

**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 September 18, 2018 at 6:00 p.m. thereof.

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

MEMBERS ABSENT: None

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

OTHERS ABSENT: None

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**INVOCATION**

Layne Pennington, Pastor of Jonesville First United Methodist Church, led in the Invocation.

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**PLEDGE TO THE FLAG**

Layne Pennington led the Pledge to the Flag.

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**MEETING CALLED TO ORDER**

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

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**PUBLIC HEARING**

**PROPOSED JUNIOR FIREFIGHTER ORDINANCE**

The Lee County Board of Supervisors held a Public Hearing on Tuesday, September 18 at 6:00 p.m. in the General District Courtroom of the Lee County

Courthouse located in Jonesville, Virginia. The purpose of the Public Hearing was to take public comment on a proposed Ordinance to allow volunteer fire departments to establish Junior Firefighter programs.

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

VOTING AYE: Mr. Cope, Mr. Leonard, Mr. Mosley, Mr. Slemp, Mr. Smith  
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**ORDINANCE NO. 18-002**

**JUNIOR FIREFIGHTER ORDINANCE ENACTED PURSUANT TO TITLE 40.1, CHAPTER 5 (§40.1-79.1) OF THE CODE OF VIRGINIA, AS AMENDED.**

**WHEREAS**, Virginia Code §40.1-79.1 provides that a locality may adopt an ordinance to allow residents of the Commonwealth between the ages of 16 and 18 to be members of a volunteer fire company under certain conditions and guidelines; and

**WHEREAS**, the Lee County Board of Supervisors desires to adopt a Junior Firefighter ordinance to allow same;

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED** by the Lee County Board of Supervisors that a Junior Firefighter Ordinance hereby be enacted as follows:

1. Any person residing anywhere in the Commonwealth, ages 16 years or older, who is a member of a volunteer fire company within the County of Lee, Virginia, with parental or guardian approval, may (i) seek certification under National Fire Protection Association 1001, level one, firefighter standards, as administered by the Department of Fire Programs; and (ii) work with or participate in activities of such volunteer fire company, provided such person has attained certification under national Fire Protection Association 1001, level one, firefighter standards, as administered by the Department of Fire Programs.

2. Nothing in this ordinance shall prohibit participation by such persons in nonhazardous activities of a volunteer fire company, including fire prevention efforts and training courses approved by the Virginia Fire Services Board that are designed to provide situational awareness.
  
3. No minor who has achieved certification under National Fire Protection Association 1001, level one, firefighter standards, as administered by the Department of Fire Programs, on or before January 1, 2006, between the ages of 15 and 16, shall be required to repeat the certification after their sixteenth birthday.
  
4. Any trainer or instructor of such persons mentioned in Section 1. above and any member of a paid or volunteer fire company who supervises any such persons shall be exempt from the provisions of §40.1-103, provided that the provisions of §40.1-100 have not been violated, when engaged in activities of a volunteer fire company, and provided that the volunteer fire company has purchased insurance which provides coverage for injuries to or the death of such persons in their performance of activities under this ordinance.

THIS ORDINANCE SHALL BE EFFECTIVE ON OCTOBER 1, 2018.

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**DEPARTMENTAL REPORTS**

Written departmental reports for Economic Development and Tourism were included in the agenda packet.

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**CONSTITUTIONAL OFFICERS**

**TREASURER'S REPORT**

The Treasurer's Report for the month of August 2018 was submitted as follows:

Revenues	\$ 4,378,656.83
Expenditures	\$ 5,285,814.44
General Fund	\$ 4,929,011.68
Total Assets and Liabilities	\$10,206,471.07

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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, and five-minute time-period for a group.

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Debbie Artrip, Keokee, asked why the County applied for the School Resource Office grants for the School Board.

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Mr. Poe stated that all grants are different, but in general, the locality must be the applicant.

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Ms. Artrip asked how much money the County gave to Americore and how many loans the County co-signed for them.

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Mr. Poe stated that the County has not co-signed loans nor given any money to Americore.

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Mr. Leonard stated that the County does not have any money invested in Americore.

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Ms. Artrip asked about the Department of Mines Minerals and Energy grants for mine reclamation.

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Mr. Poe stated that he has not received notice of any available grants through the Department of Mines Minerals and Energy.

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Mr. Smith advised Ms. Artrip she was over her 3 minute time limit.

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Ms. Artrip stated that is another issue she would like to address, stating citizens are not given enough time to speak on each matter, and she would like to see the agenda changed to allow the public to speak at the end of the meeting with no time limits.

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Mr. Leonard stated that the Board has never told anyone they could not comment.

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Ms. Artrip stated that citizens she has spoken with do not come to meetings because they are told about the time limit.

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Mr. Smith stated that the Rules of Order are set and the must be followed.

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Mr. Poe stated that if a citizen would like to address the Board on a certain subject, they can call and be added to the agenda as a Delegation and would not have the 3 minute time limit.

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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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### **APPROVAL OF MINUTES**

It was moved by Mr. Mosley, seconded by Mr. Slempp, to approve the minutes of the August 21, 2018 Regular Meeting and September 6, 2018 Special Called Meeting. Upon the question being put the vote was as follows.

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

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### **APPROVAL OF REFUNDS**

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

Winston Kelly \$954.03

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

**APPROVAL OF REFUNDS**

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

Charles Martin \$ 37.76

VOTING AYE: Mr. Cope, Mr. Leonard, Mr. Mosley, Mr. Slemph, 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. Slemph, to approve the disbursements for the month of September in the amount of \$386,348.70. Upon the question being put the vote was as follows.

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

**DELEGATIONS**

**LEE COUNTY COMBINED DISTRICT COURTS  
PROPOSAL TO SPLIT GENERAL DISTRICT AND JUVENILE AND  
DOMESTIC RELATIONS COURTS  
JUDGE SHAWN HINES**

Shawn Hines, Thirtieth Judicial District Court Judge, advised that the Lee County District Court and Juvenile and Domestic Relations Court have applied to separate the Courts and Clerks into two separate offices. The two Courts are already separate in

function but not in name and the Clerk's Office employees are doing the work of two offices. He stated that this trend is moving across the State and asked for the Board's support in separating the two. The proposed split requires the approval of the Committee on District Courts, which meet in Richmond on October 16, 2018. If approval were granted the separation would take effect January 1, 2019 and would require reorganization of Courthouse space, which could also help with the void in security in the offices. Judge Hines is asking for a letter of support from the Board of Supervisors.

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Mr. Leonard asked Mr. Poe if he has looked at space available.

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Mr. Poe stated that a couple options have been discussed and the best option would probably be the 700 square feet of office space on the west end of the third floor. The space would have to be reconfigured, but he believes there would be enough space for it to work.

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It was moved by Mr. Leonard, seconded by Mr. Mosley, to provide a letter of support for the Reorganization of the Lee County Combined Courts. Upon the question being put the vote was as follows.

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

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## **FINANCE**

### **QUARTERLY APPROPRIATIONS**

It was moved by Mr. Mosley, seconded by Mr. Leonard, to approve Resolution 18-021. Upon the question being put the vote was as follows.

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

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## **LEE COUNTY BOARD OF SUPERVISORS QUARTERLY APPROPRIATIONS 18-021**

**WHEREAS**, the Lee County Board of Supervisors has approved the Headstart

Budget, Lee County Public School Budget and Virginia Public Assistance Budget for FY2018-19; and

**WHEREAS**, it is now necessary to appropriate sufficient funds for the contemplated expenditures as they are contained in the Headstart, Lee County Public School and Virginia Public Assistance Budgets;

**NOW, THEREFORE, BE IT RESOLVED**, that the following activities, 25% of the amount shown is appropriated for a 3-month period ending December 31, 2018

**HEADSTART**

Federal Funds	\$ 1,408,547
TOTAL HEADSTART	\$ 1,408,547

**VIRGINIA PUBLIC ASSISTANCE**

Federal/State Funds	\$ 8,191,254
Local Funds	<u>1,358,657</u>
TOTAL VIRGINIA PUBLIC ASSISTANCE	\$ 9,549,911

**LEE COUNTY PUBLIC SCHOOLS**

Federal, State & Other Funds	\$38,771,185
Local Funds	<u>4,670,267</u>
TOTAL LEE COUNTY PUBLIC SCHOOLS	\$43,441,452

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 Headstart, Public School and Virginia Public Assistance funds and will not exceed the foregoing one and three months appropriations.

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**SUPPLEMENTAL RE-APPROPRIATION**

It was moved by Mr. Mosley, seconded by Mr. Slemph, to approve the following Supplemental Re-Appropriation in the amount of \$15,000.00. Upon the question being put the vote was as follows.

Revenue Source:		
3-001-41050-0099	Budget Supplement from Reserve	\$ 15,000.00



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

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**HEART OF APPALACHIA TOURISM AUTHORITY**

It was moved by Mr. Cope, seconded by Mr. Leonard, to appoint Karen Maggard to a two year term on the Heart of Appalachia Tourism Authority. Ms. Maggard's term will expire September 30, 2020. Upon the question being put the vote was as follows.

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

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**ANIMAL CONTROL CAPITAL OUTLAY PURCHASES**

Mr. Poe reported that the Animal Control Department was budgeted \$8,000.00 for Capital Outlay items for the current fiscal year. This was anticipated for the purchase of two laptop computers and mounting accessories for their trucks. This will allow them to access the CAD system to enter their own case notes and pull up prior case information while in the field. Currently they have to contact dispatch and have them enter or look up data for them. The actual cost for the laptops, mounts and vehicle cell boosters is \$5,005.76. Mr. Fortner is requesting to use the remaining budgeted funds to purchase handguns and rifles for the officers. Both officers currently carry their own personal handguns. The County purchased .22 caliber rifles for emergency situations but they are not adequate for the humane destruction of large animals. The cost of two 9mm handguns and two .223 caliber rifles with silencers is \$2,908.00 which is within the amount budgeted for the year.

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Mr. Cope asked why the officers want 9mm instead of 40 caliber handguns.

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Mr. Fortner stated because the 9mm is lighter.

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Mr. Mosley stated that the County should furnish the weapons.

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It was moved by Mr. Cope, seconded by Mr. Slemp, to approve Animal Control Capital Outlay purchases as presented for laptops, mounts, 9mm handguns and .223 rifles and silencers. Upon the question being put the vote was as follows.

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

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**VAN USED FOR INMATE TRANSPORT**

Mr. Poe stated that the van being used to transport inmates used by Recycling Collection, Transfer Station and the Sheriff's Department is in very poor condition and subject to breakdown at any time. It is a 1999 model with approximately 240,000 miles. The County budgeted \$4,500.00 of Capital Outlay in the Litter Control department for trail cameras and a van but this is not nearly enough to purchase a dependable used vehicle.

Gary Collingsworth has found some used vans priced from \$7,000.00 to \$12,900.00 with mileages from 34,000 to 200,000. These vehicles are located anywhere from one to 10 hours driving time, one way, from Jonesville. If another van is not purchased, the current one is going to require extensive repairs soon that could cost more than the purchase of another one.

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Mr. Cope asked how many inmates were transported.

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Mr. Poe stated there are 4 to 6 transported daily and the van is used on some of the cleanups.

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Mr. Smith stated that they need a dependable vehicle.

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It was moved by Mr. Mosley, seconded by Mr. Leonard, to approve up to \$12,900.00 for the purchase of a van. Upon the question being put the vote was as follows.

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

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**STREET SIGN INSTALLATION CONTRACT RENEWAL**

Mr. Poe reported the Street Sign Installation Contract expires at the end of this month. There is a provision to renew the contract for two one-year renewal periods. The contractor has proposed some price changes due primarily to increased costs of the sign blades and posts. There is a general increase in all sign blades and a standard installation charge (10' post and 4 sign blades) would increase from \$110 to \$125. General maintenance costs (per occurrence) would increase from \$30 to \$35. Mr. Poe recommends approval of the new pricing and renewal of the agreement for one year.

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Mr. Leonard asked if there were any other companies that does installation.

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Mr. Poe stated that bids were taken last year and this company was the cheaper bid.

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Mr. Cope asked how much maintenance costs per year.

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Mr. Poe stated he would get those figures before closed session.

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### **SCOTT COUNTY RESOLUTION REGARDING LEVEL 1 TRAUMA CENTER**

Mr. Poe presented the Board with a copy of a Resolution adopted by the Scott County Board of Supervisors regarding the possibility of closure of the Level 1 Trauma Center at Holston Valley Medical Center.

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Mr. Smith asked Mr. Poe to draft a Resolution for next month's meeting.

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Mr. Mosley stated that if the Resolution was going to be the same, the Board should go ahead and adopt it now and get it sent in.

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It was moved by Mr. Mosley, seconded by Mr. Slempp, to adopt Resolution 18-022. Upon the question being put the vote was as follows.

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

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**RESOLUTION  
BALLAD HEALTH LEVEL 1 TRAUMA CENTER CONSOLIDATION  
18-022**

**WHEREAS**, Lee County, Virginia has no hospital facility located within the county, and;

**WHEREAS**, the residents and emergency medical providers of Lee County, Virginia rely on neighboring states and counties for advanced medical care, and;

**WHEREAS**, severely injured patients admitted to Level 1 Trauma Centers have a 15% lower risk of mortality compared with patients admitted to Level II centers, and;

**WHEREAS**, an additional thirty-minute transport time by ambulance may potentially compromise adequate and appropriate patient care, increasing patient mortality, and;

**WHEREAS**, there will be an increased transport cost to patients, as well as Emergency Medical Service providers, and;

**WHEREAS**, Johnson City Medical Center is currently a Level 1 Trauma Center providing pediatric specialties, and;

**WHEREAS**, Holston Valley Medical Center is currently a Level 1 Trauma Center,

**NOW, THEREFORE, BE IT PROCLAIMED**, the Lee County Board of Supervisors strongly oppose the closing of the Level 1 Trauma Center at Holston Valley Medical Center.

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**TOWN OF MARION RESOLUTION REGARDING TEMPORARY DETENTION  
ORDERS AND EMERGENCY CUSTODY ORDERS**

Mr. Poe presented the Board with a copy of a resolution adopted by the Town of Marion regarding Temporary Detention Orders and Emergency Custody Orders. It also addresses the possibility of providing additional beds at the Southwest Virginia Mental Health Institute at Marion, which would reduce travel time for local Sheriff and Police

Departments transporting individuals under these circumstances. They have asked that all Southwest Virginia municipalities consider this matter.

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Mr. Cope stated that this could be a good idea and save on funding for extra travel.

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Mr. Poe stated that when the deputies have to do transports they usually do not know where they are going and this could help in that situation; however, the last paragraph in the Resolution states increased state and local funding, which has him concerned on the local cost. He will do some research and have a draft at the next meeting.

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#### **CIRCUIT COURT PARALEGAL POSITION**

Mr. Poe reported that the Judge had hoped to be able to conduct interviews and submit a recommendation, but she is not able to make a recommendation at this time.

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#### **REPORTS AND RECOMMENDATIONS OF THE COUNTY ATTORNEY**

None.

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#### **REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR**

##### **NEW GARBAGE TRUCK FINANCING**

Mr. Poe stated that there had been discussion of paying for the new truck in full rather than financing. The amount budgeted was only for a down payment in the amount of \$56,380.75, the total purchase price is \$225,523.00. He asked the Board how they would like to proceed with the purchase.

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It was the consensus of the Board to obtain financing quotes for next month's meeting in order to determine which option they preferred.

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## **HURRICANE BRIDGE WASTE COLLECTION SITE**

Mr. Poe reported that last week a dumpster at the Hurricane Bridge Waste Collection Site was pushed into the river and floated down about 150 feet. The Transfer Station employees were able to recover the dumpster by floating down the river, connecting cables to it and hoisting it up the hill. This was the first time in about 15 years that an incident like this has occurred.

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Mr. Cope stated he would check into places to move the site.

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## **PROPOSED AT&T CELL TOWER LOCATION**

Mr. Poe stated that AT&T placed an advertisement in the paper seeking comments on the proposed location of a new cell tower. The proposed site is directly across the four-lane from Wilderness Road State Park in clear sight of the Visitors Center. The Community Development Office received a letter last week from a company that does screening of issues for telecommunications companies, and that is where the comments go. Mr. Fee is going to address with the Planning Commission at their meeting tomorrow night. Mr. Poe stated has received approximately 8 phone calls and 14 emails in opposition of this site in the past two days. The majority of the concern stems from the reenactments conducted at Wilderness Road State Park and trying to keep the area as period accurate as possible. As the Zoning Ordinance is written, it is an allowed use in that proposed area.

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Mr. Smith stated that the complaints coming from people that do not live in the County are going to knock County residents out of this service.

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Mr. Poe stated that there are two other AT&T towers proposed in Rose Hill and Ewing.

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## **CONSTITUTION WEEK**

Mr. Poe presented the Board with a proposed Proclamation from the Lovelady Chapter Daughters of the American Revolution for Constitution Week September 17 through September 23, 2018.

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

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

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**PROCLAMATION  
LEE COUNTY, VIRGINIA  
CONSTITUTION WEEK, 2018**

**WHEREAS**, September 17, 2018 marks the two hundred thirty-first anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

**WHEREAS**, it is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary, and to the patriotic celebration which will commemorate the occasion; and

**WHEREAS**, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as CONSTITUTION WEEK;

**NOW, THEREFORE, BE IT RESOLVED**, the Lee County Board of Supervisors, do hereby proclaim the week of September 17 through 23, 2017 as CONSTITUTION WEEK in the County of Lee, Virginia;

**BE IT FURTHER RESOLVED**, we call upon our citizens to reaffirm the ideals that the Framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties, remembering that lost rights may never be regained.

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**EMERGENCY MEDICAL SERVICE COUNCIL RE-DESIGNATION**

Mr. Poe reported that the Southwest Virginia EMS Council has represented this region as the Regional EMS Council for many years, but under state legislation, they are required to apply for re-designation every three years and are asking for a letter of support to be re-designated as the council for Southwest Virginia.

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It was moved by Mr. Cope, seconded by Mr. Leonard, to provide a letter of Support for Southwest Virginia EMS Council. Upon the question being put the vote was as follows.

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

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### **LETTER OF RESIGNATION**

Mr. Poe reported that he has received a letter of resignation from the Litter Control and Recycling Coordinator effective Friday September 21, 2018. Gary Collingsworth is working to smooth the transition with the existing probationers, but the number of new sign ups may be slow over the next couple of months until the position is filled. Mr. Poe will advertise for the position and have the applications ready to review by the next Board meeting.

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### **REQUEST FROM FRIENDS OF THE TOBACCO FESTIVAL**

Mr. Poe reported that he received a request for organizational sponsorship for the Tobacco Festival. There are two levels of sponsorship for; \$100.00 the organization's name is listed around the design on the back of the shirt or for \$300.00 the organization's name is listed as a featured sponsor in the center of the shirt. The deadline for sponsorship is September 28, 2018.

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It was moved by Mr. Leonard, seconded by Mr. Smith, to approve \$300.00 sponsorship to the Tobacco Festival. Upon the question being put the vote was as follows.

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

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### **REQUEST FOR CLOSED SESSION**

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

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Mr. Leonard asked to add Personnel to that request.

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**REPORTS AND RECOMMENDATIONS OF THE BOARD**

**SOUTHWEST REGIONAL RECREATION AUTHORITY**

Mr. Leonard stated that the current board appointment on the Southwest Regional Recreation Authority has resigned.

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It was moved by Mr. Leonard, seconded by Mr. Mosley, to appoint Keith Harless to an un-expired term on the Southwest Regional Recreation Authority. Mr. Harless' 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. Slempp, Mr. Smith

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**CAVE SPRINGS RECREATION AREA**

Mr. Leonard stated he has been talking with Spearhead Trails about the closing of Cave Springs Recreation Area, and he would like the County to take over responsibility for Cave Springs and work with Spearhead Trails regarding management of the area.

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**CLOSED SESSION**

It was moved by Mr. Slempp, seconded by Mr. Leonard, 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, 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, and Section 2.2-3711 A.7. Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigation posture of the public body; and consultation with legal counsel employed or retaining by a public body regarding specific legal matters requiring the provision of legal advise by such counsel. Upon the question being put the vote was as follows.

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

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

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

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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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### **COPIER PURCHASE**

It was moved by Mr. Mosley, seconded by Mr. Cope, to approve the purchase of a copier from Tri-City Business Machines for the General District Clerk's Office in the amount of \$3,998.00. Upon the question being put the vote was as follows.

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

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### **FUELING SYSTEM AND FUEL PROPOSAL**

It was moved by Mr. Smith, seconded by Mr. Slemph, to approve the fueling system and fuel proposal for the Transfer Station to the Lee Oil Company at a five year guaranteed price of 18 cents over terminal rack price. Upon the question being put the vote was as follows.

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

ABSTAINING: Mr. Cope

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It was moved by Mr. Slemph, 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

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CHAIRMAN OF THE BOARD

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CLERK OF THE BOARD