

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

At the Regular Meeting of the Lee County Board of Supervisors in the General District Courtroom of the Lee County Courthouse on October 20, 2015 at 5:00 p.m. thereof.

MEMBERS PRESENT: Carl Bailey, Chairman  
Jason Crabtree  
Larry Mosley  
Tina Rowe  
Charles Slempp, Jr.

MEMBERS ABSENT: None

OTHERS PRESENT: Dane Poe, County Administrator  
C.M. Callahan, Jr., County Attorney  
Jeny Hughes, Administrative Assistant

OTHERS ABSENT: None

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**INVOCATION**

Dane Poe, County Administrator, led in the invocation.

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**PLEDGE TO THE FLAG**

Rick Callahan led the Pledge to the Flag.

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**MEETING CALLED TO ORDER**

The meeting was called to order at 5:05 p.m.

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**PUBLIC HEARINGS**

**PROPOSED AMENDMENT TO FY 2015-2016 BUDGET**

The Lee County Board of Supervisors held a public hearing on Tuesday, October 20, 2015 at 5:00 p.m. in the General District Courtroom of the Lee County Courthouse,

Jonesville, Virginia. The purpose of the public hearing was to solicit public comment on a proposed amendment to the Fiscal Year 2015-2016 Budget. The Lee County School Board has requested a supplemental appropriation in the amount of \$785,000.00 which requires no local match. The requested appropriation is the result of approval of an application to participate in the Community Eligibility Provision through the National School Lunch Program which will provide funding to provide meals at no charge to all elementary school students in Lee County.

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The Chairman opened the floor for public comment.

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There was no public comment.

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The Chairman closed the floor for public comment.

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Mr. Bailey stated that this is part of the Elementary lunch programs, and depending on its success, next year it will include the Middle Schools and High Schools.

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It was moved by Ms. Rowe, seconded by Mr. Crabtree, to approve the Supplemental Appropriation Resolution in the amount of \$785,000.00. 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  
15-034**

**LEE COUNTY SCHOOL BOARD  
SUPPLEMENTAL APPROPRIATION**

**WHEREAS**, Lee County Public Schools has been notified by the Virginia Department of Education of approval of \$785,000.00 in eligible reimbursement to provide breakfast and lunch at no charge to all elementary school students;

**NOW, THEREFORE, BE IT RESOLVED**, the Lee County Board of Supervisors grants a supplemental appropriation to the 2015-16 School Budget in the amount of \$785,000.00 to the School Food Services category with no local matching funds required;

**BE IT FURTHER RESOLVED**, that the revised total Lee County School Board appropriation for the 2015-16 fiscal year be increased from Thirty Nine Million, Four Hundred Eighteen Thousand, Eight Hundred Thirty Seven Dollars and Eighty Six Cents (\$39,418,837.86) to Forty Million, Two Hundred Three Thousand, Eight Hundred Thirty Seven Dollars and Eighty Six Cents (\$40,203,837.86).

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**AMEND THE AGENDA**

It was moved by Mr. Bailey, seconded by Mr. Crabtree, to amend the agenda to hear delegations before Departmental Reports. Upon the question being put the vote was as follows.

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

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**DELEGATIONS**

**MOUNTAIN EMPIRE COMMUNITY COLLEGE  
DR. SCOTT HAMILTON**

Dr. Hamilton reported that Mountain Empire is one of the few schools that has an increase in enrollment this semester. The goal of Mountain Empire is student success and the facility and staff are having more interaction with the students to create that success.

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Mr. Mosley stated that the increase in enrollment speaks well of Dr. Hamilton and his staff.

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Ms. Rowe stated that her son just returned from military duty and enrolled in college at Mountain Empire and the Mountain Empire staff has helped in getting him settled back into civilian life.

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**DANIEL BOONE SOIL AND WATER CONSERVATION  
ROGER ELKINS AND BOBBY BURCHETT**

Bobby Burchett stated that since June 1, 2015 the Daniel Boone Soil and Water Conservation District has installed 49,511 feet of fence, 840 square feet of stream crossing, 26,537 feet of pipe line, 24 watering troughs, 5 wells, 6 pumping stations, 5 reservoirs, 400 linear feet of division fence and 1 acre of critical area treatment. The practices paid totaled over \$306,000 and \$462,000 is obligated but has not been completed.

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Roger Elkins stated that the District has been working with DMME on Acid Mine drainage, during the current period the district has overseen the dispensation of a little over \$175,000 in payments for limestone channels, diversion ditches, stream protection, mine seals, and limestone drains. These projects were part of a grant, which is now complete, bringing the total spent over the life of the grant to \$935,000. The District has renewed its agreement for the Cedars Powell River Russell Sawmill Remediation project with the Virginia Economic Development Partnership in the amount of \$22,800 to oversee developing a remediation plan for that project.

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Mr. Mosley asked if that is on Curt Russell Road.

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Mr. Elkins stated that it is the former site of the sawmill and before that it was an oil refinery. This money will allow the District to administer a plan on how to remove and dispose of the hazardous materials.

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Ms. Rowe thanked the District for all of their efforts.

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Mr. Bailey asked how someone could qualify to get a well for cattle.

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Mr. Elkins stated that anybody is eligible to apply, there is a site visit, and a ranking sheet is completed for the project. Projects that are the highest ranking will be awarded and that decision comes from Richmond.

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**PARENTS ADVOCACY AND ADVISORY COUNCIL  
TERESA BARRINGER**

Ms. Barringer was unable to attend the meeting.

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**EWING ELEMENTARY SCHOOL BUILDING  
DAVID THOMPSON, EWING COMMUNITY GROUP**

David Thompson stated that the Ewing School is vacant which presents a situation to the community for education and training. He is involved in several local organizations that could benefit from the use of building. Mr. Thompson is asking the Board for a lease on Ewing School similar to those granted for Keokee and Stickleyville. He also requested the Board consider donating the property to the community group.

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Mr. Mosley stated that there are several steps that have to be taken before the property can be given to the group.

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Mr. Thompson stated that he is aware of the steps for the 501(c) 3 designation.

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Ms. Rowe stated that she was excited about having a group wanting to use the building for the community and she would support the efforts of this group.

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Mr. Bailey stated that the group needs to get a formal name and file for the 501(c) 3 designation.

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Mr. Poe stated that the group needs to follow up with an attorney that will help with the 501(c)3, and the group is looking for the approval of the Board allowing volunteers to go on to the property and begin cleanup if they sign waivers. He added that the formal name of the group would be Appalachians for Resource and Technology Stewardship (ARTS)

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It was moved by Mr. Bailey, seconded by Ms. Rowe, to express the Board's intent to donate the Ewing School property to the ARTS group upon their obtaining 501(c)3 status and to allow them to begin using the property upon signing liability waivers. Upon the question being put the vote was as follows.

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

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## **DEPARTMENTAL REPORTS**

### **BUILDING CODE OFFICIAL**

Keith Herring, Building Code Official, stated that his department issued 107 Building Permits, collected \$9,411.50 in permit fees and made 194 construction site visits with only one violation.

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### **E-911**

Alan Bailey, E-911 Director, reported that there had been 4,785 calls received in dispatch with 630 of those being 911 calls and 482 of those being wireless 911 calls. The new radios have been installed; the last unresolved issue with Jonesville Rescue Squad will not be fixed until the capacitors are installed. An invoice for Spilman for over \$17,000 has been received on the CAD system, this amount was budgeted last year but it was not paid because the updates were been completed until this year. There is a personnel module add-on that the Sherriff's Department would like to add for \$2,000. Texting-2-911 is now working, however AT&T wireless customers must have a data plan and the location feature must be turned on, and cannot be working off of wifi. The Texting-2-911 is mainly for the hearing impaired, poor cell reception areas or extreme situations where an individual is afraid of giving away their location to an assailant. Under next generation 911, phone providers will be abandoning the analog telephone network, it will rely local on geospatial data for routing calls, and the 911 Services Board will be working to determine a sustainable funding model for all 911 services.

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Mr. Poe asked when the Spilman bill is due and if there is a deadline on notifying Spilman on the personnel module.

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Mr. Bailey stated that he did not have a copy of the invoice with him so he is unsure of the due date, and the quote for the personnel module is good until December 31, 2015.

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Mr. Poe stated he would look at last year's budget to see if there is money that needs to be re-appropriated to cover the \$17,000.

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### **EXTENSION OFFICE**

Jeannie Mullins, Extension Office Agent, reported that the 4-H camp was held in July with 77 children from Lee County attending, there were 4-H displays set up at the fair, and the agent has begun the Citizenship Project for the 4th and 5th graders. The Agent held a Master Gardener's class, helped with the 4-H livestock club, held a hog, poultry and rabbit show and conducted a Pasture Walk in the Sticklelyville area. The Extension Agent held sewing classes, home food preservations classes, provided in-service training for Head Start teachers for MyPlate, and conducted three workshops for youth making jams, jellies and quick breads.

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### **CONSTITUTIONAL OFFICERS**

#### **TREASURER'S REPORT**

The Treasurer's Report for the month of September 2015 was submitted as follows:

Revenues	\$ 4,916,793.47
Expenditures	\$ 5,318,706.47
General Fund	\$ 6,095,657.56
Total Assets and Liabilities	\$ 11,425,769.23

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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, five minutes for a group.

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Leonard Bowen, Jasper Volunteer Rescue Squad, stated that the Rescue Squad is almost ready to start running, but needs to purchase some equipment and supplies before they can start. Mr. Bowen asked the Board for \$7,900 to purchase a 13-lead LED Monitor/Defibrillator unit and other supplies and equipment for start up.

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Mr. Poe stated that there had been \$10,000 budgeted for Jasper Rescue Squad but it will take Board action to release the funds since they have no prior operating activities to report.

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It was moved by Mr. Slempp, seconded by Ms. Rowe, to give Jasper Volunteer Rescue Squad \$10,000. Upon the question being put the vote was as follows.

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

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There was no further public comment.

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The Chairman closed the floor for public comment.

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### **MINUTES**

It was moved by Mr. Slempp, seconded by Mr. Mosley, to approve the minutes from the September 15, 2015 Regular Meeting and the October 7, 2015 Recessed Meeting. Upon the question being put the vote was as follows.

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

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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. Mosley, seconded by Ms. Rowe, to approve the disbursements for the month of October in the amount of \$682,614.05. Upon the question being put the vote was as follows.

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

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**FINANCE**

**MONTHLY APPROPRIATIONS**

It was moved by Ms. Rowe, seconded by Mr. Slemph, 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. Slemph

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**RESOLUTION**  
**MONTHLY AND QUARTERLY APPROPRIATIONS**  
**15-032**

**WHEREAS**, the Lee County Board of Supervisors has approved the Lee County Public School Budget and Virginia Public Assistance Budget for FY2015-16; 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 November 30, 2015;

Federal/State Funds	\$ 7,082,972
Local Funds	<u>1,292,948</u>
<b>TOTAL VIRGINIA PUBLIC ASSISTANCE</b>	<b>\$ 8,375,920</b>

**LEE COUNTY PUBLIC SCHOOLS**

Categorical Appropriation:

Instruction	\$ 24,512,881
Administration, Attendance and Health	2,038,267
Pupil Transportation	1,862,995

Operation and Maintenance	3,213,825
School Food Services	1,589,425
Facilities	449,000
Technology	1,262,110
Partially Self-Funded Insurance Fund	<u>4,200,000</u>

TOTAL \$39,128,503

Source of Revenue:

Federal Funds	\$ 4,639,454
State Funds	24,889,483
Other Funds	39,100
Self Insured Health Fund	3,750,000
Local Funds	5,040,466
Textbook Carryover Funds	<u>770,000</u>

TOTAL PUBLIC SCHOOLS \$ 39,128,503

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.

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 2015-2016.

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**NEW BUSINESS**

**BOARD APPOINTMENTS**

**INDUSTRIAL DEVELOPMENT AUTHORITY**

It was moved by Mr. Mosley, seconded by Mr. Bailey, to appoint Wayne Bonham to an un-expired term on the Industrial Development Authority. Mr. Bonham's term will expire July 31, 2017. Upon the question being put the vote was as follows.

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

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**LONESOME PINE OFFICE ON YOUTH**

It was moved by Mr. Slempp, seconded by Mr. Mosley, to re-appoint Victoria Sage to a one-year appointment on the Lonesome Pine Office on Youth Board. Ms. Sage's term will expire September 30, 2016. Upon the question being put the vote was as follows.

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

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

It was moved by Ms. Rowe, seconded by Mr. Mosley, to re-appoint Kaylee Garrett to a one-year appointment on the Lonesome Pine Office on Youth Board. Ms. Garrett's term will expire September 30, 2016. Upon the question being put the vote was as follows.

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

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#### **SOUTHWEST VIRGINIA HEALTH AUTHORITY**

It was moved by Mr. Slempp, seconded by Mr. Mosley, to table this appointment until next month. Upon the question being put the vote was as follows.

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

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#### **ST. CHARLES WATER AUTHORITY**

It was moved by Ms. Rowe, seconded by Mr. Slempp, to re-appoint Coy Scalf and Lyndon Livesay to a four-year term on the St. Charles Water Authority. Mr. Scalf's term will expire September 30, 2019 and Mr. Livesay's term will expire October 31, 2019. Upon the question being put the vote was as follows.

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

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#### **NEW TRANSFER STATION PAY REQUEST NUMBER 5**

Mr. Poe reported that he received Green Construction Company's Pay Request No. 5 in the amount of \$48,579.61 for work performed to date on the new Transfer Station project. The architect has reviewed and approved the request for payment and Mr. Poe recommends it to be approved.

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It was moved by Mr. Mosley, seconded by Mr. Slemp, to approve Green Construction Company's Pay Request Number 5 in the amount of \$48,579.61. Upon the question being put the vote was as follows.

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

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**RESOLUTION REGARDING STORMWATER MANAGEMENT OPT OUT STATUS**

Mr. Poe stated that in 2014 the General Assembly adopted a provision to allow certain counties and cities to opt out and transfer administration and enforcement of the Stormwater Management Program to the Virginia Department of Environmental Quality. Recent developments within the DEQ Stormwater Stakeholder Advisory Group indicates there may be a recommendation to the General Assembly to eliminate the "opt out" provision and require all localities to implement, administer and enforce their own stormwater programs. A resolution opposing potential recommendations to eliminate the "Opt Out" status for administration of the Virginia Stormwater Management Program would need to be adopted.

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Ms. Rowe left the meeting at 6:12 p.m.

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It was moved by Mr. Mosley, seconded by Mr. Slemp, to adopt resolution 15-033. Upon the question being put the vote was as follows.

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

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**RESOLUTION  
15-033**

**WHEREAS**, many localities are increasingly concerned over the Commonwealth of Virginia's expanding reliance upon localities for the administration, implementation and enforcement of regulations promulgated at the state level; and

**WHEREAS**, over the past several years, many changes have been made to the environmental laws in the Commonwealth of Virginia, including legislation imposing unfunded and underfunded mandatory local obligations regarding erosion and sediment control, the Chesapeake Bay Act and most recently, the significant expansion of the Virginia Stormwater Management Program (VSMP); and

**WHEREAS**, many localities in Virginia expressed concern to their state government delegation about the reasonableness, efficacy and costs of implementing the Commonwealth's expanded Stormwater Management Program and other environmental regulations at the local level; and

**WHEREAS**, many localities in Virginia have expressed concern regarding the liability they incur by becoming the VSMP plan approving authority, as well as the inestimable costs and responsibilities of the perpetual maintenance of abandoned stormwater facilities required or implied through the expanded Stormwater Management Program; and

**WHEREAS**, the Senate of Virginia and the Virginia House of Delegates, in response to local government concerns, both passed by wide margins amendments to the Virginia Stormwater Management Program under House Bill 1173 / Senate Bill 423, which amendments allow local governments to choose either to manage their own Stormwater Management Programs or to "Opt Out", leaving the administration, implementation and enforcement of the Program to the Virginia Department of Environmental Quality (DEQ). These were both Omnibus Bills with broad and unequivocal support from DEQ, Environmental Groups and representatives from the Construction/Development community; and

**WHEREAS**, the Governor of the Commonwealth of Virginia signed House Bill 1173 / Senate Bill 423 on March 24, 2014, and the bill was enacted immediately with an emergency clause contained therein; and

**WHEREAS**, upon enactment, the Commonwealth of Virginia's lead environmental regulatory agency, the DEQ was established as the Commonwealth's VSMP Authority. The DEQ is the stormwater permitting authority and has the responsibility to implement, administer, and enforce the Commonwealth's environmental regulations in a uniform, consistent, efficient and timely manner across the Commonwealth; and

**WHEREAS**, the Board of Supervisors of Lee County, along with 54 other localities in Virginia, voted in 2014 to "Opt Out" of administering their own stormwater management program, leaving the administration of the Program to DEQ; and

**WHEREAS**, following the 2014 legislation, a Stormwater Advisory Group was convened and charged with making recommendations regarding consolidation and implementation of the Virginia's Water Regulations, including Stormwater and Erosion and Sediment Control, to the 2016 General Assembly; and

**WHEREAS**, the Stormwater Advisory Group is largely comprised of representatives from the environmental community, engineers and DEQ staff and lacks sufficient representation from Virginia's "Opt Out" localities and Chesapeake Bay Act localities; and

**WHEREAS**, while the Stormwater Advisory Group should be commended for their months of hard work, and in particular for the work on consolidating various environmental programs into one program under DEQ administration, the Group has focused a significant amount of time recently and has become sidetracked of late with a discussion on the benefits to DEQ of repealing the statutory right to "Opt Out" provided by the 2014 legislative amendments to the Virginia Stormwater Management Program and thereby returning to localities the responsibility of plan implementation, administration, and enforcement; and

**WHEREAS**, a recommendation to repeal the statutory "Opt Out" constitutes nothing less than nullification by committee of the legislative action clearly embodied in the 2014 Omnibus legislation, nullification of a right guaranteed by both houses of the General Assembly and the Governor, and would require that each and every locality in the Commonwealth administer a separate version of the Virginia Stormwater Management Program, thus resulting in inconsistency, inefficacy and a cumulative burden that will increase both in size and cost each year, constituting nothing short of a significantly expensive and burdensome unfunded or underfunded mandate; and

**WHEREAS**, DEQ has opined that Chesapeake Bay localities who exercise the statutory right to "Opt Out" receive an additional burden not shared by other localities by being forced to administer a local Stormwater Program for land disturbance projects between 2,500 square feet and 1 acre;

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Supervisors of Lee County strongly opposes any recommendation or effort to reverse or amend the action taken by the 2014 General Assembly in affording to Virginia's counties and cities the statutory right to "Opt Out" of administering the Virginia Stormwater Management Program, and further respectfully requests that the Stormwater Advisory Group support and seek implementation of the current law, and recommend that the statutory right to "Opt Out" be applied to all localities equally such that the Chesapeake Bay localities are not required to administer a local Stormwater Program for land disturbance projects between 2,500 square feet and 1 acre.

**BE IT FURTHER RESOLVED**, that the Board of Supervisors of Lee County strongly recommends that DEQ and the General Assembly impanel an additional stakeholder group, more representative of rural and Chesapeake Bay localities, to conduct a comprehensive review of the efficiency and efficacy of the implementation and delivery of state environmental regulations and programs, to make recommendation for revisions on the delivery and implementation of these programs, and, if appropriate, draft the

subsequent statutory and regulatory revisions, especially where the objective is to grant “Opt Out” alternatives to all localities equally.

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### **COMMUNITY CRIMINAL JUSTICE BOARD**

Mr. Poe stated that the County currently participates with Southwest Virginia Community Correction for court appointed community service work. Each participating County appoints one representative to the Community Criminal Justice Board and there are certain other appointments required by state code. Southwest Virginia Community Correction is requesting approval of the statutory appointments.

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It was moved by Mr. Mosley, seconded by Mr. Slemp, to make the following appointments to the Community Criminal Justice Board. Upon the question being put the vote was as follows.

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

Honorable Elizabeth S. Wills – Juvenile and Domestic Judge Representative  
Honorable Henry Vanover – Circuit Court Judge Representative  
Honorable V. Blake McKinney – District Court Judge Representative  
Mrs. Teresa Turner – Education Representative  
Chief John Austin – Chief of Police Representative  
Mary Hanzlik – Chief Magistrate Representative  
Sheriff David Bradley – Sheriff’s Representative  
Roy Evans – Commonwealth Attorney Representative  
Steve Clear – Regional Jail Representative  
Kevin Tiller – Defense Attorney Representative  
Sharon Alderson - Community Service Representative

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### **CONVENIENCE CENTER FENCING BIDS**

Mr. Poe reported that the County had requested bids for various Convenience Center fencing repairs and fence replacement at Blackwater, Keokee and St. Charles Convenience Centers. The bids came in as follows:

<u>New Image Fencing, Inc.</u>	
Blackwater Site	\$ 1,366.60
Keokee Site	\$ 6,670.20
St. Charles Site	<u>\$ 4,566.30</u>
Total Bid	\$12,603.10

<u>Mountain Empire Fence Company, Inc.</u>	
Blackwater Site	\$ 1,236.00
Keokee Site	\$ 4,548.00
St. Charles Site	<u>\$ 1,674.00</u>
Total Bid	\$ 7,458.00

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It was moved by Mr. Mosley, seconded by Mr. Crabtree, to award the Convenience Center Fencing Bid to Mountain Empire Fence Company, Inc. in the amount of \$7,458.00. Upon the question being put the vote was as follows.

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

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**ANIMAL CONTROL TRUCK BIDS**

Mr. Poe reported that the County requested bids for the planned replacement of the 2007 Chevrolet Colorado for Animal Control. The bid results are as follows:

<u>Freedom Chevrolet</u>	
2016 Chevrolet 1500, 4WD	\$25,500.00
<u>Fairway Ford</u>	
2016 Ford F-150, 4WD	\$ 23,840.00
<u>Tim Short Chrysler</u>	
2016 RAM 1500 Tradesman, 4WD	\$33,574.19

All bids received met the minimum specification advertised. \$30,000 has been included in the budget for this purchase and an animal carrier that will be purchased separately.

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It was moved by Mr. Mosley, seconded by Mr. Crabtree, to accept the bid from Fairway Ford for the 2016 Ford F-150 in the amount of \$23,840.00. Upon the question being put the vote was as follows.

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

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**BUILDING INSPECTOR VEHICLE BIDS**



Mr. Poe reported that the County requested bids for the planned replacement of the 2005 Chevrolet Equinox for the Building Inspector. The bid results are as follows:

<u>Freedom Chevrolet</u>	
2016 Chevrolet Equinox, AWD	\$23,050.00
<u>Fairway Chevrolet</u>	
2016 Chevrolet TRAX, AWD	\$ 24,700.00
<u>Fairway Ford</u>	
2016 Ford Escape, 4WD	\$23,160.00

All bids received met the minimum specification advertised. We budgeted a total of \$22,000 for the purchase of this vehicle. To offset the shortage, Mr. Poe requests a budget transfer from Miscellaneous and Contingency to Building Inspector, Capital Outlay for the cost difference.

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It was moved by Mr. Crabtree, seconded by Mr. Mosley, to accept the bid from Fairway Ford for the 2016 Ford Escape 4WD, in the amount of \$23,160 and to approve a budget transfer from Miscellaneous and Contingency to Building Inspector, Capital Outlay in the amount of \$1,160.00. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Mr. Slempp

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#### **DISABILITY AWARENESS MONTH PROCLAMATION**

Mr. Poe stated that the Junction Center for Independent Living has requested the Board consider adopting a Proclamation declaring October as Disability Awareness Month and recognizes this year as the 25th anniversary of passage of the Americans with Disabilities Act.

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

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Mr. Slempp

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**PROCLAMATION RECOGNIZING OCTOBER AS DISABILITY AWARENESS  
MONTH AND CELEBRATING THE TWENTY-FIFTH ANNIVERSARY OF  
THE AMERICANS WITH DISABILITIES ACT**

**WHEREAS**, twenty-five years ago, the Americans with Disabilities Act (ADA) reaffirmed the idea that all people are entitled to participate fully in our economy and democracy. A law deeply rooted in the principles of our Nation's founding, this landmark civil rights legislation recognized that all Americans have something to contribute to our story and deserve every chance to achieve their full potential. For a quarter-century, individuals have fought to realize this law's enormous promise, and with hard work, we have helped expand what is possible so more of our friends, colleagues, and family members can live full and independent lives; and

**WHEREAS**, the product of tremendous effort, struggle, and sacrifice, the passage of the ADA was a victory won by countless Americans who refused to accept the world as it was and, against great odds, organized a grassroots movement to enshrine the principle of equality into law. One of the most comprehensive civil rights bills in the history of our country, the ADA promises fairness, opportunity, and complete participation in all aspects of American life for individuals with disabilities. It secures each person's right to independence, and it enables our society and our economy to benefit from the talents and contributions of all Americans by clearing obstacles to employment, transportation, public services, telecommunications, and public accommodations; and

**WHEREAS**, this year, as we celebrate this important anniversary and honor all those whose courage and dedication have driven our County's progress, we recognize that our work to uphold the spirit and the letter of this law is not yet finished. In communities throughout our county, barriers that limit our neighbors' potential have been torn down, but too many continue to encounter discrimination and structural inequalities that prohibit them from pursuing their dreams. Young people with disabilities continue to experience bullying in schools. Americans with disabilities who want to and can work are too often denied the dignity of a job. And many working Americans with disabilities still live below the poverty line; and

**WHEREAS**, people with disabilities expect and want to have their own families, without the interference and ill effects of fears, myths, and stereotypes of others about disability on their ability to parent. And yet, research shows that parents with disabilities are the only community of Americans who must struggle to retain custody of their children, face significant barriers when attempting to adopt, and have great difficulty accessing reproductive health care, simply because of stereotypes and fears of disability; and

**WHEREAS**, people with disabilities, including graduating students with disabilities, expect and want to join the American workforce in competitive, integrated employment. Lee County is committed to creating and working toward meaningful

supports that can assist people with disabilities to enter integrated, competitive employment in the community; and

**WHEREAS**, people with disabilities expect and want to live in their homes, not nursing homes or institutions. Lee County is committed to those factors that can make a crucial difference between meaningful integration or segregation in the delivery of home and community based services; and

**WHEREAS**, disability is a natural part of the human experience that should not limit the opportunities for any American to make choices, pursue a meaningful career, live in the community, or to raise our own families. In the year of the anniversary of the ADA, the elected government of Lee County is committed to support the goals of the ADA – equality of opportunity, independent living, full participation, and economic self-sufficiency; and

**WHEREAS**, disability touches all of us. More than 50 million Americans have a disability, and living up to the principles of the ADA is an obligation we all share. Every person deserves equal access, equal opportunity, and equal respect, and we each must do our part to ensure our Nation's promise is within the reach of all Americans. As we reflect on 25 years of progress, let us reaffirm the inherent dignity and worth of every individual, and together, redouble our efforts to build a society where all things are possible for all people.

**NOW, THEREFORE, BE IT RESOLVED**, the Lee County Board of Supervisors, by virtue of the authority vested in us by the Constitution and the laws of the Commonwealth of Virginia, do hereby proclaim October 2015 as **DISABILITY AWARENESS MONTH** and recognize the Twenty-Fifth Anniversary of the Americans with Disabilities Act and encourage all residents of Lee County to celebrate the 25th anniversary of this civil rights law and applaud the many contributions of individuals with disabilities.

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### **RED RIBBON WEEK**

Mr. Poe stated that he received an email request from Cody Jackson, a LCpl Powers Young Marine and Founder and President of Operation 99 (also known as One Boy USO). Mr. Jackson stated that every year during the last week of October, Young Marines across the nation are on a mission to spread the word about the importance of fighting against the use and trafficking of illegal drugs. Red Ribbon Week is the Nation's oldest and largest drug prevention program, reaching millions of Americans. Red Ribbon Week is celebrated annually October 23 - 21. By wearing red ribbons and participating in community anti-drug events and collection proclamations, young people pledge to live a drug-free lifestyle and pay tribute to DEA Special Agent Enrique "Kiki" Camarena. Mr. Jackson is asking that the Board adopt a Proclamation designating the last week of October as Red Ribbon Week in Lee County.

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

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Mr. Slemp  
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**PROCLAMATION  
Red Ribbon Week**

**WHEREAS**, the Lee County Board of Supervisors value the health and safety of all our citizens; and

**WHEREAS**, substance abuse is particularly damaging to one of our most valuable resources, our children, and a contributing factor in the three leading causes of death for teenagers – accidents, homicides, and suicides; and

**WHEREAS**, it is the goal of Red Ribbon Week and the Lee County Board of Supervisors to involve families, schools businesses, churches, law enforcement agencies and service organizations in all aspects of this campaign and establish an atmosphere that supports awareness, education and on-going initiatives to prevent illegal drug use, and

**WHEREAS**, the Red Ribbon Week Campaign theme promotes family and individual responsibilities for living healthy, drug-free lifestyles, without illegal drugs or the illegal use of legal drugs, and

**NOW, THEREFORE, BE IT RESOLVED**, the Lee County Board of Supervisors do hereby proclaim October 23<sup>rd</sup> – 31<sup>st</sup>, 2015 as Red Ribbon Week and encourages all parents, citizens and youth of Lee County to take the Red Ribbon Pledge.

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**REPORTS AND RECOMMENDATIONS OF THE COUNTY ATTORNEY**

None.  
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**REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR**

None.

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**REPORTS AND RECOMMENDATIONS OF THE BOARD**

**LITTER IN ROSE HILL AREA**

Mr. Bailey stated that there are spots in the Rose Hill area that are being mowed by VDOT and it is making the litter on the sides of the roads more visible and asked that Josh Fleenor, Litter Control Coordinator check the area.

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**CLOSED SESSION**

It was moved by Mr. Bailey, seconded by Mr. Crabtree, to enter Closed Session pursuant to Section 2.2-3711 A.3., Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the 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.

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

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It was moved by Mr. Mosley, seconded by Mr. Crabtree, to come out of Closed Session. Upon the question being put the vote was as follows.

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

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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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**ECONOMIC DEVELOPMENT FUND REQUEST**

It was moved by Mr. Mosley, seconded by Mr. Crabtree, to approve a loan to the IDA from the Economic Development Fund in the amount of \$50,000 and the following Supplemental Appropriation. Upon the question being put the vote was as follows.

Revenue Source		
0-061-300-3000	Fund Balance-Economic Development	\$50,000
Expenditure		
4-061-94100-5899	ED Fund, IDA Expenses	\$50,000

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Mr. Slempp

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

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Mr. Slempp