**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 November 18, 2014 at 5:00 p.m. thereof.

MEMBERS PRESENT: Charles Slemp, Jr., Chairman Carl Bailey Larry Mosley Tina Rowe MEMBERS ABSENT: Jason Crabtree OTHERS PRESENT: Dane Poe, County Administrator C.M. Callahan, Jr. County Attorney Jeny Hughes, Administrative Assistant OTHERS ABSENT: None \_\_\_\_\_\_ **INVOCATION** Dane Poe, County Administrator, led in the invocation. PLEDGE TO THE FLAG Larry Mosley led the Pledge to the Flag. ..... MEETING CALLED TO ORDER The meeting was called to order at 5:08 p.m. **PUBLIC HEARINGS** SPECIAL USE PERMIT - SYNERGY BIOFUELS The Lee County Board of Supervisors held a Public Hearing on November 18, 2014 at 5:00 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. Synergy Biofuels has requested a Special Use Permit to allow a methanol storage tank for biodiesel production in an M-1, Limited Industrial district. The property is located on Route 1018 (Guy Walton Dr) in the Hickory Flats Industrial Park near the Woodway Community and consists of approximately 7.144 acres of land. Mike James, Community Development Director, stated that his office had not received any comments on this matter and that the Planning Commission voted to recommend approval of this request. -----Mr. Slemp asked what size the storage tank would be.

	Mr. James stated the tank is 12 feet long and 6 or 7 feet high.
	Mr. Slemp asked if there were any safety concerns.
	Mr. James stated that are no safety concerns and that there are two tanks inside of lding the same size as the one requested.
	The Chairman opened the floor for public comment and advised that each speaker be limited to a three minute time period for individuals, five minutes for a group.
	There was no public comment.
	The Chairman closed the floor for public comment.
	It was moved by Mr. Mosley, seconded by Mr. Bailey, to approve the Special Use for Synergy Biofuels. Upon the question being put the vote was as follows.  VOTING AYE: Mr. Bailey, Mr. Mosley, Ms. Rowe, Mr. Slemp
	SPECIAL USE PERMIT LEE COUNTY BOARD OF SUPERVISORS
2014 at located County Waste ' Agricul	The Lee County Board of Supervisors held a Public Hearing on November 18, 5:00 p.m. in the General District Courtroom of the Lee County Courthouse in Jonesville, Virginia to solicit input on a Special Use Permit request. The Lee Board of Supervisors has requested a Special Use Permit to construct a Solid Transfer Station for the handling of refuse and recycling material in an A-1, Itural district. The property is located at the end of Route 864 (Bus Shop Rd) and is of approximately 107.9 acres of land.
receive	Mike James, Community Development Director, stated that his office had not d any public comment on this request and that the Planning Commission voted to nend approval.
Permit	It was moved by Ms. Rowe, seconded by Mr. Bailey, to approve the Special Use for the Lee County Board of Supervisors. Upon the question being put the vote follows.
	VOTING AYE: Mr. Bailey, Mr. Mosley, Ms. Rowe, Mr. Slemp

#### **SOLID WASTE**

Gary Collingsworth, Transfer Station Superintendent, reported that the Transfer Station had taken in 1,384.99 tons of garbage and 12.0 tons of tires for October, adding that there has been an increase of 40 tons weekly this year compared to last year. He stated that his department was able to finish several projects, the Seminary Voting Building, the entrance to the old Ewing school, and preparing vehicles, equipment and some buildings for the winter season. He stated that the upcoming projects would be graveling some of the Convenience Centers and dumpster repairs.

Mr. Slemp asked if the increase of trash is due to the weather during the su	ımmer.
Mr. Collingsworth stated it is just an increase in the volume of trash through the entire county.	ghout

#### LITTER CONTROL AND RECYCLING

Josh Fleenor, Litter Control Coordinator reported that the Community Service Program had 80 people in the program, with 64 people participating for a total of 672 hours and 499 bags collected. He stated that he mowed the Outdoor Classroom in Stone Creek and attended a KSVB meeting. He added that clean ups have begun in the County in the Snavely area, Old Ridge Road, and Cooney Hollow Loop. He will continue holding them two days a week during the winter, weather permitting.

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#### **CONSTITUTIONAL OFFICERS**

#### TREASURER'S REPORT

The Treasurer's Report for the month of October 2014 was submitted as follows:

Revenues	\$ 5,151,632.25
Expenditures	\$ 5,346,510.94
General Fund	\$ 8,394,925.11
Total Assets and Liabilities	\$ 13,806,245.14

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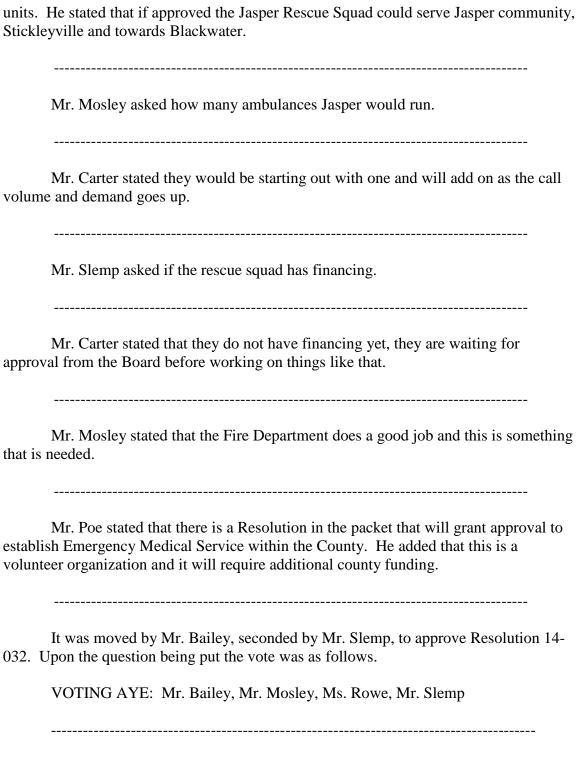
## AMEND THE AGENDA

It was moved by Mr. Bailey, seconded by Mr. Mosley, to amend the agenda to hear delegations at this time. Upon the question being put the vote was as follows.

VOTING AYE:	Mr. Bailey, Mr. Mosley, Ms. Rowe, Mr. Slemp	

# REQUEST FOR EMERGENCY MEDICAL SERVICES APPROVAL HUGHIE CARTER JASPER VOLUNTEER FIRE DEPARTMENT

Hughie Carter, Jasper Volunteer Fire Department, stated that in 1994 he stood before the Board asking for approval for a Fire Department in Jasper. He stated that today he is asking for approval to establish a Rescue Squad in Jasper. It is very important to the community because right now they are relying on Duffield and Big Stone Gap



# RESOLUTION OF APPROVAL OF EMERGENCY MEDICAL SERVICES ORGANIZATION JASPER VOLUNTEER FIRE DEPARTMENT 14-032

**WHEREAS,** Section 15.2-955 of the Code of Virginia, 1950, as amended, requires the local governing body approval of any emergency medical service organization operating within that locality; and

**WHEREAS**, Jasper Volunteer Fire Department has appeared before the Lee County Board of Supervisors to request approval to provide emergency medical services to the citizens of Lee County; and

**WHEREAS,** the Lee County Board of Supervisors has determined it to be in the best interest of the citizens of Lee County for Jasper Volunteer Fire Department to provide these services;

**NOW, THEREFORE, BE IT RESOLVED,** the Lee County Board of Supervisors grants approval to Jasper Volunteer Fire Department to establish emergency

Commonwealth of Virginia.	
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, five minutes for a group.	
Larry Gullion, Keokee Alumni Association, stated that the Association has made the application for their 501-c3. He asked the Board to proceed with a lease on the school.	
Mr. Poe stated that Mr. Callahan has prepared a draft document for a six-month lease.	
It was moved by Ms. Rowe, seconded by Mr. Bailey, to approve a six-month lease for the Keokee School to the Keokee Alumni Association. Upon the question being put the vote was as follows.	
VOTING AYE: Mr. Bailey, Mr. Mosley, Ms. Rowe, Mr. Slemp	
Lawrence Freeman, Stickleyville School Community Center Association, stated that the Association has received their 501-c3, and he requested that the Board start action to turn the property over to the Association.	
Mr. Poe stated that Mr. Callahan has a draft deed ready, and it is straightforward. It transfers all the property that was transferred to the County from the School Board with the exception of a .78-acre tract where the Convenience Center is located.	
It was moved by Mr. Mosley, seconded by Mr. Bailey, to approve the transfer the Stickleyville property to the Stickleyville School Community Center Association. Upon the question being put the vote was as follows.  VOTING AYE: Mr. Bailey, Mr. Mosley, Ms. Rowe, Mr. Slemp	
There was no further public comment.	
The Chairman closed the floor for public comment.	

APPROVAL OF MINUTES

It was moved by Mr. Bailey, seconded by Mr. Mosley, to approve the minutes of the October 21, 2014 Regular Meeting and the November 6, 2014 Recessed Meeting. Upon the question being put the vote was as follows. VOTING AYE: Mr. Bailey, Mr. Mosley, Ms. Rowe, Mr. Slemp APPROVAL OF REFUNDS It was moved by Mr. Bailey, seconded by Mr. Slemp, to approve the request for refund for Dale Lee Thomas in the amount of \$35.95. Upon the question being put the vote was as follows. VOTING AYE: Mr. Bailey, Mr. Mosley, Ms. Rowe, Mr. Slemp It was moved by Mr. Bailey, seconded by Mr. Slemp, to approve the request for refund for Dennis S. Hedrick in the amount of \$132.09. Upon the question being put the vote was as follows. VOTING AYE: Mr. Bailey, Mr. Mosley, Ms. Rowe, Mr. Slemp It was moved by Mr. Bailey, seconded by Mr. Slemp, to approve the request for refund for James and Linda Holcomb in the amount of \$191.34. Upon the question being put the vote was as follows. VOTING AYE: Mr. Bailey, Mr. Mosley, Ms. Rowe, Mr. Slemp **PAYROLL** The County Administrator reports that payroll warrants have been issued. APPROVAL OF DISBURSEMENTS It was moved by Mr. Bailey, seconded by Ms. Rowe, to approve the disbursements for the month of November in the amount of \$207,307.53. Upon the question being put the vote was as follows. VOTING AYE: Mr. Bailey, Mr. Mosley, Ms. Rowe, Mr. Slemp **DELEGATIONS CORONER RESPONSE TIME EDDIE JOHNSTON** 

## **FINANCE**

Mr. Johnston was not present at the meeting.

# MONTHLY APPROPRIATIONS

It was moved by Ms. Rowe, seconded by Mr. Mosley, to adopt the following Resolution. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Mosley, Ms. Rowe, Mr. Slemp

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# RESOLUTION MONTHLY APPROPRIATIONS 14-031

**WHEREAS**, the Lee County Board of Supervisors has approved the Lee County Public School Budget and Virginia Public Assistance Budget for FY2014-15; and

**WHEREAS,** it is now necessary to appropriate sufficient funds for the contemplated expenditures as they are contained in the Lee County Public School and Virginia Public Assistance Budgets;

**NOW, THEREFORE, BE IT RESOLVED,** that the following activities 1/12 of the amount shown is appropriated for a 1-month period ending December 30, 2014;

Federal/State Funds Local Funds	\$ 6,205,65 	
TOTAL VIRGINIA PURI IC ASSISTANCE	\$ 7 267 20	3

# **LEE COUNTY PUBLIC SCHOOLS**

## Categorical Appropriation:

Self Insured Health Fund

**Textbook Carryover Funds** 

Local Funds

Instruction	\$ 24,784,965
Administration, Attendance and Health	2,045,217
Pupil Transportation	2,013,034
Operation and Maintenance	3,344,950
School Food Services	1,573,100
Facilities	449,000
Technology	805,390
Partially Self-Funded Insurance Fund	<u>4,200,000</u>
TOTAL	\$39,215,656
Source of Revenue:	
Federal Funds	\$ 4,249,948
State Funds	25,474,642
Other Funds	75,600

TOTAL PUBLIC SCHOOLS \$ 39,215,656

1. The Lee County Treasurer is hereby authorized and directed to

1. The Lee County Treasurer is hereby authorized and directed to transfer sums as needed to meet expenses already incurred. The transfer will be from the General Fund to the Public School and Virginia Public Assistance funds and will not exceed the foregoing one month appropriations.

3,750,000

5,040,466

625,000

The Lee County Treasurer is also directed to revert all unexpended balances of the Public School and Virginia Public Assistance Funds to the General Fund as of the beginning and ending of Fiscal Year 2014-2015.

SCHOOL BOARD SUPPLEMENTAL APPROPRIATION It was moved by Mr. Mosley, seconded by Mr. Bailey to adopt the following Resolution. Upon the question being put the vote was as follows. VOTING AYE: Mr. Bailey, Mr. Mosley, Ms. Rowe, Mr. Slemp RESOLUTION 14-033 LEE COUNTY SCHOOL BOARD SUPPLEMENTAL APPROPRIATION WHEREAS, Lee County Public Schools have been awarded a total of \$41,564.00 from the 2014-15 School Security Equipment Grant Program requiring no local matching funds due to Lee County's composite index; NOW, THEREFORE, BE IT RESOLVED, the Lee County Board of Supervisors grants a supplemental appropriation to the 2014-15 School Budget in the amount of \$41,564.00 to the Operation and Maintenance category; **BE IT FURTHER RESOLVED,** that the revised total Lee County School Board appropriation for the 2014-15 fiscal year be increased from Thirty Nine Million, Two Hundred Fifteen Thousand, Six Hundred Fifty Six Dollars (\$39,215,656.00) to Thirty Nine Million, Two Hundred Fifty Seven Thousand, Two Hundred Twenty Dollars (\$39,257,220.00). **OLD BUSINESS BUILDING PERMIT FEES** Mr. Poe stated that this item is carried over from last month because the Board tabled action on the matter. He stated that he was able to get a copy of Scott County's permit fee schedule. ..... Mr. Bailey stated he would like to have time to process these numbers. Ms. Rowe stated she would like to discuss it now. She added that what Mr. Harless has given the Board is accurate and some of the fees need to be increased. Mr. Mosley stated that the schedule has been behind and it has not changed in the seven years he has been on the Board. The schedule presented is in line with the surrounding Counties.

It was moved by Mr. Slemp, seconded by Mr. Mosley, to approve the Building Permit Fee Increase effective immediately. Upon the question being put the vote was as follows.

NEW BUSINESS
BOARD APPOINTMENTS
AIRPORT AUTHORITY
It was moved by Mr. Bailey, seconded by Mr. Mosley, to appoint Allen Crocket to a four-year term on the Airport Authority. Mr. Crockett's term will expire July 31, 2018. Upon the question being put the vote was as follows.
VOTING AYE: Mr. Bailey, Mr. Mosley, Ms. Rowe, Mr. Slemp
REGIONAL JAIL AUTHORITY
It was moved by Mr. Mosley, seconded by Mr. Slemp, to table this appointment until next month. Upon the question being put the vote was as follows.
VOTING AYE: Mr. Bailey, Mr. Mosley Ms. Rowe, Mr. Slemp
MEMORANDUM OF UNDERSTANDING SOUTHWEST REGIONAL RECREATION AUTHORITY
Mr. Poe stated that the Board agreed to enter a Memorandum of Understanding with the Southwest Regional Recreation Authority for the Multi-Purpose Trails grant. The Memorandum of Understanding outlines the responsibilities of each party to complete this project. Mr. Poe recommends approval of the Memorandum of Understanding to move this project forward.
It was moved by Mr. Mosley, seconded by Mr. Bailey, to approve the Memorandum of Understanding. Upon the question being put the vote was as follows.  VOTING AYE: Mr. Bailey, Mr. Mosley Ms. Rowe, Mr. Slemp
REGIONAL JAIL INMATE WORK RELEASE AGREEMENT
Mr. Poe stated that an agreement has been prepared by the Southwest Virginia Regional Jail Authority in response to issues arising from some entities' failure to obtain medical treatment for inmates that are injured while working under their supervision. In a couple of instances, the Jail Authority incurred substantial medical bills as a result of the injuries. This is a standard agreement that will be required of any county, city, town or charitable organization wishing to utilize inmate labor.
Mr. Callahan asked if the Sheriff had reviewed and approved this agreement.

VOTING AYE: Mr. Bailey, Mr. Mosley, Ms. Rowe, Mr. Slemp

Mr. Poe stated that the Sheriff has already signed an agreement for his department. The biggest obligation is medical attention for an injured inmate.

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It was moved by Mr. Mosley, seconded by Mr. Bailey, to approve the Regional Jail Inmate Work Agreement. Upon the question being put the vote is as follows.

VOTING AYE: Mr. Bailey, Mr. Mosley Ms. Rowe, Mr. Slemp

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#### **POLICE CRUISER BIDS**

Mr. Poe stated bids have been received for five new police cruisers, three to be purchased partially with Rural Development grant funds and the other two purchased over a three-year term loan with a 25% down payment. There were only two bids received as follows:

Auto World of Big Stone Gap \$23,256 each Tim Short Auto Group, Middlesboro \$26,294 each

Both bids will require exceeding budgeted funds, because the prices are higher than anticipated when budgeted and the cages from the Chevrolets will not fit the Dodges which will require the purchase of new ones.

The Virginia Department of General Services has Dodge, Ford and Chevrolet police cruisers on state contract. The Chevrolets are the lowest priced units when equipped per the bid specification at a cost of approximately \$21,650 including delivery charges. It is the recommendation of Mr. Poe to purchase the police cruisers from state contract.

It was moved by Mr. Bailey, seconded by Ms. Rowe, to purchase the Police Cruisers from state contract. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Mosley Ms. Rowe, Mr. Slemp

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## **HOLIDAY SCHEDULE**

Mr. Poe stated that the Thanksgiving, Christmas and New Year's holidays are quickly approaching and the Governor has granted some additional holiday leave, which is also observed by the County. The Additional leave time granted by the Governor includes the Fridays after Christmas and New Years and a half-day on Christmas Eve. Based on the information, our holiday closing schedule will be as follows:

Thanksgiving

Wednesday, November 26, 2014 Close at 12:00 noon

Thursday, November 27, 2014 Closed Friday, November 28, 2014 Closed

Christmas

Wednesday, December 24, 2014 Close at 12:00 noon

Thursday, December 25, 2014 Closed Friday, December 26, 2014 Closed

New Years'

Thursday, January 1, 2105 Closed Friday, January 2, 2015 Closed

	CONVENIENCE CENTER HOLIDAY CLOSING SCHEDULE
	Ms. Rowe asked which days the convenience centers will be closed.
Years	Mr. Poe stated they would be closed Thanksgiving Day, Christmas day, and Ne day for sure.
	It was moved by Ms. Rowe, seconded by Mr. Mosley, that the Convenience rs be closed on Thanksgiving, Christmas and New Years only and be open the resholidays. Upon the question being put the vote was as follows.
	VOTING AYE: Mr. Bailey, Mr. Mosley Ms. Rowe, Mr. Slemp
	COUNTY OFFICES HOLIDAY SCHEDULE
sched	It was moved by Mr. Slemp, seconded by Mr. Mosley, to go by the holiday ale as set by the Governor. Upon the question being put the vote was as follows.
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#### E-911 ROAD NAMING ISSUES

Mr. Poe reported that the E-911 office recently received a request to rename a private road in the County. One of the requesting landowners attended the October Board Meeting but did not speak publicly. They did relay the request to Mr. Poe during a recess. A now deceased property owner originally named the road but the current owners would like to have it changed. The Road Naming Ordinance has a provision for changing road names; however, there is a prohibition as follows:

# 6.08 Road Name Change Moratorium

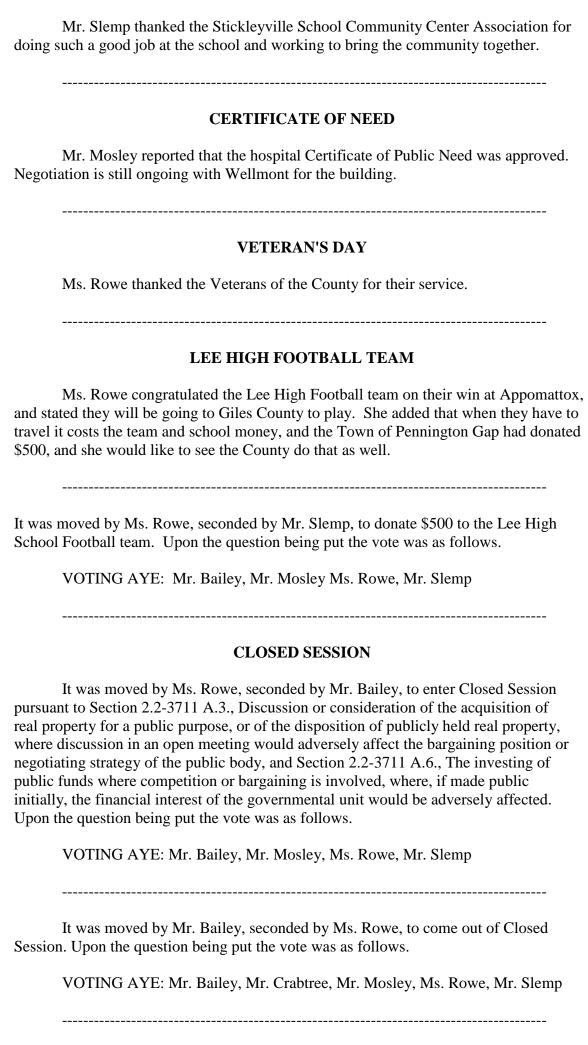
For the period of time between road name adoption by the Board of Supervisors and two years after the first, live enhanced 911 call is received by the County's Communication/E-911 Center, no road names adopted during the road naming process described herein may change by means of public petition.

The Ordinance was adopted in 2004 and we received the first 911 call with the new equipment in October 2011. This was considered Basic 911 because, even though we had mapping and addressing information coming up onscreen, we had not attained the required 95% verification of addresses and phone numbers to be considered enhanced 911. The Enhanced 911 verification was not completed until December 2013. If we accept the Basic 911 call timeline, the two-year moratorium would have ended last year and we could allow changes. The ordinance however stated two years after the first live enhanced call so, technically, the tow year moratorium called for in the ordinance began last year with one more year to go. Unless the Board directs otherwise, we will adhere to the original ordinance, which means no changes can be made for at least another year.

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Ms. Rowe asked if this would create an expense on the County.
Mr. Poe stated that under the Ordinance the property owner is responsible for the cost of the new sign.
It was consensus of the Board to go by the October 2011 date.
REPORTS AND RECOMMENDATIONS OF THE COUNTY ATTORNEY
None.
REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR
REDUCTION IN AID TO LOCALITIES
Mr. Poe reported that the General Assembly met is special session on November 10, 2014 to take up budgetary matters as a result of low revenue estimates and transportation funding. The General Assembly decided to re-establish a reduction in the aid to localities. Lee County's portion is going to be \$47,204.00, which is cut from 12 to 15 different areas. In the past the County has written a check to the State in the lump sum amount. We have to notify them by January 1 how we are going to handle the reduction. Additional information will be provided at the December Meeting.
REPORTS AND RECOMMENDATIONS OF THE BOARD BLUE SPRING ROAD
Mr. Bailey asked about Blue Spring Road.
Mr. Poe advised the last email from VDOT stated that they were stock piling material off other roads to try to build that road up.
Mr. Bailey stated they are stocking piling, but they are also reducing the space people can park.
Mr. Bailey wished everyone a Happy Thanksgiving.
SEMINARY VOTING HOUSE
Mr. Slemp thanked Gary Collingsworth for getting the Seminary Voting House finished in time for the elections.

# STICKLEYVILLE SCHOOL COMMUNITY CENTER ASSOCIATION



# 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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## ECONOMIC DEVELOPMENT FUND

It was moved by Mr. Bailey, seconded by Ms. Rowe, to approve \$15,000 from the Economic Development Fund to an un-named Industrial Development prospect contingent on IDA approval. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Mosley Ms. Rowe, Mr. Slemp

#### **SOCIAL SERVICES SIGN**

It was the consensus of the Board to allow the County Administrator to check on a new sign for Social Services.

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#### OLINGER CONVENIENCE CENTER

It was consensus of the Board to authorize to County Administrator proceed with negotiations to acquire property for the Convenience Center site near Olinger.

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It was moved by Mr. Mosley, seconded by Ms. Rowe, to adjourn. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Mosley, Ms. Rowe, Mr. Slemp