

VIRGINIA: County of Lee, to-wit:

At the Regular Meeting of the Lee County Board of Supervisors in the General District Courtroom of the Lee County Courthouse on November 20, 2018 at 6:00 p.m. thereof.

MEMBERS PRESENT: Robert Smith, Chairman
Nathan Cope
Larry Mosley

MEMBERS ABSENT: D. D. Leonard
Charles Slemper, Jr.

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

OTHERS ABSENT: None

INVOCATION

Dane Poe, County Administrator, led in the Invocation.

PLEDGE TO THE FLAG

Larry Mosley led the Pledge to the Flag.

MEETING CALLED TO ORDER

The meeting was called to order at 6:03 p.m.

DEPARTMENTAL REPORTS

Written departmental reports for Litter Control and Solid Waste were handed out at the meeting.

CONSTITUTIONAL OFFICERS

TREASURER’S REPORT

The Treasurer’s Report for the month of October 2018 was submitted as follows:

Revenues	\$ 5,797,367.29
Expenditures	\$ 6,123,134.89
General Fund	\$ 3,401,927.32
Total Assets and Liabilities	\$ 8,404,734.21

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.

Josh Flanary, Chief Dryden Fire Department, addressed the Board about the possibility of the Dryden Rescue Squad getting their County funds in advance to be able to stock the ambulance and start running calls.

Mr. Cope stated that Dryden Rescue recently purchased an ambulance and thought it was going to be stocked but it was not. Other squads have loaned enough supplies to get Dryden running, but those supplies have be returned.

Mr. Poe asked if Dryden has State Certification.

Mr. Flanary stated that it does not.

Mr. Poe stated that the County has done advanced funding for other departments, but advised Mr. Flanary to get the State Certification by June 30, 2019; otherwise, it will be next year’s money that would be used.

It was moved by Mr. Cope, seconded by Mr. Mosley, to advance Dryden Rescue Squad this year's County funds. Upon the question being put the vote was as follows.

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

Mr. Leonard entered the meeting at 6:08 p.m.

There was no further public comment.

The Chairman closed the floor for public comment.

APPROVAL OF MINUTES

It was moved by Mr. Cope, seconded by Mr. Mosley, to approve the minutes of the October 16, 2018 Regular Meeting and the October 24, 2018 Recessed Meeting. Upon the question being put the vote was as follows.

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

APPROVAL OF REFUNDS

It was moved by Mr. Cope, seconded by Mr. Leonard, to approve the following Refunds. Upon the question being put the vote was as follows.

Toyota Lease Trust	\$ 151.60
Lawrence P. Harvel	\$ 664.30
Joshua Durham	\$ 285.06
James McPherson	\$ 76.50
Betty Crumley	\$ 250.71

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

PAYROLL

The County Administrator reports that payroll warrants have been issued.

APPROVAL OF DISBURSEMENTS

It was moved by Mr. Mosley, seconded by Mr. Cope, to approve the disbursements for the month of November in the amount of \$117,235.75. Upon the question being put the vote was as follows.

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

Mr. Slemp entered the meeting at 6:11 p.m.

DELEGATIONS

**LOVELADY CHAPTER DAUGHTERS OF THE AMERICAN REVOLUTION
HISTORICAL MARKERS
VIRGINIA SPENCE**

Virginia Spence addressed the Board about Historical Markers being placed in Lee County to honor Long Hunters that came into the County in the 1700s and for two citizens born in Lee County who were vital Code Breakers during WWII and the Cold War: Frank Rowlett and Gene Grabeel.

Mr. Cope asked what DAR needed from the Board of Supervisors.

Ms. Spence stated that they are asking for donations. The cost of each marker is \$2,100.00 and the posts are \$175.00, which VDOT will be donating.

Mr. Mosley stated this is a great project to preserve the history of Lee County.

It was moved by Mr. Mosley, seconded by Mr. Smith, to donate \$4,200.00 to the Lovelady Chapter DAR for the historic markers. Upon the question being put the vote was as follows.

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

FINANCE

SUPPLEMENTAL APPROPRIATIONS

SHERIFF'S DEPARTMENT

It was moved by Mr. Cope, seconded by Mr. Smith, to approve the following Supplemental Appropriation in the amount of \$400.00. Upon the question being put the vote was as follows.

Revenue Source:			
3-001-18990-0002	Sheriff's Donations	\$	400.00
Expenditure:			
4-001-31200-5899	Sheriff's Donations	\$	400.00

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

DEPARTMENT OF SOCIAL SERVICES

It was moved by Mr. Cope, seconded by Mr. Smith, to approve the following Supplemental Appropriation in the amount of \$91,922.00. Upon the question being put the vote was as follows.

Revenue Source:			
3-002-24010-0005	State & Federal Funding	\$	91,922.00
Expenditure:			
4-002-53100-0849	Medicaid Expansion	\$	91,922.00

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 the following Supplemental Appropriation in the amount of \$881.00. Upon the question being put the vote was as follows.

Revenue Source:
3-007-14010-0004 State Forfeiture Proceeds \$ 881.00

Expenditure:
4-007-94100-5840 State Forfeiture Proceeds \$ 881.00

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

FINES AND FORFEITURES

It was moved by Mr. Cope, seconded by Mr. Smith, to approve the following Supplemental Re-appropriation in the amount of \$2,255.64. Upon the question being put the vote was as follows.

Revenue Source:
3-007-14010-0015 CWA Attorney General \$ 2,255.64

Expenditure:
4-007-94300-5850 CWA Attorney General \$ 2,255.64

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

GENERAL EXPENSES

It was moved by Mr. Cope, seconded by Mr. Smith, to approve the following Supplemental Appropriation in the amount of \$41,423.29. Upon the question being put the vote was as follows.

Revenue Source:
3-001-41050-0099 Budget Supplements from Reserve \$ 41,423.29

Expenditure:
4-001-91500-5840 Disbursements General Expenses \$ 41,423.29

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

MISCELLANEOUS EXPENSES

It was moved by Mr. Cope, seconded by Mr. Smith, to approve the following Supplemental Appropriation in the amount of \$620.29. Upon the question being put the vote was as follows.

Revenue Source:
3-001-13030-0008 Building Permits \$ 620.29

Expenditure:
4-001-92100-5870 Building Fund Expenses & Refunds \$ 620.29

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

COAL ROAD IMPROVEMENTS

It was moved by Mr. Cope, seconded by Mr. Smith, to approve the following Supplemental Appropriation in the amount of \$834.26. Upon the question being put the vote was as follows.

Revenue Source:
3-027-12150-0001 Gas Severance Tax \$ 834.26

Expenditure:
4-027-95100-5860 Gas Severance Tax Disbursements \$ 834.26

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

NEW BUSINESS

BOARD APPOINTMENTS

LONESOME PINE OFFICE ON YOUTH

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

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

MOUNTAIN EMPIRE COMMUNITY COLLEGE ADVISORY BOARD

It was moved by Mr. Mosley, seconded by Mr. Smith, to appoint Emily Kinser to an un-expired term on the Mountain Empire Community College Advisory Board. Ms. Kinser’s term will expire June 30, 2020. Upon the question being put the vote was as follows.

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

RESOLUTION OF MORAL OBLIGATION FOR PSA REFINANCING

Mr. Poe requested this item be tabled because there was no action taken by the PSA.

It was moved by Mr. Cope, seconded by Mr. Smith, to table this matter. Upon the question being put the vote was as follows.

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

PROPOSED LEGISLATION REGARDING TAX EXEMPTIONS

Mr. Poe presented the Board with a letter from Frederick County regarding a Resolution they adopted in support of proposed legislation to establish a sunset date on local tax exemptions approved by the General Assembly in 1986. The letter provides a good explanation of the need for a sunset date and re-establishes control of local taxes with the local governing body.

Mr. Mosley asked if Frederick County is requesting a resolution.

Mr. Poe stated if the Board would rather wait until the December meeting, the legislation might be drafted by that time.

GOLF COURSE ROAD RURAL ADDITION

Mr. Poe presented the Board with a Resolution accepting Golf Course Road into the Secondary System of State Highways through the Rural Addition Program. This road was selected in 2016, funds are now sufficient to complete the work, and VDOT needs the resolution adopted in order to move forward with the process.

It was moved by Mr. Cope, seconded by Mr. Smith, to adopt the Resolution 18-028. Upon the question being put the vote was as follows.

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

**RESOLUTION FOR RURAL ADDITIONS TO THE
SECONDARY SYSTEM OF STATE HIGHWAYS: GOLF COURSE ROAD
18-028**

WHEREAS, the street described below currently serves three or more occupied dwellings and was established 02 November 1963, at which time it was used by motor vehicles as a public access; and

WHEREAS, the County has determined its subdivision ordinance satisfies subsection B of §33.2-335, Code of Virginia, and is therefore eligible to make qualifying additions to the secondary system of state highways maintained by the Virginia Department of Transportation and fund necessary improvements as setout therein, except as otherwise prohibited by subsection B of §33.2-336, Code of Virginia; and

WHEREAS, after examining the ownership of all property abutting this street, including the deeds and related plats, this Board finds no restriction on the use of public funds for improving of the road; and

WHEREAS, after examining the ownership of all property abutting this street, this Board finds that speculative interest does not exist; and

WHEREAS, this Board has identified immediately available funding to make improvements required to qualify the street for addition to the aforesaid secondary system of state highways, based on the Department's cost estimate of \$70,000.00;

NOW, THEREFORE, BE IT RESOLVED, pursuant to §33.2-335, Code of Virginia, the Lee County Board of Supervisors requests the following street be added to the secondary system of state highways maintained by the Virginia Department of Transportation and hereby guarantees the right-of-way of the street to be clear, unencumbered and unrestricted, which right of way guarantee shall including any necessary easements required for cuts, fills, and drainage:

- Subdivision Name: Doyle Byrd Subdivision
- Street Name: Golf Course Road
 - From: Route 692
 - To: 0.21 mile North of Route 692
 - Length: 0.21 mile
- Guaranteed Right of Way Width: 40 feet
- Right of Way Instrument Reference: Deed Book 192, Page 546

BE IT FURTHER RESOLVED, this Board requests the Virginia Department of Transportation to improve said street to the prescribed minimum standards, funding said improvements with the following funds;

- Source of Funds: Rural Addition Program
- Amount: \$70,000.00

BE IT FURTHER RESOLVED, this Board agrees to reimburse, within 45-days of receiving an invoice, all costs that the Virginia Department of Transportation incurs to relocate existing utilities within the right of way that are discovered during the course of and in conflict with the construction, drawing such funds from resources other than those administered by the Department; and

BE IT FURTHER RESOLVED, this Board agrees to reimburse, within 45-days of receiving an invoice, all costs that the Virginia Department of Transportation incurs in the construction of necessary improvements to the road that are over and above the estimated cost of improvements or to otherwise identify an eligible source of funds administered by the Department to cover such costs; and

BE IT FINALLY RESOLVED, that a certified copy of this resolution be forwarded to the Residency Administrator of the Virginia Department of Transportation.

REVENUE SHARING TEMPLATE FOR REGIONAL INDUSTRIAL FACILITIES AUTHORITY

Mr. Poe presented the Board with an updated Revenue Sharing template that would be used for the projects undertaken by members of the Lonesome Pine Regional Industrial Facilities Authority of which Lee County is a member. The percentages have not changed from the original proposal, only the total number of shares. This was done to make the formula easier to understand. There is no action required.

SCOTT COUNTY CONCERNS REGARDING REGIONAL JAIL MEDICAL TRANSPORTS

Mr. Poe reported that he received a letter from the Scott County Board of Supervisors regarding their concerns for the cost of inmate transportation by local rescue squads for pre-existing medical conditions. The Jail Authority carries insurance, but the Authority voted to no longer provide coverage for pre-existing conditions or self-inflicted injuries. The rescue squad is making the transport regardless of the condition, and there is no one to bill. If it is not a true emergency, the jail has been transporting. Mr. Poe has contacted the Regional Jail Superintendent and requested this matter to be placed on the agenda for the next Jail Authority meeting in January. No action is required on this matter.

Mr. Cope asked if there was a medical budget.

Mr. Poe stated there is, but it is for insurance coverage.

JOINT MEETING WITH THE SCHOOL BOARD

Mr. Poe stated that the Board of Supervisors and School Board have held a joint meeting the past two years. Last year's meeting was in early December and they have inquired whether the Board of Supervisors wishes to set a date for a similar meeting this year.

Mr. Smith stated that January would be better.

Mr. Poe stated he would check with the School Board on a date in January.

SHERIFF'S VEHICLE BIDS

Mr. Poe stated that the County recently requested bids for four new Police Utility style vehicles with all-wheel drive. The bid requests were faxed to eight dealers

including Chevrolet, Dodge and Ford brands and a request for bid specifications was received from a ninth dealer. Bids were received from three of the dealers as follows:

RK Chevrolet Virginia Beach, VA	2019 Chevrolet Tahoe	\$36,200.00
Freedom Chevrolet Big Stone Gap, VA	2019 Chevrolet Tahoe	\$38,842.00
Short Redmond Ford LaFollette, TN	2019 Ford Police Sport Utility	\$29,264.00

Mr. Poe stated that he has spoken with the salesman from Short Redmond Ford because a couple items on the bid were added but did not need to be, which could make the price come down \$600.00 or \$700.00, which is very comparable to the state contract bids.

It was moved by Mr. Cope, seconded by Mr. Smith, to accept the bid from Short Redmond Ford for four 2019 Ford Police Sport Utility vehicles. Upon the question being put the vote was as follows.

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

REPORTS AND RECOMMENDATIONS OF THE COUNTY ATTORNEY

None.

REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR

REQUEST FOR CLOSED SESSION

Mr. Poe stated he has a request for closed session under Investing of Public Funds.

REPORTS AND RECOMMENDATIONS OF THE BOARD

COYOTE BOUNTY

Mr. Cope stated that he has been asked by several people about the Coyote Bounty and suggested reopening the bounty at \$25.00 per female.

Mr. Poe stated that the Ordinance is in place, the only action required of the Board would be to appropriate funds.

Mr. Smith asked if it would be for in County only.

Mr. Poe stated that there are three things that are required: appropriation of funds, execution of an affidavit that the animal was killed in Lee County and it has to be checked in by Animal Control.

Mr. Mosley stated that if most people see a coyote they are going to shoot it anyway.

It was moved by Mr. Cope, seconded by Mr. Slemp, to set a coyote bounty at \$25.00 and to approve the following supplemental appropriation. Upon the question being put the vote was as follows.

Revenue Source:		
3-001-41050-0099	Budget Supplement from Reserve	\$1,000.00

Expenditure:		
4-001-11010-5820	Coyote Bounty	\$1,000.00

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

Mr. Mosley requested a copy of the coyote bounty forms be included in the monthly board packets.

DON FRANKLIN QUILLEN BRIDGE

It was moved by Mr. Slemph, seconded by Mr. Leonard, to adopt Resolution 18-027. Upon the question being put the vote was as follows.

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

**RESOLUTION
18-027**

WHEREAS, Don Franklin Quillen was born in Dryden, Virginia on April 26, 1938, the son of Howard and Ida Quillen; and

WHEREAS, Don Quillen graduated from Dryden High School in 1957; and

WHEREAS, Mr. Quillen worked as a clerk for Southern Railroad for 34 years; and

WHEREAS, Mr. Quillen married the former Patsy Greene and they were the parents of three daughters, Nancy Perdue, Susan Clement, and Alice Williams, and one foster son, John Stansberry; and

WHEREAS, Mr. Quillen's love of community and civic mindedness led him to serve in the following community organizations:

- Chairman and Treasurer of the Dryden Water Authority
- Treasurer of the Dryden Development Corporation
- Coach and Organizer of the Dryden Little League Baseball
- Boy Scout Leader for the Dryden Troop
- Charter Member of the Dryden Ruritan Club serving as President, Treasurer, District Vice President, District Treasurer, and Perfect Attendance for 25 years
- Member of the Dryden Missionary Baptist Church serving as Trustee, Sunday School Teacher, and Assistant Treasurer

WHEREAS, Mr. Quillen departed this life on July 30, 2002.

NOW, THEREFORE, BE IT RESOLVED, to commemorate the life of Don Franklin Quillen, the Lee County Board of Supervisors respectfully requests the Commonwealth Transportation Board and the Virginia Department of Transportation formally designate the Route 750 bridge over Clear Spring Branch at the intersection of Route 629 as the "Don Quillen Memorial Bridge".

HOLSTON VALLEY TRAUMA CENTER

Mr. Cope asked if there was anything the County could do as far as Holston Valley Trauma Center being downgraded.

Mr. Poe stated that the Board adopted a resolution in opposition, but could also draft a letter.

It was moved by Mr. Cope, seconded by Mr. Leonard, to draft a letter in opposition of downgrading the Holston Valley Trauma Center. Upon the question being put the vote was as follows.

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

TOWERS

Mr. Leonard asked about the status of the radio towers.

Mr. Poe stated the finance company has approved the bond and has requested invoicing from the vendor. Once everything is done, he can give notice to proceed.

JOINT MEETING WITH TOWNS AND IDA

Mr. Leonard stated he would like to set up a joint meeting with the Industrial Development Authority and both Towns.

Mr. Poe stated that there is a committee to meet with the IDA, and that the Town of Pennington has an IDA. He asked if they should be included as well.

Mr. Leonard stated however the Town wanted to handle that would be fine, as long as they are included.

Mr. Slempp stated that the subcommittees need to make sure to communicate with their Boards.

Mr. Poe stated that he would contact the Towns and the IDA and try to schedule a meeting.

CLOSED SESSION

It was moved by Mr. Slempp, seconded by Mr. Cope, to enter Closed Session pursuant to 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. Mosley, to exit 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.

LOAD AND HAUL CONTRACT

It was moved by Mr. Cope, seconded by Mr. Mosley, to renew the Load and Haul contract with Marcum Oil at a total cost of \$26.00 per ton. Upon the question being put the vote was as follows.

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

It was moved by Mr. Cope, seconded by Mr. Mosley, to recess to December 11, 2018 at 5:00 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