

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 December 19, 2023 at 5:30 p.m. thereof.

MEMBERS PRESENT: Larry Mosley, Chairman
Sidney Kolb
David Jessee
D.D. Leonard, by phone
Robert Smith

MEMBERS ABSENT: None

OTHERS PRESENT: Dane Poe, County Administrator
Angie Thomas, Administrative Assistant
Stacy Munsey, County Attorney

OTHERS ABSENT: None

INVOCATION

Dane Poe, County Administrator, led the invocation.

PLEDGE TO THE FLAG

Mr. Jessee led the Pledge to the Flag.

MEETING CALLED TO ORDER

The meeting was called to order at 5:34p.m.

PUBLIC HEARING

PROPOSED RIGHT-OF-WAY ABANDONMENT

A notice was hereby given that the Lee County Board of Supervisors would hold a Public Hearing on Tuesday, December 19, 2023 at 5:30 p.m. in the General District

Courtroom of the Lee County Courthouse, 33640 Main Street, Jonesville, Virginia. The purpose of the Public Hearing was to receive public comment on the proposed abandonment of a right-of-way granted and described in a deed dated November 8, 1969 and recorded in Deed Book 220, Page 175, beginning at the terminus of State Route 779 (Clear Springs Rd) and running eastwardly and located in the White Shoals Magisterial District of Lee County, Virginia. If the abandonment is approved, title to the right-of-way will revert to the adjacent property owner(s).

The Chairman opened the floor for public comment.

Mr. Poe stated that four or five property owners donated a right of way to the county in anticipation a state road would be built. He added there has been no movement in fifty years to extend the road and the property owners are asking for the right-of-way to be given back.

There was no public comment.

The Chairman closed the floor.

It was moved by Mr. Smith, seconded by Mr. Jessee, to approve the proposed right-of way abandonment and that it revert back to the adjacent landowner(s). Upon the question being put the vote was as follows.

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

The Chairman stated Mr. Leonard is out of town and is present by phone.

SPECIAL USE PERMIT REQUEST

The Lee County Board of Supervisors held a Public Hearing on Tuesday, December 19, 2023 at 5:30 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. John

Hershberger has applied for a Special Use Permit to allow manufacturing of wooden trusses in an A-1, Agricultural District. The property consists of approximately 4.32 acres of land and is located adjacent to 5460 Flatwoods Rd. (Route 661) approximately 0.20 miles West of Wilson Hill Rd. (Route 855), Tax Parcel #67-(A)-32.

The Chairman opened the floor for public comment.

Mr. Poe stated the Planning Commission heard the request last month and recommends approval.

There was no public comment.

The Chairman closed the floor.

It was moved by Mr. Kolb, seconded by Mr. Leonard, to approve the John Hershberger Special Use Permit to allow manufacturing of wooden trusses in an A-1, Agricultural District. Upon the question being put the vote was as follows.

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

PROPOSED AMENDMENT FY 2023-2024 BUDGET

The Lee County Board of Supervisors held a Public Hearing on Tuesday, December 19, 2023 at 5:30 p.m. in the General District Courtroom of the Lee County Courthouse located in Jonesville, Virginia. The purpose of the public hearing was to solicit public comment on a proposed amendment to the Fiscal Year 2023-2024 Budget. The Lee County School Board has been allocated additional state funding in the amount of \$2,528,278.00 which requires a local match of \$144,727.00. They have also received a USDA-Rural Utilities Service Distance Learning and Telemedicine Grant in the amount of \$740,793.00. They are requesting a supplemental appropriation in the total amount of \$3,518,718.74 to the current fiscal year budget.

The Chairman opened the floor for public comment.

Mr. Poe stated the total of \$3,518,718.74 is including \$105,000.00 of additional federal funding.

Stacey Belcher, Assistant Superintendent, requested approval for the supplemental appropriations and added the USDA Distance Learning Service Grant is for adding equipment in each school and the additional funding from the state will go toward a 2% average salary increase.

There was no further public comment.

The Chairman closed the floor.

Mr. Leonard asked if the local match funds will come from Cares Act or Lottery Funds.

Mr. Poe stated the funds do not have to be designated from a definite source and added it could come from the General Fund.

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

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

**RESOLUTION
23-015**

**LEECOUNTYSCHOOLBOARD
SUPPLEMENTAL APPROPRIATION**

WHEREAS, the Lee County School Board has been allocated additional state funding in the amount of\$2,528,278.00 which requires a local match of\$144,727.00; and

WHEREAS, they have also received additional Federal funding in the amount of \$104,920.74 with no match required; and

WHEREAS, they have also received a USDA-Rural Utilities Service Distance Learning and Telemedicine Grant in the amount of\$740,793.00; and

WHEREAS, the Lee County School Board respectfully requests a supplemental appropriation in the total amount of\$3,518,718.74 to the current fiscal year budget these funds be appropriated to the current fiscal year as allowed by Chapter 2 of the 2022 Virginia Acts of Assembly (Special Session I);

NOW, THEREFORE, BE IT RESOLVED, the Lee County Board of Supervisors grants a supplemental appropriation to the 2023-24 School Budget in the amount of\$3,518,718.74;

BE IT FURTHER RESOLVED, that the revised total Lee County School Board appropriation for the 2023-24 fiscal year be increased from Sixty Million, Seven Hundred Twenty Four Thousand, Nine Hundred Twenty Three Dollars and Thirty Eight Cents (\$60,724,923.38) to Sixty Four Million, Two Hundred Forty Three Thousand, Six Hundred Forty Two Dollars and Twelve Cents (\$64,243,642.12).

DEPARTMENT REPORTS

A written departmental report for the Works Program was included in the Board Packet.

CONSTITUTIONAL OFFICERS

TREASURER'S REPORT

The Treasurer's Report for the month of December 2023 was submitted as follows:

Revenues	\$	8,015,499.51
Expenditures	\$	9,176,038.91
General Fund	\$	13,222,305.90
Total Assets and Liabilities	\$	16,999,702.63

TREASURER’S REPORT

The Treasurer’s Report for the month of November 2023 was submitted as follows:

Revenues	\$	12,816,223.48
Expenditures	\$	7,167,508.29
General Fund	\$	12,400,062.45
Total Assets and Liabilities	\$	18,160,242.03

PUBLIC EXPRESSION

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

There was no public comment.

The Chairman closed the floor.

APPROVAL OF MINUTES

It was moved by Mr. Kolb, seconded by Mr. Smith, to approve the November 21, 2023 Regular Meeting. Upon the question being put the vote was as follows.

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

APPROVAL OF REFUNDS

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

John Broadhuhn	\$	207.39
Gregory J. Hill	\$	1,003.35

VOTING AYE: Mr. Jessee, Mr. Kolb, 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. Leonard, seconded by Mr. Jessee, to approve the disbursements for the month of December in the amount of \$941,770.20. Upon the question being put the vote was as follows.

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

VOTING NO: Mr. Kolb

DELEGATIONS

**JERRY COX
BUDGET**

Jerry Cox, Sticklelyville, stated he would like to discuss the increase in compensation for board appointees. He added he appreciates the 20% decrease in property taxes the Board gave and recommends a 20% increase for board appointees which would be \$10.00 for a total of \$60.00 per month.

FINANCE

QUARTERLY APPROPRIATIONS

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

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

LEE COUNTY BOARD OF SUPERVISORS

**APPROPRIATIONS RESOLUTION
FISCAL YEAR ENDING JUNE 30, 2024
23-016**

WHEREAS, the Lee County Board of Supervisors has approved the Headstart Budget, Lee County Public School Budget and Virginia Public Assistance Budget for FY2023-24; 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 March 31, 2024.

HEADSTART

Federal Funds	\$ 1,618,181
TOTAL HEADSTART	\$ 1,618,181

VIRGINIA PUBLIC ASSISTANCE

Federal/State Funds	\$ 9,609,845
Local Funds	<u>1,488,549</u>
TOTAL VIRGINIA PUBLIC ASSISTANCE	\$ 11,098,394

LEE COUNTY PUBLIC SCHOOLS

Federal, State & Other Funds	\$ 52,083,024
Local Funds	<u>5,535,843</u>
TOTAL LEE COUNTY PUBLIC SCHOOLS	\$ 57,618,867

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 2023-2024.

TOTAL FY 2023-24 BUDGET

\$90,907,030

SUPPLEMENTAL APPROPRIATIONS

CIRCUIT COURT CLERK

It was moved by Mr. Mosley, seconded by Mr. Smith, to approve the following Supplemental Appropriation in the amount of \$14,497.22. Upon the question being put the vote was as follows.

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

Revenue Source:

3-001-18030-0006	Reimbursements	\$	14,497.22
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Expenditure:

4-001-21600-1150	Salaries	\$	12,537.00
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4-001-21600-3150	Part-Time Salaries	\$	465.00
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4-001-21600-2100	FICA (Employers Share)	\$	994.65
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4-001-21100-1150	Salaries	\$	465.00
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4-001-21100-2100	FICA (Employers Share)	\$	35.57
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		\$	14,497.22
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BUDGET TRANSFERS

It was moved by Mr. Mosley, seconded by Mr. Smith, to approve the following Budget Transfer in the amount of \$7,599.98. Upon the question being put the vote was as follows.

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

Miscellaneous Contingency:

CWA Collection Program	4-001-22200-5899	\$	(7,599.98)
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Fund 001:

Commonwealth Attorney:

Salaries	4-001-22100-1136	\$	7,059.90
FICA (Employers Share)	4-001-22100-2100	\$	540.08

Total Budget Transfer: \$ 7,599.98

OLD BUSINESS

DONATED REALE STATE

Mr. Poe stated he is still working on one property in St. Charles but the others are out for signatures and should be back any day.

Mr. Kolb asked what the holdup was and added they were out for signatures last month.

Mr. Kolb stated he doesn't understand why it's so hard to give property to the County. He added it seems like it is important enough to send someone out to get signatures.

Ms. Munsey stated only one heir is local and the others live out of the area.

Mr. Kolb recommended going to see the heir that lives local and follow-up with the others.

Mr. Poe stated he will follow up with the heirs.

CIRCUIT COURT CLERK COUNTER REDESIGN

Mr. Poe stated he has some quotes and requests closed session for this matter.

COMPENSATION FOR BOARD APPOINTEES

Mr. Poe stated a comprehensive list of Board appointee compensation was included in the Board packet.

Mr. Kolb asked if MECC meets at the college and whether they can attend remotely.

Mr. Poe stated MECC's by-laws stipulate the amount of compensation.

It was moved by Mr. Kolb, seconded by Mr. Smith, to increase compensation for Airport Authority, Planning Commission, Public Service Authority, Housing Authority and Board of Zoning Appeals to \$75.00 per month. Upon the question being put the vote was as follows.

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

NEW BUSINESS

BOARD APPOINTMENTS

BUILDING CODE 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. Jessee, Mr. Kolb, Mr. Leonard, Mr. Mosley, Mr. Smith

UPPER TENNESSEE RIVER ROUNDTABLE

It was moved by Mr. Mosley, seconded by Mr. Smith, to re-appoint Jolene Lambert and Phil Hensley (Alternate) to a two-year term on Upper Tennessee River Roundtable. Ms. Lambert and Mr. Hensley's terms will expire December 31, 2025. Upon the question being put the vote was as follows.

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

TOURISM COMMITTEE

It was moved by Mr. Mosley, seconded by Mr. Jessee, to re-appoint Bernadine Huff to a four-year term on the Tourism Committee. Ms. Huff's term will expire December 31, 2027. Upon the question being put the vote was as follows.

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

SOUTHWEST VIRGINIA EMERGENCY MEDICAL SERVICES

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

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

SOCIAL SERVICES

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

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

NINTH DISTRICT DEVELOPMENT FINANCING

It was moved by Mr. Kolb, seconded by Mr. Leonard, to appoint Robby Wright to an unfulfilled term on Ninth District Development Financing. Mr. Wright's term will expire on April 30, 2025. Upon the question being put the vote was as follows.

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

HEART OF APPALACHIA

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

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

AIRPORT AUTHORITY

It was moved by Mr. Smith, seconded by Mr. Kolb, to re-appoint Scott Taylor to a four year term on the Airport Authority. Mr. Taylor’s term will expire on November 30, 2026. Upon the question being put the vote was as follows.

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

PUBLIC SERVICE AUTHORITY

It was moved by Mr. Mosley, seconded by Mr. Kolb to re-appoint Robert Horton to a four-year term on the Public Service Authority. Mr. Horton’s term will expire on December 31, 2027. Upon the question being put the vote was as follows.

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

Mr. Poe stated the remaining appointments will be on the agenda for next month.

LOCAL LAW ENFORCEMENT EQUIPMENT GRANT AWARD INCREASE

Mr. Poe advised that DCJS had awarded an additional \$60,000.00 to the Local Law Enforcement Equipment Grant. Staff will be looking to DCJS for guidance on how the additional funds can be spent. He advised a motion to accept the funds needs to be made.

It was moved by Mr. Leonard, seconded by Mr. Kolb, to accept the additional \$60,000.00 from the Local Law Enforcement Equipment Grant Award. Upon the question being put the vote was as follows.

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

E-911 GENERATOR MAINTENANCE PROPOSAL

Mr. Poe stated the service agreement on the 911 generator expired during Covid. Cummins Sales and Service out of Knoxville will provide preventative service and maintenance of the unit for a five-year period at a total cost of \$19,296.38 with annual payments ranging from \$3,523.41 to \$4,153.90 based on the services provided in each year. The agreement provides semi-annual inspections and annual servicing of the unit, load testing in years 2 and 4, and servicing of the transfer switch and switchgear to insure the unit transfers power as needed and back to the main power source when needed.

Mr. Jessee asked if it was a good idea to do for five years.

Mr. Poe stated he believed so since a recent unit malfunction took two and a half weeks to be checked.

Mr. Kolb asked if the Board went through procurement.

Mr. Poe stated this is the company that previously serviced the unit and responded to the trouble call.

Mr. Kolb asked if there was any way to shorten the term.

Mr. Poe stated typically you get a better rate when you take the longer term.

Mr. Jessee asked if it seemed like a good deal.

Mr. Poe stated it is a lot higher than before but they just serviced the unit once a year and added the unit is 16 years old.

Mr. Kolb stated he doesn't like taking contracts out for longer than the term he will be serving.

Mr. Poe stated if the Board wants to enter a one-year contract they would have to specify the services requested.

Mr. Kolb stated he would rather the new Board vote on it unless it's an emergency.

Mr. Leonard stated he would like to postpone until next month if possible.

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

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

ANIMAL CONTROL TRUCK BID

Mr. Poe stated the County recently advertised for bids for a new pickup truck to replace a 2013 model that is nearing the end of its useful life for this department although bid specifications were sent to several dealers. Morgan McClure Chevrolet, Inc. of Coeburn, VA submitted the only bids as follows. Chevrolet 1500 Silverado, long wheel base, 4WD, regular cab pickup, 5.3L V-8 engine, 10 speed automatic at a cost of \$43,125.00 and a new Chevrolet 1500 Silverado, long wheelbase, 4WD, regular cab pickup, 4cyl. Turbo engine, 8 speed automatic at a cost of \$38,450.00. He added either of the vehicles would have to be ordered and we would have to confirm that the slide-in-carrier unit would fit the bed as it was built for a Ford bed. He recommends pulling out the slide-in and measuring before ordering a Chevrolet truck.

It was moved by Mr. Mosley, seconded by Mr. Kolb, to table this matter until the January Board meeting. Upon the question being put the vote was as follows.

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

ANNUAL SOUTHWEST LEGISLATIVE RECEPTION

Mr. Poe advised the Southwest Virginia Legislative Reception would be held on January 31, 2024 in Richmond. Lee County’s share of the costs would be \$1,000.00.

It was moved by Mr. Mosley, seconded by Mr. Kolb, to approve the invoice payment of \$1,000.00 for Southwest Virginia’s Legislative Reception. Upon the question being put the vote was as follows.

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

SOCIAL SERVICES BOARD MEMBER RESIGNATION AND BOARD REQUEST

Mr. Poe advised Eleanor Chadwell has submitted a letter of resignation from the Social Services Board effective December 4, 2023. Also the DSS attorney has submitted a letter requesting specific action on a replacement to fulfill Ms. Chadwell’s term.

It was moved by Mr. Mosley, seconded by Mr. Smith, to appoint Joanne Eldridge to the un-fulfilled term on the DSS Board. Ms. Eldridge’s term will expire on December 31, 2025. Upon the question being put the vote was as follows.

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

It was moved by Mr. Mosley, seconded by Mr. Leonard, to re-appoint Sidney Kolb to a four-year term on the DSS Board. Mr. Kolb’s term will expire on December 31, 2027. Upon the question being put the vote was as follows.

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

ABSTAINING: Mr. Kolb

PUBLIC SERVICE AUTHORITY BOARD MEMBER TERM CORRECTION

Mr. Poe stated that it was brought to his attention the term of one member of the PSA has been recorded for several years with an incorrect expiration date. After

researching minutes of the Board of Supervisors for the past 28 years and reviewing the initial creation documents of the authority he believes it to be true. Robert Horton, District 3 representative to the PSA Board, is listed with a term expiration of January 31, 2024 that should actually expire on December 31, 2023. The error originated in December 2007 when the appointment was tabled to the January 2008 meeting at which time this appointment was filled. The term expiration should have remained the same which would have been December 2011; however, it was erroneously listed as January 2012 and has remained that way. He stated in researching this matter, he also discovered that the ordinance creating the PSA states that all appointment terms end on December 31 with three expiring in one year and two expiring two years later. Currently two appointments (Districts 1 and 2) are ending in November and should be extended by one month and the District 3 appointment should be reduced by one month.

It was moved by Mr. Kolb, seconded by Mr. Leonard to extend Mr. Jerrell and Mr. Carter's terms on the PSA Board until December 2027. Upon the question being put the vote was as follows.

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

REPORTS AND RECOMMENDATIONS OF THE COUNTY ATTORNEY

None.

REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR

JANITORIAL CONTRACT

Mr. Poe stated the janitorial contract was advertised with one proposal submitted. He requested closed session for this matter.

COUNTY GRANT WRITER CONTRACT

Mr. Poe stated Robert Bost, County Grant Writer, has requested to terminate his contract effective December 31, 2023.

It was moved by Mr. Mosley, seconded by Mr. Kolb, to terminate Mr. Bost's contract effective December 31, 2023. Upon the question being put the vote was as follows.

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

NATURAL TUNNEL STATE PARK SWIMMING POOL

Mr. Poe stated Scott County has adopted a resolution in support of funding to restore operation of the Natural Tunnel State Park swimming pool and have asked the surrounding counties to consider adopting a similar resolution.

Mr. Jessee stated that the Natural Tunnel Park is a good local facilities and he is in favor of supporting.

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

RESOLUTION 23-017

RESOLUTION IN SUPPORT OF NATURAL TUNNEL STATE PARK SWIMMING POOL 23-017

WHEREAS, since 1983 the citizens of Lee and Scott Counties and visitors from all over the United States have enjoyed the swimming pool at Natural Tunnel State Park; and

WHEREAS, visitors that use the campground and cabin rentals have enjoyed the extra benefit with their stay of having swimming pool access; and

WHEREAS, since 2020 the loss of the swimming pool has had a negative impact in the local economy and in a distressed community that isn't able to offer a broad range of amenities for the youth; and

WHEREAS, a detailed pool inspection was completed by Vanasse Hangen Brustlin for the Virginia Department of Conservation and Recreation in 2022; and

WHEREAS, the refurbishment or replacement of the Natural Tunnel State Park swimming pool is requested to be made a priority with the Commonwealth of Virginia and the Virginia Department of Conservation and Recreation; and

NOW, THEREFORE, BE IT RESOLVED, the Lee County Board of Supervisors supports the funding to refurbish or replace the swimming pool at Natural Tunnel State Park.

Mr. Poe requested closed session for personnel.

REPORTS AND RECOMMENDATIONS OF THE BOARD

Mr. Smith stated he has served on the Board of Supervisors for two terms (eight years) and has seen a lot of things accomplished in the County and in District 1. He thanked the people of District 1 for giving him two terms. He stated some of the things accomplished were opening of the hospital, expansion of internet service, AT&T cell towers, the selling of the building at Constitutional Oaks Industrial Park, several roads in his district were fixed, the outdoor basketball court at Thomas Walker and one of the biggest projects he is proud of is the Giles Hollow Water Project. He stated he wishes the new Board members the best and appreciates the Board members he has worked with.

Mr. Kolb stated it has been an honor serving with the Board and feels like they accomplished a fair amount. He appreciates the voters of District 2 for giving him the opportunity to serve as their Supervisor.

HEART OF APPALACHIA BOARD APPOINTMENT

Mr. Kolb asked to revisit the Heart of Appalachia Board Appointment and recommends Mr. Shoemaker serving on that Board.

Mr. Poe stated the statute states the Tourism Director serves on the Heart of Appalachia Board.

Mr. Kolb asked if he can serve until the County hires a Tourism Director.

Mr. Poe stated he could.

HEART OF APPALACHIA

It was moved by Mr. Kolb, seconded by Mr. Smith, to appoint Brian Shoemaker to the unfulfilled term on Heart of Appalachia until a Tourism Director is hired. Upon the question being put the vote is as follows.

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

Mr. Kolb stated going forward he suggests the Board consider changing some of the four-year appointments to two-year terms.

Mr. Poe stated some of the appointments are stated in the by-laws of the organization and some are by code.

Mr. Kolb stated some are by ordinance.

Mr. Jessee stated he sincerely appreciates the Board allowing him to serve with them for the past year. He added it has been an honor and appreciates the opportunity.

Mr. Leonard stated he would like to thank the Chairman for allowing him to attend by phone. He stated it is an honor to have served with Mr. Smith, Mr. Mosley, Mr. Kolb and Mr. Jessee. He stated he a lot of good work has been done and hopes the new Board can reach out them in the future.

COURTHOUSE CLOSING DECEMBER 26

It was moved by Mr. Leonard, seconded by Mr. Kolb, to close the courthouse on December 26, 2023. Upon the question being put the vote was as follows.

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

Mr. Leonard stated he would like to get the Board's opinion on using Ms. Mullins to help out with Litter Control because of being shorthanded due to sickness. He stated he knows he has been critical of litter control but hadn't considered that they have been shorthanded for several months. He added the last couple of weeks work has been done that is a huge quality to the County and wants to give credit to the Works Program for helping out. He stated that litter is completely out of control.

Mr. Mosley asked how much time Mr. Leonard was asking for Ms. Mullins to help out.

Mr. Leonard stated he didn't have a specific amount of time. He added Mr. Poe would have to check into how many people were in the program and speak to Mr. Hensley.

Mr. Kolb stated the Board bought laptops for them to work on while they were in the van waiting on them to pick up garbage.

Mr. Mosley stated Mr. Poe can check on this and the Board can make a decision in the future.

Mr. Leonard stated again he wants to express how much he appreciates the current Board members and looks forward to working with the new Board members.

Mr. Mosley stated today makes his 192nd consecutive regular Board meeting he added he hasn't missed a meeting in 16 years. He wanted to thank the people District 3 for supporting him for 16 years. He added it has been a pleasure serving with the current board. He stated you're not going to agree on everything all the time but don't take it personal. He feels very privileged and grateful to have been here 16 years but is ready to retire. He thanked his fellow Board members for serving with him along with Ms. Munsey and Ms.

Thomas. He added Mr. Poe has been outstanding and will be missed when he retires. He wished everyone a merry and blessed Christmas and Happy New Year.

CLOSED SESSION

It was moved by Mr. Kolb, seconded by Mr. Smith, 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, and 2.2-3711 A.29., Discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body. Upon the question being put the vote was as follows.

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

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

VOTING AYE: Mr. Jessee, Mr. Kolb, Mr. Leonard, Mr. Mosley, 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.

Upon the question being put the vote was as follows.

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

DEPUTY ANIMAL CONTROL OFFICER SALARY INCREASE

It was moved by Mr. Kolb, seconded by Mr. Smith, to increase Deputy Animal Control Officer David Wilder's salary by \$1.00 per hour effective January 1, 2024. Upon the question being put the vote was as follows.

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

CIRCUIT COURT CLERK COUNTER REDESIGN

It was moved by Mr. Smith, seconded by Mr. Leonard, to award the Circuit Court Clerk office counter project to Johnson City Cabinets to Go at a cost of \$9,559.93. Upon the question being put the vote was as follows.

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

VOTING NO: Mr. Jessee, Mr. Kolb

JANITORIAL CONTRACT AWARD

It was moved by Mr. Kolb, seconded by Mr. Smith, to award the Janitorial Contract to Jerry Harris for two years at an annual cost of \$38,500.00. Upon the question being put the vote was as follows.

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

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

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

CHAIRMAN OF THE BOARD

CLERK OF THE BOARD