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 February 18, 2014 at 5:00 p.m. thereof.

MEMBERS PRESENT: Charles Slemp, Jr., Chairman

Carl Bailey Jason Crabtree Larry Mosley Tina Rowe

MEMBERS ABSENT: None

OTHERS PRESENT: C. M. Callahan, Jr., County Attorney

Dane Poe, County Administrator Jeny Hughes, Administrative Assistant

OTHERS ABSENT: None

INVOCATION

Dane Poe, County Administrator, led in the Invocation.

PLEDGE TO THE FLAG

Dane Poe led the Pledge to the Flag.

MEETING CALLED TO ORDER

The meeting was called to order at 5:06 p.m.

DEPARTMENTAL REPORTS

TRANSFER STATION

Gary Collingsworth, Transfer Station Supervisor, reported that the trash collected in January 2014 was 875.92 tons and the tire collection 5.33tons. Mr. Collingsworth stated that the 2010 garbage truck was in shop and is scheduled to be completed this week; there have been several issues and repairs on this truck. With the assistance of the regional municipal sales representative, there has been some help on the past few repairs, and he is working on getting help on some of the remaining repair bills. Dumpster repairs are still being made, with 81 still left to repair. He stated the new Boom Truck was delivered on January 23 without the skid plate, but that has now been put on. He added that he and the Litter Coordinator met with schools in January and February, and he had been back in contact with those schools as follow up. Mr. Collingsworth stated that he arranged to have a truck be at the School Board to remove the school books and that project is completed. He added that most illegal dumpsites have now been located and will be cleaned up through the Litter department; however the Wampler Hollow site will need both departments.

Mr. Mosley asked how many hours were on the 2010 truck, and if it is back in service.
Mr. Collingsworth stated that there are around 8,800 hours, and it is still in the shop for repair on a bad head gasket. Because it has been in the shop numerous times, he will be meeting with the sales man to review the bills to see if the County could possibly get some relief on the repair bills.
Mr. Mosley stated that the truck has been a problem since it was purchased.
Mr. Slemp asked about hauling gravel.
Mr. Collingsworth stated that they will be ready to start hauling tomorrow and he hoped to be able to get caught up if the weather cooperated.
LITTER AND RECYCLING
Josh Fleenor, Litter Control Coordinator, reported that there were 71 in the Community Service program with 21 participants, 259 bags were collected. He added that no one completed the program, no one was removed for inactivity, and he had signed five people up. He reported that he had met with some schools, picked up some trash along the roads and had picked up recycling. He stated that the Wampler Hollow dumpsite could not be cleaned this week, so he will reschedule and that will be the first illegal site to be cleaned up. He added that the opening for the Stone Creek Outdoor Classroom will be held on Thursday, April 24, 2014 from 10:00 am to 12:00 pm. He added that one complaint has been closed because there was no trash or mold at the location.
Mr. Bailey stated that there are several roads in the western end of the county that needs attention, and asked that pickups be stepped up on the back roads.
Ms. Rowe asked if the list of illegal dumpsites was complete.
Mr. Fleenor stated that he is still working on that.
Ms. Rowe asked if he had thought about contacting the Post Offices about placing recycling containers there.
Mr. Fleenor stated that the post office has to be in agreement, and he believes that some of the post offices are sending some of their stuff back to Bristol for recycling.

	Mr. Slemp asked if shredded paper can be recycled.
	Mr. Fleenor stated yes.
	Mr. Mosley asked if the problem in Ocoonita had been taken care of.
	Mr. Fleenor stated it was taken care of.
	CONSTITUTIONAL OFFICERS
	TREASURER'S REPORT
Report	It was moved by Ms. Rowe, seconded by Mr. Slemp, to approve the Treasurer's as presented. Upon the question being put the vote was as follows.
	VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp
	The Treasurer's Report for the month of January 2014 was submitted as follows:
	Revenues \$ 4,623,795.88
	Expenditures \$ 5,259,015.17
	General Fund \$ 13,078,437.95 Total Assets and Liabilities \$ 18,315,720.70
	PUBLIC EXPRESSION
would	The Chairman opened the floor for public comment and advised that each speake be limited to a three minute time period for individuals, five minutes for group.
	Bob Bost, Jonesville, Lee County Chamber of Commerce, invited the Board to lan Mansion on Thursday February 20, 2014 at 12:00 pm for a presentation on the Memorial University Veterinarian School.
commu	Jill Carson, Pennington, addressed the Board about the health care forum that was Pennington Gap in November. Ms. Carson stated that at that meeting the unity was told that there would be an urgent care facility within a few weeks, and ple would like to know the status of that project.
behalf,	Mr. Crabtree stated that the doctor that made that comment spoke on his own and not ARH's behalf.

Ms. Carson stated that the Board should tell the community some of the details.
Ms. Rowe stated that the Board of Supervisors was not invited to the forum, and did not know what those involved were going to say. She added that the public does need to know that the board is still working on it.
Mr. Bailey stated the Board is working on this, but is also trying to get something that will stay in the County. Senator Warner's office and Delegate Kilgore's office are trying to work on this. We are working to get something in the community, while making sure it is something that will stay in the community.
Mr. Crabtree stated that Wellmont owns the building and they may or may not be willing to sell. There is a company interested in coming to the county, and they wish to remain anonymous until things are worked out. Right now we are being assured by our representatives that something positive will be coming this way.
Mr. Slemp stated that health care is the number one priority of this board.
Ms. Carson stated that not everybody hears that, and the Board should address this in a public way.
Ms. Rowe stated that it has been discussed at meetings, and sometimes it is after the media has left. She added that if the public has any questions or concerns they should contact their district supervisors.
Mr. Bailey stated that this board started working the day of the announcement to close the hospital. The County has to have help from outside.
Mr. Poe stated that there are entities that are dealing with a great amount of uncertainty in their industry, so there is a lot of caution from both sides. Premature announcements can create a lot of harm, and before this Board can make an announcement, it has to be a done deal.
Ms. Carson stated that the people do not know what is going on and they want to hear that the Board is working on this.
Mr. Mosley stated that he spoke with the Governor earlier this month, and he is aware of our situation and he would help the County and that the Board is working on this.

Beth Davies, St. Charles, suggested that the Board put another message on the webpage letting the public know that this is still a priority.	he
There was no further public comment.	
The Chairman closed the floor for public comment.	
APPROVAL OF MINUTES	
It was moved by Mr. Mosley, seconded by Mr. Crabtree, to approve the min of the January 21, 2014 Annual Meeting. Upon the question being put the vote was follows.	
VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Sler	mp
APPROVAL OF REFUNDS	
It was moved by Mr. Bailey, seconded by Ms. Rowe, to approve the follow request for refunds. Upon the question being put the vote was as follows.	ing
Walter Eugene and Teresa Wright Rivers \$376.76 James E. Holcomb Jr. and Linda Holcomb \$82.02 Robert G. Whitt \$684.96	
VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slei	mp
PAYROLL	
The County Administrator reports that payroll warrants have been issued.	
APPROVAL OF DISBURSEMENTS	
It was moved by Mr. Bailey, seconded by Mr. Slemp, to approve the disbursements for the month of February in the amount of \$203,766.77. Upon the question being put the vote was as follows.	
VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Sler	mp
FINANCE	

MONTHLY APPROPRIATIONS

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

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

RESOLUTION MONTHLY APPROPRIATIONS 14-002

WHEREAS, the Lee County Board of Supervisors has approved the Lee County Public School Budget and Virginia Public Assistance Budget for FY2013-14; 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 March 31, 2014;

VIRGINIA PUBLIC ASSISTANCE

Federal/State Funds	\$ 5,978,599
Local Funds	
TOTAL VIRGINIA PUBLIC ASSISTANCE	\$ 7,055,661

LEE COUNTY PUBLIC SCHOOLS

Categorical Appropriation:

Instruction	\$ 23,912,714
Administration, Attendance and Health	1,721,521
Pupil Transportation	1,937,730
Operation and Maintenance	3,307,797
School Food Services	1,558,843
Facilities	460,218
Technology	712,278
Partially Self-Funded Insurance Fund	3,990,000
TOTAL	\$37,601,101
Source of Revenue:	
Federal Funds	\$ 4,066,300
State Funds	24,206,669
Other Funds	71,600
Self Insured Health Fund	3,990,000
Local Funds	4,561,621
Textbook Carryover Funds	704,911
TOTAL PUBLIC SCHOOLS	\$ 37.601.101
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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 and three months appropriations.

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 2013-2014.

SHERIFF DEPARTMENT

It was moved by Mr. Crabtree, seconded by Mr. Bailey, to approve a supplemental appropriation in the amount of \$4,340.00 to Fund 001, Donation Fund Expense, Line Item 4-001-31200-5899. Upon the question being put the vote was as follows.

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

SHERIFF DEPARTMENT

It was moved by Mr. Crabtree, seconded by Mr. Bailey, to approve a supplemental appropriation in the amount of \$9,346.42 to Fund 001, in the following line items. Upon the question being put the vote was as follows.

Line Item 4-001-31200-1145	\$8	,682.24
Line Item 4-001-31200-2110	\$	664.18

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

SHERIFF DEPARTMENT

It was moved by Mr. Crabtree, seconded by Mr. Bailey, to approve a supplemental appropriation in the amount of \$16,302.38 to Fund 001, in the following line items. Upon the question being put the vote was as follows.

Line Item 4-001-31200-1345	\$9,799.88
Line Item 4-001-31200-5885	\$6,502.50

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

SHERIFF DEPARTMENT

It was moved by Mr. Crabtree, seconded by Mr. Bailey, to approve a supplemental appropriation in the amount of \$75,000.00 to Fund 001, in the following line items. Upon the question being put the vote was as follows.

Line Item 4-001-31200-1140	\$52	2,600.00
Line Item 4-001-31200-2100	\$ 3	3,816.00
Line Item 4-001-31200-2210	\$ 6	5,318.00
Line Item 4-001-31200-2300	\$10	0,911.00
Line Item 4-001-31200-2400	\$	253.00
Line Item 4-001-31200-2600	\$	382.00
Line Item 4-001-31200-2700	\$	720.00

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

DEPARTMENT OF SOCIAL SERVICES

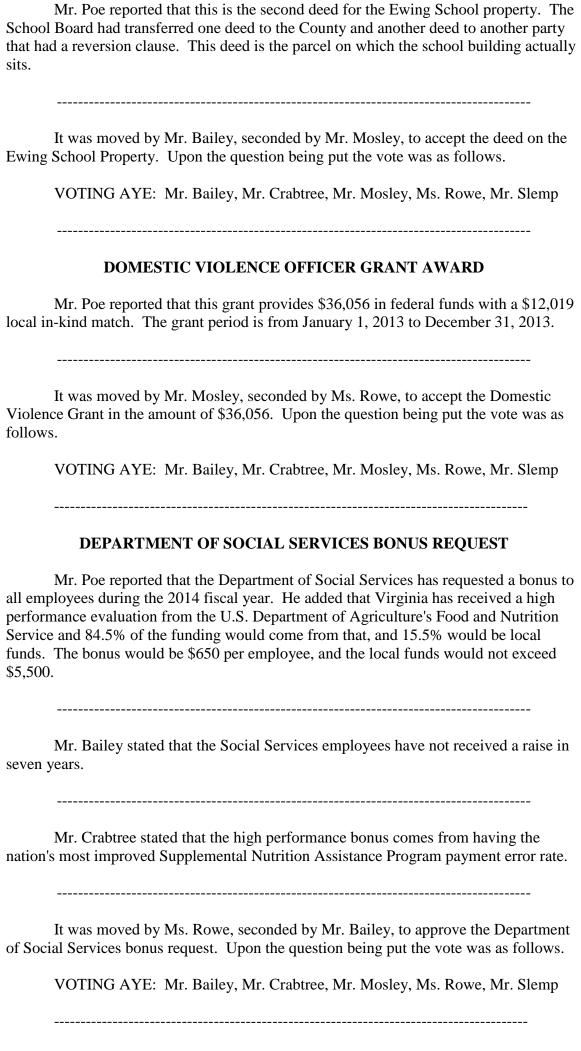
It was moved by Mr. Crabtree, seconded by Mr. Bailey, to approve a supplemental appropriation in the amount of \$115,000.00 to Fund 002, in the following line items. Upon the question being put the vote was as follows.

	Line Item 4-002-53100-0004 \$30,000.00 Line Item 4-002-53100-0012 \$85,000.00
	VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp
	IMAGINATION LIBRARY
	It was moved by Mr. Crabtree, seconded by Mr. Bailey, to approve a mental appropriation in the amount of \$5,000.00 to Fund 025, Imagination Library ses, Line Item 4-025-61322-6020. Upon the question being put the vote was as s.
	VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp
	NEW BUSINESS
	BOARD APPOINTMENTS
	LONESOME PINE OFFICE ON YOUTH
until n	It was moved by Mr. Mosley, seconded by Mr. Crabtree, to table this appointment ext month. Upon the question being put the vote was as follows.
	VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp
	DISABILITY SERVICES BOARD
	It was moved by Mr. Mosley, seconded by Mr. Slemp, to appoint Billie onds to a three-year term on the Disability Services Board. Ms. Hammond's term pire November 30, 2016. Upon the question being put the vote was as follows.
	VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp
	LEE COUNTY PUBLIC SERVICE AUTHORITY
until n	It was moved by Ms. Rowe, seconded by Mr. Bailey, to table this appointment ext month. Upon the question being put the vote was as follows.
	VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp
	REDEVELOPMENT AND HOUSING AUTHORITY
	It was moved by Ms. Rowe, seconded by Mr. Slemp, to table this appointment
until n	ext month. Upon the question being put the vote was as follows.

ACCEPTANCE OF EWING DEED

Line Item 4-002-53100-0004

\$30,000.00



REQUEST TO ABANDON RIGHT OF WAY

Mr. Poe reported he has received a request from a property owner that the Board consider the abandonment of a portion of a right of way in the Hickory Flats area. The

property owner owns all of the surrounding property and would like the right of way abandoned. He added that a public hearing is required.
It was the consensus of the Board to hold a public hearing to abandon the right of way.
TOURISM DIRECTOR APPLICATION DEADLINE
Mr. Poe reported that deadline for applications for the Tourism Director position is February 24. The applications can be copied and mailed out the following day for the Board to review. Interviews could be scheduled the week of March 10.
SOLID WASTE DISPOSAL AND TRANSPORTATION PROPOSALS
Mr. Poe reported that the deadline for receipt of proposal for disposal and transportation of solid waste is March 4, 2014. Since these are proposals and not bids, they will not be publicly opened. If the Board schedules interviews for Tourism Director the week of March 10, the proposals could also be taken up in closed session at that time. He added that the current contracts expire at the end of April.
Mr. Crabtree asked if there was a clause in the contract that provided for services beyond the contract expiration date or if the awards must be made before April 30
Mr. Poe stated that the contract expires on April 30, and the board should be able to award the contract prior to that time.
REPORTS AND RECOMMENDATIONS OF THE COUNTY ATTORNEY
None
REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR
CONSTRUCTION PROJECT UPDATE
Mr. Poe reported that he had a pre-bid meeting for the Circuit Courtroom with the architect, and there had been problems with their copier and were not able to deliver the plan sheets. The bid deadline has been moved out one additional week; bids are now due March 13. The Extension Office project will be advertised on March 2 and bids will be due on April 3. Court Services Unit has requested some changes to their office space, and the District Court Clerk's office designs are at a standstill, they aren't sure how they want it laid out. The Transfer Station designs will need additional things that may be best in the long run, and there will need to be a face to face meeting with the architect.

TRAILS PROJECT

Mr. Poe reported that there was a meeting last week with director and field operations manager with the Trails Authority. There has not been any progress made with the coal companies on easements. It is the recommendation of the field operations manager to go ahead and move forward with the easements that were obtained for phase I of the project and do a stacked trail to keep the project moving forward. He added that Lane has prepared a task order that provides for services to confirm existing and any additional easement needed, meetings regarding the Erosion and Sediment permits, and any railroad and river crossings needed. The cost for this task order would be \$8,500.
Ms. Rowe stated the Town of Pennington Gap is working on Phase I but they may be without an engineer and could possibly be requesting to use the County's engineering services under a separate task order with the Town reimbursing the County since the County has already went through procurement. She added that she would like to see everyone working together on this project because it will be a good economic development project.
Mr. Poe stated that the construction cost would come out of the money from the Tobacco Commission funds, so this would be reimbursable.
It was moved by Ms. Rowe, seconded by Mr. Mosley, to approve Lane Engineering's Task Order 14-01 in the amount of \$8,500. Upon the question being put the vote was as follows. VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp
STORMWATER MANAGEMENT
Mr. Poe reported that there was a bill entered in both the House and the Senate to create exemptions for counties that do not have a MS4 management system in place. The exemption would allow these counties to turn the stormwater management back over to DEQ. The House Bill has passed the House and has crossed over to the Senate, and the Senate bill has passed and crossed over to the House. It does have an emergency clause which means it would become effective immediately. The County did provide Daniel Boone Soil and Water Conservation with additional funding for overseeing stormwater management and erosion and sediment control. Mr. Poe suggests leaving erosion and sediment with Daniel Boone and turning stormwater over to DEQ.
Mr. Crabtree asked if there is a July 1, 2015 deadline on this program.
Mr. Poe stated there were all kinds of bills entered. Some of those were to delay implementation until July 2015, and out of that came legislation that would exempt some counties.
Mr. Mosley stated that this is one of the topics that was discussed at the Governor's Transition Committee. There are approximately 78 counties that do not have the MS4.

COMMUNITY FACILITIES GRANT

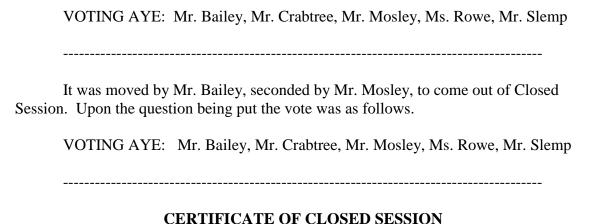
Mr. Poe reported that he been contacted by a representative from Rural Development regarding the Community Facilities Grant Program. In the past the County has utilized this grant to purchase cruisers for the Sheriff's Department and the County again has priority status on the grant. If we submit an application now, it could take a few months to be awarded and we would have six months from the time it is awarded to expend the funds which would take us into the next fiscal year. The grant amount would be \$50,000 with a local match of \$12,500. It could be used to purchase three cruisers for the Sheriff's Department. He added that we have nine cruisers of the same year model that may need to be replaced and this would provide for three of those.

Ms. Rowe asked if all cruisers could be procured at the same time, and paid for out of the different funds.
Mr. Poe stated they could all be procured at the same time.
It was moved by Ms. Rowe, seconded by Mr. Mosley, to apply for the Community Facilities Grant from Rural Development. Upon the question being put the vote was as follows.
VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp
BEECH GROVE BRIDGE
Mr. Poe stated that the Beech Grove Bridge is under construction, and the engineer has realized there could be a project savings if the bridge was closed for two weeks. The closure will probably be around the first part of April.
IDA COMMITTEE
Mr. Poe reported that a few years back a couple members from the IDA and a couple Board of Supervisors members would meet periodically to keep each other up to date on business. The IDA is requesting that these meetings be started again. He added that board members need to be appointed to a committee for these meetings.
It was moved by Ms. Rowe, seconded by Mr. Crabtree, to appoint Mr. Mosley and Mr. Bailey on the committee to meet with the IDA members. Upon the question being put the vote was as follows.
VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

CLOSED SESSION

It was moved by Mr. Bailey, seconded by Mr. Crabtree, 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, and Section 2.2-3711 A. 6., the investing of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected. Upon the question being put the vote was as follows.



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.

REPORTS AND RECOMMENDATIONS OF THE BOARD

ANIMAL CONTROL

It was moved by Mr. Crabtree, seconded by Ms. Rowe, to purchased two protective weapons for the Animal Control Officers. Upon the question being put the vote was as follows.

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

SOUTHWEST REGIONAL RECREATIONAL AUTHORITY

Ms. Rowe reported that there have already been 200 day passes and 640 permits sold for St. Paul. She suggested having a Trails Committee, and maybe a have a citizen from each district attend the meetings. She added that she had been appointed to serve as the Treasurer for the Authority.

It was moved by Ms. Rowe, seconded by Mr. Slemp, to appoint Jason Crabtree and Tina Rowe to the Trails Committee. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp
PROMISE ZONE GRANT
Ms. Rowe stated she had been contacted by a citizen about this grant, and because it was a little bit much for just Lee County to do, she did contact LENOWISCO to make them aware of it. It would possibly be something that could help all surrounding counties.
Mr. Poe stated that it is for areas to develop and improve their economic development initiative. He added that this grant program has no money involved as they provide staff assistance only.
AGRITOURISM
Ms. Rowe stated that agritourism might be something worth looking into.
Mr. Bailey stated that he has been thinking of having chair lifts at Wilderness Road State Park up to Hensley Settlement. He added that it is hard to start businesses right now; there is good opportunity to get tourism started.
AWARENESS MONTHS
Ms. Rowe stated she would like to promote awareness on lesser-known diseases. She added that Chiari is a neurological disease, there is no awareness for it, and she would like to start an awareness month for Chiari.
Mr. Crabtree stated that the Board could pick one a month and post it to the website.
Mr. Bailey stated to make it in April so that there is more time to work on it.
SCHOOL PROPERTY
Mr. Mosley suggested getting rid of the doublewide at Stickleyville School.
It was the consensus of the board to move forward with selling the doublewides at Stickleyville and Ewing Schools.

BOARD ATTENDANCE

Mr. Mosley stated that the Board of Zoning is having a hard time getting a quorum at the meetings.
Mr. Poe stated he would check the attendance records.
LITTER ALONG HIGHWAY 58
Mr. Mosley advised that litter was very visible along a portion of Highway 58 just east of Jonesville and requested the solid waste hauling contractor be contacted to insure this was not coming from their trucks. Mr. Mosley also requested Mr. Poe check with VDOT to see if more "Do Not Litter" or littering penalty signs could be posted along the highways.
DILAPIDATED PROPERTY
Mr. Bailey requested Mr. Poe to check with the Building Inspector or Litter Control Officer about a dilapidate property near Snavely Subdivision.
It was moved by Mr. Mosley, seconded by Mr. Crabtree to recess until March 12, 2014 at 5:00 pm. Upon the question being put the vote was as follows.

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