

**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 March 15, 2016 at 6:00 p.m. thereof.

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

MEMBERS ABSENT: None

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

OTHERS ABSENT: None

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**INVOCATION**

Dane Poe led in the Invocation.

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**PLEDGE TO THE FLAG**

Charles Slemp led the Pledge to the Flag.

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**MEETING CALLED TO ORDER**

The meeting was called to order at 6:00 p.m.

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**PUBLIC HEARINGS**

**SPECIAL USE PERMIT - SHARON WALKER**

The Lee County Board of Supervisors held a Public Hearing on March 15, 2016 at 6:00 p.m. in the General District Courtroom of the Lee County Courthouse located in Jonesville, Virginia to solicit input on a Special Use Permit request. Sharon T. Walker has applied for a Special Use Permit to allow manufactured home park in an A-1, Agricultural District. The property is located on the south side of US Hwy. 58 west of the Caylor Community between Rte. 684 and 710 and consists of 13.7 acres of land (Tax Parcel 80-(9)-6,7,8).

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Mike James, Economic Development Director, stated that the Planning Commission did hold a public hearing on this last month and that at the time there was no opposition, so the Planning Commission did vote to recommend approval of the Special Use Permit.

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Mr. Cope asked what the reason was to approve the Special Use Permit.

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Mr. James stated that at the time, there were no negative comments and the Commission saw no reason not to approve it.

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Mr. Cope asked how this would benefit Lee County.

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Mr. James stated that there is a need for quality rental homes especially in the Western area of the County.

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Mr. Slemp asked about the quality of the housing.

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Mr. James stated that at the time Ms. Walker applied for the Special Use Permit she had bought a couple newer model doublewides that were in good shape. He added that the Board of Supervisors could also put limitations on this permit if they decide to approve it.

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Mr. Smith asked if Mr. James had been down to look at the location.

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Mr. James stated that he had and one good thing is that it will not be visible from the 4-lane.

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The chairman opened the floor for public comment.

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David Thompson, Ewing, addressed the Board about his concern on this request, and stated that he is opposed to the Board approving the Special Use Permit.

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Kenneth Chicos, Ewing, addressed the Board about concerns on how the park will be maintained, property values declining and the activities that could take place on the property.

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Harriett Chicos, Ewing, addressed the Board about her concerns of her property value and having to look at a mobile home park on a daily basis.

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Lonnie Surgner, Ewing, stated that he has been affected by the approval of a Special Use Permit in the past and a trailer park went in behind his house and it has greatly affected the upkeep on the road.

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Roger Littrell, Ewing, addressed the Board about his concerns on bringing in a mobile home park in the community.

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Lucretta Marcum, Ewing, addressed that Board about her concerns on allowing a mobile home park in an agricultural area.

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Mike James stated that he had received an email from Tom Coker, which asked the Board to turn down the request for rezoning.

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Sharon Walker addressed the Board about approving the Special Use Permit and stated that she is targeting only LMU students, and will only be using doublewides.

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Craig Chadwell, Ewing, questioned if it would be discrimination if Ms. Walker only rented to LMU students.

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James Ramsey, Ewing, stated that this is not a good thing and the community does not want to see it.

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There was no further public comment.

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The chairman closed the floor.

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It was moved by Mr. Smith, seconded by Mr. Cope, to deny the Special Use Permit for Sharon Walker. Upon the question being put the vote was as follows.

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

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**COMMUNITY DEVELOPMENT BLOCK GRANT  
WOODWAY HOUSING REHABILITATION PROJECT**

Notice is given that on Tuesday, March 15, 2016, at 6:00 p.m., in the General District Courtroom of the Lee County Courthouse, the Lee County Board of Supervisors conducted a public hearing to solicit public input on a proposed Community Development Block Grant (CDBG) application to be submitted to the Virginia Department of Housing and Community Development for the Woodway Housing Rehabilitation project. The project will involve housing rehabilitation activities in the Woodway community. All interested citizens are encouraged to attend.

The draft CDBG proposal or a fact sheet was presented for comment along with information on projected beneficiaries, including the number of low- and moderate-income residents to benefit from the proposed project, and plans to minimize displacement. Citizens were also given an opportunity to comment on Lee County's past use of CDBG funds. A fact sheet on the project was also available at LENOWISCO Planning District Commission, Duffield, Virginia.

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Frank Kibler, Senior Planner Lenowisco Planning District Commission reported that for over two years the County and the Redevelopment Housing Authority have been working on the Rehabilitation Housing Project. The proposed project would involve the rehabilitation of 18 occupied housing units, substantial reconstruction of four LMI housing units, and the demolition of two vacant and derelict properties. The Housing Authority is dedicating \$25,000 as a local match to this project, with the total anticipated project cost being \$649,400.

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Mr. Cope asked how much County money would be needed for this project.

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Mr. Kibler stated that there is no financial obligation for the County. The Community Development Block Grant is a competitive once a year funding grant and the deadline is March 23, 2016.

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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.

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Mr. Mosley stated that he has been working on this project since 2013 and it would really benefit the community.

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**COMMUNITY DEVELOPMENT BLOCK GRANT  
ELYDALE WATER LINE REPLACEMENT**

Notice is given that on Tuesday, March 15, 2016, at 6:00 p.m., in the General District Courtroom of the Lee County Courthouse, the Lee County Board of Supervisors conducted a public hearing to solicit public input on a proposed Community Development Block Grant (CDBG) application to be submitted to the Virginia Department of Housing and Community Development for the Elydale Water Line Replacement project. The project will involve replacing over 12,000 linear feet of dilapidated and failing galvanized water line in the Elydale community, serving up to 78 households. All interested citizens are encouraged to attend.

The draft CDBG proposal or a fact sheet was presented for comment along with information on projected beneficiaries, including the number of low- and moderate-income residents to benefit from the proposed project, and plans to minimize displacement. Citizens were also given an opportunity to comment on Lee County's past use of CDBG funds. A fact sheet on the project was also available at LENOWISCO Planning District Commission, Duffield, Virginia.

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Frank Kibler, Senior Planner Lenowisco Planning District Commission, reported that within the last 18 months Lenowisco conducted a regional water line study and the top ranking projects in each County had preliminary engineering reports done and were prepared for submission to the appropriate funding agencies. There is a pending Appalachian Regional Commission Application on this project that has not been announced yet, that would combine with the request for \$696,141 for the total project cost of \$836,141.38. This project would serve 78 households.

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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.

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Mr. Slemph stated that the possibility of development of the western end of the County has been a priority for a long time.

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Mr. Cope asked if the Board approves both projects to be submitted, would one project have the potential of knocking out the other.

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Mr. Kibler stated that it comes down to how each one scored with the group of project types. The Elydale project would be compared and scored against other water applications and the Woodway project would be compared and scored against other housing and rehabilitation projects.

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Mr. Poe stated that the only way one project would knock the other one out is if both projects were very close in scoring and the divide line of where the money runs out is between those two projects.

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

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

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**RESOLUTION IN SUPPORT OF  
COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION  
WOODWAY HOUSING REHABILITATION PROJECT  
16-006**

**WHEREAS**, the County of Lee, Virginia, wishes to apply for \$624,400 in Virginia Community Development Block Grant (VCDBG) funds for the “Woodway Housing Rehabilitation” project; and

**WHEREAS**, other project funding, identified in the application, will provide the balance of the total project cost of \$649,400; and

**WHEREAS**, citizen participation requirements have been met through two duly advertised public hearings; and

**WHEREAS**, the project will meet the VCDBG National Objective of providing benefit to low- or moderate-income (LMI) persons by providing housing rehabilitation services to fifty-six (56) persons in twenty-two (22) households, all of whom are determined to be LMI.

**NOW, THEREFORE BE IT RESOLVED** by the Board of Supervisors of Lee County, Virginia, that the County Administrator of Lee County, Virginia, is hereby authorized to sign and submit any and all appropriate documents relevant to this Virginia Community Development Block Grant proposal.

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**RESOLUTION**  
**COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION**  
**ELY DALE WATERLINE REPLACEMENT PROJECT**  
**16-005**

**WHEREAS**, the County of Lee, Virginia, wishes to apply for \$696,142 in Virginia Community Development Block Grant (VCDBG) funds for the “Elydale Waterline Replacement Project”; and

**WHEREAS**, Lee County anticipates receiving \$140,000 in Appalachian Regional Commission grant funds to be used towards the project for an overall total project cost of \$836,142; and

**WHEREAS**, citizen participation requirements have been met through two duly advertised public hearings; and

**WHEREAS**, the project will meet the VCDBG National Objective of providing benefit to low- or moderate-income (LMI) persons by maintaining water service to a projected 78 households, of which an estimated 56 (71.8%) will be LMI households.

**NOW, THEREFORE BE IT RESOLVED** by the Board of Supervisors of Lee County, Virginia, that the County Administrator of Lee County, Virginia, is hereby authorized to sign and submit any and all appropriate documents relevant to this Virginia Community Development Block Grant proposal.

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**DEPARTMENTAL REPORTS**

**ECONOMIC DEVELOPMENT**

Mike James, Economic Development Director, stated that the spring calendar is full of interesting and exciting events coming up. The IDA and the Southwest Regional Workforce Development Board will be hosting a job fair on Thursday April 14, 2016 from 10:00 a.m. to 1:00 p.m. at the Pennington Gap Community Center, there are 15 companies committed. There will also be a job fair success workshop on April 4, 2016 from 12:00 p.m. to 3:00 p.m. to help those interested prepare for the job fair. He is also working with Regional Adult Education, through Plugged in Virginia, to schedule free

training classes for job assistance and training. The Workforce Development Board was awarded a 1.9 million dollar grant for job training for displaced coal supply chain workers for free training in welding or 3-D printing, sign up begins April 1, 2016. The Town of Pennington Gap has accepted the IDA's offer to sell the Town Hall Building with an expectant closing date at the end of June. The IDA continues to feature a spot light business of the month. There have been 13 Zoning Permits, 2 Variances were issued this quarter, and Mr. James made 3 site visits.

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### **AMEND AGENDA**

Mr. Slemp amended the agenda to hear Delegations next.

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### **DELEGATIONS**

#### **FISCAL YEAR 2015 AUDIT REPORT SCOTT WICKHAM ROBINSON, FARMER, COX and ASSOCIATES**

Scott Wickham presented the audit brief, stating that the General Fund balance is up at a comfortable level from a low point in 2006. The debt per capita ratio is very low, which is good. Local Revenues are down at a rate of 1.18% which is a trend across the State. Expenditures for the period have shown a decrease of .58% and he added that he has not seen a locality keep expenditures down at this rate. The ending fund balance has grown by 29% over the past 10 years, which is very impressive. Overall, it is a good clean audit.

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### **DEPARTMENTAL REPORTS**

#### **TOURISM**

Ashley Seals, Tourism Director, reported that promotional items have been reordered, promotion continues for I Love Lee on social media, billboards and regional marketing. Ms. Seals is working on the Tourism signs to go on the County signs and the kiosk in Gibson Station. The Tourism Committee has created a grant called Funding our Future that will help local businesses to complete updates to their facilities. Ms. Seals has met with a potential outfitter business with the hopes of bringing that business into the County. Fisher's ATV World will be in the County in May to highlight the ATV Trail on their show. The Greenway and Welcome Center in Pennington Gap are projected to be opened in June.

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Mr. Cope asked about the signs.

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Ms. Seals stated that she has spoken with the contractor and the signs should be up within the next month.

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**CONSTITUTIONAL OFFICERS**

**TREASURER'S REPORT**

The Treasurer's Report for the month of February 2016 was submitted as follows:

Revenues	\$ 4,200,289.50
Expenditures	\$ 4,774,521.71
General Fund	\$10,101,970.73
Total Assets and Liabilities	\$15,430,021.01

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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 5 minute time period for a group.

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Paul Harris, Jonesville, did a presentation for the Board on the history of the Thomas Walker Ball Fields and how the area was built with the effort of the community. He read a Resolution from the Lee County Board of Supervisors dated December 30, 1986 that named the park Thomas Walker Community Park and asked that a sign with that name be placed at the Park.

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Mr. Leonard stated that there is a question of a lawsuit and from his understanding, there is a \$12,000 lawsuit to be paid back to a gentleman.

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Mr. Harris stated that the School Board did not have the authority to name the park.

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Mr. Leonard stated he understands that, but he has been on this Board since the first of January and for the first three months this Board has been paying money back for poor decision making by several different people. He is open to a solution on getting the money back.

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Mr. Smith stated that this is all about the \$12,000 and asked Mr. Harris if he was ever approached about the park being named after him. The \$12,000 was taken with the intent to match fundraising up to \$5,000 every year, depending on the economy. Mr. Starnes was the Agriculture teacher at Thomas Walker for 34 years. He went to the Thomas Walker Baseball Program in April of 2015 and offered them \$12,000.

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Mr. Leonard stated that according to the School Board Minutes from May 12, 2015, the motion was made by Mr. Chadwell seconded by Mr. Twigg and was unanimously passed by the Board to name the Baseball and Softball Field at Thomas Walker High School the William H. Starnes Sports Complex.

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Mr. Smith stated that Thomas Walker does not have the money to pay this back, so it is up to the School Board or the Board of Supervisors to pay it back.

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Mr. Mosley stated the Board of Supervisors did not make a decision on this, it is County property, and the money should have never been taken unless it was brought before this Board. The Board of Supervisors is not responsible for this, the School Board is.

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Mr. Harris stated that it took almost 10 years to build that park and there is a lot more than \$12,000 invested in it.

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Mr. Leonard stated that this happened in May of 2015 and should have been taken up then.

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Mr. Cope stated that this issue was inherited and it not a Board of Supervisors issue.

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Gary Wolfe, Jonesville, stated that this park was built by the community, this should be about the people down there that put all of the time and effort in to make this.

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It was moved by Mr. Slep, seconded by Mr. Mosley, to put up a sign for Thomas Walker Community Park. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Mosley, Mr. Slep  
VOTING NO: Mr. Cope, Mr. Leonard, Mr. Smith

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Craig Chadwell asked if the community could build their own sign and put it up.

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It was moved by Mr. Leonard, seconded by Mr. Smith, to table this until there could be a better solution that will satisfy both parties. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Cope, Mr. Leonard, Mr. Smith  
VOTING NO: Mr. Mosley, Mr. Slep

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Carl Bailey, Ewing, stated that there is more than \$12,000 in sweat invested in that park, it was a vision. Paul Harris is the very reason Thomas Walker exists today. There is \$12,000 in taxes just in this room, take the money out of our taxes. There is no way to measure what Paul Harris accomplished compared to \$12,000.

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Mr. Leonard asked why the Board of Supervisors did not clear this up in May of 2015.

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Mr. Bailey stated that it did not come before the Board of Supervisors and the Board did not know about it.

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Nancy Wheeler, Ewing, stated that the people that worked on this park did not ask for any recognition for all of their work. The park name should be left as Thomas Walker Community Park.  
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There was no further public comment.  
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The Chairman called a ten minute recess.  
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The meeting was called back to order.  
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The Chairman closed the floor for public comment.  
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#### **APPROVAL OF MINUTES**

It was moved by Mr. Mosley, seconded by Mr. Cope, to approve the minutes of the February 11, 2016 Recessed Meeting and the February 16, 2016 Regular Meeting. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Cope, Mr. Leonard, Mr. Mosley, Mr. Slemp, Mr. Smith  
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#### **APPROVAL OF REFUNDS**

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

East Tennessee Natural Gas, LLC.	\$130.20
Billy Kimberlin	\$256.05

VOTING AYE: Mr. Cope, Mr. Leonard, Mr. Mosley, Mr. Slemp, Mr. Smith  
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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. Mosley, seconded by Mr. Cope, to approve the disbursements for the month of February in the amount of \$155,841.44. Upon the question being put the vote was as follows.

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

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**AMEND AGENDA**

Mr. Slemp amended the agenda to hear Old Business next.

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**OLD BUSINESS**

**COST COLLECTION PROGRAM  
FULLER CRIDLIN  
COMMONWEALTH'S ATTORNEY**

Fuller Cridlin, Commonwealth's Attorney, addressed the Board about creating a Cost Collections Program in the Commonwealth's Attorney's Office. There were questions about the mechanics of how this would work and he hopes that the packet he mailed out to the Board would answer any questions.

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Mr. Cope asked about the projected yearly income.

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Mr. Cridlin stated that it would vary year to year; last year it was \$34,000. This money is not coming into the County now so it will be a great thing for the County.

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It was moved by Mr. Slempp, seconded by Mr. Smith, to approve the Commonwealth's Attorney proposal for the Cost Collection Plan. Upon the question being put the vote was as follows.

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

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Mr. Poe stated that the appropriation would have to come from the Board of Supervisors and what is collected will be appropriated at the beginning of the Fiscal Year.

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**FINANCE**

**MONTHLY 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. Cope, Mr. Leonard, Mr. Mosley, Mr. Slempp, Mr. Smith

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**RESOLUTION**

**MONTHLY AND QUARTERLY APPROPRIATIONS**

**16-003**

**WHEREAS**, the Lee County Board of Supervisors has approved the Headstart Budget, 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 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 June 30, 2016

**HEADSTART**

Federal Funds	\$ <u>1,370,586</u>
TOTAL HEADSTART	\$ 1,370,586

**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 April 30, 2016

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

**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>
<b>TOTAL</b>	<b>\$39,128,503</b>

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>
<b>TOTAL PUBLIC SCHOOLS</b>	<b>\$ 39,128,503</b>

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.

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**SUPPLEMENTAL APPROPRIATIONS**

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

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

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**RESOLUTION  
16-004**

**LEE COUNTY SCHOOL BOARD  
SUPPLEMENTAL APPROPRIATION**

**WHEREAS**, Lee County Public Schools has been awarded an additional \$316,260.47 in Title I funds for FY2015-2016 which requires no local match; and

**WHEREAS**, Lee County Public Schools has been awarded the e-Learning Backpack Initiative in the amount of \$58,708.10 which requires no local match;

**NOW, THEREFORE, BE IT RESOLVED**, the Lee County Board of Supervisors grants a supplemental appropriation to the FY2015-16 School Budget in the amount of \$374,968.57 to the Instruction 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, Three Hundred Three Thousand, Eight Hundred Thirty Seven Dollars and Eighty Six Cents (\$40,303,837.86) to Forty Million, Six Hundred Seventy Eight Thousand, Eight Hundred Six Dollars and Forty Three Cents (\$40,678,806.43).

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**NEW BUSINESS**

**BOARD APPOINTMENTS**

**THE CROOKED ROAD**

It was moved by Mr. Smith, seconded by Mr. Slemp, to re-appoint Ashley Seals to a four-year term on The Crooked Road. Ms. Seal's term will expire June 30, 2020. Upon the question being put the vote was as follows.

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

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**WOODWAY WATER AUTHORITY**

It was moved by Mr. Mosley, seconded by Mr. Leonard, to re-appoint Charles Coleman to a four-year term on the Woodway Water Authority. Mr. Coleman's term will expire March 31, 2020. Upon the question being put the vote was as follows.

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

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**EXTENSION OFFICE PROJECT PAY REQUEST NUMBER 2**

Mr. Poe reported that he had received Pay Request Number 2 from Haynes and Sons Construction in the amount of \$71,865.00 for work completed to date on the Extension Office Addition/Remodel project. The architect has reviewed the pay request and recommends payment, and Mr. Poe concurs.

Mr. Poe added that as typical when working with an existing structure, there have been some changes required as problems have been discovered in the building. When the new electrical service entrance was requested by the contractor, Old Dominion Power advised that they were moving their service pole away from several trees that are between this building and the building currently occupied by the Town of Pennington Gap. This increased the length of the service entry cable required and brought up the issue of reliability of an overhead service entry as opposed to underground, especially under the trees. The contractor, architect and Mr. Poe agree that the service entry should be installed underground and the contractor provided a cost of \$2,300 for 90 feet of underground conduit and electrical, phone and internet cable. In order to prevent delaying the project, Mr. Poe approved this change. The contractor also discovered that there is only 3 inches of insulation above the ceiling of the existing building. They have provided a cost of \$1,700 to add 9 inches of blown in insulation. The costs for these items are below the architect's estimates and Mr. Poe requests the Board to approve both changes.

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Mr. Cope asked if that would take the insulation up to 9 inches or is it adding 9.

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Mr. Poe stated that it would be adding 9 for a total of 12 inches of insulation.

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Mr. Leonard asked if all of this was looked at before the bid.

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Mr. Poe stated that the architect did not look at the existing building for insulation or wiring, only the places that were being renovated.

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It was moved by Mr. Cope, seconded by Mr. Smith, to approve Pay Request Number 2 to Haynes and Sons Construction in the amount of \$71,865.00. Upon the question being put the vote was as follows.

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

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It was moved by Mr. Cope, seconded by Mr. Smith, to approve the change order for the underground electrical service entry and the blown insulation at the cost of \$4,000. Upon the question being put the vote was as follows.

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

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### **NEW DUMPSTER QUOTES**

Mr. Poe stated that he recently obtained quotes for the purchase of 16 new 8 cubic yard front load slant top dumpsters. Three vendors provided quotes as follows:

Mid-State Equipment Co., Inc. Buchanan, VA	\$12,732.00 delivered \$795.75 each
Municipal Equipment, Inc. Louisville, KY	\$13,456.00 delivered \$841.00 each

Mid-Atlantic Waste Systems  
Salem, VA

\$14,670.00 delivered  
\$916.88 each

Transfer Station Superintendent, Gary Collingsworth has advised that the dumpsters quoted by Mid-State Equipment have saddle flanges that will have to be modified in order for one of the trucks to dump them. This modification would require about 1 ½ hours of labor per dumpster to complete. He also advised that the saddles are made of 10 gauge metal whereas the dumpsters quoted by Municipal Equipment are made of 7 gauge metal and will accommodate all of the trucks without modification. The difference in cost of the two quotes is \$742.00 or \$42.25 per dumpster.

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It was moved by Mr. Slemph, seconded by Mr. Cope, to accept the quote from Municipal Equipment in the amount of \$13,456.00. Upon the question being put the vote was as follows.

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

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**VICTIM WITNESS PROGRAM AMENDED GRANT**

Mr. Poe reported that he received notification of an increase in the Victim Witness Program grant award for the current program year which ends June 30, 2016. The revised grant award is \$58,568.00, an increase of \$7,639.00. There is no local match associated with this grant. Mr. Poe would request the Board accept the revised grant award and approve a supplemental appropriation in the amount of \$7,639.00 to the Victim Witness Assistance Department.

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It was moved by Mr. Cope, seconded by Mr. Mosley to accept the revised grant for the Victim Witness Program and approve a supplemental appropriation. Upon the question being put the vote was as follows.

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

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**NEW TRANSFER STATION PAY REQUEST NUMBER 10**

Mr. Poe reported he received Green Construction Pay Request Number 10 in the amount of \$56,856.73 for work completed to date on the new Transfer Station. The

architect has reviewed the request and recommends payment, Mr. Poe concurs with that recommendation.

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It was moved by Mr. Mosley, seconded by Mr. Leonard, to approve the New Transfer Station Pay Request Number 10 to Green Construction Company in the amount of \$56,856.93. Upon the question being put the vote was as follows.

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

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**NEW TRANSFER STATION PROPOSED CHANGE ORDERS**

Mr. Poe reported that there are three changes requested by the County or recommended by the contractor for the new Transfer Station. The total proposed cost of these changes is \$19,774.25 and are as follows:

Recommendation by contractor to substitute compacted stone for topsoil and grass at the loading/unloading dock end of the building. This is the area surrounding the recycling materials transfer area. Mr. Poe concurs with this recommendation. Cost - \$1,276.50.

Request by owner to add metal plate to push walls in areas where pushing and loading operations could cause excessive wear to push wall. This request originated from Gary Collingsworth after discussions with other Transfer Station operators. Cost \$10,706.50.

Request by owner/architect to add concrete curbing at front of the building to allow proper drainage and correct operation of doors. Cost - \$7,791.25.

By incorporating these changes into the building at this time, we feel it will result in more operating efficiency that will better serve the County's needs.

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Mr. Mosley asked if there was enough money to cover the proposed changes.

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Mr. Poe stated that is will be very close on the \$1.3 million, the Resolution that was adopted for financing had a maximum of \$1.5 million if you want to cover it under the loan.  
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Mr. Mosley stated that this is something he has wanted to see built for a long time, and but the County voluntarily doing the building we probably saved a little over \$2 million.

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It was moved by Mr. Mosley, seconded by Mr. Leonard, to approve the proposed change orders in the amount of \$19,774.25 for the new Transfer Station. Upon the question being put the vote was as follows.

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

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### **NEW WATER MONITORING WELL AT LANDFILL**

Mr. Poe reported that due to changes in underground water flow direction and water table levels, the Virginia Department of Environmental Quality is requiring the County to install a new water monitoring well at the Landfill. Lane Engineering has obtained a quote for installation of the well at a cost of \$17,400 for a six inch well. We may be able to reduce the well size to 2 inches, which could reduce the cost. Mr. Poe is requesting approval to proceed with drilling as soon as possible in order to have it in place in time for the spring sampling event. Mr. Poe would request approval of the \$17,400 cost as a maximum amount. Without the installation of this well, we cannot maintain compliance with DEQ for the facility.

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It was moved by Mr. Leonard, seconded by Mr. Mosley, to approve the new Water Monitoring Well at the Landfill up to \$17,400. Upon the question being put the vote was as follows.

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

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### **ELECTORAL BOARD REQUEST FOR NEW COPIER**

Mr. Poe reported that the Electoral Board is requesting to use a portion of their Capital Outlay funds budgeted for this year to purchase a new copier/printer/scanner for the Registrar's Office. The Electoral Board was budgeted \$16,000 in the current budget for the purchase of electronic poll books; however, the State provided these at no cost earlier this year.



Mr. Smith reported that the Rose Hill Library has changed it hours for Daylight Savings time from 1 p.m. until 5 p.m. to 2 p.m. until 6 p.m. He stated that the community would like to have the operating hours remain 1 p.m. to 5 p.m.

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It was moved by Mr. Smith, seconded by Mr. Leonard, to draft a letter to the Regional Library and asked that the hours be left at 1 p.m. until 5 p.m. Upon the question being put the vote was as follows.

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

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### **GRAVEL FUNDS**

Mr. Leonard stated that there are a couple Board members that are out of gravel funds right now, and since the County will no longer get the Coal Severance Tax that has been used in the past for the gravel fund, there needs to be a way to get these funds.

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It was moved by Mr. Cope, seconded by Mr. Smith, to approve a supplement appropriation to the Board of Supervisors Gravel Fund as follows. Upon the question being put the vote was as follows.

Revenue Source		
3-001-41050-0099	Budget Supplements from Reserve	\$ 5,000.00

Expenditure		
4-001-11010-8121	District 1 Gravel Fund	\$1,000.00
4-001-11010-8122	District 2 Gravel Fund	\$1,000.00
4-001-11010-8123	District 3 Gravel Fund	\$1,000.00
4-001-11010-8124	District 4 Gravel Fund	\$1,000.00
4-001-11010-8125	District 5 Gravel Fund	\$1,000.00

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

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### **REPORTS AND RECOMMENDATIONS OF THE COUNTY ATTORNEY**

None.

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**REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR**

**HEALTH INSURANCE**

Mr. Poe report that he received notice from The Local Choice Health Benefits Program that the employee health insurance premiums will increase by 5.1% beginning July 1, 2016. This is the first increase the County has had in five years and has actually had some slight decreases during this period. The new proposed rates and portions paid by employee and employer for the Key Advantage Expanded benefits program currently offered by the County are as follows:

<u>Plan</u>	<u>Total</u>	<u>Employee</u>	<u>Employer</u>
Single	\$ 615.00	\$123.00	\$492.00
Dual	\$1,138.00	\$387.60	\$750.40
Family	\$1,661.00	\$701.40	\$959.60

He added that other benefits plans can be selected; however, each lower benefit tier comes with a higher deductible and higher out-of-pocket costs. The County can provide up to two different plans. A survey conducted among employees last year revealed practically no interest in a lower tier plan.

The County will need to notify The Local Choice by April 1 if we intend to continue health coverage with this plan.

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Mr. Leonard asked if the County should look for other coverage.

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Mr. Poe stated that he had talked to a consultant a few years ago, and because of the rates the County had along with the low increases the consultant advised that the County would not do any better.

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Mr. Cope asked why this is not put out for bid every year.

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Mr. Poe stated that the County would need to hire a consultant to make sure the bids are comparing apples to apples to get the same coverage.

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Mr. Cope recommends putting this out for bid by the end of this year for next year's coverage.

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It was moved by Mr. Mosley, seconded by Mr. Cope, to renew the health insurance policy from The Local Choice. Upon the question being put the vote was as follows.

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

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### **RABIES CLINIC**

Mr. Poe stated that Section 2.3-6521 of the Code of Virginia requires that all rabies clinics conducted within a county require approval of the local governing body. Lee County Animal Hospital has proposed the following rabies clinics in Lee County:

Saturday, May 7, 2016  
Saturday, May 14, 2016  
Saturday, May 21, 2016

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It was moved by Mr. Slemph, seconded by Mr. Leonard, to approve the Rabies Clinic dates as presented. Upon the question being put the vote was as follows.

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

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### **UPDATE ANIMAL CONTROL ORDINANCE**

Mr. Poe reported that he would be going through the State Code on Animal Laws and pick the portions that are Locality driven and delete the portions that are state driven and will try to have it ready next month.

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### **UPCOMING BIDS**

Mr. Poe reported that he would be putting out bids within the next 30 days for new doors at the Courthouse and Health Department, and for replacement on sidewalks, curbs and guttering at the Health Department.

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**LETTER OF SUPPORT SUNSET DIGITAL**

Mr. Poe reported that he had received an email asking the County to write a letter of support for Sunset Digital Communications in their efforts in buying BVU. The deal had been announced but there is now another bidder in the process. The Bristol City Council will be voting on this matter.

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David Hartley stated that the Bristol City Council was supposed to vote on that at 6:30 p.m.

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**MEOC GOLF TOURNAMENT**

Mr. Poe reported that Wallen's Ridge State Prison has an annual golf tournament to benefit MEOC fuel fund.

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**BUDGET**

Mr. Poe stated that a few departments still have not submitted their budget requests, but within the next two and a half weeks, everything should be entered on it. Mr. Poe recommends scheduling a recessed meeting after April 1.

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**CLOSED SESSION**

It was moved by Mr. Slemph, seconded by Mr. Mosley, to enter Closed Session pursuant to 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. Upon the question being put the vote was as follows.

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

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

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

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### **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.

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### **REFINANCING LOAN**

It was moved by Mr. Leonard, seconded by Mr. Mosley, to accept the refinancing loan on a 20-year term and the new loan from Powell Valley Nation Bank. Upon the question being put the vote was as follows.

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

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### **BUDGET WORKSHOP**

It was the consensus of the Board to hold a Budget Workshop on April 11, 2016 at 6:00 p.m.

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**CLOSED SESSION**

It was moved by Mr. Smith, seconded by Mr. Leonard, to enter Closed Session pursuant to Section 2.2-3711 A.1. Discussion, consideration or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees or employees of any public body. Upon the question being put the vote was as follows. Upon the question being put the vote was as follows.

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

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

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

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**COUNTY ATTORNEY**

It was moved by Mr. Smith, seconded by Mr. Cope, to end the contract with Mr. Callahan. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Cope, Mr. Leonard, Mr. Smith  
VOTING NO: Mr. Mosley, Mr. Slemp

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**COUNTY ATTORNEY**

It was moved by Mr. Leonard, seconded by Mr. Smith, to hire Stacy Estep Munsey as County Attorney at the current salary in the current contract effective immediately. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Cope, Mr. Leonard, Mr. Smith  
VOTING NO: Mr. Mosley, Mr. Slemp

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It was moved by Mr. Mosley, seconded by Mr. Cope, to recess until April 11, 2016 at 6:00 p.m. Upon the question being put the vote was as follows.

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