

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 17, 2019 at 6:00 p.m. thereof.

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

MEMBERS ABSENT: None

OTHERS PRESENT: Stacy Munsey, County Attorney
Dane Poe, County Administrator

OTHERS ABSENT: Jeny Hughes, Administrative Assistant

INVOCATION

Dane Poe, County Administrator, led the invocation.

PLEDGE TO THE FLAG

D. D. Leonard led the Pledge to the Flag.

MEETING CALLED TO ORDER

The meeting was called to order at 6:06 p.m.

PUBLIC HEARINGS

HANK ROGERS II AND MERARI ROGERS SPECIAL USE PERMIT

The Lee County Board of Supervisors held a Public Hearing on September 17, 2019 at 6:00 p.m. in the General District Courtroom of the Lee County Courthouse located in Jonesville, Virginia to solicit input on a Special Use Permit request. Hank Rogers II and

Merari Rogers have applied for a Special Use Permit to allow a doublewide manufactured home in a V-C, Village Commercial District. The property is located on the West side of US Route 23 approximately 1.60 miles North of the Lee/Scott line in the Jasper Community and consists of 0.50 acres of land (Tax Parcel 28-(A)-10A).

The Chairman opened the floor for public comment.

Aaron Fee, Zoning Administrator, reported that the Planning Commission recommended approval of the Special Use Permit and that there had been no objections presented or received by his office.

There was no further public comment.

The Chairman closed the floor for public comment.

It was moved by Mr. Leonard, seconded by Mr. Smith, to approve the Hank Rogers II and Merari Rogers Special Use Permit to allow placement of a doublewide manufactured home in a V-C, Village Commercial District. Upon the question being put the vote was as follows.

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

**PROPOSED AMENDMENT TO CHAPTER 2, ARTICLE III, SECTION 2-25 OF
THE CODE OF THE COUNTY OF LEE, VIRGINIA**

The Lee County Board of Supervisors held a Public Hearing on Tuesday, September 17, 2019 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 amendment to the County Ordinance creating the Industrial Development Authority of Lee County, Virginia. The purpose of the proposed amendment was to change the name of the Authority to the Economic Development Authority of Lee County, Virginia to better reflect the scope and purpose of the Authority.

The Chairman opened the floor for public comment.

Aaron Fee, IDA Executive Director, stated that the intent of the name change of the Authority was simply to better reflect the purpose of the Authority as they not only recruited industry but other retail and commercial businesses as well.

There was no further public comment.

The Chairman closed the floor for public comment.

It was moved by Mr. Leonard, seconded by Mr. Slempp, to adopt the amendment to Chapter 2, Article III, Section 2-25 of the Code of the County of Lee, Virginia to reflect the name change of the Authority to the Economic Development Authority of Lee County, Virginia. Upon the question being put the vote was as follows.

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

DEPARTMENT REPORTS

Written departmental reports for Economic Development, Tourism and Planning and Zoning were included in the packet.

CONSTITUTIONAL OFFICERS

TREASURER'S REPORT

The Treasurer's Report for the month of August 2019 was submitted as follows:

Revenues	\$ 4,756,944.43
Expenditures	\$ 5,742,246.89
General Fund	\$ 3,399,369.21
Total Assets and Liabilities	\$ 8,125,064.74

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.

Joan Short, President of the Daniel Boone Wilderness Trail Association, addressed the Board regarding the Town of Pennington Gap's proposal to perform land application of biosolids on property in the Sticklelyville Community. She provided general information on the Daniel Boone Wilderness Trail Association's activities in the area and specifically areas in the vicinity of Kane Gap. She stated that the property proposed for the biosolid application is located adjacent to 80 acres of property owned by the Trail Association in Lee County. She advised that the Association's property is the site of hiking trails which would be adversely impacted by the odors created by biosolids application and stated the Trail Association's concerns regarding this proposed action.

Mary Ruth Laster, Sticklelyville resident, stated her concerns about sludge being dumped at the head of the creek and seeping into the watershed due to karst terrain, sinkholes, and caves throughout the area. She stated that she did not want this coming to the Sticklelyville Community.

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. Leonard, to approve the minutes of the August 20, 2019 Regular Meeting and the September 4, 2019 Recessed Meeting. Upon the question being put the vote was as follows.

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

Mr. Morris stated that he would provide service to the entire county although he would not be able to serve every household.

Mr. Slemp stated that he was certain Mr. Morris had the ability to provide this service but questioned whether he had adequate financing to complete the project.

Mr. Morris stated he absolutely had the financial capability.

Mr. Morris was advised that a proposed franchise agreement would need to be drafted in order to hold a public hearing on the granting of a franchise in Lee County.

FINANCE

QUARTERLY APPROPRIATIONS

It was moved by Mr. Leonard, seconded by Mr. Smith, to approve 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 QUARTERLY APPROPRIATIONS 19-014

WHEREAS, the Lee County Board of Supervisors has approved the Headstart Budget, Lee County Public School Budget and Virginia Public Assistance Budget for FY2019-20; 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, 2019

HEADSTART

Federal Funds \$ 1,408,547

TOTAL HEADSTART \$ 1,408,547

VIRGINIA PUBLIC ASSISTANCE

Federal/State Funds \$ 8,439,405

Local Funds 1,359,414

TOTAL VIRGINIA PUBLIC ASSISTANCE \$ 9,798,819

LEE COUNTY PUBLIC SCHOOLS

Federal, State & Other Funds \$39,779,919

Local Funds 4,670,257

TOTAL LEE COUNTY PUBLIC SCHOOLS \$44,450,176

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.

The Lee County Treasurer is also directed to revert all unexpended balances of the Headstart, Public School and Virginia Public Assistance Funds to the General Fund as of the beginning and ending of Fiscal Year 2019-2020.

TOTAL FY 2019-20 BUDGET \$70,951,472

SUPPLEMENTAL APPROPRIATIONS

GENERAL EXPENSES

It was moved by Mr. Mosley, seconded by Mr. Leonard, to approve the following Supplemental Appropriation in the amount of \$27,700.14. Upon the question being put the vote was as follows.

Revenue Source:
3-001-41050-0099 Budget Supplements from Reserve \$ 27,700.14

Expenditure:

4-001-91500-5840 Disbursements General Expenses \$ 27,700.14

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

MISCELLANEOUS EXPENSES

It was moved by Mr. Mosley, seconded by Mr. Leonard, to approve the following Supplemental Appropriation in the amount of \$118.94. Upon the question being put the vote was as follows.

Revenue Source:
3-001-13030-0008 Building Permits \$ 118.94

Expenditure:
4-001-92100-5870 Building Fund Expenses & Refunds \$ 118.94

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

E-911 EXPENDITURES

It was moved by Mr. Mosley, seconded by Mr. Leonard, to approve the following Supplemental Re-Appropriation in the amount of \$9,535.00. Upon the question being put the vote was as follows.

Revenue Source:
3-001-41050-0099 Budget Supplements from Reserve \$ 9,535.00

Expenditure:
4-009-31400-8102 Capital Outlay \$ 9,535.00

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

COAL ROAD AND SEVERANCE FUND

It was moved by Mr. Mosley, seconded by Mr. Leonard, to approve the following Supplemental Appropriation in the amount of \$1,824.00. Upon the question being put the vote was as follows.

Revenue Source:
3-027-12130-0001 Coal Severance Taxes \$ 1,824.00

Expenditure:
4-027-91500-5860 Coal Road Tax Disbursements \$ 1,824.00

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

COAL ROAD IMPROVEMENT

It was moved by Mr. Mosley, seconded by Mr. Leonard, to approve the following Supplemental Appropriation in the amount of \$279.21. Upon the question being put the vote was as follows.

Revenue Source:
3-027-12150-0001 Gas Severance Tax \$ 279.21

Expenditure:
4-027-95100-5860 Gas Severance Tax Disbursements \$ 279.21

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

SOLID WASTE MANAGEMENT

It was moved by Mr. Mosley, seconded by Mr. Leonard, to approve the following Supplemental Re-Appropriation in the amount of \$4,796.10. Upon the question being put the vote was as follows.

Revenue Source:
3-001-41050-0099 Budget Supplements from Reserve \$ 4,796.10

Expenditure:
4-050-42300-8212 Transfer Station \$ 4,796.10

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

SOLID WASTE MANAGEMENT

It was moved by Mr. Mosley, seconded by Mr. Leonard, to approve the following Supplemental Appropriation in the amount of \$2,005.52. Upon the question being put the vote was as follows.

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. Leonard, to re-appoint Stephanie Fee to a four-year term on the Lonesome Pine Office On Youth Board. Ms. Fee's term will expire September 30, 2023. Upon the question being put the vote was as follows.

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

TOURISM COMMITTEE

It was moved by Mr. Smith, seconded by Mr. Mosley, to re-appoint Sue Crockett to a four-year term on the Tourism Committee. Ms. Crockett's term will expire September 30, 2023. Upon the question being put the vote was as follows.

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

WOODWAY WATER AUTHORITY

It was moved by Mr. Mosley, seconded by Mr. Slemp, to re-appoint Brenda Allen to a four-year term on the Woodway Water Authority. Ms. Allen's term will expire September 30, 2023. Upon the question being put the vote was as follows.

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

TREASURER'S REQUEST FOR RE-APPROPRIATION OF PRIOR YEAR FUNDS

Treasurer Rita McCann requested her department's unspent balance of \$7,088.83 from the prior year be re-appropriated to part-time salaries in the current year. This request is due to an extended sick leave absence of one of her full time employees.

It was moved by Mr. Leonard, seconded by Mr. Cope, to approve the following supplemental re-appropriation in the amount of \$7,088.83 to the Treasurer's Office. Upon the question being put the vote was as follows.

Revenue Source:			
3-001-41050-0099	Budget Supplements from Reserve	\$	7,088.83
Expenditure:			
4-001-12410-1350	Part Time Salary	\$	7,088.83

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

CONSTITUTION WEEK PROCLAMATION

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

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

PROCLAMATION LEE COUNTY, VIRGINIA CONSTITUTION WEEK, 2019

WHEREAS, September 17, 2019 marks the two hundred thirty second 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 celebrations 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, 2019 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.

COURTHOUSE RENOVATION BIDS

Bids were received on August 28 for the renovation of space for the General District Court Clerk and Judges, renovations and security upgrades for the Juvenile and Domestic Relations Court Clerk and Judges, security upgrades for the Court Service Unit, and replacement of three sets of entry doors in the original courthouse building. Three bids were received as follows:

Hamilton Construction Co.	\$ 278,901.00
Quesenberry's, Inc.	\$ 284,900.00
Green Construction Company Inc.	\$ 308,500.00

It was moved by Mr. Mosley, seconded by Mr. Slemp, to award the bid to Hamilton Construction Co. at a contract price of \$278,901.00. Upon the question being put the vote was as follows.

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

SUPPLEMENTAL APPROPRIATION

BUILDING/REMODELING EXPENSE

It was moved by Mr. Leonard, seconded by Mr. Smith, to approve a supplemental appropriation in the amount of \$160,000.00 to the Building/Remodeling Expense department. Upon the question being put the vote was as follows.

Revenue Source:	
3-001-41050-0099	Budget Supplements from Reserve \$ 160,000.00

Expenditure:

4-001-12410-1350 Part Time Salary \$ 160,000.00

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

LINE MATRIX PRINTER PURCHASE

The current line matrix printer used by the offices of the Treasurer, Commissioner of the Revenue and County Administrator’s office was discontinued nearly two years ago and maintenance contracts have increased substantially. This machine is over ten years old and has been budgeted for replacement in the current fiscal year. The selected replacement machine is a Printronix P8000 at a cost of \$11,285.00 plus a three year maintenance agreement at a cost of \$3,242.00. There are sufficient funds in the budget for this purchase.

It was moved by Mr. Mosley, seconded by Mr. Leonard, to approve the purchase of a Printronix P8000 line printer at a cost of \$11,285.00 and to purchase a three year maintenance agreement at a cost of \$3,242.00. Upon the question being put the vote was as follows.

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

SHERIFF’S VEHICLES BIDS

Bids for new Sheriff’s vehicles were received on September 16 with the following results.

<u>Tim Short Dodge</u> 2019 Dodge Challenger, RWD	\$24,124.00
<u>Auto World</u> 2020 Dodge Charger, AWD	\$24,458.45
<u>Freedom Ford</u> 2020 Ford Utility Police Interceptor, AWD	\$33,350.70
With Road-Ready package	\$42,270.29
<u>Short Redmond Ford</u> 2020 Ford Utility Police Interceptor, AWD	\$37,655.00

<u>Tim Short Dodge</u>	\$28,888.00
2020 Dodge Durango, V-6, AWD	
2020 Dodge Durango, V-8, AWD	\$31,464.00
<u>Auto World</u>	\$29,774.00
2020 Dodge Durango, V-6, AWD	

It was moved by Mr. Leonard, seconded by Mr. Slempp, to purchase four new 2020 Ford Utility Police Interceptors with the County Administrator authorized to compare the Road-Ready dealer cost package with after-market lighting and upfits to determine the best solution. The base cost of the vehicles will be \$33,350.70 each. Upon the question being put the vote was as follows.

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

PART-TIME ANIMAL CONTROL WORKER

Tabled until after Closed Session.

RESOLUTION OF MORAL OBLIGATION AND SUPPORT AGREEMENT APPROVAL – WOODWAY WATER AUTHORITY WATER WELL PROJECT

The Woodway Water Authority is developing a water supply well and treatment plant which will be partially funded by a bond issue in the amount of \$664,575.00 through the Virginia Resources Authority. VRA has requested a Resolution of Moral Obligation from the County.

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

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

RESOLUTION OF THE BOARD OF SUPERVISORS OF LEE COUNTY, VIRGINIA CONSENTING TO THE ISSUANCE OF A

**\$664,575 WATER REVENUE BOND BY THE WOODWAY
WATER AND SEWER AUTHORITY AND AUTHORIZING THE
EXECUTION OF A SUPPORT AGREEMENT PROVIDING FOR
LEE COUNTY'S MORAL OBLIGATION TO MAKE CERTAIN
APPROPRIATIONS WITH RESPECT TO THE BOND
19-015**

The Woodway Water and Sewer Authority (the "Authority") proposes to issue its not to exceed \$664,575 Water Revenue Bond, Series 2019 (the "Bond") to the Virginia Resource Authority, as Administrator of the Virginia Water Supply Revolving Fund (the "VRA"), to finance improvements to the Authority's water system (the "System") in Central Lee County service area of Lee County (the "Project").

The Authority has requested the Board of Supervisors of Lee County, Virginia (the "County") to facilitate the issuance and sale of the Bond by consenting to the issuance of the Bond and providing for the County's moral obligation to make certain appropriations to the Authority with respect to the Bond and the System.

As part of its plan for financing the Project, the Authority proposes to execute the following documents, drafts of which have been presented to the Board of Supervisors at this meeting:

- a. Financing Agreement (the "Financing Agreement") between the Authority and the VRA; and
- b. Support Agreement (the "Support Agreement"), between the Authority, the Board of Supervisors of the County and the VRA.

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF LEE COUNTY, VIRGINIA:

1. The Authority's plan of financing for the Project, substantially on the terms set forth in the Financing Agreement and which involves the issuance of the Bond, is approved. The Board of Supervisors consents to the issuance of the Bond.

2. The Board of Supervisors agrees, in accordance with the Support Agreement, to pay to the Authority amounts sufficient to pay (i) the debt service under the Bond and any other indebtedness secured by or payable from the revenues of the System, including the Existing Parity Bonds set forth on Exhibit F to the Financing Agreement, (ii) the operation and maintenance expense of the system of which the Project is a part, (iii) additional payments for costs and expenses related to any amendment, waiver, consent, or collection or enforcement proceedings under the Financing Agreement, and (iv) the Reserve Deficiency Amount, as defined in the Support Agreement, all of which shall be subject to annual appropriation by the Board of Supervisors, all on the terms and conditions to be provided in the Support Agreement.

The County's obligations to make payments to the Authority pursuant to this resolution shall be subject to and dependent upon annual appropriations being made from time to time by the Board of Supervisors for such purpose. Nothing in this resolution, the Bond or the Support Agreement shall constitute a debt of the County within the meaning of any constitutional or statutory limitation or a pledge of the faith or credit or the taxing power of the County.

3. The Board of Supervisors acknowledges that (i) the obligations of the Authority to determine, and of the County to pay, the charges for the use of and for services to be furnished by the System (as defined in the Financing Agreement) are crucial to the security for the Bond, (ii) VRA would not purchase the Bond without the security and credit enhancement provided by the Support Agreement, (iii) VRA will be a third party beneficiary of the Support Agreement for so long as the Bond remains outstanding, and (iv) VRA is treating the Support Agreement as a "local obligation" within the meaning of Section 62.1-199 of the Code of Virginia of 1950, as amended (the "Virginia Code"), which in the event of a nonpayment thereunder authorizes VRA to file an affidavit with the Governor that such nonpayment has occurred pursuant to Section 62.1-216.1 of the Virginia Code. Section 62.1-216.1 of the Virginia Code provides that if the Governor is satisfied that such nonpayment has occurred, the Governor will immediately make an order directing the Comptroller to withhold all further payment to the County of all funds, or of any part of them, appropriated and payable by the Commonwealth of Virginia to the County for any and all purposes, and the Governor will, while the nonpayment continues, direct in writing the payment of all sums withheld by the Comptroller, or as much of them as is necessary, to VRA, so as to cure, or cure insofar as possible, such nonpayment.

4. Any one of the Chairman or Vice-Chairman of the Board of Supervisors or the County Administrator is authorized and directed to execute and deliver the Support Agreement on behalf of the County, the form of which is approved. The Support Agreement shall be in substantially the form as presented to this meeting, with such changes, insertions and deletions as may be approved by the officer executing it, his execution to constitute conclusive evidence of his approval of any such changes, insertions or deletions; provided, however, that the terms of the Bond are substantially as stated in this resolution. The County Administrator is authorized and directed to take such actions and give such notices as may be required of him under the Support Agreement

5. This resolution shall take effect immediately upon its adoption. Unless otherwise defined, each capitalized term used in this Resolution shall have the meaning given in the Financing Agreement.

REPORTS AND RECOMMENDATIONS OF THE COUNTY ATTORNEY

The County Attorney requested to discuss a matter in Closed Session.

REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR

TOBACCO FESTIVAL SPONSORSHIP

It was moved by Mr. Leonard, seconded by Mr. Mosley, to approve a \$300.00 donation for sponsorship of the annual Tobacco Festival. Upon the question being put the vote was as follows.

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

LEE HIGH BAND BOOSTERS DONATION REQUEST

It was moved by Mr. Leonard, seconded by Mr. Slempp, to approve a \$150.00 donation to the Lee High Band Boosters. Upon the question being put the vote was as follows.

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

911 DISPATCHER INTERVIEWS

Mr. Poe advised that a date needs to be set for interviews for the vacant 911 Dispatcher position.

REQUEST FOR CLOSED SESSION

Mr. Poe stated that he has a request for Closed Session under Acquisition of Real Property.

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.3., discussion or

consideration of the acquisition of real property for a public purpose where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body; and Section 2.2-3711 A.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 litigating posture of the public body; and consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel. 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 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

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.

REPORTS AND RECOMMENDATIONS OF THE BOARD

RETAINER AGREEMENT FOR OPIOD LAWSUIT

It was moved by Mr. Mosley, seconded by Mr. Leonard, to authorize the County Attorney to enter into a Retainer Agreement for Legal Counsel for an additional opioid lawsuit. Upon the question being put the vote was as follows.

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

PART-TIME ANIMAL CONTROL WORKER

It was moved by Mr. Cope, seconded by Mr. Leonard, to hire David Wilder as part-time Animal Control worker at the rate of \$10.00 per hour. Mr. Wilder will begin his employment on September 23, 2019. Upon the question being put the vote was as follows.

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

LETTER TO STATE REPRESENTATIVES REGARDING REGIONAL JAIL COSTS

It was moved by Mr. Cope, seconded by Mr. Leonard, to authorize the County Administrator to send a letter to State Representatives regarding the cost of housing state-responsible inmates in the Regional Jail. 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 recess to October 1, 2019 at 5:00 p.m. 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