand and he wishes everyone the best.

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### **SPRINKLER SYSTEM INSPECTIONS**

Mr. Wright stated East Tennessee Sprinkler System completed inspections on the DSS Building and the Courthouse and in their report they provided some deficiencies in the system stating there were sprinkler heads that are out of date. He asked for a quote to get the inspections current and meet safety standards. They provided quotes for DSS for \$8,230 and \$880 for the courthouse. He gave details on new sprinklers cost and cost of testing old sprinklers.

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Mr. Leonard asked what the testing schedule was for the sprinklers.

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Mr. Wright stated they test the system annually and then there is a 3 year and 5 year test.

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Mr. Leonard asked why someone hasn't brought it up before now.

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Mr. Poe stated this is the first time they this has been brought up.

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Mr. Kidwell asked if this has ever been bid out.

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Mr. Poe stated East Tennessee is the one the builder provided and he doesn't know how many companies do this.

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Mr. Flanary stated there are several companies that do this.

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Mr. Wright stated he can get more quotes.

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Mr. Waddell asked how much a sprinkler system helps.

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Mr. Flanary stated tremendous.

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Mr. Leonard stated they are probably required.

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Mr. Flanary stated yes they are required in commercial and public buildings.

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Mr. Kidwell asked if the lease property for DSS has sprinklers.

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Ms. Brooks stated she has never seen any.

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Mr. Poe stated this is for new construction.

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Mr. Kidwell stated this is public building and asked what the difference is.

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Mr. Flanary stated it depends on the code section and when the building was built.

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Mr. Kidwell stated he likes to stuff bid out because \$8,000 is a lot of money.

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Mr. Leonard agrees.

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Mr. Kidwell stated with the amount of money that goes into DSS we have to look at all options in his opinion.  
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## **REPORTS AND RECOMMENDATIONS OF THE BOARD**

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### **REQUEST FOR JOINT MEETING WITH EDA**

Mr. Kidwell thanked Mr. Poe again.

He stated he would like to meet with the EDA Board at some point and added we need to make a move for Economic Development in Lee County.  
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Mr. Leonard recommended setting up a meeting last week of September or first week of October and asked when their regular meeting is.  
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Mr. Poe stated their regular meeting schedule is the first Thursday of the month.  
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It was the consensus of the Board to request a meeting with the EDA at the airport on October 3<sup>rd</sup> at 6:00pm.  
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### **MOWER FOR AIRPORT**

Mr. Waddell stated the Transfer Station Superintendant has budgeted for a new lawn mower. He added they can purchase a mower to remain at the airport for \$.50 on the dollar.  
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Mr. Poe stated an application can be submitted to the Virginia Department of Aviation for equipment at a 50/50 cost.  
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Mr. Kidwell asked if the Airport Board can buy a lawn mower.

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Mr. Poe stated the airport is the County's property, the County mows it and the fuel is sold by the County.

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Mr. Kidwell asked if there is a need for a new lawn mower.

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Mr. Poe stated we don't have a mower at the airport.

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There was a discussion about the airport mowing and possible purchase of a new mower.

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Mr. Waddell asked when applications can be submitted.

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Mr. Poe stated the Virginia Department of Aviation meets 4 times a year. He added depending on the size of the mower it at 50% it won't cost that much money. At their August meeting they have the most money and later in February and May they have fewer funds. He advised by the meeting date they will need to have at least 3 hard bids in hand. He asked if that would be with the expectation of still needing to buy a new mower.

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Mr. Waddell stated no and added we should run the 2 we have until the wheels fall off.

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Mr. Leonard stated that's what we should be doing anyway.

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Mr. Waddell stated there is a gentleman coming through the County regularly and he is pretty sure he is bringing tires out of Wise County and dumping them here. He asked if the Board wants to pursue this matter and talk to DEQ.

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Mr. Leonard stated if this situation is turned in to DEQ they can handle it.

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Mr. Poe stated Litter Control looking into this issue.

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Mr. Leonard asked if he knows where the tires are being dumped.

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Mr. Waddell stated he followed him the place.

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Mr. Leonard stated Litter Control needs to stay involved.

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Mr. Waddell asked if the Board needs to appropriate more funds for overtime.

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Mr. Shoemaker stated according to Litter Control reports they are working patrolling and working staggered hours.

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Mr. Kidwell stated Litter Control needs to address this and they don't need overtime to address it.

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Mr. Waddell stated they will have to catch the individual in the act.

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Mr. Poe stated there are 2 or 3 properties that can be accessed off that road.

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Mr. Leonard stated it sounds like something Litter Control needs to address and if they need to come to the Board for advisement on what they need to do that will be Allen Fortner's call.

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Mr. Flanary stated he is getting a lot of concerns from people in his district about the Convenience Centers limited hours on Sundays.

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### **REOPEN CONVENIENCE CENTERS ON SUNDAYS TO FULL HOURS**

It was moved by Mr. Flanary, seconded by Mr. Leonard, to reopen the Convenience Center sites except the Jasper site to full hours on Sundays. Upon the question being put the vote was as follows.

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

VOTING NO: Mr. Waddell

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Prior to the vote there was a discussion.

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Mr. Flanary thanked Mr. Poe and Mr. Wright and wished them good luck.

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### **GRAVEL FUND FOR CEMETERIES**

It was moved by Mr. Leonard, seconded by Mr. Kidwell, to authorize the use of Board Miscellaneous Line for benevolent gravel. Upon the question being put the vote was as follows.

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

ABSTAINING: Mr. Waddell

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Prior to the vote there was a discussion.

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## **CLOSED SESSION**

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

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

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

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## **CERTIFICATE OF CLOSED SESSION**

It was unanimously agreed as follows.

**WHEREAS**, the Lee County Board of Supervisors has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provision of the Virginia Freedom of Information Act; and

**WHEREAS**, Section 2.2-3711 of the Code of Virginia requires a Certification by this Lee County Board of Supervisors that such Closed Meeting was conducted within Virginia law;

**NOW, THEREFORE, BE IT RESOLVED**, that the Lee County Board of Supervisors hereby certified that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from Closed Meeting in which this Certification Resolution applies and (ii) only such public business matters as were identified in the Motion convening the Closed Meeting were heard, discussed or considered by the Lee County Board of Supervisors.

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## **REDUCE SOCIAL SERVICES BOARD TO 5 MEMBER BOARD**

It was moved by Mr. Shoemaker, seconded by Mr. Waddell, to reduce the Department of Social Services Board to a 5 member board, removing the last created position created in November 2021, effectively leaving each district with their appointed member, effective immediately. Upon the question being put the vote was as follows.

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

ABSTAINING: Mr. Leonard

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#### **BID FOR REPAIR WORK TO TRANSFER STATION TIPPING FLOOR**

It was moved by Mr. Kidwell, seconded by Mr. Leonard, to accept the bid from Circle W Enterprise for completion of repair work to the transfer station tipping floor in the amount of \$17,000.00. Upon the question being put the vote was as follows.

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

ABSTAINING: Mr. Shoemaker, Mr. Waddell

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

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