

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, 2015 at 5:00 p.m. thereof.

MEMBERS PRESENT: Carl Bailey, Chairman
Larry Mosley
Tina Rowe
Charles Slempp, Jr.

MEMBERS ABSENT: None

OTHERS PRESENT: Dane Poe, County Administrator
C.M. Callahan, Jr., County Attorney
Jeny Hughes, Administrative Assistant

OTHERS ABSENT: None

INVOCATION

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

PLEDGE TO THE FLAG

Jeny Hughes led the Pledge to the Flag.

MEETING CALLED TO ORDER

The meeting was called to order at 5:05 p.m.

DEPARTMENTAL REPORTS

SOLID WASTE

Gary Collingsworth, Transfer Station Superintendant, reported that 1,249.12 tons of garbage and 27.31 tons of tires were taken in at the Transfer Station. His department

has been preparing the convenience centers for the winter, cutting brush, repairing busted water lines and clearing land. The department will work on the Scale House; Forestry shed and repair dumpsters in the coming months.

Mr. Crabtree entered the meeting at 5:09 p.m.

Mr. Mosley asked about the truck repairs.

Mr. Collingsworth stated that a new radiator has been installed, and the emission and engine components have seemed to level out.

Mr. Slemph asked if the Transfer Station is ready to start hauling gravel.

Mr. Collingsworth stated that they are to get the projects completed then they will be ready to haul.

ANIMAL CONTROL

Allen Fortner, Animal Control Officer, reported that in October his department received 279 calls and 92 through dispatch, picked up 38 strays, 22 owner surrenders, 4 seized and 1 bite case. Twenty dogs were reclaimed, 12 were adopted, 23 were transferred to rescue, nine were euthanized and one is still in the pound. One issue that receives many complaints is agriculture animals running free or being in the highway and asked the Board to consider adopting a code on fencing laws to address this issue, and to look into charging a fee for owner reclaims to help the County offset some of the expenses of housing the animals. He stated that both Animal Control Officers are sworn deputies and they have to respond with the County Deputies on calls if there is an animal at the location, he asked that the Board consider the starting salary of a County Deputy and think about giving the Assistant Animal Control Officer a raise to a comparable salary. He also added that he has been in contact with the Wise County Animal Control Office, and stated that Wise County has a \$4.00 a day fee for any animal that is reclaimed by the owner, and asked that the Board also consider adopting a fee to help with the expense of holding a dog.

LITTER CONTROL

Josh Fleenor, Litter Control Coordinator, reported that there were 150 people enrolled in the Community Service Program, there were 84 participants for a total of 1196 hours, 16 participants completed the program and 27 were removed for inactivity. He is working on an illegal dumpsite map, with 11 sites and 23 roads identified, and cleanup will get started after the Thanksgiving holiday. He is working on complaints he has received in several areas.

Mr. Mosley advised Mr. Fleenor to check with the Treasurer's Office about who pays taxes on the property in Cane Creek, and asked him to check on the garbage that is setting at Bedrock Road.

Mr. Fleenor stated he would look into that.

Mr. Bailey asked about the property in Rose Hill.

Mr. Fleenor stated that the trash has been picked up, but there is not an ordinance on mowing.

CONSTITUTIONAL OFFICERS

TREASURER'S REPORT

The Treasurer's Report for the month of October 2015 was submitted as follows:

Revenues	\$ 5,466,333.01
Expenditures	\$ 5,573,405.46
General Fund	\$ 6,368,768.70
Total Assets and Liabilities	\$ 11,320,350.52

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, five minutes for a group.

Richard Shuler, Dryden, addressed the Board about his concerns of the conditions on State Route 753, about the training of the volunteers on the local rescue squads, and asked the Board check into the certification of the technicians since the Board funds the squads.

Mr. Crabtree stated that the certification is overseen by the state, so that would be up to the state to investigate.

Mr. Poe stated that the County provides funding to each Fire Department and Rescue Squad.

Mr. Slemp stated that the funding is very limited and there are not enough funds to give to each department just for training.

There was no further public comment.

The Chairman closed the floor for public comment.

MINUTES

It was moved by Mr. Crabtree, seconded by Mr. Mosley, to approve the minutes from the October 20, 2015 Regular Meeting. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

REFUNDS

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

Wendell Huff	\$183.60
William J. Owens	\$ 96.50
Penny B. Drazer Et Al	\$ 48.84
Jamie L. Surber	\$236.96

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slempp

PAYROLL

The County Administrator reports that payroll warrants have been issued.

APPROVAL OF DISBURSEMENTS

It was moved by Mr. Mosley, seconded by Mr. Slempp, to approve the disbursements for the month of November in the amount of \$212,104.92. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slempp

DELEGATIONS

**UPDATE ON HOSPITAL AUTHORITY PROGRESS
JEFF MITCHELL**

Mr. Mitchell was unable to attend the meeting.

**PARENTS ADVOCACY AND ADVISORY COUNCIL
TERESA BARRINGER**

Teresa Barringer, Parents Advocacy and Advisory Council (PAAC), addressed the Board about the possible closure of the Southwest Virginia Training Center, which is a training center for intellectually and developmentally disabled adults that Lee County is eligible to send residents. She stated that in August of 2008 the Department of Justice

began an investigation based on a complaint out of the Central Virginia Training Center that an intellectually challenged individual was able to move out of the facility and had not been moved out. In August of 2010 the State of Virginia was put on notice that the DOJ was expanding the investigation to all five centers in the State. In February of 2011, the DOJ issued the finding that the Training Centers were not doing enough for the disabled persons to move them into the community. In August of 2012, a court ruling stated that nothing in the decree of the DOJ settlement agreement compels Virginia to close any facility. It is in the hands of the General Assembly or the Governor to appropriate the funds to operate some or all of the Training Centers. The previous Governor signed a ruling that all but one of the Training Centers would be closed with the one to remain open being in Chesapeake. Ms. Barringer is asking the Board to adopt a Resolution asking that the Southwest Virginia Training Center remain open.

Mr. Mosley stated that the County needs to try to help these people.

Ms. Rowe stated that this is a subject that is near and dear to her heart, and she appreciates Ms. Barringer traveling this far, and will support this Resolution.

Mr. Bailey asked if the Governor or General Assembly has offered any explanation.

Ms. Barringer stated that the present Governor could change everything to keep the centers open.

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

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

**RESOLUTION
15-038**

WHEREAS, the Southwestern Virginia Training Center was established in 1975 and has provided quality care throughout the years; and

WHEREAS, most residents of the Training Center have profound and/or other serious intellectual disabilities, often accompanied by severe medical or behavioral problems and need full time assistance to perform the basic functions of living; and

WHEREAS, family members of residents are deeply concerned about the safety of their loved ones should they be forced to leave the center; and

WHEREAS, Lee County will be impacted with the moving of the residents into the community; and

WHEREAS, the closure of this facility would be detrimental to our community with the responsibility of helping the families from Lee County find care that is the same as or better than the care that is currently offered at Southwestern Virginia Training Center;

NOW, THEREFORE, BE IT RESOLVED, the Lee County Board of Supervisors supports the Training Center remaining open.

**ADVANCED LIFE SUPPORT
ST. CHARLES RESCUE SQUAD
JACK COLLINS**

Jack Collins, St. Charles Rescue Squad, stated that the St. Charles Rescue Squad is looking to get approval of becoming an Advanced Life Support unit. The squad is well trained and there will be two Advanced Life Support Technicians coming on the Squad. He is asking the Board to adopt a resolution in support of the Rescue Squad becoming an Advanced Life Support Unit.

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

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemph

**RESOLUTION OF APPROVAL OF EMERGENCY MEDICAL SERVICES
ORGANIZATION
SAINT CHARLES VOLUNTEER RESCUE SQUAD
15-039**

WHEREAS, Section 15.2-955 of the Code of Virginia, 1950, as amended, requires local governing body approval of any emergency medical service organization operating within that locality; and

WHEREAS, Saint Charles Volunteer Rescue Squad has previously been approved by this Board to provide emergency medical services within the boundaries of Lee County; and

WHEREAS, Saint Charles Volunteer Rescue Squad now appears before the Lee County Board of Supervisors to request approval to provide Advanced Life Support (ALS) emergency medical services to the citizens of Lee County; and

WHEREAS, the Lee County Board of Supervisors has determined it to be in the best interest of the citizens of Lee County for Saint Charles Volunteer Rescue Squad to provide these services;

NOW, THEREFORE, BE IT RESOLVED, the Lee County Board of Supervisors grants approval to Saint Charles Volunteer Rescue Squad to seek certification from the Virginia Office of Emergency Medical Services to provide Advanced Life Support emergency medical services in Lee County and to provide said services in compliance with the regulations and requirements of the Office of Emergency Medical Services.

FINANCE

MONTHLY APPROPRIATIONS

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

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

RESOLUTION
MONTHLY APPROPRIATIONS
15-035

WHEREAS, the Lee County Board of Supervisors has approved the Lee County Public School Budget and Virginia Public Assistance Budget for FY2015-16; and

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

NOW, THEREFORE, BE IT RESOLVED, that the following activities 1/12 of the amount shown is appropriated for a 1-month period ending December 31, 2015;

Federal/State Funds	\$ 7,082,972
Local Funds	<u>1,292,948</u>
TOTAL VIRGINIA PUBLIC ASSISTANCE	\$ 8,375,920

LEE COUNTY PUBLIC SCHOOLS

Categorical Appropriation:

Instruction	\$ 24,512,881
Administration, Attendance and Health	2,038,267
Pupil Transportation	1,862,995
Operation and Maintenance	3,213,825
School Food Services	1,589,425
Facilities	449,000
Technology	1,262,110
Partially Self-Funded Insurance Fund	<u>4,200,000</u>
TOTAL	\$39,128,503

Source of Revenue:

Federal Funds	\$ 4,639,454
State Funds	24,889,483
Other Funds	39,100
Self Insured Health Fund	3,750,000
Local Funds	5,040,466
Textbook Carryover Funds	<u>770,000</u>
TOTAL PUBLIC SCHOOLS	\$ 39,128,503

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 Public School and Virginia Public Assistance funds and will not exceed the foregoing one month appropriations.

The Lee County Treasurer is also directed to revert all unexpended balances of the Public School and Virginia Public Assistance Funds to the General Fund as of the beginning and ending of Fiscal Year 2015-2016.

SCHOOL BOARD SUPPLEMENTAL APPROPRIATION

Mr. Poe reported that the Lee County School System recently received a notice of award of \$100,000 from the 2015 School Security Equipment Grant Program, which requires no local match. The School Board is now requesting a supplemental appropriation for these funds.

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

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

**RESOLUTION
15-036**

**LEE COUNTY SCHOOL BOARD
SUPPLEMENTAL APPROPRIATION**

WHEREAS, Lee County Public Schools has been awarded a total of \$100,000.00 from the 2015-2016 School Security Equipment Grant Program which requires no local match;

NOW, THEREFORE, BE IT RESOLVED, the Lee County Board of Supervisors grants a supplemental appropriation to the 2015-16 School Budget in the amount of \$100,000.00 to the Operation & Maintenance category with no local matching funds required;

BE IT FURTHER RESOLVED, that the revised total Lee County School Board appropriation for the 2015-16 fiscal year be increased from Forty Million, Two Hundred Three Thousand, Eight Hundred Thirty Seven Dollars and Eighty Six Cents (\$40,203,837.86) to Forty Million, Three Hundred Three Thousand, Eight Hundred Thirty Seven Dollars and Eighty Six Cents (\$40,303,837.86).

SUPPLEMENTAL APPROPRIATIONS

LITTER CONTROL

It was moved by Mr. Mosley, seconded by Mr. Crabtree, to approve a supplemental appropriation in the amount of \$10,913.00 to Litter Control as follows. Upon the question being put the vote was as follows.

Revenue Source		
3-001-24040-0007	Litter Control	\$10,913.00
Expenditure		
4-001-35600-5890	DEQ Litter Control Grant	\$10,913.00

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

LITTER CONTROL

It was moved by Mr. Mosley, seconded by Mr. Crabtree, to approve a supplemental appropriation in the amount of \$200.00 to Litter Control as follows. Upon the question being put the vote was as follows.

Revenue Source		
3-001-18030-0006	Reimbursements	\$ 200.00
Expenditure		
4-001-35600-5899	Miscellaneous	\$ 200.00

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

TOURISM

It was moved by Mr. Mosley, seconded by Mr. Crabtree, to approve a supplemental appropriation in the amount of \$2,543.77 to Tourism as follows. Upon the question being put the vote was as follows.

Revenue Source		
3-001-24040-0036	Tourism	\$ 2,543.77
Expenditure		
4-001-71370-5840	VA Tourism Corp Marketing Grant	\$ 2,543.77

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

DSS CONTRIBUTIONS VRS/SGL

It was moved by Mr. Mosley, seconded by Mr. Crabtree, to approve a supplemental appropriation in the amount of \$94,559.66 to DSS Contributions VRS/SGL as follows. Upon the question being put the vote was as follows.

Revenue Source		
3-001-19020-0002	VRS-Social Services Contributions	\$88,450.44
3-001-19020-0003	SGL-Social Services Contributions	\$ 6,109.22
Expenditure		
4-001-91100-2210	DSS-VRS Contributions	\$88,450.44
4-001-91100-2400	DSS-SGL Contributions	\$ 6,109.22

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

GENERAL EXPENSES

It was moved by Mr. Mosley, seconded by Mr. Crabtree, to approve a supplemental appropriation in the amount of \$3,757.25 to General Expenses as follows. Upon the question being put the vote was as follows.

Revenue Source		
3-001-41050-0099	Budget Supplements from Reserve	\$ 3,757.25
Expenditure		
4-001-91500-5840	Disbursements General Expenses	\$ 3,757.25

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

MISCELLANEOUS EXPENSES

It was moved by Mr. Mosley, seconded by Mr. Crabtree, to approve a supplemental appropriation in the amount of \$632.38 to Miscellaneous Expenses as follows. Upon the question being put the vote was as follows.

Revenue Source		
3-001-13030-0008	Building Permits	\$ 632.38
Expenditure		
4-001-92100-5870	Building Fund Expenses & Refunds	\$ 632.38

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

MISCELLANEOUS EXPENSES

It was moved by Mr. Mosley, seconded by Mr. Crabtree, to approve a supplemental appropriation in the amount of \$777.42 to Miscellaneous Expenses as follows. Upon the question being put the vote was as follows.

Revenue Source		
3-001-14010-0011	Fines Town of Jonesville	\$ 313.45
3-001-14010-0012	Fines Town of Pennington Gap	\$ 463.97

Expenditure		
4-001-92100-5910	Disburse Fines to Town of Jonesville	\$ 313.45
4-001-92100-5920	Disburse Fines to Town of Pennington Gap	\$ 463.97

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

FINES & FORFEITURES

It was moved by Mr. Mosley, seconded by Mr. Crabtree, to approve a supplemental appropriation in the amount of \$15,568.50 to Fines & Forfeitures as follows. Upon the question being put the vote was as follows.

Revenue Source		
3-007-14010-0004	State Forfeiture Procedures (SHRF)	\$15,568.50

Expenditure		
4-007-94100-5840	State Forfeiture Proceeds	\$15,568.50

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

FINES & FORFEITURES

It was moved by Mr. Mosley, seconded by Mr. Crabtree, to approve a supplemental appropriation in the amount of \$2,802.33 to Fines and Forfeitures as follows. Upon the question being put the vote was as follows.

Revenue Source		
3-007-14010-0015	Commonwealth Attorney Asset Forfeiture	\$ 2,802.33

Expenditure
4-007-94300-5840 Commonwealth Attorney Expenditure \$ 2,802.33

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

NEW BUSINESS

BOARD APPOINTMENTS

SOUTHWEST VIRGINIA HEALTH AUTHORITY

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

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

APPALACHIA JUVENILE COMMISSION

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

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

PUBLIC SERVICE AUTHORITY

It was moved by Mr. Bailey, seconded by Mr. Mosley, to appoint Mike Brindle to a four year term on the Public Service Authority. Mr. Brindle's term will expire November 30, 2019. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

PUBLIC SERVICE AUTHORITY

It was moved by Mr. Slemp, to re-appoint Bill Carter to a four year term on the Public Service Authority.

Mr. Crabtree stated this was his appointment.

It was moved by Mr. Crabtree, seconded by Ms. Rowe, to appoint Danny Hensley to a four year term on the Public Service Authority. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Crabtree, Ms. Rowe
VOTING NO: Mr. Bailey, Mr. Mosley, Mr. Slempp

PUBLIC SERVICE AUTHORITY

It was moved by Mr. Slempp, seconded by Mr. Mosley, to re-appoint Bill Carter to a four year term on the Public Service Authority. Mr. Carter's term will expire November 30, 2019. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slempp

SOUTHWEST VIRGINIA 911 STANDARDS COMMITTEE

It was moved by Mr. Mosley, seconded by Ms. Rowe, to re-appoint Dane Poe, Alan Bailey and Shanda Parsons to the Southwest Virginia 911 Standards Committee. Their terms will expire July 31, 2017. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slempp

NEW TRANSFER STATION PAY REQUEST NUMBER 6

Mr. Poe reported that he received Green Construction Company's Pay Request Number 6 in the amount of \$55,252.07 for work performed to date on the new Transfer Station project. The architect has reviewed and approved the request for payment and Mr. Poe recommends it to be approved.

It was moved by Mr. Mosley, seconded by Mr. Bailey, to approve Green Construction Company's Pay Request Number 6 in the amount of \$55,252.07. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Mr. Slemp
ABSTAINING: Ms. Rowe

ANNUAL GAS AND GROUNDWATER MONITORING REPORTS

Mr. Poe stated the Lane Group has provided proposed agreements for completion of the 2015 Landfill gas and groundwater annual reports which are required by the Department of Environmental Quality. The estimated cost of the Gas Monitoring Report is \$5,700 which is an increase of \$200 over last year. The estimated cost of the Groundwater Monitoring Report is \$11,750 which is the same as last year. Mr. Poe recommends approval of both agreements.

It was moved by Ms. Rowe, seconded by Mr. Mosley, to approve Task Orders 16-01 and 16-02 for Annual Gas and Groundwater Monitoring by Lane Engineering. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

KEOKEE SCHOOL SEWER TREATMENT PLANT

Mr. Poe stated that he has advised the Public Service Authority to remove any motors that can be salvaged from the Keokee School sewer package treatment plant for their use. He also requested Lane Engineering to obtain a cost for removal of the tank and backfilling the resulting hole. Ron Bailey Construction has provided pricing as follows:

Removal and disposal of tank	\$3,500
Backfilling and grading	\$1,200
Gravel (2 or 3 loads expected)	\$ 330 per load

Based on this quote, it should cost no more than \$5,700 to remove the tank and backfill and regrade the site. It was determined that this work should be completed prior to deeding the property to the Keokee Alumni Association. If this is acceptable to the Board, the work can be done as soon as possible.

It was moved by Mr. Mosley, seconded by Ms. Rowe, to move forward with the removal of the Keokee School Sewer Treatment Plant. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

DEED FOR FORMER JASPER POLLING HOUSE PROPERTY

Mr. Poe reported that in preparing to advertise the sale of the old Jasper Polling House property, he discovered that the property has never been deeded to the County by the School Board as this was part of the old Jasper School property. A motion to accept the deed will allow the County to proceed with taking bids for this property as well as the former Stone Creek Polling House.

It was moved by Mr. Mosley, seconded by Mr. Crabtree, to accept the deed for the former Jasper Polling House property. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

ODOR ISSUES AT SOCIAL SERVICES BUILDING

Mr. Poe reported that he has received complaints for the past few months of off-and-on odor issues at the Social Services building. It has been tentatively identified as "dirty sock syndrome" which affects heat pump units, a fairly common problem, especially noticeable in spring and fall when the system may be required to provide heating in the morning and cooling in the afternoon, or alternating from heating on cool days and cooling on warmer days. Cleaning the coils will temporarily eliminate the odor and that process has begun. A more permanent solution is the installation of ultra violet lights on the coils. There would need to be a total of seven light units to cover all HVAC units in the building. Southwest Heating and Air Conditioning has provided a price quote for these in the amount of \$4,900. Mr. Poe believes it would be advisable at this time to install the UV lights to prevent future occurrences. The UV lights are not guaranteed but are expected to eliminate most, if not all, odor problems at the building.

Since a skunk and ammonia odor has been reported, Mr. Poe has requested Jack Tolbert with the Virginia Department of Emergency Management to again check the building to perform some air tests.

Mr. Bailey asked if Mr. Tolbert has already done testing.

Mr. Poe stated that he had and only found a trace of ammonia in the drains, which came from the solution used to clean the coils.

Mr. Slempp asked what the lights eliminate.

Mr. Poe stated that the lights eliminate the growth on the coils, the cleaning process has been started, but the growth will come back, the ultra violet lights keep the growth from returning.

Ms. Rowe asked how often the coils would need to be cleaned.

Mr. Poe stated probably every season.

It was moved by Mr. Mosley, seconded by Mr. Slempp, to table this matter until next month. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slempp

HOLIDAY SCHEDULE

Mr. Poe reported the following schedule of the upcoming holiday office closings for Thanksgiving, Christmas and New Years:

Thanksgiving

Wednesday, November 25, 2015 Close at noon

Thursday, November 26, 2015 Closed

Friday, November 27, 2015 Closed

Christmas

Thursday, December 24, 2015 Closed

Friday, December 25, 2015 Closed

New Years

Friday, January 1, 2016 Closed

The Christmas Eve closing is an additional day granted by the Governor which is automatically observed per the County Personnel Policy.

CUMBERLAND AIRPORT COMMISSION WITHDRAWAL

Mr. Poe stated that the Cumberland Airport Commission, which oversees the operation of Lonesome Pine Airport in Wise, was created in 1958 by several surrounding localities to promote construction of an airport in the coalfields region. Since that time, several airports have been constructed; however, Lee County is still technically a member of the Commission. To Mr. Poe's knowledge, Lee County has not participated in the Commission since construction of the old airport at Pennington Gap in 1962 which was subsequently replaced in 2002 by the current airport facility west of Jonesville. Since there appears to be no advantage or interest for Lee County to remain a part of the Cumberland Airport Commission, Mr. Poe recommends the Board consider withdrawing. The process for withdrawal is stated in the authorizing legislation as follows:

"Any county, city or town creating the commission may withdraw therefrom upon giving one year's notice to the commission and to all other participating counties, city and towns..."

Mr. Poe prepared a resolution for the Boards consideration stating the County's intent to withdraw from the Cumberland Airport Commission which would serve as formal notice to all other participating localities and would result in our formal withdrawal one year from the date of adoption.

Mr. Mosley stated that there is actually a seat on this Board for Lee County but it is of no benefit, and if the County withdraws that seat can be awarded to a member of Wise County.

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

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

**RESOLUTION
15-037**

WHEREAS, at Regular Meeting on November 5, 1958, the Lee County Board of Supervisors adopted a resolution declaring the need for an airport commission to be created for the purpose of establishing and operating one or more airports or landing fields for the counties of Wise, Dickenson, Lee and Russell, the City of Norton, and the towns of Appalachia, Big Stone Gap, Wise, Pound, Coeburn, St. Paul, Clintwood, Haysi, Jonesville, Pennington Gap, Ewing, Rose Hill, and Lebanon; and

WHEREAS, this resolution the County of Lee became a founding member of the Cumberland Airport Commission; and

WHEREAS, in 1962, an airport was constructed in Lee County near Pennington Gap which served the residents of Lee County and the surrounding area; and

WHEREAS, a new airport was constructed west of Jonesville in 2002 to replace the small airport at Pennington Gap and serves the aviation needs of Lee County and surrounding areas including portions of Tennessee and Kentucky; and

WHEREAS, the Lee County Board of Supervisors sees no need or advantage for Lee County's continued membership in the Cumberland Airport Commission;

NOW, THEREFORE, BE IT RESOLVED, the Lee County Board of Supervisors hereby gives notice to all other counties, city and towns participating in the Cumberland Airport Commission of its' desire and intent to withdraw from the Commission.

BE IT FURTHER RESOLVED, this Board understands that notice is to be given to all other participating counties, city and towns and that this withdrawal will be effective one year from said notice.

BOARD OF EQUALIZATION APPOINTMENTS

Mr. Poe stated that with the reassessment having been completed, it is now time to appoint members to the Board of Equalization to hear property owner complaints about the valuation of their property. In order for these board members to complete their work by March 31, 2016, they need to receive the required training in early January and begin hearings as soon after that as possible.

It was moved by Mr. Crabtree, seconded by Mr. Bailey, to appoint Kenneth Crabtree to the Board of Equalization. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

It was moved by Mr. Bailey, seconded by Mr. Crabtree, to appoint Jimmy Barnes to the Board of Equalization. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

JANITORIAL SERVICES PROPOSALS

Mr. Poe reported that Janitorial Services proposals have been received and stated that this needs to be taken up in closed session.

REPORTS AND RECOMMENDATIONS OF THE COUNTY ATTORNEY

None.

REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR

E-911 REQUEST

Mr. Poe stated that at last's month meeting the E-911 Director brought an invoice for maintenance in the amount of \$17,000, this amount was included in last year's budget, but it was not paid. There was \$23,000 left over in the budget last year. Mr. Poe asked the Board to consider a supplemental re-appropriation in the about of \$17,000 to the maintenance contracts to pay this invoice.

It was moved by Mr. Mosley, seconded by Mr. Crabtree, to approve the following Supplemental Re-appropriation. Upon the question being put the vote was as follows.

Revenue Source
3-001-41050-0099 Budget Supplements from Reserve \$17,000.00

Expenditure
4-009-31400-3320 Maintenance Contracts \$17,000.00

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slempp

WATER HEATER

Mr. Poe reported that the water heater that serves both buildings is out of service as all three elements are out. The company that manufactured that unit is out of business and no one makes replacement elements. A replacement unit of a similar type would cost \$6,500 with installation.

Mr. Mosley asked why a 3-phase unit is needed.

Mr. Poe stated that it was set up as 3-phase because of the faster recharge rate.

Mr. Crabtree asked about a tankless water heater.

Mr. Poe stated that those would have to be installed at every outlet.

It was moved by Mr. Bailey, seconded by Mr. Slempp, to authorize the County Administrator spend up to \$6,500 if necessary but look for cheaper alternatives for a water heater. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slempp

HOSPITAL AUTHORITY

Mr. Poe reported that the Hospital Authority received a tax bill on the hospital building. The Hospital Authority is tax exempt, but the building did not transfer from Wellmont to the Authority until the first of May. In closing that deal, one of the conditions was that the Hospital Authority would be responsible for any tax due on the facility, so the first four months of year falls back on the Authority for a total of \$19,227.50. He added that one possibility is the Board making a donation to the Hospital Authority in that amount, then the Hospital Authority paying the tax bill in that amount.

It was moved by Mr. Mosley, seconded by Mr. Slempp, to make a donation to the Hospital Authority in the amount of \$19,227.50 and approve the following supplemental appropriation. Upon the question being put the vote was as follows.

Revenue Source		
3-001-41050-0099	Budget Supplements from Reserve	\$19,227.50
Expenditure		
4-001-11010-5899	Board Miscellaneous	\$19,227.50

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slempp

REPORTS AND RECOMMENDATIONS OF THE BOARD

PAUL TRAMMELL

Mr. Mosley stated that he would like to recognize Mr. Paul Trammell who recently passed away. He stated this is a great loss to the Community.

OLINGER CONVENIENCE CENTER

Mr. Slempp stated that there needs to be a change at the Olinger Convenience Center, the current Operator is not working out. He has spoken with Mr. Collingsworth and they agree that the change needs to be made immediately.

It was moved by Mr. Slempp, seconded by Mr. Mosley, to hire Earl Underwood at the Olinger Convenience Center at the rate of \$7.25 per hour. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

CLOSED SESSION

It was moved by Ms. Rowe, seconded by Mr. Crabtree, 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, and Section 2.2-3711 A.6., The investing of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

It was moved by Mr. Mosley, seconded by Mr. Crabtree, to come out of Closed Session. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

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.

JANITORIAL AGREEMENT

It was moved by Mr. Crabtree, seconded by Mr. Mosley, to award the Janitorial Service Agreement to Jerry Harris in the amount \$37,500 for a four year term. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slempp

ANIMAL CONTROL OFFICER SALARY

It was moved by Mr. Mosley, seconded by Mr. Crabtree, to increase the Assistant Animal Control Officer's salary to \$26,000 effective November 16, 2015. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slempp

ANIMAL RECLAIM FEE

It was moved by Mr. Slempp, seconded by Mr. Crabtree, to impose a \$4.00 per day fee on an owner reclaimed dog. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slempp

It was moved by Mr. Crabtree, seconded by Ms. Rowe, to adjourn. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slempp