

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 July 19, 2016 at 6:00 p.m. thereof.

MEMBERS PRESENT: Charles Slemple, Jr., Chairman
Nathan Cope
D. D. Leonard
Larry Mosley
Robert Smith

MEMBERS ABSENT: None

OTHERS PRESENT: Stacy Estep Munsey, County Attorney
Dane Poe, County Administrator
Jeny Hughes, Administrative Assistant

OTHERS ABSENT: None

INVOCATION

Mike Humfleet, Pastor of First Baptist Church of Jonesville, led in the invocation.

PLEDGE TO THE FLAG

Mr. Smith led the Pledge to the Flag.

MEETING CALLED TO ORDER

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

PUBLIC HEARING

Notice was given that on Tuesday, July 19, 2016, at 6:00 p.m., in the General District Courtroom of the Lee County Courthouse, the Lee County Board of Supervisors conducted a public hearing to solicit public input on a proposed Community Development Block Grant (CDBG) application to be submitted to the Virginia Department of Housing and Community Development for the Lee County Urgent Need - 2015 Winter Storm project. The project will involve repairs to certain residential structures within the county damaged as a result of February/March 2015 winter storm events. All interested citizens were encouraged to attend.

The draft CDBG proposal or a fact sheet was presented for comment along with information on projected beneficiaries, including the number of low- and moderate-income residents to benefit from the proposed project, and plans to minimize displacement. Citizens were also given an opportunity to comment on Lee County's past use of CDBG funds. A fact sheet on the project was also available at LENOWISCO Planning District Commission, Duffield, Virginia.

Frank Kibler, Lenowisco Planning District, stated that the Southwest Virginia Long Term Recovery Coalition has been able to make a list of damaged residential houses in the County that qualify through The Urgent Need Open Submission Program. This grant would assist with structural rehabilitation to three properties and substantial reconstruction on two properties totaling \$358,950.00. This would be all through CDBG funds with no financial commitment on the County.

The Chairman opened the floor for public comment.

There was no public comment.

The chairman closed the floor.

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

VOTING AYE: Mr. Cope, Mr. Mosley, Mr. Leonard, Mr. Slemph, Mr. Smith

**RESOLUTION IN SUPPORT OF
COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION
16-028**

LEE COUNTY URGENT NEED - 2015 WINTER STORM

WHEREAS, the County of Lee, Virginia, wishes to apply for \$358,950 in Virginia Community Development Block Grant (VCDBG) Urgent Need Open Submission (UNOS) funds for the “Lee County Urgent Need - 2015 Winter Storm” project; and

WHEREAS, this UNOS request represents the full anticipated cost of structural rehabilitation and/or substantial reconstruction of five (5) affected residential properties, as detailed within the funding application; and

WHEREAS, citizen participation requirements have been met through two duly advertised public hearings; and

WHEREAS, the project will meet the VCDBG National Objective of meeting community development needs having a particular urgency because existing conditions pose a serious, immediate, and ongoing threat to the community.

NOW, THEREFORE BE IT RESOLVED by the Board of Supervisors of Lee County, Virginia, that the County Administrator of Lee County, Virginia, is hereby authorized to sign and submit any and all appropriate documents relevant to this Virginia Community Development Block Grant proposal.

DEPARTMENTAL REPORTS

BUILDING INSPECTION

Keith Herring, Building Inspector, reported that his department issued 115 building permits, collected \$13,846.26 in permit fees and \$4,199.20 in contractor's tax. He made 292 construction site visits and had 2 violations.

E-911

Alan Bailey, E-911 Director, reported that there were 4,701 calls received in dispatch, 560 of which were 911 calls and 417 of those were wireless 911 calls. The Local Capability Assessment for Readiness and True-up call count for the State's 911 Services Board reports were due in June, the True-up amounts for 911 calls in Lee County were 6,634 with 4,832 of those being wireless 911 calls. These reports are mandatory to be eligible to receive any grant funding for projects. He added that there needs to be an additional appointment for the Regional Preparedness Advisory Council for Interoperability, this committee meets to approve any grant ideas before it can be submitted into State Homeland Grant Funding. The committee by-laws require a primary appointment and an alternate. Mr. Bailey is listed as the primary so there will need to be an alternate appointed. He gave the Board quotes from local vendors that can do all the needed work on the 911 signs.

Mr. Mosley asked how soon the appointment needs to be made.

Mr. Bailey stated that there is not a deadline on that.

Mr. Cope asked the quotes on the 911 signs.

Mr. Poe suggested doing a full evaluation and a full cost out on blades and posts.

EXTENSION OFFICE

Jeannie Mullins, Extension Agent, reported that the Agriculture Agent had 2 regional cattle working teams compete in Fort Chiswell, held a steer and heifer show, 2 master shepard classes for sheep and goat farmers, Beef Quality Assurance recertification with 56 participants, hosted visitors from Ireland and went to Ireland for 3 weeks to study the agriculture there. The 4-H agent held Share the Fun competition, Area 1 competition with 25 children from Lee County competing, she gave out 4-H Honor Cords and attended 4-H State Congress. The Family Nutrition Agent was recently hired and is in training. The Youth Program Assist worked with Kindergarten through 5th grades on nutrition programs. The Family Consumer Sciences Agent held an Edible Bouquet class, helped with a Master Food training class, helped with a class at Food City called Balanced Living with Diabetes. Ms. Mullins added that the Extension Office moved to their new location on July 1, they are very pleased and thankful to be at the new location.

TOURISM

Ashley Seals, Tourism Director, reported that the Funding Our Future grants were given out to three local businesses; the Heart of Appalachia has been promoting Lee County, working on redoing the motorcycle route, which is a three state ride. New rack cards have been placed, there will be digital billboards going up soon, and the Tourism

Committee is hoping to do a 2017 calendar for a fundraiser. The Committee is working with the Three Corner's Trail through the Cumberland Gap National Park, and with Cumberland Gap Regional Tourism Association. She introduced Carl Nichols, Director of the Cumberland Gap Regional Tourism Association. Mr. Nichols stated that the Association is trying to pull 10 Counties together to market the whole area, and talked about the economic impact tourism has on the economy.

CONSTITUTIONAL OFFICERS

TREASURER'S REPORT

The Treasurer's Report for the month of June 2016 was submitted as follows:

| | |
|------------------------------|-----------------|
| Revenues | \$ 5,453,116.78 |
| Expenditures | \$ 7,811,186.19 |
| General Fund | \$ 6,586,997.81 |
| Total Assets and Liabilities | \$12,440,807.01 |

PUBLIC EXPRESSION

The Chairman opened the floor for public comment and advised that each speaker would be limited to a three-minute time-period for individuals, and 5-minute time-period for a group.

There was no public comment.

The Chairman closed the floor.

APPROVAL OF MINUTES

It was moved by Mr. Cope, seconded by Mr. Smith , to approve the minutes of the June 15, 2016 Recessed Meeting, June 21, 2016 Regular Meeting, and the June 23, 2016 Recessed Meeting. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Cope, Mr. Mosley, Mr. Leonard, Mr. Slemp, Mr. Smith

APPROVAL OF REFUNDS

It was moved by Mr. Mosley, seconded by Mr. Cope, to approve the refund to Leon and Christine Manning in the amount of \$136.71. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Cope, Mr. Mosley, Mr. Leonard, Mr. Slemp, Mr. Smith

PAYROLL

The County Administrator reports that payroll warrants have been issued.

DELEGATIONS

**C-TRANS MEDICAL SERVICES
REQUEST FOR EMS OPERATION AUTHORITY
JEFFREY HUNDMAN**

Kip Freeman, owner of Friendship Ambulance Services, stated that Mr. Hundman was unable to attend the meeting. Mr. Freeman has entered into an agreement with Mr. Hundman for C-Trans to purchase Friendship Ambulance Services. He stated that this would not affect the services provided in Lee County.

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

VOTING AYE: Mr. Cope, Mr. Mosley, Mr. Leonard, Mr. Slemph, Mr. Smith

**RESOLUTION OF APPROVAL OF
EMERGENCY MEDICAL SERVICES ORGANIZATION
C-TRANS MEDICAL SERVICES
16-024**

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, C-TRANS Medical Services 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 C-TRANS Medical Services to provide these services;

NOW, THEREFORE, BE IT RESOLVED, the Lee County Board of Supervisors grants approval to C-TRANS Medical Services to establish emergency medical services within Lee County, subject to their compliance with regulations of the Commonwealth of Virginia.

**EWING COMMUNITY CENTER UPDATE
DAVID JONES**

David Jones, Appalachians for Resource and Technology Stewardship (ARTS), stated that the committee worked with the Western Lee Medical Clinic and bought a church building for \$25,000. ARTS hopes to offer adult education classes in September and later on hopes to be able to offer other services to the public. ARTS has applied for tax exempt status, but has found out they filed the incorrect forms and will be filing the correct forms with the IRS soon. They are in need of some money to help pay the bills until they can generate income, and asked the Board to consider helping for the next six month on basic expenses.

Mr. Smith asked how much the Committee is asking for.

Mr. Jones stated they are asking for \$5,000.

Mr. Smith asked the Board to grant the money to this center to help them get started.

Mr. Slemph stated that he is hesitant to give the money when the Committee does not have the 501(c)3 or the correct corporation status. He also advised that he was approached by the Stickleyville Community about a similar donation.

Mr. Smith advised the committee to get all of their paperwork and the 501(c)3 status and come back.

**AIR-EVAC COUNTYWIDE CONTRACT SERVICES
LEWIS MOORE**

Lewis Moore, Captain of Jonesville Rescue Squad, stated that when someone needs to go to the hospital it needs to be done quickly, and at times, the Rescue Squad cannot get the patient there fast enough and that is where the helicopters come in.

Jason Lundy, Air-Medcare Network, stated that they are an alliance of multiple air companies. In 2015, 116 Lee County residents were transported by air. This could cost the patient tens of thousands of dollars if they do not have insurance that will cover the charges. Air-Medcare offers a membership that removes the threat of all out of pocket expenses. There are several membership plans; household, group and municipal site plans. Air-Medcare is offering a municipal site plan for Lee County that would cover all residents that are flown out of Lee County for \$106,500 a year. If this plan were selected, households would be able to upgrade the plan for full coverage nationwide for \$35 a year.

Mr. Cope asked if the \$106,500 covered air transports in Lee County only.

Mr. Lundy stated that is correct, but they could look into adding an addendum that if the patient is being ground transported, crosses the county line and the need for air transport becomes necessary it would be covered if the ground transport originated in Lee County.

Mr. Cope stated that he would like to see the number that would cover the addendum.

APPROVAL OF DISBURSEMENTS

It was moved by Mr. Mosley, seconded by Mr. Smith, to approve the disbursements for the month of June in the amount of \$813,442.34. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Cope, Mr. Leonard, Mr. Mosley, Mr. Slemp, Mr. Smith

FINANCE

PRIOR YEAR SUPPLEMENTAL APPROPRIATIONS

SHERIFF'S DEPARTMENT

It was moved by Mr. Mosley, seconded by Mr. Smith, to approve a prior year supplemental appropriation in the amount of \$3,960.00 to the Sheriff's Department as follows. Upon the question being put the vote was as follows.

| | | |
|------------------|--------------------------|-------------|
| Revenue Source | | |
| 3-001-23020-0015 | VDOT Litter/Road Cleanup | \$ 3,960.00 |
| Expenditure | | |
| 4-001-31200-1350 | VDOT Road Crew Cleanup | \$ 3,960.00 |

VOTING AYE: Mr. Cope, Mr. Leonard, Mr. Mosley, Mr. Slemp, Mr. Smith

SHERIFF'S DEPARTMENT

It was moved by Mr. Mosley, seconded by Mr. Smith, to approve a prior year supplemental appropriation in the amount of \$6,450.00 to the Sheriff's Department as follows. Upon the question being put the vote was as follows.

| | | |
|------------------|-----------------------|-------------|
| Revenue Source | | |
| 3-001-18990-0002 | Sheriff's Donations | \$ 6,450.00 |
| Expenditure | | |
| 4-001-31200-5899 | Donation Fund Expense | \$ 6,450.00 |

VOTING AYE: Mr. Cope, Mr. Leonard, Mr. Mosley, Mr. Slemp, Mr. Smith

DSS CONTRIBUTIONS – VRS/SGL

It was moved by Mr. Mosley, seconded by Mr. Smith, to approve a prior year supplemental appropriation in the amount of \$24,726.50 to DSS Contributions-VRS/SGL as follows. Upon the question being put the vote was as follows.

| | | |
|------------------|-----------------------------------|--------------|
| Revenue Source | | |
| 3-001-19020-0002 | VRS-Social Services Contributions | \$ 23,129.02 |
| 3-001-19020-0003 | SGL-Social Services Contributions | \$ 1,597.48 |
| Expenditure | | |
| 4-001-91100-2210 | DSS-VRS Contributions | \$ 23,129.02 |
| 4-001-91100-2400 | DSS-SGL Contributions | \$ 1,597.48 |

VOTING AYE: Mr. Cope, Mr. Leonard, Mr. Mosley, Mr. Slemp, Mr. Smith

MISCELLANEOUS EXPENSES

It was moved by Mr. Mosley, seconded by Mr. Smith, to approve a prior year supplemental appropriation in the amount of \$245.70 to Miscellaneous Expenses as follows. Upon the question being put the vote was as follows.

Revenue Source
3-001-13030-0008 Building Permits \$ 245.70

Expenditure
4-001-92100-5870 Building Fund Expenses & Refunds \$ 245.70

VOTING AYE: Mr. Cope, Mr. Leonard, Mr. Mosley, Mr. Slemp, Mr. Smith

COAL ROAD IMPROVEMENT

It was moved by Mr. Mosley, seconded by Mr. Smith, to approve a prior year supplemental appropriation in the amount of \$130.53 to the Coal Road Improvement as follows. Upon the question being put the vote was as follows.

Revenue Source
3-027-12150-0001 Gas Severance Tax \$ 130.53

Expenditure
4-027-95100-5860 Gas Severance Tax Disbursements \$ 130.53

VOTING AYE: Mr. Cope, Mr. Leonard, Mr. Mosley, Mr. Slemp, Mr. Smith

AIRPORT EXPENDITURES

It was moved by Mr. Mosley, seconded by Mr. Smith, to approve a prior year supplemental appropriation in the amount of \$2,803.62 to Airport Expenditures as follows. Upon the question being put the vote was as follows.

Revenue Source
3-051-33070-0016 Taxiway Connectors \$ 2,803.62

Expenditure
4-051-94100-8135 Taxiway Connectors \$ 2,803.62

VOTING AYE: Mr. Cope, Mr. Leonard, Mr. Mosley, Mr. Slemp, Mr. Smith

BUDGET TRANSFERS

It was moved by Mr. Mosley, seconded by Mr. Slemp, to approve the following Prior Year Budget Transfer. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Cope, Mr. Leonard, Mr. Mosley, Mr. Slemp, Mr. Smith

From: 4-001-91400-5840 \$19,289.79

To: 4-001-12100-5530 \$ 155.21
 4-001-12240-5840 \$ 400.00
 4-001-12410-2300 \$ 1,346.36
 4-001-12530-2300 \$ 696.03
 4-001-31210-2300 \$ 450.69

| | |
|------------------|-------------|
| 4-001-31700-8105 | \$ 2,429.16 |
| 4-001-34100-1153 | \$ 3,354.99 |
| 4-001-34100-2300 | \$ 5,853.44 |
| 4-001-34100-5540 | \$ 262.87 |
| 4-001-71370-5899 | \$ 2,500.00 |
| 4-001-91500-5840 | \$ 332.13 |
| 4-056-94100-5860 | \$ 1,508.91 |

**SUPPLEMENTAL RE-APPROPRIATIONS
DRUG COURT EXPENDITURES**

It was moved by Mr. Cope, seconded by Mr. Smith, to approve a supplemental re-appropriation in the amount of \$6,102.69 to the Drug Court Expenditures as follows. Upon the question being put the vote was as follows.

| | | |
|------------------|-----------------------------|-------------|
| Revenue Source | | |
| 3-001-18990-0051 | Drug Court Donations & Fees | \$ 6,102.69 |
| Expenditure | | |
| 4-001-21120-5899 | Drug Court Expenses | \$ 6,102.69 |

VOTING AYE: Mr. Cope, Mr. Leonard, Mr. Mosley, Mr. Slemp, Mr. Smith

SHERIFF DEPARTMENT

It was moved by Mr. Cope, seconded by Mr. Smith, to approve a supplemental re-appropriation in the amount of \$2,183.31 to the Sheriff's Department as follows. Upon the question being put the vote was as follows.

| | | |
|------------------|-----------------------|-------------|
| Revenue Source | | |
| 3-001-18990-0002 | Sheriff's Donations | \$ 2,183.31 |
| Expenditure | | |
| 4-001-31200-5899 | Donation Fund Expense | \$ 2,183.31 |

VOTING AYE: Mr. Cope, Mr. Leonard, Mr. Mosley, Mr. Slemp, Mr. Smith

SHERIFF'S DEPARTMENT

It was moved by Mr. Cope, seconded by Mr. Smith, to approve a supplemental re-appropriation in the amount of \$47,739.31 to the Sheriff's Department as follows. Upon the question being put the vote was as follows.

| | | |
|------------------|-----------------------------------|--------------|
| Revenue Source | | |
| 3-001-23020-0009 | Sheriff's Miscellaneous Grant | \$ 47,739.31 |
| Expenditure | | |
| 4-001-31200-3145 | Attorney General Asset Forfeiture | \$ 47,739.31 |

VOTING AYE: Mr. Cope, Mr. Leonard, Mr. Mosley, Mr. Slemp, Mr. Smith

TOURISM

It was moved by Mr. Cope, seconded by Mr. Smith, to approve a supplemental re-appropriation in the amount of \$2,500.00 to Tourism as follows. Upon the question being put the vote was as follows.

| | | |
|------------------|---------------------------------|-------------|
| Revenue Source | | |
| 3-001-41050-0099 | Budget Supplements From Reserve | \$ 2,500.00 |

| | | |
|------------------|-------------------|-------------|
| Expenditure | | |
| 4-001-71370-5875 | Tourism Committee | \$ 2,500.00 |

VOTING AYE: Mr. Cope, Mr. Leonard, Mr. Mosley, Mr. Slemp, Mr. Smith

FINES & FORFEITURES

It was moved by Mr. Cope, seconded by Mr. Smith, to approve a supplemental re-appropriation in the amount of \$5,974.04 to Fines & Forfeitures as follows. Upon the question being put the vote was as follows.

| | | |
|------------------|---------------------------|-------------|
| Revenue Source | | |
| 3-007-14010-0004 | State Forfeiture Proceeds | \$ 5,974.04 |

| | | |
|------------------|---------------------------|-------------|
| Expenditure | | |
| 4-007-94100-5840 | State Forfeiture Proceeds | \$ 5,974.04 |

VOTING AYE: Mr. Cope, Mr. Leonard, Mr. Mosley, Mr. Slemp, Mr. Smith

FINES & FORFEITURES

It was moved by Mr. Cope, seconded by Mr. Smith, to approve a supplemental re-appropriation in the amount of \$2,356.00 to Fines & Forfeitures as follows. Upon the question being put the vote was as follows.

| | | |
|------------------|-----------------------------|-------------|
| Revenue Source | | |
| 3-007-14010-0016 | Unclaimed Evidence Proceeds | \$ 2,356.00 |

| | | |
|------------------|-----------------------------------|-------------|
| Expenditure | | |
| 4-007-94100-5845 | LCSSO Unclaimed Evidence Proceeds | \$ 2,356.00 |

VOTING AYE: Mr. Cope, Mr. Leonard, Mr. Mosley, Mr. Slemp, Mr. Smith

FINES & FORFEITURES

It was moved by Mr. Cope, seconded by Mr. Smith, to approve a supplemental re-appropriation in the amount of \$15.45 to Fines & Forfeitures as follows. Upon the question being put the vote was as follows.

| | | |
|------------------|-----------------------------|----------|
| Revenue Source | | |
| 3-007-14010-0005 | Federal Forfeiture Proceeds | \$ 15.45 |

| | | |
|------------------|-----------------------------|----------|
| Expenditure | | |
| 4-007-94100-5860 | Federal Forfeiture Proceeds | \$ 15.45 |

VOTING AYE: Mr. Cope, Mr. Leonard, Mr. Mosley, Mr. Slemp, Mr. Smith

FINES & FORFEITURES

It was moved by Mr. Cope, seconded by Mr. Smith, to approve a supplemental re-appropriation in the amount of \$3,763.55 to Fines & Forfeitures as follows. Upon the question being put the vote was as follows.

Revenue Source
3-007-14010-0006 Commonwealth Attorney Forfeiture \$ 3,763.55

Expenditure
4-007-94300-5840 Commonwealth Attorney Expenditure \$ 3,763.55

VOTING AYE: Mr. Cope, Mr. Leonard, Mr. Mosley, Mr. Slemp, Mr. Smith

FINES & FORFEITURES

It was moved by Mr. Cope, seconded by Mr. Smith, to approve a supplemental re-appropriation in the amount of \$372.05 to Fines & Forfeitures as follows. Upon the question being put the vote was as follows.

Revenue Source
3-007-14010-0006 Commonwealth Attorney Asset Forfeiture \$ 372.05

Expenditure
4-007-94300-5840 Commonwealth Attorney Expenditure \$ 372.05

VOTING AYE: Mr. Cope, Mr. Leonard, Mr. Mosley, Mr. Slemp, Mr. Smith

IMAGINATION LIBRARY

It was moved by Mr. Cope, seconded by Mr. Smith, to approve a supplemental re-appropriation in the amount of \$12,345.15 to the Imagination Library as follows. Upon the question being put the vote was as follows.

Revenue Source
3-025-12010-0001 Imagination Library Revenue \$ 12,345.15

Expenditure
4-025-61322-6020 Imagination Library Expenses \$ 12,345.15

VOTING AYE: Mr. Cope, Mr. Leonard, Mr. Mosley, Mr. Slemp, Mr. Smith

AMEND AGENDA

It was moved by Mr. Mosley, seconded by Mr. Leonard, to amend the agenda to move Resolution Authorizing Establishment of School Accounts to be taken up at this point. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Cope, Mr. Leonard, Mr. Mosley, Mr. Slemp, Mr. Smith

SCHOOL BOARD PRIOR YEAR CATEGORICAL TRANSFER

It was moved by Mr. Cope, seconded by Mr. Smith, to approve a Prior Year Categorical Transfer in the amount of \$300,732.00 to the School Board as follows. Upon the question being put the vote was as follows.

| | |
|--|--------------|
| From: | |
| Instruction | \$300,732.00 |
| To: | |
| Administration, Attendance, and Health | \$169,302.00 |
| Health Insurance Fund | \$131,430.00 |

VOTING AYE: Mr. Cope, Mr. Leonard, Mr. Mosley, Mr. Slemp, Mr. Smith

RESOLUTION AUTHORIZING ESTABLISHMENT OF SCHOOL ACCOUNTS

Mr. Poe reported that on July 14, 2016, the Lee County School Board approved a request to establish accounts at individual schools for the purchase of instructional supplies. This will allow a more streamlined purchase process for these materials and should result in more prompt payment to vendors. All expended funds must be properly accounted for before any additional funds are transferred to an individual school account.

In order for the School Board to implement this policy, State Code requires approval by the governing body.

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

VOTING AYE: Mr. Cope, Mr. Leonard, Mr. Mosley, Mr. Slemp, Mr. Smith

RESOLUTION AUTHORIZING ESTABLISHMENT OF SCHOOL BOARD ACCOUNTS 16-025

WHEREAS, the pursuant to Section 22.1-122.1 of the *Code of Virginia*, 1950, as amended, a school board may establish accounts in each of its departments and schools committed solely for the purchase of instructional materials and office supplies; and

WHEREAS, on or about July 14, 2016, the Lee County School Board adopted such a policy and directed the Division Superintendent to develop procedures for administration of such funds; and

WHEREAS, before such policy can go in to effect, the governing body of the locality must approve such policy, and the School Board has requested the Board of Supervisors to do so:

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Lee County, Virginia that the Lee County School Board's policy of establishing accounts in each of its departments and schools committed solely for the purchase of instructional materials and office supplies is approved, provided however that it must administer these funds in strict accordance with the provisions of the *Code of Virginia* of 1950, as amended, and generally accepted accounting standards

The Chairman called a recess.

The meeting was called back to order.

NEW BUSINESS

BOARD APPOINTMENTS

COAL HAUL ROAD COMMITTEE

It was moved by Mr. Leonard, seconded by Mr. Mosley, to re-appoint Jimmy Woodard to a four-year term on the Coal Haul Road Committee. Mr. Woodard's term will expire July 30, 2020. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Cope, Mr. Leonard, Mr. Mosley, Mr. Slempp, Mr. Smith

INDUSTRIAL DEVELOPMENT AUTHORITY

It was moved by Mr. Slempp, seconded by Mr. Mosley, to re-appoint Paul Johnson to a four-year term on the Industrial Development Authority Board. Mr. Johnson's term will expire July 30, 2020. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Cope, Mr. Leonard, Mr. Mosley, Mr. Slempp, Mr. Smith

INDUSTRIAL DEVELOPMENT AUTHORITY

It was moved by Mr. Cope, seconded by Mr. Leonard, to re-appoint Greg Edwards to a four-year term on the Industrial Development Authority Board. Mr. Edwards' term will expire July 30, 2020. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Cope, Mr. Leonard, Mr. Mosley, Mr. Slempp, Mr. Smith

PROTECTING OUR SCHOOLS GRANT AWARDS

Mr. Poe reported that he received notification of grant award renewal for the Protecting Our Schools Grant. The grant is used to pay the salaries and benefits of the two School Resource Officers. For the current fiscal year, this grant is 25% Federal funds and 75% Local funds. This will be the last year of this grant as it completes the four-year award allowed by the Byrne/JAG Program.

It was moved by Mr. Slempp, seconded by Mr. Leonard, to accept the Protecting Our Schools Grant Award. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Cope, Mr. Leonard, Mr. Mosley, Mr. Slempp, Mr. Smith

**PLANNING DISTRICT ONE BEHAVIORAL SERVICES
PERFORMANCE CONTRACT**

Mr. Poe reported that Planning District One Behavioral Health Services is responsible for the provision of behavioral and developmental services for the Planning District One region. State code requires local approval of their biennial Performance Contract with the State for those services. Planning District One Behavioral Health has submitted the Performance Contract for FY 2017 and FY 2018 for approval.

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

VOTING AYE: Mr. Cope, Mr. Leonard, Mr. Mosley, Mr. Slemp, Mr. Smith

**RESOLUTION
COMMUNITY SERVICES BOARD PERFORMANCE CONTRACT
16-023**

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

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

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

WHEREAS, Section 37.2-508 of the Code of Virginia, 1950, as amended, further requires every operating Community Services Board to submit its annual performance contract to each political subdivision that established it as an agency for the political subdivision's approval prior to submission of the Contract to the Department; and

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

WHEREAS, the Planning District One Community Services Board has submitted its FY2017 and FY2018 biennial Community Services Board Performance Contract to the Lee County Board of Supervisors for approval;

NOW, THEREFORE, BE IT RESOLVED, that the Lee County Board of Supervisors hereby approves the Planning District One Community Services Board FY2017 and FY2018 Performance Contract.

**MEMORANDUM OF UNDERSTANDING FOR ACID MINE DRAINAGE
TREATMENT**

Mr. Poe reported that in May of this year, staff met with Micronics Technologies, Inc. of Wise, VA regarding the failure of traditional treatment systems for a small acid mine drainage site on Ely's Creek near Pennington Gap. This was one of several Acid Mine Drainage affected sites that have been addressed either by the Army Corp of Engineers or the Daniel Boone Soil and Water Conservation District. The Division of Mines, Minerals, and Energy has also been a close partner in these projects.

Micronics uses a different technology to treat Acid Mine Drainage than traditional natural filtration and has proposed that they may be able to develop a system that would work at the M&H site where traditional treatment is not working. They would like to enter into a Memorandum of Understanding with the County and the Division of Mines, Minerals, and Energy to allow them to enter this site for sampling and treatment purposes and develop a treatment system that would bring the mine drainage to an acceptable level to release in the local water stream. This would be a pilot project with no obligation by the County to purchase the treatment system; however, that would be an option if the pilot is successful.

Mr. Slemph asked if there was another system like this in use.

Janet Kennedy, Micronics, stated that there is another one starting in Wise County also.

Mr. Mosley asked what the cost would be if the County wanted to keep the system.

Ms. Kennedy stated that there is no definite cost right now, they would sell it at cost plus 10%.

It was moved by Mr. Mosley, seconded by Mr. Slemph, to approve the Memorandum of Understanding for Acid Mine Drainage Treatment with Micronics and the Division of Mines, Minerals, and Energy. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Cope, Mr. Leonard, Mr. Mosley, Mr. Slemph, Mr. Smith

Mr. Poe stated that Micronics is also requesting a letter of support for grant from the Tobacco Commission.

It was consensus of the Board to provide a letter of support to Micronics.

STATE BUDGET RE-FORECAST

Mr. Poe stated that due to revenues falling short of the projections, he has been advised that raises budgeted for Compensation Board funded employees may be in jeopardy. These raises were scheduled to take effect December 1, 2016. The revenue shortfall triggers a re-forecasting of the State budget and a final report will not be available until after the House Appropriations, House Finance, and Senate Finance Committees meet on August 26. School employee raises were also based on revenue projections and could be affected.

WORLD WAR I AND WORLD WAR II COMMEMORATION COMMITTEE

Mr. Poe reported that he received a letter from the Virginia World War I and World War II Commemoration Commission regarding planning of programs and events to commemorate the anniversaries of these two wars and honor their veterans. They are requesting all localities to participate and create a committee for this purpose. This is not mandatory but if the Board wishes to participate, appointments will need to be made as soon as possible.

Mr. Mosley stated that this needs to be looked into.

Mr. Poe stated that there are some grants available for activities, if the Board is interested it needs to think about appointments.

Mr. Cope stated anything to honor these veterans would be good.

RESOLUTION AUTHORIZING ESTABLISHMENT OF SCHOOL ACCOUNTS

This matter was taken up earlier in the meeting.

REQUEST FOR ECONOMIC DEVELOPMENT FUNDS

Mr. Poe stated that this matter needs to be taken up in closed session under investing of public funds.

EXTENSION OFFICE PAY REQUEST NUMBER 5

Mr. Poe reported that he has received the final pay request from Haynes and Son Construction for the new Extension Office in the amount of \$22,002.50. This is full payment, including all retainage. The architect recommends payment of this request, and Mr. Poe concurs.

It was moved by Mr. Cope, seconded by Mr. Smith, to approve the Final Pay Request to Haynes and Son Construction Company in the amount of \$22,002.50. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Cope, Mr. Leonard, Mr. Mosley, Mr. Slemp, Mr. Smith

WORKPLACE SAFETY

Mr. Poe reported that there would be a Workplace Safety Workshop on August 17, 2016 from 10:30 a.m. to 12:00 p.m. at the Pennington Gap Community Center.

REPORTS AND RECOMMENDATIONS OF THE COUNTY ATTORNEY

None.

REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR

None.

REPORTS AND RECOMMENDATIONS OF THE BOARD

DISTRICT 1 BRIDGE NAMING

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

VOTING AYE: Mr. Cope, Mr. Leonard, Mr. Mosley, Mr. Slemph, Mr. Smith

RESOLUTION

16-026

WHEREAS, Claude B. Keys was born in 1915 in Rose Hill, Virginia, one of ten children born to Daniel Sheffey Keys and Dailey Shackelford Keys; and

WHEREAS, Mr. Keys attended Rose Hill High School before moving to Tennessee in 1940 for employment and the opportunity to play minor league baseball; and

WHEREAS, Mr. Keys enlisted in the United States Army on February 13, 1942 and completed his military training at Fort Oglethorpe, Georgia; and

WHEREAS, Mr. Keys was assigned to the 82nd Airborne Division, 507th Parachute Regiment, 1st Battalion Headquarters Company as a Private First Class; and

WHEREAS, on June 6, 1944 at 02:44 hours, as part of the Normandy invasion, PFC Keys boarded a C-47 Transport at Fulbeck Airfield, England as part of the 9th A.F. – IX Troop Carrier Command, Mission BOST whose target was the Utah Beach Area – Drop Zone T; and

WHEREAS, PFC Keys was reported Missing in Action as noted by Missing Air Crew Report #42-92415 and was later confirmed as Killed in Action on June 6, 1944; and

WHEREAS, PFC Claude B. Keys was interred in the Normandy American Cemetery, Colleville-sur-Mer, France, Plant H, Row 14, Grave 33;

NOW, THEREFORE, BE IT RESOLVED, to commemorate the brave service and sacrifice of PFC Claude B. Keys to country and countrymen, the Lee County Board of Supervisors respectfully requests the Commonwealth Transportation Board and the Virginia Department of Transportation formally designate the Old Route 58 (Dr. Thomas Walker Road) bridge over Martin’s Creek in the eastern portion of Rose Hill, Virginia as the “PFC Claude B. Keys Memorial Bridge”.

DISTRICT 3 BRIDGE NAMING

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

VOTING AYE: Mr. Cope, Mr. Leonard, Mr. Mosley, Mr. Slemp, Mr. Smith

**RESOLUTION
16-027**

WHEREAS, Reed Williams was born March 5, 1940 near Jonesville, Virginia, the son of George E. “Babe” Williams and Ola DeVault Williams; and

WHEREAS, Mr. Williams graduated from Jonesville High School in 1957 and joined the United States Army serving in the 82nd Airborne, 504th Parachute Infantry obtaining the rank of Sergeant before his honorable discharge in 1963; and

WHEREAS, during his military service, Mr. Williams joined the paratroopers to earn the extra “jump pay” in order to send this money home to his parents for the care of his handicapped brother Howard White Williams. Mr. Williams continued his passion for the care of the handicapped throughout his lifetime by making numerous charitable contributions and for 15 years gave his brother a birthday party featuring “Jim & Jesse & the Virginia Boys”. He also established the Howard White Williams Scholarship Fund at Mountain Empire Community College, Milligan College and The University of Virginia-College at Wise for handicapped students only in memory of his brother; and

WHEREAS, Mr. Williams operated a construction contractor business in northern Virginia for many years before returning home to Lee County in 1981 to establish Old Virginia Hand Hewn Log Homes, Inc. with his wife Judy Huff Williams, delivering over 1,500 homes to 35 states and donating fellowship halls to two local churches as well as restoration work for others. Old Virginia is currently headquartered in Pennington Gap and employs approximately 30 local residents. Mr. Williams also established Axehandle, LLC, a land developing company, whose profits were donated to the Shriners Hospital for Crippled Children in Greenville, Tennessee; and

WHEREAS, Mr. Williams remained supportive of the United States military throughout his lifetime and was instrumental in the design, fundraising, and construction of the Lee County Veterans Memorial Wall located at Cumberland Bowl Park in Jonesville, Virginia. Over \$300,000 was raised for this project which displays the names of 197 service men from Lee County killed in service to their country as well as nearly 2,000 bricks with the names of Lee Countians who have served their country; and

WHEREAS, Mr. Williams was a member of numerous military, civic and charitable organizations including the 82nd Airborne Association, 504 Parachute Infantry Regiment Association, Preston Lodge #47, Miles Lodge #167, Martin Station Lodge #188, McPherson Lodge #99, Powell Valley Shrine Club, Jericho Shrine Temple, Kazim Shrine Temple, Order of Easter Star Powell Valley #13, Sons of Confederate Veterans, American Legion, Lee County Optimist Club, Woodway Ruritan Club, Lions Club, VFW Bugler and others; and

WHEREAS, Mr. Williams departed this life on January 24, 2016;

NOW, THEREFORE, BE IT RESOLVED, to commemorate the life of Reed Williams, the Lee County Board of Supervisors respectfully requests the Commonwealth Transportation Board and the Virginia Department of Transportation formally designate the Route 640 bridge over Shafer Creek just east of Route 643 as the “Reed Williams Memorial Bridge”.

CLOSED SESSION

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

VOTING AYE: Mr. Cope, Mr. Leonard, Mr. Mosley, Mr. Slempp, Mr. Smith

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

VOTING AYE: Mr. Cope, Mr. Leonard, Mr. Mosley, Mr. Slempp, Mr. Smith

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.

ECONOMIC FUND LOAN

It was moved by Mr. Mosley, seconded by Mr. Slempp, to approve a loan to The Bates Family Farm in the amount of \$50,000.00 from the Economic Development Fund. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Cope, Mr. Leonard, Mr. Mosley, Mr. Slempp, Mr. Smith

HOSPITAL AUTHORITY LOAN

It was moved by Mr. Mosley, seconded by Mr. Leonard, to approve a loan to the Lee County Hospital Authority in the amount of \$75,000 at 0% interest. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Cope, Mr. Leonard, Mr. Mosley, Mr. Slempp, Mr. Smith

PARALEGAL

It was moved by Mr. Mosley, seconded by Mr. Leonard, to hire Diane Roberts as Paralegal for the Circuit Court Judge at the annual salary \$42,000. Ms. Roberts is hired on a one-year probationary period and will begin her employment on August 1, 2016. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Cope, Mr. Leonard, Mr. Mosley, Mr. Slemph, Mr. Smith

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

VOTING AYE: Mr. Cope, Mr. Leonard, Mr. Mosley, Mr. Slemph, Mr. Smith

CHAIRMAN OF THE BOARD

CLERK OF THE BOARD