

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 May 16, 2017 at 6:00 p.m. thereof.

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

MEMBERS ABSENT: None

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

OTHERS ABSENT: None

INVOCATION

Dane Poe, County Administrator, led in the Invocation.

PLEDGE TO THE FLAG

Charles Slemp led the Pledge to the Flag.

MEETING CALLED TO ORDER

The meeting was called to order at 6:02 p.m.

CONSTITUTIONAL OFFICERS

TREASURER'S REPORT

The Treasurer's Report for the month of April 2017 was submitted as follows:

Revenues	\$ 5,037,618.82
Expenditures	\$ 5,647,516.19
General Fund	\$ 6,170,935.37
Total Assets and Liabilities	\$12,514,596.43

PUBLIC EXPRESSION

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

There was no public comment.

The Chairman closed the floor for public comment.

APPROVAL OF MINUTES

It was moved by Mr. Slempp, seconded by Mr. Mosley, to approve the minutes of the April 18, 2017 Regular Meeting. Upon the question being put the vote was as follows.

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

It was moved by Mr. Mosley, seconded by Mr. Slempp, to approve the minutes of the April 27, 2017 Recessed Meeting. Upon the question being put the vote was as follows.

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

PAYROLL

The County Administrator reports that payroll warrants have been issued.

APPROVAL OF DISBURSEMENTS

It was moved by Mr. Slempp, seconded by Mr. Mosley, to approve the disbursements for the month of April in the amount of \$103,028.55. Upon the question being put the vote was as follows.

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

DELEGATIONS

**BUDGET REQUEST
BOBBY BURCHETT
DANIEL BOONE SOIL AND WATER CONSERVATION**

Mr. Burchett was unable to attend the meeting.

**OFFICE SPACE REQUEST
JANIE DOCKERY
MOUNTAIN EMPIRE OLDER CITIZENS, INC.**

Janie Dockery, Children’s Services Director, addressed the Board about the possible use of office space in the Courthouse. She stated that the office suites that were used by the Department of Social Services with the observation room would be ideal for their needs of interviewing children.

Mr. Slempp asked if this would provide treatment or just for investigations.

Ms. Dockery stated that it would be only for investigations at this time, the child would need to go to Big Stone Gap for treatment.

It was moved by Mr. Cope, seconded by Mr. Leonard, to allow MEOC Children’s Services to use the office space. Upon the question being put the vote was as follows.

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

FINANCE

SUPPLEMENTAL APPROPRIATIONS

GENERAL EXPENSES

It was moved by Mr. Cope, seconded by Mr. Mosley, to approve a supplemental appropriation in the amount of \$20,591.70 to the General Expenses as follows. Upon the question being put the vote was as follows.

Revenue Source		
3-001-41050-0099	Budget Supplements from Reserve	\$ 20,591.70

Expenditure		
4-001-91500-5840	Disbursements General Expenses	\$ 20,591.70

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

MISCELLANEOUS EXPENSES

It was moved by Mr. Cope, seconded by Mr. Mosley, to approve a supplemental appropriation in the amount of \$354.58 to the Miscellaneous Expenses as follows. Upon the question being put the vote was as follows.

Revenue Source		
3-001-13030-0008	Building Permits	\$ 354.58

Expenditure		
4-001-92100-5870	Building Fund Expenses & Refunds	\$ 354.58

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

DEPARTMENT OF SOCIAL SERVICES

It was moved by Mr. Cope, seconded by Mr. Mosley, to approve a supplemental appropriation in the amount of \$85,000.00 to the Department of Social Services as follows. Upon the question being put the vote was as follows.

Revenue Source

3-002-24010-0005	State & Federal Funding	\$ 85,000.00
Expenditure		
4-002-53100-0012	Adoption Subsidy (F/S)	\$ 85,000.00

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

ELYDALE WATER PROJECT

It was moved by Mr. Cope, seconded by Mr. Mosley, to approve a supplemental appropriation in the amount of \$38,433.10 to the Elydale Water Project as follows. Upon the question being put the vote was as follows.

Revenue Source		
3-055-16030-0001	Elydale Water Project –CDBG	\$ 10,442.10
3-055-16030-0002	Elydale Environmental Reimbursement	\$ 2,500.00
3-055-16030-0003	Elydale Water Project – ARC	\$ 25,491.00
Expenditure		
4-055-94900-3410	Elydale Environmental Review - ARC	\$ 2,500.00
4-055-94900-8210	Elydale Water WL Expenditures - ARC	\$ 25,491.00
4-005-94900-8212	Elydale Water WL Expenditures - CDBG	\$ 10,442.10

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

NEW BUSINESS

BOARD APPOINTMENTS

LONESOME PINE OFFICE ON YOUTH

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

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

LONESOME PINE OFFICE ON YOUTH

It was moved by Mr. Cope, seconded by Mr. Mosley, to re-appoint Judy Hatmaker to a four-year term on the Lonesome Pine Office on Youth board. Ms.

Hatmaker's term will expire on May 31, 2021. Upon the question being put the vote was as follows.

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

EMERGENCY MANAGEMENT COORDINATOR

It was moved by Mr. Mosley, seconded by Mr. Cope, to re-appoint Alan Bailey to a two-year term as Emergency Management Coordinator. Mr. Bailey's term will expire on May 31, 2019. Upon the question being put the vote was as follows.

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

SOCIAL SERVICES REQUEST FOR SALARY SUPPLEMENT

Mr. Poe reported that the Department Social Services is requesting approval to provide a salary supplement to their employees during the 2016-2017 Fiscal Year. This is a onetime payment and would be issued in equal amounts, which is expected to be \$650.00 per employee.

It was moved by Mr. Mosley, seconded by Mr. Slemph, to approve the salary supplement to the Department of Social Services. Upon the question being put the vote was as follows.

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

UNITED WAY IGNITE PROGRAM FUNDING REQUEST

Mr. Poe reported the United Way of Southwest Virginia is requesting funding support for their Ignite Program's Careers Expo for Youth and Operation Tomorrow's Workforce. The request is for \$2,500.00 and the goal is to provide 7th grade students hands on demonstrations for job skills.

Mr. Slemph asked how many students from this area would participate in the program.

Mr. Poe stated that the hope is to impact 4,000 students from Southwest Virginia, but he could check into the number from Lee County.

It was moved by Mr. Slemp, seconded by Mr. Leonard, to table this matter until it can be looked into further. Upon the question being put the vote was as follows.

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

JOINT MEETING WITH HOSPITAL AUTHORITY

Mr. Poe reported that the Hospital Authority has requested a joint meeting with the Board of Supervisors on Tuesday May 23, 2017. Mr. Poe added that he received an email late this afternoon stating that the meeting may need to be postponed until May 30. He recommends keeping the May 23rd date and using it as a budget workshop if the joint meeting is postponed.

It was moved by Mr. Mosley, seconded by Mr. Leonard, to set a recessed meeting on May 23 at the Community Center in Pennington Gap for a joint meeting with the Hospital Authority, or at the Courthouse for a budget meeting. Upon the question being put the vote was as follows.

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

UNFENCED WASTE COLLECTION SITES

Mr. Poe reported that the County currently has four unfenced waste collection sites at Hurricane Bridge, Intersection of Route 70 and Route 612, Route 606 and Olinger. For several years there has been problems at most of these sites with illegal dumping and fires. The Hurricane Bridge site has had the most fires and there has also been complaints from DEQ regarding waste going into the river. The Olinger site is also plagued with heavy dumping of tires and contractor waste which may partly come from Wise County. None of these sites are large enough to fence and will continue to cause problems until they are closed or moved to a fenced site. All attempts to find alternative property for these sites have been unsuccessful. In addition to these sites, there has also been heavy vandalism at the Sugar Run site with the building and electrical wiring damaged. This site is manned but has only five dumpsters on site and is not heavily used.

Mr. Smith asked how close to other sites are the people that this will effect.

Mr. Poe stated that in some areas there will be complaints, but in Jonesville and Flatwoods there is a lot of overlap.

Mr. Leonard stated he is concerned with sites being closed and trash still being dumped at the locations.

Mr. Poe stated that VDOT has worked in the past to trench the property where there is no access.

Mr. Leonard asked about the 606 site and the Old Dominion Property.

Mr. Poe stated that he has three contacts with Old Dominion and has not been successful with getting the deed completed.

TOWN OF PENNINGTON GAP TRAILS

Mr. Poe reported that Tina Rowe with the Town of Pennington Gap had been in contact with him about the Trails Project. The County and Town of Pennington Gap co-sponsored the project and halved the local funding. A few years ago the County appropriated \$63,500.00 to the project, \$14,000 was used for an environmental study and \$14,000 was given to the Trail, leaving \$35,500.00 unused. The Town of Pennington has fronted all of the money and due to federal audits with DCR they are unable to drawdown any grant money. The Town of Pennington Gap is asking that the County give them \$34,000.00 to complete the local match. This amount would need to be re-appropriated.

It was moved by Mr. Mosley, seconded by Mr. Cope, to approve a supplemental re-appropriation of \$34,000.00 as follows and pay to the Town of Pennington Gap. Upon the question being put the vote was as follows.

Revenue Source		
3-001-41050-0099	Budget Supplements from Reserve	\$ 34,000.00

Expenditure		
4-001-94100-8215	ATV Trail Project	\$ 34,000.00

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

REPORTS AND RECOMMENDATIONS OF THE COUNTY ATTORNEY

None.

REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR

Mr. Poe requested a closed session for discussion of prospective business.

REPORTS AND RECOMMENDATIONS OF THE BOARD

None.

CLOSED SESSION

It was moved by Mr. Slemph, seconded by Mr. Mosley, to enter Closed Session pursuant to 2.2-3711 A.5. Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community. 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. Cope, to exit Closed Session. Upon the question being put the vote was as follows.

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

It was moved by Mr. Cope, seconded by Mr. Leonard, to recess until May 23, 2017 at 5:30 p.m. Upon the question being put the vote was as follows.

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

CHAIRMAN OF THE BOARD

CLERK OF THE BOARD