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 17, 2020 at 4:30 p.m. thereof.

MEMBERS PRESENT:	D. D. Leonard, Chairman Larry Mosley, Vice Chairman Sidney Kolb Robert Smith		
MEMBERS ABSENT:	Charles Slemp, Jr.		
OTHERS PRESENT:	Dane Poe, County Administrator Jeny Hughes, Administrative Assistant Stacy Munsey, County Attorney		
OTHERS ABSENT:	None		
INVOCATION Dane Poe, County Administrator, led the invocation.			
DI E	DCE TO THE ELAC		
PLEDGE TO THE FLAG Mr. Mosley led the Pledge to the Flag.			
MEETING CALLED TO ORDER The meeting was called to order at 4:38 p.m.			

PUBLIC HEARING

PROPOSED AMENDMENT TO FY 2020-2021 BUDGET

The Lee County Board of Supervisors held a public hearing on Tuesday, November 17, 2020 at 4:30 p.m. in the General District Courtroom of the Lee County Courthouse, Jonesville, Virginia. The purpose of the public hearing was to solicit public comment on a proposed amendment to the Fiscal Year 2020-2021 Budget. The Lee County Board of Supervisors has received Federal CARES Act funding from the State of Virginia in the amount of \$3,655,309.00 and a Broadband Expansion Grant from the Department of Housing and Community Development in the amount of \$1,615,241.00 for a total of \$5,270,550.00.

The Chairman opened the	e floor for public comment.	
There was no public com	ment.	
The Chairman closed the	floor.	
•	b, seconded by Mr. Leonard, to approve 20-2021 budget and appropriate \$5,270, g put the vote was as follows.	
Revenue Source: 3-001-22010-0026	State Coronavirus Relief Grant	\$ 3,655,309.00
Expenditure: 4-001-11010-5890	CARES Act State Funding	\$ 3,655,309.00
Revenue Source: 3-001-22010-0028	Fast Track Broadband Expansion	\$ 1,615,241.00
Expenditure: 4-001-11010-5885	Broadband Expansion Grant	\$ 1,615,241.00
VOTING AYE: Mr. Koll	b, Mr. Leonard, Mr. Mosley, Mr. Smith	
DE	PARTMENT REPORTS	
A written departmental re included in the Board Packet.	eport for Litter Control and the Transfer	Station was

LITTER CONTROL SICK LEAVE SHARING POLICY

	CONSTITUTIONA	L OFF	TICERS
	TREASURER'S	S REPC	ORT
7	The Treasurer's Report for the month of	Octobe	er 2020 was submitted as follo
	Revenues	\$	10,350,598.17
	Expenditures	\$	6,289,285.95
	General Fund	\$	10,746,695.12
	Total Assets and Liabilities	\$	14,602,657.34
	PUBLIC EXPI	RESSIC	ON
l b	The Chairman opened the floor for public limited to a three-minute time-period for a group.		-
-	There was no public comment.		
•			

APPROVAL OF MINUTES

It was moved by Mr. Smith, seconded by Mr. Kolb, to approve the October 20, 2020 Regular Meeting. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Kolb, Mr. Leonard, Mr. Mosley, Mr. Slemp, Mr. Smith
APPROVAL OF REFUNDS
It was moved by Mr. Mosley, seconded by Mr. Smith, to approve a refund to Karen Dean in the amount of \$344.94. Upon the question being put the vote was as follows.
VOTING AYE: Mr. Leonard, Mr. Mosley, Mr. Slemp, Mr. Smith
ABSTAINING: Mr. Kolb
APPROVAL OF REFUNDS
It was moved by Mr. Mosley, seconded by Mr. Smith, to approve a refund to Eastman Credit Union in the amount of \$436.77. Upon the question being put the vote was as follows.
VOTING AYE: Mr. Kolb, Mr. Leonard, Mr. Mosley, Mr. Slemp, Mr. Smith
APPROVAL OF REFUNDS
It was moved by Mr. Mosley, seconded by Mr. Smith, to approve a refund to Honda Lease Trust in the amount of \$209.80. Upon the question being put the vote was follows.
VOTING AYE: Mr. Kolb, Mr. Leonard, Mr. Mosley, Mr. Slemp, Mr. Smith
PAYROLL
The County Administrator reports that payroll warrants have been issued.

APPROVAL OF DISBURSEMENTS

It was moved by Mr. Smith, seconded by Mr. Mosley, to approve the disbursements for the month of November in the amount of \$166,825.35. Upon the question being put the vote was as follows.

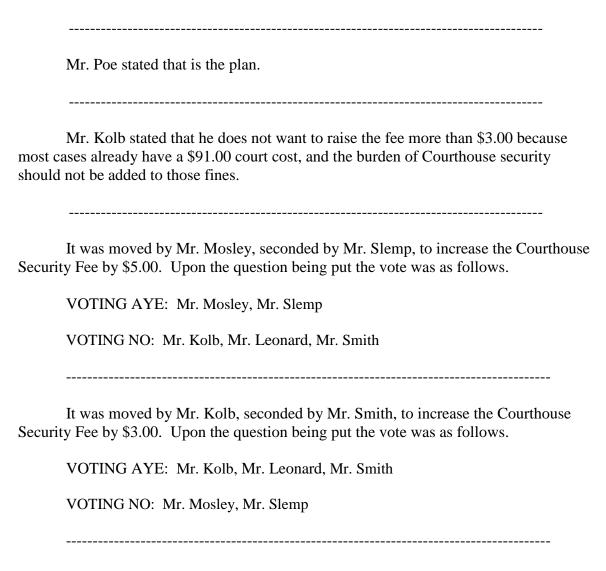
VOTING NO: Mr. Kolb	
OLD BUSINESS	

COURTHOUSE SECURITY FEE

Mr. Poe reported that last month, the Board conducted a public hearing on a proposed amendment to the Courthouse Security Fee ordinance which would increase the fee from \$10.00 to \$20.00 on each criminal or traffic case in the General District, Juvenile and Domestic Relations or Circuit Court in the County of Lee. The Board requested information on how much was currently being collected from this fee.

He added that while the Courthouse Security Fee fund has a current balance of \$41,430.25, the County is currently paying the cost of security personnel at the front door from a Department of Criminal Justice Services grant that will expire September 30, 2021. After that date, it will cost approximately \$40,000.00 annually just for that personnel expense alone with no consideration of additional courtroom security when needed.

Mr. Kolb asked about the fluctuation in expenses.
Mr. Poe stated that he did not do a year-by-year expense report.
Mr. Kolb asked if the County would get the grant next year.
Mr. Poe stated that this was a one time grant to help with COVID issues; there is to know if it will be offered again next year as this was not a multiyear grant.
Mr. Mosley asked if there will security at the door next year.



AMENDMENT TO COURTHOUSE SECURITY FEE ORDINANCE ENACTED PURSUANT TO TITLE 53.1, CHAPTER 756 (§53.1-120) OF THE CODE OF VIRGINIA, AS AMENDED.

WHEREAS, Virginia Code §53.1-120 provides that a county may assess a sum not in excess of Twenty dollars (\$20.00) as part of the costs in each criminal or traffic case in its district or circuit court in which the defendant is convicted of a violation of any statute or ordinance; and

WHEREAS, the Lee County Board of Supervisors desires to adopt an ordinance imposing a Courthouse Security Fee of Thirteen Dollars (\$13.00) on each criminal and traffic case in the General District or Circuit Courts;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Lee County Board of Supervisors that a Courthouse Security Fee of Thirteen Dollars (\$13.00)

be imposed on any individual convicted of a violation of any criminal or traffic statute or ordinance in the General District or Circuit Courts for Lee County;

BE IT FURTHER ORDAINED AND ENACTED that the assessment shall be collected by the clerk of the court in which the case is heard and remitted to the treasurer of the County of Lee and held by such treasurer subject to appropriation by the governing body to the sheriff's office for the funding of courthouse security personnel, equipment and other personal property if requested by the Sheriff.

THIS ORDINANC	E SHALL BE EFFECT	TIVE ON December 1,	2020.
CA	ARES ACT FUNDING	G REQUESTS	

Mr. Poe reported that last month, the Board was advised of three requests for consideration of CARES Act funding. The requests were as follows:

Lee County Health Department request for the installation of glass partitions with sliding windows at three patient intake stations. The estimated cost was approximately \$6,500.00

Woodway Water Authority request for the installation of a drive through service window at a cost of \$15,000.00

General District and Juvenile and Domestic Relations Courts for the installation of plexiglass shields on the courtroom bench at a cost of approximately \$1,000.00 with County staff to complete the work.

The Board requested information on the total amount of CARES Act funds spent or obligated to date. Mr. Poe stated that there is currently an unallocated balance of \$206,964.00.

In addition to the above requests, the Southwest Virginia 4-H Center has sent a follow-up letter from their request at the July 21, 2020 Regular Meeting. The tentative allocation approved at that time is included in the amount shown as obligated.

It was moved by Mr. Kolb, seconded by Mr. Mosley, to give the Southwest Virginia 4-H Center \$21,000.00 out of the CARES Act fund. Upon the question being put the vote was as follows.

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

Mr. Kolb stated that he has spoken with a couple judges and some do not want a partition installed.
Mr. Leonard asked if a portable partition could be installed so it could be removed if a judge did not want it.
Mr. Poe stated the County could buy portable units; it would take approximately three to cover the area at a cost of \$200.00 to \$300.00 each.
Mr. Kolb stated the Bailiff did not need a shield.
It was moved by Mr. Leonard, seconded by Mr. Smith, to purchase two temporary shields. Upon the question being put the vote was as follows. VOTING AYE: Mr. Kolb, Mr. Leonard, Mr. Mosley, Mr. Slemp, Mr. Smith
It was moved by Mr. Mosley, to approve the Health Department and Woodway Water Authority requests.
The motion died for the lack of a second.
Mr. Kolb asked if the Health Department had any partitions now.
Mr. Poe stated that there are partitions between the stations, but there is no separation between the employee and the public.
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It was moved by Mr. Kolb, seconded by Mr. Smith, to approve the Health Department's request to install partitions at a cost of \$6,500.00. Upon the question being put the vote was as follows.

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

NEW BUSINESS

BOARD APPOINTMENTS

BOARD OF ZONING APPEALS

It was moved by Mr. Leonard, seconded by Mr. Kolb, to table this appointment. Upon the question being put the vote was as follows.

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

MOUNTAIN EMPIRE COMMUNITY COLLEGE ADVISORY BOARD

It was moved by Mr. Smith, seconded by Mr. Mosley, to appoint Elwanda Pillion to an un-expired term on the Mountain Empire Community College Advisory Board. Ms. Pillion's term will expire June 30, 2022. Upon the question being put the vote was as follows.

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

TOURISM COMMITTEE

It was moved by Mr. Leonard, seconded by Mr. Kolb, to re-appoint Harold Hall to a four-year term on the Tourism Committee. Mr. Hall's term will expire September 30, 2024. Upon the question being put the vote was as follows.

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

PLANNING COMMISSION

It was moved by Mr. Slemp, seconded by Mr. Kolb, to re-appoint Greg Rasnic to a four-year term on the Planning Commission. Mr. Rasnic's term will expire November 30, 2024. Upon the question being put the vote was as follows.

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

VRS DEFERRED COMPENSATION PLAN RESOLUTION

Mr. Poe stated that the Board previously voted in August of this year to allow participation by employees in the Virginia Retirement System 457 Deferred Compensation Plan. VRS is requesting adoption of a resolution and the Employer Adoption Agreement.

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

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

COMMONWEALTH OF VIRGINIA 457 DEFERRED COMPENSATION PLAN RESOLUTION 20-015

WHEREAS, the County of Lee, Virginia (the "Employer"), acting by and through the Lee County Board of Supervisors, desires to adopt the Commonwealth of Virginia 457 Deferred Compensation Plan (the "Plan") for its employees as defined in the adoption agreement between the Employer and the Virginia Retirement System (the "VRS"); and

WHEREAS, the Plan, which includes both Roth and Traditional options, is authorized by the *Code of Virginia* § 51.1-600 et seq. and Internal Revenue Code § 457(b), and political subdivisions are authorized to participate in such Plan by the *Code of Virginia* § 51.1-603.1; and

NOW, THEREFORE, BE IT RESOLVED, that the Employer hereby approves the adoption of the Plan for its employees in accordance with applicable law and policy; and

BE IT FURTHER RESOLVED, that the Employer's staff is hereby to implement the Plan effective the first day of January 2021 but no sooner than the date established and confirmed by VRS.

NOW, THEREFORE , the officers of the Employer are hereby authorized and directed in the name of the Employer to carry out the provisions of this resolution, enter an adoption agreement with VRS, and pay such sums as are due to be paid by the Employer for this purpose.		
AIRPORT RESTRIPING INVOICE		
Mr. Poe stated that Zebra Striping has completed the runway-restriping project and has submitted an invoice in the amount of \$19,260.00.		
It was moved by Mr. Kolb, seconded by Mr. Smith, to approve payment to Zebra Striping for restriping the Airport Runway in the amount of \$19,260.00. Upon the question being put the vote was as follows.		
VOTING AYE: Mr. Kolb, Mr. Leonard, Mr. Mosley, Mr. Slemp, Mr. Smith		
EMERGENCY NOTIFICATION SYSTEM PROPOSALS		
Mr. Poe reported that he has been advised from Alan Bailey, 911 Director, that grant funds from the State for Reverse 911 system costs will no longer be available after January 10, 2021. Mr. Bailey stated that this is not a mandated service but one that allows the County to contact all or any portion of its citizens in the event of local emergencies. Proposals from three firms that provide this service were obtained as follows:		
Onsolve's CodeRed system at three different levels of service with costs of \$8,000.00, \$9,000.00 or \$13,055.00 per year. The basic difference is the number of minutes of use allowed per year.		
RAVE Mobile Safety's proposal with a one-year cost of \$7,600.00. Years 2 and 3 if elected, would be at \$6,600.00 per year.		
Hyper-reach's proposal at a cost of \$5,300.00 per year.		
Mr. Leonard stated that the last time there was an emergency and a notification needed to go out, the system did not work.		

public needs to be made aware of it so they can sign up for the alerts.
VDOT REQUEST FOR ACTION TO ABANDON OR DISCONTINUE ROAD SECTIONS
Mr. Poe provided the Board with emails and maps from VDOT Engineer John Bolling, on Routes 704 and 657 regarding potential action to discontinue or possibly abandon a portion of each route.
ROUTE 682 BRIDGE PROJECT DELAY
Mr. Poe reported that he has recently received notification from VDOT that the Route 682 Bridge Replacement Project in Western Lee has been delayed for one to two years due to design and right-of-way issues. This bridge is on Giles Hollow Road and was originally scheduled for replacement in Summer or Fall 2021.
REPORTS AND RECOMMENDATIONS OF THE COUNTY ATTORNEY
None.
REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR

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VARIOUS UPDATES

Mr. Poe provided the Board with an email he received from Paul Matticks, VDOT Residency Administrator, regarding litter pick-up along primary and secondary highways and the use of VDOT funding for litter pick-up.

The port-a-john that was previously at the Transfer Station for use by the Recycling Program inmates was moved to the Cane Creek Convenience Center in April of this year. This convenience center had previously not had one as the employee there was close to home and did not want one on site.

The main door at the airport has been adjusted and is now closing properly. Material has been ordered to close the air gap near the bottom of the two doors. The

	lvised that these doors were an old style and he would have to special order the tripping.
M	r. Kolb stated that the door at the Airport is still hanging.
M	r. Poe stated he would have it checked again.
	VIRGINIA WORKFORCE DEVELOPMENT NOTICE OF OBLIGATIONS OF FUNDS
orkforc 0,000.0	Mr. Poe stated that the County serves at the grant recipient for Virginia be Development. The Workforce Development Board has applied for a 00 grant from the state to prepare a four-year Local Strategic Plan. Mr. Poe is r Board approval to sign off on this grant and for the Notice of Obligation of
dminist	t was moved by Mr. Smith, seconded by Mr. Slemp, to authorize the County rator to sign for the grant and Notice of Obligation for the Workforce nent Program. Upon the question being put the vote was as follows.
•	OTING AYE: Mr. Kolb, Mr. Leonard, Mr. Mosley, Mr. Slemp, Mr. Smith

Mr. Poe presented the Board with items for adoption on the St. Charles Water Line Replacement Project. In order to complete all the pre-contract grant requirements, the enclosed Resolution for Compliance must be adopted. The Resolution for Compliance references seven specific documents, which are required and will be adopted by reference. These are as follows:

- 1. Residential Anti-Displacement and Relocation Assistance Plan
- 2. Resolution to Appropriate Funds
- 3. Section 3 Business and Employment Plan
- 4. Section 504 Grievance Plan
- 5. Self-Evaluation Checklist
- 6. Fair Housing Certificate

7. Nondiscrimination Policy

It was moved by Mr. Slemp, seconded by Mr. Kolb, to adopt the Resolution for Compliance for the St. Charles Water Line Replacement Project. Upon the question being put the vote was as follows.

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

RESOLUTION FOR COMPLIANCE ST. CHARLES WATER LINE REPLACEMENT PHASE III PROJECT III CDBG #19-19-05 / ARC 20-05A

WHEREAS, Lee County anticipates a DHCD award to install 26,380 linear feet of water line, including 9,010 linear feet of service line and

WHEREAS, Lee County adopts the following requirements as required by the Department of Housing and Community Development:

- a) Resolution to Appropriate Funds
- b) Section 3 Business and Employment Plan
- c) Residential Anti-Displacement and Relocation Assistance Plan
- d) 504 Grievance Procedure
- e) Self- Evaluation Checklist
- f) Fair Housing Certification
- g) Nondiscrimination Policy

NOW THEREFORE BE IT RESOLVED, the Lee County Board of Supervisors hereby adopts the above-mentioned items as required, showing that Lee County will be in conformance with all requirements set forth by the Virginia Department of Housing and Community Development.

REPORTS AND RECOMMENDATIONS OF THE BOARD

SURPLUS PROPERTY SALE

It was moved by Mr. Kolb, seconded by Mr. Smith, to conduct the surplus real estate property sale by the end of the year. Upon the question being put the vote was as follows.

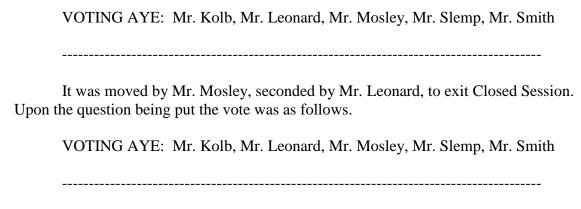
VOTING AYE: Mr. Kolb, Mr. Leonard, Mr. Mosley, Mr. Slemp, Mr. Smith
BLACKWATER CONVENIENCE CENTER CAMERA
Mr. Kolb stated that the Litter Control Coordinator stated there needed to be cameras at all of the dumpsites, and asked the status of the cameras for the Blackwater Center.
Mr. Poe stated that the cameras have been received and need to be installed.
TRASH PICKUP
Mr. Kolb stated that he would like to move forward with hiring a contractor for trash pickup, with each Supervisor assigning a road from their district.
It was moved by Mr. Kolb, seconded by Mr. Smith, to advertise a request for proposals on trash pickup on a section of road in each district, to be determined by each individual Supervisor, to be advertised by the end of December and for the advertisemen to state that the trash pickup should be done by no later than the end of April. Upon the question being put the vote was as follows.
VOTING AYE: Mr. Kolb, Mr. Leonard, Mr. Mosley, Mr. Slemp, Mr. Smith
Mr. Poe asked if there would be a limit on what the Supervisor can select.
Mr. Kolb stated that it would be a road, not the entire district.

It was moved by Mr. Kolb, seconded by Mr. Mosley, to amend the previous motion to have litter pickup on the following roads Route 58, Alternate 58, and Highway 421. Upon the question being put the vote was as follows. VOTING AYE: Mr. Kolb, Mr. Leonard, Mr. Mosley, Mr. Slemp, Mr. Smith
JONESVILLE RESCUE SQUAD CARES FUNDING
Mr. Kolb stated that he received a call from Richard Garrett about items being denied by the CARES Fund Committee. He stated that he thought the vote was to form a committee to approve things, not disapprove things. He would like to set a meeting to take up their argument on why it should have been approved.
Mr. Mosley stated that there were several questionable items submitted.
Mr. Poe stated that this is not a onetime thing, and that Jonesville Rescue Squad can resubmit invoices at anytime.
WORKS PROGRAM OFFICE SPACE
Mr. Kolb asked about using the room behind the Circuit Courtroom for a temporary Works Program Office.
Mr. Leonard stated that if it is appropriate for what is needed he supports it.

CLOSED SESSION

It was moved by Mr. Kolb, seconded by Mr. Mosley, to enter Closed Session pursuant to Code 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, 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.



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.

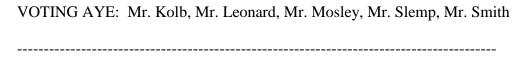
WORKS PROGRAM

It was moved by Mr. Kolb, seconded by Mr. Leonard, to advertise for the Works Program Coordinator position at a salary not to exceed \$32,500.00. Upon the question being put the vote was as follows.

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

INTERNET FEED

It was moved by Mr. Kolb, seconded by Mr. Mosley, to have an independent internet feed installed in the General District Courtroom. Upon the question being put the vote was as follows.



ADOPT VIRGINIA CODE

It was moved by Mr. Kolb, seconded by Mr. Leonard, to advertise a public hearing for the adoption of Virginia Code Sections 18.2 and 46.2 in their entirety. Upon the question being put the vote was as follows.

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

CARES FUND REQUESTS

It was moved by Mr. Kolb, seconded by Mr. Leonard, to approve \$15,000.00 to Woodway Water Authority for a drive through window, up to \$30,000.00 for fiber installation to the Keokee communications tower, and for the County Administrator to negotiate with Scott County Telephone Cooperative for additional areas for broadband expansion. These will all be paid with CARES Act funds. Upon the question being put the vote was as follows.

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

LITTER CLEAN UP SIGNS

It was moved by Mr. Kolb, seconded by Mr. Leonard, to order 10 safety vests and 4 highway signs for litter clean ups. Upon the question being put the vote was as follows.

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

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

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

CHAIRMAN OF THE BOARD	CLERK OF THE BOARD