

**DRAFT**

**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 June 20, 2023 at 5:30 p.m. thereof.

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

MEMBERS ABSENT: None

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

OTHERS ABSENT: None

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**INVOCATION**

Richard Davis, Pastor of Jonesville First United Methodist Church, led the invocation.

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**PLEDGE TO THE FLAG**

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

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**MEETING CALLED TO ORDER**

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

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**PUBLIC HEARINGS**

**REZONING REQUEST**

The Lee County Board of Supervisors held a Public Hearing on Tuesday, June 20, 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 Rezoning request. Kenton Arthur Edds has applied to rezone property that is currently zoned R-1, Single Family Residential and V-C, Village Commercial to R-2, General Residential. The property consists of approximately 1.2 acres of land and is located on the South side of Dr. Thomas Walker Rd (Old U.S. 58) and on the West side of Wild Rose Heights Rd in the Rose Hill Community (Tax Parcel #46A-2-51-53, 51A-55A, 51B-57B, 51C-58C).

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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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The Chairman closed the floor for public comment.

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It was moved by Mr. Leonard, seconded by Mr. Mosley, to approve the Kenton Arthur Edds Rezoning request. Upon the question being put the vote was as follows.

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

ABSTAINING: Mr. Kolb, Mr. Smith  
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**PROPOSED AMENDMENT TO AND RE-ADOPTION OF THE TRANSIENT  
OCCUPANCY TAX ORDINANCE**

The Lee County Board of Supervisors held a Public Hearing on Tuesday, June 20, 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 take public comment on the proposed amendment to and re-adoption of the Transient Occupancy Tax Ordinance. The current ordinance taxes only short-term (less than 30 days) rentals at a boarding house, hotel, motel or travel campground at a rate of two percent (2%) of the rental fee. The proposed amendment would tax all short-term (less than 30 days) rental accommodations at a rate of five percent (5%) of the rental fee provided, however; the tax will not be imposed on any rental accommodation located within any town that has imposed a tax on transient occupancy.

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The Chairman opened the floor for public comment.

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Sharon Fisher, Sticklelyville, asked how this will affect tourism and will it hurt small businesses.

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Mr. Mosley stated he doesn't think so.

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Mr. Poe stated we already have a Transient Occupancy tax of 2% and added it only applies to hotels, motels, boarding houses and travel camp grounds. He advised this makes it uniform for all short term rental agencies including AirBnb to pay and will increase to 5% which is standard for the region.

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Terry Cox, Sticklelyville, stated he has done research on the Transient Occupancy tax and added the tax is broken down in some localities with 3% going to the County and 2% going in tourism fund.

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The Chairman closed the floor for public comment.

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Mr. Kolb stated the penalty amount for late payment was not inserted in the proposed ordinance and suggested a 10% penalty be added for late payments.

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It was moved by Mr. Kolb, seconded by Mr. Mosley, to approve the Transient Occupancy Tax Ordinance with a 10% penalty for late payments. Upon the question being put the vote was as follows.

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

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**PROPOSED BUDGET FOR FISCAL YEAR 2023-24**

The Lee County Board of Supervisors held a Public Hearing on the proposed County Budget at 5:30 p.m. on June 20, 2023 in the General District Courtroom of the Lee County Courthouse in Jonesville, Virginia. Any citizen of the County was welcome to attend and state their views on this proposed budget.

This summary was prepared and published for information and fiscal planning purposes only. Please be aware that inclusion in the Budget of any item does not constitute an obligation or commitment on the part of the Board of Supervisors of Lee County to appropriate any funds for the item or purpose. A Budget for the Fiscal Year commencing July 1, 2023 will be adopted by the Lee County Board of Supervisors no later than June 30, 2023.

**GENERAL COUNTY FUND**  
**ESTIMATED EXPENDITURE**

GENERAL GOVERNMENTAL  
ADMINISTRATION:

Legislative	2,042,071
General Property Reassessment	275,000
General/Financial Administration	394,583
Legal Services	22,812
Auditing	93,325
Commissioner of the Revenue	414,785
Treasurer	353,876
Board of Elections	364,309
Central Garage	162,105

JUDICIAL ADMINISTRATION:

Courts	983,869
Commonwealth's Attorney	739,106

PUBLIC SAFETY:

Law Enforcement and Jail	6,709,144
Fire and Rescue Services	505,563
Enhanced 911	559,291
Inspections	186,681
Other Protections	251,778

HEALTH AND WELFARE	505,963
EDUCATION-MTN. EMPIRE COMM. COLLEGE	30,549
PARKS, RECREATION, AND TOURISM	156,202
LIBRARY	237,678
COMMUNITY DEVELOPMENT AND PLANNING	325,238
EXTENSION OFFICE	90,403

MAINTENANCE OF BUILDINGS	281,590
DANIEL BOONE SOIL & WATER/RC&D PROGRAM	49,266
MISCELLANEOUS AND CONTINGENCY	25,000
REIMBURSED EXPENSES	342,500
	16,102,687
CAPITAL PROJECTS	2,403,706
SOLID WASTE MANAGEMENT	2,418,349
TRANSFERS:	
Debt Service	192,484
Local Share - School Fund	6,001,864
Local Share - Public Assistance/Social Services	1,488,549
<b>GRAND TOTAL GENERAL COUNTY FUND</b>	<b>28,607,639</b>
PUBLIC SERVICES:	
Estimated Social Services Expenditures-State Share	9,609,845
Estimated Headstart Expenditures - Federal	1,618,181
	52,536,300
<b>GRAND TOTAL ALL FUND EXPENDITURES</b>	<b>92,371,965</b>
<b><u>GENERAL COUNTY FUND SOURCE OF REVENUE</u></b>	
REAL PROPERTY TAX:	
Current Real Estate Taxes	5,565,000
Delinquent Real Estate Taxes	230,000
Land Redemption	95,000
Mineral Under Development	6,500
PUBLIC SERVICE CORPORATION	545,000
MEALS TAX	220,000
PERSONAL PROPERTY TAX:	

Current Taxes	2,950,000
Delinquent Taxes	111,500
PPTRA Reimbursement	798,646
MOBILE HOME TAX:	
Current Taxes	90,000
Delinquent Taxes	5,300
MACHINERY AND TOOLS	376,000
MERCHANTS CAPITAL	70,000
BUSINESS PROPERTY	202,500
PENALTY AND INTEREST	280,000
SALES TAX	1,903,738
UTILITY TAX	437,300
STATE	
TELECOMMUNICATIONS TAX	299,700
BANK FRANCHISE	37,500
MOTOR VEHICLE TAX	697,300
TAX ON WILLS	2,500
AMUSEMENT TAX	100
HOTEL/MOTEL TAX	3,500
OIL AND GAS SEVERANCE TAX	11,000
ANIMAL LICENSES	600
TRANSFER FEES	900
BUILDING PERMITS	53,000
COURT FINES-LOCAL	6,000
RENT-BUILDING	73,705
INTEREST AND EARNINGS	35,500
COMMONWEALTH'S	
ATTORNEY FEES	34,000
SHERIFF'S FEES	4,500
COURTHOUSE MAINTENANCE	
FEES	3,000
COURTHOUSE SECURITY FEES	21,500
SALE OF MAPS, SURVEYS	150
ZONING FEES	4,000
CONTRACTOR'S LICENSE FEES	15,000
NATIONAL OPIOID	
SETTLEMENT PROCEEDS	82,664
MISCELLANEOUS REVENUES	245,100
PAYMENT IN LIEU OF TAXES	207,000
MOBILE HOMES TITLING	90,000
ROLLING STOCK	99,500
REGIONAL IMPROVEMENT	
COMMISSION	750,000
COMMONWEALTH'S	
ATTORNEY EXP.	564,046

SHERIFF EXP.	1,876,979
VICTIM/WITNESS ADVOCATE GRANT	102,033
DOMESTIC VIOLENCE GRANT	36,056
SCHOOL RESOURCE OFFICER FUNDING	43,521
OTHER SHERIFF GRANTS & REIMBURSEMENTS	480,000
REGISTRAR EXP.	74,974
COMMISSIONER OF REVENUE EXP.	169,670
TREASURER EXP.	115,485
ELECTORAL BOARD	5,560
CLERK EXPENSES	477,309
EMERGENCY SERVICES	100,500
CLERK'S FEES	108,100
RENTAL TAX	5,700
OTHER CATEGORICAL AID	138,000
TIPPING FEES	215,000
REIMBURSEMENTS	475,000
MISCELLANEOUS GRANTS	35,000
<b>TOTAL GENERAL FUND REVENUE</b>	<b>21,686,136</b>
PUBLIC ASSISTANCE-SOCIAL SERVICES	9,609,845
52,536,300	
HEADSTART	1,618,181
CAPITAL PROJECT GRANTS	1,340,585
TRANSFER FROM RESERVE TRANSFER FROM ARPA FUNDS RESERVE	3,680,918
	1,900,000
<b>GRAND TOTAL ALL REVENUES</b>	<b>92,371,965</b>

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The Chairman opened the floor for public comment.

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Kim Hale, Financial Advisor for Planning District One Behavioral Health, thanked the Board for their continued support and gave an update for the past year. She stated they have served four thousand four hundred eighty one individuals from Lee County, the City of Norton and surrounding counties and reached out to an additional six thousand seven hundred sixty three people as well as provided two hundred nineteen jobs within the communities. She stated work staff shortage has been an issue but they are taking steps to recruit new staff as well as retain existing employees. She advised around July 1<sup>st</sup> a new service will be added, the National Crisis number of 988, and added anyone in a mental health or substance abuse crisis can call this number and the appropriate people will be sent to help them.

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Mr. Mosley asked what type of employee shortage they are having.

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Ms. Hale stated direct care employees.

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Erin Miele, Ewing, stated she has a camp ground in Ewing and asked about the Transient Occupancy Tax.

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Mr. Mosley stated we already have a Transient Occupancy Tax in place and added it will increase from 2% to 5%.

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Ms. Miele asked where the money will be going and if the county has a Tourism Board.

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Mr. Poe stated there is a Tourism Committee and advised the money will go into the General Fund.

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Ms. Miele asked if the tax applies to camp grounds.

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Mr. Poe stated yes.

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Melanie Jorgenson stated she would like to address the last line of the General County Funds Source of Revenue. She stated this is our first payment of the Casino Money in the amount of \$750,000 and added pursuant to Virginia Code Section 58.1-4107.1 the money can only be spent on public safety, transportation or education. She is asking the money not be used to balance the budget and proposed the citizens of Lee County be asked how to spend the money.

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Mr. Mosley stated the Board has no intentions of using the money for anything other than what it is designated for.

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Sue Ella Kobak spoke concerning the Opioid Abatement Authority and had questions regarding the grant to Lee, Scott, and Wise County for \$346,222 for an Extensive Outpatient Treatment Facility for the youth. She stated there was little information for the public and asked how much money the County has received from the Opioid settlements and where the money has been invested.

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Jerry Cox, Stickleyville, thanked the Board for their hard work getting the budget together. He stated the County collected a lot of personal property tax on automobiles and asked the Board to consider a reduction of any amount to help the people of the County.

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Emma Kelly, Rose Hill, stated she has questions about the county budget concerning Community Development and Planning Commission. She asked what development projects the money will be spent on and how the County is pursuing federal and state funding as well as what grants the County has successfully applied for in the past and what future grants are anticipated.

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Mr. Mosley stated this is public expression.

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Scott Short, Seminary, stated the budget is pitiful and this is the legacy the Board is leaving behind. He stated people are taxed to death in the County and added nothing

can be done until the Board changes. He addressed Mr. Jessee on a personal matter and advised that people are telling others not to come here.

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Mr. Mosley stated Mr. Short's comment was inappropriate.

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The Chairman closed the floor for public comment.

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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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There was no public comment.

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The Chairman closed the floor for public comment.

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Mr. Kolb stated the May 1, 2023 Recessed Meeting should answer most of Ms. Kobak's questions.

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Ms. Kobak spoke from the bench and stated there was no public notice concerning the Opioid Abatement project and that the Board was not transparent about it.

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Mr. Kolb stated one thing the Board has done is post audios and minutes online for the public.

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Mr. Poe stated the audios are posted online on the County website.

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**APPROVAL OF MINUTES**

It was moved by Mr. Kolb, seconded by Mr. Smith, to approve the minutes of the May 16, 2023 Recessed Meeting, May 16, 2023 Regular Meeting, May 23, 2023 Recessed Meeting, and the May 31, 2023 Recessed Meeting. Upon the question being put the vote was as follows.

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

ABSTAINING: Mr. Leonard

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**PAYROLL**

The County Administrator reports that payroll warrants have been issued.

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**APPROVAL OF DISBURSEMENTS**

It was moved by Mr. Smith, seconded by Mr. Leonard, to approve the disbursements for the month of June in the amount of \$201,363.95. Upon the question being put the vote was as follows.

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

VOTING NO: Mr. Kolb

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**FINANCE**

**SUPPLEMENTAL APPROPRIATIONS**

**INDEPENDENT AUDITOR**

It was moved by Mr. Smith, seconded by Mr. Leonard, to approve the following Supplemental Appropriation in the amount of \$22,700.00. Upon the question being put the vote was as follows.

Revenue Source:		
3-001-41050-0099	Budget Supplement from Reserve	\$ 22,700.00

Expenditure:

4-001-12240-3120 Professional Services \$ 22,700.00

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

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**CENTRAL GARAGE**

It was moved by Mr. Smith, seconded by Mr. Leonard, to approve the following Supplemental Appropriation in the amount of \$3,188.49. Upon the question being put the vote was as follows.

Revenue Source:  
3-001-18990-0007 Central Garage \$ 3,188.49

Expenditure:  
4-001-12510-6109 DSS/PSA Vehicle Parts \$ 3,188.49

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

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**CIRCUIT COURT CLERK**

It was moved by Mr. Smith, seconded by Mr. Leonard, to approve the following Supplemental Appropriation in the amount of \$2,751.12. Upon the question being put the vote was as follows.

Revenue Source:  
3-001-18090-0006 Reimbursements \$ 2,751.12

Expenditure:  
4-001-21600-1350 Part-Time Salaries \$ 2,751.12

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

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**SHERIFF'S DEPARTMENT**

It was moved by Mr. Smith, seconded by Mr. Leonard, to approve the following Supplemental Appropriation in the amount of \$2,000.00. Upon the question being put the vote was as follows.

Revenue Source:  
3-001-18990-0002 Sheriff Donations \$ 2,000.00

Expenditure:  
4-001-31200-5899                      Donation Funds                      \$     2,000.00

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

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### **FIRE PREVENTION**

It was moved by Mr. Smith, seconded by Mr. Leonard, to approve the following Supplemental Appropriation in the amount of \$13,046.09. Upon the question being put the vote was as follows.

Revenue Source:  
3-001-41050-0099                      Budget Supplement from Reserve     \$    13,046.09

Expenditure:  
4-001-32100-6540                      Payments to Fire Department         \$    13,046.09

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

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### **FIRE PROGRAMS**

It was moved by Mr. Smith, seconded by Mr. Leonard, to approve the following Supplemental Appropriation in the amount of \$70,426.44. Upon the question being put the vote was as follows.

Revenue Source:  
3-001-41050-0099                      Budget Supplemental from Reserve   \$    70,426.44

Expenditure:  
4-001-32100-5641                      Fire Programs Fund                      \$    70,426.44

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

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### **OLD BUSINESS**

### **COUNTY CODE RECODIFICATION**

Mr. Poe stated he has spoken with Ms. Munsey and they are ready to submit back to the coders with recommended changes and any updates and should be completed by the middle of July.

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### **FIREALARMS AT COURTHOUSE**

Mr. Poe stated we have two systems operating, one on the first and second floors and three alarms on the lower level that give a location and are located at exit points. He added the panel for the upper floors has not functioned properly for several years. He has asked Johnson Control to give an estimate on tying the systems together and upgrading.

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Ms. Munsey entered the meeting at 6:08 p.m.

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### **ARPA FUNDING**

Mr. Poe stated that he will check on ARPA funding that would have gone to the Town of St. Charles.

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Mr. Kolb asked if that request was also for the COVID Funds.

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Mr. Leonard stated it should include the COVID Funds.

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Mr. Poe stated he will add that to his request.

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### **SECONDARY ROAD SIX-YEAR PLAN**

Mr. Poe stated that the Secondary Six-Year Plan should be approved by the end of June.

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Mr. Kolb asked if the requested information had been provided.

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Mr. Poe stated he hasn't received any information from VDOT and added he did get some information online on the road count. He stated there was discussion about developing a new priority list for future projects.

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Mr. Kolb stated he requested information concerning how many houses are on the road, how long the roads are, how much the project will cost and the traffic count.

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Mr. Poe advised in order to get a cost estimate VDOT has to know which roads in advance. He added the traffic counts are on line but does not identify which roads are paved.

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Mr. Kolb asked if we have the answers for the roads that were on the list for last year.

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Mr. Poe stated that VDOT doesn't provide house counts and some roads interconnect with other roads.

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Mr. Kolb asked how this was done in the past.

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Mr. Poe stated that was something that wasn't typically done.

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Mr. Leonard stated VDOT was supposed to send a list of all gravel roads per district and as far as the cost that's not a big issue but the rest of the information they need to know.

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Mr. Poe stated he will try to have all the information prior to the final meeting in June.

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It was moved by Mr. Mosley, seconded by Mr. Leonard, to table the Secondary Road Six-Year Plan. Upon the question being put the vote was as follows.

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

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## **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

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#### **BOARD OF ZONING APPEALS**

It was moved by Mr. Smith, seconded by Mr. Leonard, to recommend the re-appointment of Clyde Scott, Jr. to a five-year term on the Board of Zoning Appeals. Mr. Scott's term will expire on June 30, 2028. Upon the question being put the vote was as follows.

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

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#### **COMMUNITY SERVICE BOARD**

It was moved by Mr. Jessee, seconded by Mr. Smith, to re-appoint Margaret Gibson to a three-year term on the Community Service Board. Ms. Gibson's term will expire on June 30, 2026. Upon the question being put the vote was as follows.

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

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#### **COMMUNITY SERVICES BOARD**

It was moved by Mr. Leonard, seconded by Mr. Kolb, to appoint Susan Widener to a three-year term on the Community Services Board. Ms. Widener's term will expire on June 30, 2026. Upon the question being put the vote was as follows.

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

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### **LONESOME PINE OFFICE ON YOUTH**

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

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

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### **AUDIT CONTRACT EXTENSION**

Mr. Poe stated our current contract for auditing services with Robinson, Farmer, Cox Associates (RFC) was for a three year term (FY20, FY21 and FY22) with a provision to extend the agreement for an additional two years. He added in order for them to perform the FY23 and FY24 audits, we would need to exercise that option. He stated RFC has provided a proposed contract modification to extend the agreement through the FY24 audit.

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Mr. Kolb stated he feels the increase is extreme.

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Mr. Poe stated the Governmental Accounting Standards Board continues to add additional requirements and standards for governmental audits.

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Mr. Kolb asked if Mr. Poe had negotiated with them.

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Mr. Poe stated no.

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Mr. Kolb asked if it was worth 25% more to have them perform the audit.

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Mr. Poe stated yes due to the limited number of firms in the area that do this type of work.

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Mr. Leonard recommended requesting a reduction of the cost.

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

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

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The Chairman went back to SW Regional Recreation Authority Board appointment.

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**SW REGIONAL RECREATION AUTHORITY**

It was moved by Mr. Leonard, seconded by Mr. Kolb, to re-appoint Richard Johnson to a three-year term on the SW Regional Recreational Authority. Mr. Johnson's term will expire on June 30, 2026. Upon the question being put the vote was as follows.

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

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**ARC WATER PROJECT GRANT**

Mr. Poe stated he has enclosed a copy of the contract for an Appalachian Regional Commission grant in the amount of \$542,003 for the Occonita-Miller/Smyth Chapel interconnect water project. He stated this project will allow water to be pumped from the Blue Springs/KVS water treatment plant in western Lee County to the Miller/Smyth Chapel water storage tank. He added it will also allow water from the Town of Pennington Gap to be redirected and sent to the Occonita Water System during normal or emergency periods.

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It was moved by Mr. Leonard, seconded by Mr. Jessee, to accept the ARC grant in the amount of \$542,003 for the Occonita-Miller/Smith Chapel interconnect water project. Upon the question being put the vote was as follows.

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

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### **SCHOOL RESOURCE OFFICER GRANT**

Mr. Poe stated he has included a copy of the School Resource Officer grant offer for the period July 1, 2023 through June 30, 2024 in the amount of \$52,524.00 with \$9,003.00 being the County match.

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It was moved by Mr. Leonard, seconded by Mr. Kolb, to approve the School Resource Officer grant in the amount of \$52,524.00. Upon the question being put the vote was as follows.

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

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### **LAW ENFORCEMENT EQUIPMENT GRANT**

Mr. Poe stated he has enclosed for review and approval a copy of the Law Enforcement Equipment grant in the amount of \$480,000.00 from the Department of Criminal Justice Services. He added this grant will provide funding for the purchase of six SUV police vehicles, thirty Bolo wraps, thirty AED units, eight electronic tablets, four tasers, eight portable printers, and six travel hubs with no local match required.

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It was moved by Mr. Leonard, seconded by Mr. Jessee, to approve the Law Enforcement Equipment Grant in the amount of \$480,000.00. Upon the question being put the vote was as follows.

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

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### **MAINTENANCE HANGER BID**

Mr. Poe stated this is a proposal bid from Estes Bros. Construction, Inc. for the maintenance hangar and advised taking it up in closed session.

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**VA CAREER WORKS ONE STOP OPERATOR PROPOSALS**

Mr. Poe stated this proposal was received from the Workforce Development Board and was reviewed by three independent reviewers and all deemed it to be complete and the total cost is \$175,000.00 and is funded by state grant funds.

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It was moved by Mr. Leonard, seconded by Mr. Smith, to award the contract for operation of the VA Career Works One Stop Operator in the amount of \$175,000.00 to the SWVA Workforce Development Board. Upon the question being put the vote was as follows.

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

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**PD1 BEHAVIORAL HEALTH PERFORMANCE CONTRACT**

Mr. Poe stated each year the State negotiates a Performance Contract for all Behavioral Health districts. He added that one requirement of the Performance Contract is that it must be approved by all participating localities.

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It was moved by Mr. Kolb, seconded by Mr. Leonard, to approve 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

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**RESOLUTION**  
**COMMUNITY SERVICES BOARD PERFORMANCE CONTRACT**  
**23-007**

**WHEREAS**, title 37.2 of the Code of Virginia, 1950, as amended, creates the Virginia Department of Mental Health, Mental Retardation and Substance Abuse Services, hereinafter referred to as the Department, to ensure the delivery of publicly- funded services to citizens of the Commonwealth with mental illnesses, mental retardation and alcohol or other drug abuse or dependence; and

**WHEREAS**, Sections 37.2-501 of the Code of Virginia, 1950, as amended, require every city and county to establish or join a community services board that plans an provides, directly and contractually, publicly-funded local mental health, mental retardation, and substance abuse services; and

**WHEREAS**, Section 37.2-508 of the Code of Virginia, 1950, as amended, establishes the performance contract as the primary accountability and funding mechanism between the Department and each Community Services Board; and

**WHEREAS**, Section 37.2-508 of the Code of Virginia, 1950, as amended, further requires every operating Community Services Board to submit its biennial performance contract to each political subdivision that established it as an agency for the political subdivision's approval prior to submission of the Contract to the Department; and

**WHEREAS**, the Counties of Lee, Scott, Wise and the City of Norton have joined together to establish Planning District One Behavioral Health Services; and

**WHEREAS**, Planning District One Behavioral Health Services has submitted its FY2024 and FY2025 biennial Community Services Board Performance Contract to the Lee County Board of Supervisors for approval;

**NOW, THEREFORE, BE IT RESOLVED**, that the Lee County Board of Supervisors hereby approves Planning District One Behavioral Health Services FY2024 and FY2025 Performance Contract.

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**REPORTS AND RECOMMENDATIONS OF THE COUNTY ATTORNEY**

Ms. Munsey requested closed session under Litigation.

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**REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR**

Mr. Poe requested closed session under Personnel and Contracts.

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**REPORTS AND RECOMMENDATIONS OF THE BOARD**

Mr. Kolb asked about checking on AT&T cell phones for County employees.

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Mr. Poe stated he has a call scheduled with AT&T for next week.

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Mr. Kolb asked if Central Garage has a cell phone and if it is Verizon.

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Mr. Poe stated yes and it is Verizon.

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Mr. Kolb asked to include Central Garage in with AT&T.

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Mr. Kolb asked where they were at with Litter Judgments being recorded.

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Mr. Poe stated he will follow up on that.

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Mr. Kolb asked that Litter Judgments be included in Old Business.

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Mr. Kolb asked about the Building Inspector checking on County Property and including an update in his quarterly report.

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Mr. Kolb asked where we are on gifted property.

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Mr. Poe asked if Ms. Munsey needed any other information.

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Ms. Munsey stated not with the properties she had been given.

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Mr. Kolb asked if they still need guidance from the Board on the Properties to accept.

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Mr. Poe stated yes.

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Mr. Kolb asked about the Community Centers Funding in the budget.

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Mr. Poe stated it is under Board Miscellaneous.

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Mr. Kolb suggested setting amounts for the Community Centers and asked if the Board has an opinion on how much to give and what will be included.

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Mr. Smith stated \$2,500.00.

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It was moved by Mr. Kolb, seconded by Mr. Leonard, to add Community Center Funding to the FY23-24 budget. Upon the question being put the vote was as follows.

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

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Mr. Kolb asked if the County employees were given a deadline for cutting the brush at the airport.

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Mr. Poe stated he thought that was a project for the fall.

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Mr. Kolb stated he doesn't know who is prioritizing the list of County projects.

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Mr. Poe advised the Transfer Station is currently cleaning up the lot of the old School Board Building.

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It was moved by Mr. Kolb, seconded by Mr. Leonard to put on the list for the Transfer Station to remove the brush at the Airport by September 30, 2023. Upon the question being put the vote was as follows.

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

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Mr. Kolb stated upon reviewing their report he noticed the Works Program has been doing work for local non-profit facilities and stated they should be doing work for the County.

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Mr. Mosley agrees.

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It is the consensus of the Board for the Works Program to work on County projects only.

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It was moved by Mr. Kolb, seconded by Mr. Leonard, to add \$10,000.00 for Drug Court to the FY23-24 budget with the funding coming from Opioid Funds. Upon the question being put the vote was as follows.

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

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Mr. Kolb asked if MECC Promise was in the budget.

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Mr. Poe stated yes.

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It was moved by Mr. Leonard, seconded by Mr. Smith, to close all County offices on July 3, 2023. Upon the question being put the vote was as follows.

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

VOTING NO: Mr. Kolb

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Mr. Leonard asked about partial funding for Pennington Gap Parks and Recreation.

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Mr. Poe stated it was included in the budget under ARPA funds but not by separate line item.

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It was moved by Mr. Leonard, seconded by Mr. Smith, to fund the Pennington Gap Parks and Recreation budget request from ARPA funds.

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Mr. Leonard withdrew his motion.

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

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

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Mr. Leonard asked the Chairman to open the floor back up for public expression.

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The Chairman declined the request.

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Mr. Mosley asked about the jet fuel at the airport.

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Mr. Poe stated the contractor has been contacted and the additional pump will be shipped within the next two weeks with no response as to a date to start the project.

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Mr. Kolb asked when the contract will expire.

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Mr. Poe stated typically the contract starts when all materials are in hand to start the project. He stated he will contact the engineer for an update.

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### **CLOSED SESSION**

It was moved by Mr. Kolb, seconded by Mr. Leonard, to enter Closed Session pursuant to 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.3, Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body; 2.23711 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 advice by such counsel, 2.23711 A.8, Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter, 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. Upon the question being put the vote was as follows.

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

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**CERTIFICATE OF CLOSED SESSION**

**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

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**HIRING AND TERMINATION OF EMPLOYEES**

It was moved by Mr. Kolb, seconded by Mr. Leonard, to grant the County Administrator authority to hire or terminate employees subject to providing three days' notice to all members of the Board of Supervisors and receiving no objection from any member. If any member objects, the matter will be addressed by the full board at a scheduled meeting. Upon the question being put the vote was as follows.

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

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**ADVERTISE FOR ASSISTANT COUNTY ADMINISTRATOR**

It was moved by Mr. Kolb, seconded by Mr. Smith, to advertise for an Assistant County Administrator in July. Upon the question being put the vote was as follows.

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

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**SEALING AND STRIPING PARKING LOT**

It was moved by Mr. Kolb, seconded by Mr. Leonard, to obtain a price quote for sealing and striping of the parking lot across the street from the Courthouse. Upon the question being put the vote was as follows.

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

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**REASSESSMENT CONTRACT AWARD**

It was moved by Mr. Jessee, seconded by Mr. Smith, to award the contract for reassessment to Commonwealth Real Estate Appraisal Group at a cost of \$18.50 per parcel. Upon the question being put the vote was as follows.

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

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**MAINTENANCE HANGAR BID REJECTION**

It was moved by Mr. Leonard, seconded by Mr. Smith, to reject the bid of Estes Bros. Const. Inc. for construction of a maintenance hangar with no further action on this project. Upon the question being put the vote was as follows.

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

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**INCREASE REAL PROPERTY TAX RATE**

It was moved by Mr. Kolb to increase the Real Property tax rate to \$.68 per \$100 of assessed value.

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There was no second to the motion.

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It was moved by Mr. Mosley, seconded by Mr. Leonard, to recess to June 28, 2023 at 5:30 p.m. Upon the question being put the vote was as follows.

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

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CHAIRMAN OF THE BOARD

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CLERK OF THE BOARD