

VIRGINIA: County of Lee, to-wit:

At the Annual Meeting of the Lee County Board of Supervisors in the General District Courtroom of the Lee County Courthouse on January 15, 2019 at 6:00 p.m. thereof.

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

MEMBERS ABSENT: None

OTHERS PRESENT: Dane Poe, County Administrator
Jeny Hughes, Administrative Assistant
Stacy Munsey, County Attorney

OTHERS ABSENT: None

INVOCATION

Dane Poe led in the Invocation.

PLEDGE TO THE FLAG

Larry Mosley led the Pledge to the Flag.

MEETING CALLED TO ORDER

The meeting was called to order at 6:04 p.m.

ELECTION OF CHAIRMAN

It was moved by Mr. Leonard, seconded by Mr. Mosley, to elect Nathan Cope as Chairman for 2019. Upon the question being put the vote was as follows.

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

ELECTION OF VICE-CHAIRMAN

It was moved by Mr. Smith, seconded by Mr. Cope, to elect D.D. Leonard as Vice-Chairman for 2019. Upon the question being put the vote was as follows.

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

ESTABLISH TIME, DATE AND PLACE OF REGULAR MEETING

It was moved by Mr. Leonard, seconded by Mr. Mosley, to establish regular monthly meetings on the third Tuesday of each month at 6:00 p.m. in the General District Courtroom of the Lee County Courthouse. Upon the question being put the vote was as follows.

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

RULES OF PROCEDURE

It was moved by Mr. Leonard, seconded by Mr. Slemph, to adopt the following Rules of Procedure. Upon the question being put the vote was as follows.

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

RULES OF PROCEDURE

LEE COUNTY BOARD OF SUPERVISORS

Section I – Meeting

Section 1-1: When and where regular meetings held

The date, time and place of the regular Board of Supervisors meeting shall be established at the January annual meeting. Should the Board subsequently prescribe any meeting time or place other than that initially established, it shall comply with Section 15.2-1416 of the Code of Virginia, as amended. (1)

Section 1-2: Special Meetings

The Board of Supervisors may hold such special meetings, as it deems necessary, at such time and place as it may find convenient; and it may adjourn from time to time as it may find convenient and/or necessary. A special meeting of the Board of Supervisors shall be called pursuant to, and in full compliance with, Sections 15.2-1417 and 15.2-1418 of the Code of Virginia, as amended. (2)

Section 1-3: Annual/semi-annual meetings

The first meeting held after the newly elected members of the governing body shall have qualified and the first meeting held in the corresponding month of each succeeding year shall be known as the annual meeting. (3)

Section 1-4: Quorum and method of voting

At any meeting a majority of the Supervisors shall constitute a quorum. (4) All questions submitted to the Board for decision shall be determined by a voice vote of a majority of the Supervisors voting on any such question, unless otherwise provided by law. (5) The name of each member voting and how he or she voted must be recorded. (6)

Section 1-5: Member absenting himself from meeting prior to adjournment

After the name of any member of the Board has been recorded as present at any meeting of the Board, a member shall not leave the meeting previous to adjournment unless by consent of the Board.

Section 1-6: Board to sit with open doors

The Board of Supervisors shall sit with open doors and all persons conducting themselves in an orderly manner may attend meetings; (7) provided, however, that Board may hold closed meetings as permitted by law. (8)

Section II – Officers

Section 2-1: Chair and Vice-Chair

At the annual meeting of the Board of Supervisors, the Board shall elect from its membership a Chair and a Vice-Chair in accordance with the provisions of Section 15.2-1422 of the Code of Virginia, as amended. The term of office for the Chair and Vice-Chair shall be for one (1) year, but they may be re-elected. In the case of the absence from any meeting of the Chair and Vice-Chair, the members present shall choose one of their number as temporary Chair, provided those members constitute a quorum. (9)

Section 2-2: Chair may administer oaths

The Chair shall have power to administer an oath to any person concerning any matter submitted to the Board or connected with its' powers and duties. (10)

Section 2-3: Clerk (duties, etc.)

The Clerk for the Board shall be the County Administrator and his/her duties and responsibilities shall be as set out in Section 15.2-1540 of the Code of Virginia, as amended. The Clerk may appoint a deputy as recording secretary if needed.

Section 2-4: Preservation of order

At meetings of the Board the presiding officer shall preserve order and decorum (11) and may require the Sheriff of Lee County, or at the Sheriff's option, a deputy to attend meetings of the Board to preserve order.

Section III – Conduct of Business

Section 3-1: Order of business

At meetings of the Board, subject to rearrangement by the Chair, absent an objection by the full Board, the order of business shall be as follows:

- (A) Call of order and roll call of members
- (B) Departmental Reports
- (C) Public hearings
- (D) Reports, requests, and recommendations of other departments
- (E) Citizens expression
- (F) Submission and approval of the minutes of the preceding meeting
- (G) Approval of Refunds
- (H) Approval of Warrant List
- (I) Delegations
- (J) Finance
- (K) Unfinished business
- (L) New business
- (M) Reports, requests and recommendations of the County Attorney
- (N) Reports, requests and recommendations of the County Administrator
- (O) Communications and instructions of members of the Board

When any matter is made the special order of business for a future meeting, it shall at such meeting take priority of all other business except the approval of the minutes of the last meeting.

Section 3-2: Manner of addressing Board generally; speaking only on question before Board

(A) When any person, including Board Members, speaks to the Board, that person shall address the Chair and shall speak directly to the question before the Board.

(B) No person in attendance at a meeting of the Board shall be permitted to address the Board while the members are considering any Motion, Resolution or Ordinance preliminary to a vote on the same except at the discretion of the Chair.

(C) No Board Member shall engage in discussion or ask questions of those addressing the Board without first being recognized by the Chair.

Section 3-3: Use of offensive language or gestures; sectarian or political discussion

No member of the Board shall, in debate at any meeting of the Board, use any language or gesture calculated to offend or insult another member. No discussion of sectarian or partisan character shall be allowed at meetings of the Board. (12)

Section 3-4: Priority in speaking to Board

When two or more members wish to speak at the same time, the Chair shall name the person who shall speak first. (13)

Section 3-5: Speaking more than once on same subject

In any debate before the Board, no member of the Board shall speak more than once on the same question until all the others have spoken who desire to do so, nor more than twice on the same question, unless consent of the Board has been given. (14)

Section 3-6: Form of petitions, etc.

Every petition, communication or address to the Board shall be respectful language and, except in cases where it is otherwise allowed, shall be in writing.

Section 3-7: Motions

No proposition shall be entertained by the Chair until a Motion for the same has been duly made. The Chair may make a Motion without vacating the Chair. (15)

Section 3-8: Decisions on points of order

The Chair, when presiding at a meeting of the Board, without vacating the Chair, may give reasons for any decision made on any point of order and such decision shall be made without debate. (16)

Section 3-9: Same, appeal to Board

Any member of the Board may appeal to the Board regarding the decision of the Chair on any question of order, a majority vote of those present being necessary to overrule the Chair. (17)

Section 3-10: Motion to adjourn

At a meeting of the Board, a Motion to adjourn shall always be in order and shall be decided without debate. (18)

Section 3-11: Voting on appointments to office

Every appointment by the Board shall be by voice vote, recorded by name in the Minutes of the Board of Supervisors. (19)

Section 3-12: Suspending rules

The rules of the Board may be suspended with the concurrence of four-fifths (4/5) of the members present. (20)

Section 3-13: Roberts Rules of Order

The proceedings of the Board, except as otherwise provided in applicable State law, shall be governed by Roberts Rules of Order, Newly Revised.

Section IV – Public Hearings

Section 4-1: Speakers

At every public hearing, speakers wishing to address the Board shall clearly state their name and address and shall be subject to a time limitation of three (3) minutes per individual or five (5) minutes for an individual representing a group, or such other limitation as the Board, in its' discretion, may impose. Each speaker shall be limited to one appearance at each public hearing.

Section 4-2: Members' participation

Board Members shall limit their comments in public hearings to insure participation by the public without Board interference.

Section 4-3: Close of hearing

When a public hearing shall have been closed by the order of the Chair of the Board, no further public comments are in order.

Section V – Agenda

Section 5-1(A): Preparation

The Clerk shall prepare an Agenda for each regular meeting conforming to the order of business specified in Section 3-1 under Order of Business. Except where emergency circumstances require otherwise, every item to be placed on the Agenda shall be received in the Office of the County Administrator by 10:00 a.m. on the Tuesday prior to any regular meeting of the Board.

Section 5-1(B): Notification

Any member absent from a meeting shall be notified of a recessed meeting, including place, time and items to be placed on the Agenda.

Section 5-2: Delivery

The Agenda shall be mailed, or hand delivered, to each Member of the Board and the Attorney to the Board at least six (6) days prior to the meeting.

Section 5-3: Request to appear before the Board of Supervisors

Any citizen (individual, firm, association, or corporation) desiring to appear before the Board of Supervisors to request Board action on any matter shall make such request to the Clerk or Agent as provided; however, no request shall be required in order to speak to the Board during the Citizens' Expression period.

Note: The purpose of the Citizens' Expression period at each regular meeting is to give all citizens an opportunity to appear before the Board to voice their opinions on matters of concern to them over which the Board has influence. Sections 4-1, 4-2 and 4-3 of these Rules of Procedure regarding public hearings will also apply to the Citizens' Expression period. This period should not be used to request specific Board action at that meeting. (See Section 5-3) If Board action is indicated as a result of information provided during this period, the matter should be placed on the Agenda for a future Board meeting.

NOTES

1. Code of Virginia, as amended, Section 15.2-1416.
2. Code of Virginia, as amended, Section 15.2-1417 and 1418.
3. Code of Virginia, as amended, Section 15.2-1416.
4. Code of Virginia, as amended, Section 15.2-1415.
5. Code of Virginia, as amended, Section 15.2-1420.
6. Constitution of Virginia, Article VII, Section 7.

7. Code of Virginia, as amended, Section 2.2-3707.
8. Code of Virginia, as amended, Section 2.2-3711.
9. Code of Virginia, as amended, Section 15.2-1422.
10. Code of Virginia, as amended, Section 15.2-1410.
11. The Virginia Local Legislator, Virginia Municipal League, Virginia Association of Counties, and the Institute of Government, University of Virginia, (1972) pp. 62-63.
12. Roberts, pp. 386-389.
13. Roberts, pp. 28-31.
14. Roberts, pp. 42-43.
15. Roberts, pp. 477-478.
16. Roberts, pp. 214-215.
17. Roberts, pp. 254-259.
18. Roberts, pp. 67-68, 234-240.
19. Roberts, pp. 43-50, 403-405.
20. Roberts, pp. 259-265.

DEPARTMENT REPORTS

Written departmental reports for Building Inspector, E-911 and the Extension Office were included in the packet.

CONSTITUTIONAL OFFICERS

TREASURER'S REPORT

The Treasurer's Report for the month of December 2018 was submitted as follows:

Revenues	\$ 6,641,751.61
Expenditures	\$ 5,638,047.40
General Fund	\$ 8,720,747.84
Total Assets and Liabilities	\$13,616,616.41

AMEND AGENDA

It was moved by Mr. Cope, seconded by Mr. Mosley, to amend the agenda. Upon the question being put the vote was as follows.

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

CLOSED SESSION

It was moved by Mr. Leonard, seconded by Mr. Cope, to enter Closed Session pursuant to Section 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 retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel. Upon the question being put the vote was as follows.

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

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

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

CERTIFICATE OF CLOSED SESSION

It was unanimously agreed as follows.

WHEREAS, the Lee County Board of Supervisors has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provision of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a Certification by this Lee County Board of Supervisors that such Closed Meeting was conducted within Virginia law;

NOW, THEREFORE, BE IT RESOLVED, that the Lee County Board of Supervisors hereby certified that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from Closed Meeting in which this Certification Resolution applies and (ii) only such public business matters as were identified in the Motion convening the Closed Meeting were heard, discussed or considered by the Lee County Board of Supervisors.

It was moved by Mr. Leonard, seconded by Mr. Mosley, to approve action taken by the Hospital Authority on January 14, 2019 for the terms of separation of the Authority from Americore Health and with respect to the County's financial interest in the building. Upon the question being put the vote was as follows.

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

PUBLIC EXPRESSION

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

There was no public comment.

The Chairman closed the floor for public comment.

APPROVAL OF MINUTES

It was moved by Mr. Mosley, seconded by Mr. Leonard, to approve the minutes of the December 18, 2018 Regular Meeting. Upon the question being put the vote was as follows.

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

APPROVAL OF REFUNDS

It was moved by Mr. Smith, seconded by Mr. Mosley, to approve a refund request to Glenda Stiltner in the amount of \$148.30. Upon the question being put the vote was as follows.

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

PAYROLL

The County Administrator reports that payroll warrants have been issued.

APPROVAL OF DISBURSEMENTS

It was moved by Mr. Smith, seconded by Mr. Leonard, to approve the disbursements for the month of January in the amount of \$805,240.24. Upon the question being put the vote was as follows.

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

DELEGATIONS

ERA RESOLUTION

DYLAN MABE

PRESIDENT, UVA WISE YOUNG DEMOCRATS

Dylan Mabe, President UVA Wise Young Democrats, addressed the Board about the Equal Rights Amendment and gave a brief history of the Amendment. Mr. Mabe requested that the Board adopt a Resolution in support of Ratification by Virginia of the Equal Rights Amendment to the United States Constitution.

Mr. Leonard stated that he was not aware that women were not being treated the same.

Mr. Mabe stated that this amendment has been on the books since 1923 and many people think that this has already been passed, but it just died around the 1980s and there is now interest in having a constitutional amendment that lays out a defense of equal rights of women.

Mr. Cope stated that he appreciated the time and effort Mr. Mabe had put into the facts and figures, but he has done some research on this issue himself. This issue was open in 1972 and 34 states had ratified it by 1974, after that only one state ratified it by 1977 and it went dormant for 40 years. There have since been several states to rescind their ratification, which would make it short of the numbers needed. There are still

several states that have not ratified this, and the ones in the south had more opposition from females than it did from males.

Mr. Mabe stated that in regards to the rescinding states, neither the Constitution nor Congress give states the right to rescind ratification, so those were more for show.

Mr. Cope asked that if the deadline was 1982 how the states could ratify 30 years later.

Mr. Mabe stated this is one of the very few amendments that has been put under deadline and Congress decided that it was restrictive and not constitutional.

Mr. Cope asked what would be covered under this amendment that is not covered under the 14th amendment.

Mr. Mabe stated that the 14th and 5th amendments require equal protection under the law, but courts do not hold state and federal government's discrimination on the basis of sex on the same high standards that courts apply to the government's discrimination based on race, national orientation or religion. Sex discrimination does not receive the same strict scrutiny as other forms of discrimination.

Mr. Cope stated that one of the opposing factors in the 1970s was the military draft because women would have to be drafted the same as men, and he feels like the big push right now is because of the current leadership thinks it the best choice.

Mr. Mabe asked for a vote on the Resolution.

Mr. Mosley stated he does not know what else there is to discuss, the Senate approved this today and he feels certain the House will approve it also.

It was moved by Mr. Mosley, seconded by Mr. Slemp, to adopt a Resolution in support of the Equal Rights Amendment. Upon the question being put the vote was as follows.

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

FINANCE

QUARTERLY APPROPRIATIONS

It was moved by Mr. Mosley, seconded by Mr. Smith, to adopt Resolution 18-031. Upon the question being put the vote was as follows.

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

**LEE COUNTY BOARD OF SUPERVISORS
QUARTERLY APPROPRIATIONS
19-001**

WHEREAS, the Lee County Board of Supervisors has approved the Headstart Budget, Lee County Public School Budget and Virginia Public Assistance Budget for FY2018-19; and

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

NOW, THEREFORE, BE IT RESOLVED, that the following activities, 25% of the amount shown is appropriated for a 3-month period ending March 31, 2019

HEADSTART

Federal Funds	\$ <u>1,408,547</u>
TOTAL HEADSTART	\$ 1,408,547

VIRGINIA PUBLIC ASSISTANCE

Federal/State Funds	\$ 8,191,254
Local Funds	<u>1,358,657</u>

TOTAL VIRGINIA PUBLIC ASSISTANCE \$ 9,549,911

LEE COUNTY PUBLIC SCHOOLS

Federal, State & Other Funds \$38,771,185
Local Funds 4,670,267

TOTAL LEE COUNTY PUBLIC SCHOOLS \$43,441,452

1. The Lee County Treasurer is hereby authorized and directed to transfer sums as needed to meet expenses already incurred. The transfer will be from the General Fund to the Headstart, Public School and Virginia Public Assistance funds and will not exceed the foregoing one and three months appropriations.

NEW BUSINESS

BOARD APPOINTMENTS

BUILDING CODE APPEALS

It was moved by Mr. Leonard, seconded by Mr. Mosley, to re-appoint Jerry Stapleton to a four-year term on the Building Code Appeals Board. Mr. Stapleton's appointment will expire January 31, 2023. Upon the question being put the vote was as follows.

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

BUILDING CODE APPEALS

It was moved by Mr. Slempp, seconded by Mr. Leonard, to re-appoint Greg Rasnic to a four-year term on the Building Code Appeals Board. Mr. Rasnic's appointment will expire January 31, 2023. Upon the question being put the vote was as follows.

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

DOMESTIC VIOLENCE GRANT ACCEPTANCE

Mr. Poe reported that Lee County received notice from the Department of Criminal Justice Services of approval of the Domestic Violence Officer grant for the 2019 calendar year. The grant will provide \$36,056.00 in Federal funds with a local

match of \$12,019.00. A motion to accept the grant is needed to continue receiving grant funds for this program.

It was moved by Mr. Leonard, seconded by Mr. Mosley, to approve the Domestic Violence Office Grant in the amount of \$48,075.00 of which \$36,056.00 will be Federal funds with a \$12,019.00 local match. Upon the question being put the vote was as follows.

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

HOSPITAL AUTHORITY LEGAL EXPENSES

Mr. Poe reported that at the December Regular Meeting, the Board postponed action on a request to assist the Hospital Authority with their bill for legal expenses for most of the 2018 calendar year. After determining need for extensive legal services in regard to the current situation with Americore, he discussed this matter with each board member and received verbal approval to issue a loan to the Hospital Authority in the amount of \$49,230.14. Mr. Poe is requesting a formal motion to approve that action.

It was moved by Mr. Leonard, seconded by Mr. Smith, to approve a loan to the Hospital Authority in the amount of \$49,230.14. Upon the question being put the vote was as follows.

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

TRANSFER STATION ROAD MAINTENANCE

Mr. Poe reported Gary Collingsworth, Transfer Superintendent, is requesting upgrades to the entrance road into the Transfer Station. The project would greatly reduce dust in the work area and would be cheaper in the long term rather than purchasing gravel repeatedly. Mr. Collingsworth is asking to purchase 850 tons of asphalt millings, which Glass Machinery currently has in stockpile, and to rent a roller to pack the millings. The cost of the asphalt millings is \$6.00 per ton, which would be \$5,100.00. There is not an estimated cost for renting a roller and that would be an additional expense.

It was moved by Mr. Leonard, seconded by Mr. Slemph, to approve the purchase of asphalt millings and the following supplemental appropriation. Upon the question being put the vote was as follows.

Revenue Source:

3-001-41050-0099	Budget Supplements from Reserve	\$	5,100.00
------------------	---------------------------------	----	----------

Expenditure:

4-050-42300-8212	Transfer Station	\$	5,100.00
------------------	------------------	----	----------

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

SHERIFF'S VEHICLE BIDS

Mr. Poe reported that the County rebid for vehicles after finding out that Ford's utility vehicle plant had been shut down for retooling and they would not be able to produce the vehicles again until the later part of May. There was only one bid by the deadline, so the deadline was extended and direct contacts were made to over 16 dealerships. The one bid that was received was from Short Redmond Ford and that is when the County found out that Ford would no longer manufacture the sedan body style. Short Redmond Ford submitted a bid for sedans at a cost of \$25,137.00, for vehicles that may be on dealers lots. There is no guarantee that the dealer would be able to find four vehicles at those specifications. In lieu of that, Mr. Poe checked into the Auto World of Big Stone Gap contract with the Virginia Sheriff's Association. In addition to the state contract, the Virginia Sheriff's Association has contracted for a wide array of vehicles that Sheriff's Offices can take advantage of; it is a statewide procurement process. The base price for the Dodge Charger from Auto World is \$24,458.45 and it comes with a 5 year 100,000 mile power train warranty. There would be a couple of items that would need to be added on that would bring the total to around \$26,029.45.

It was moved by Mr. Leonard, seconded by Mr. Smith, to purchase four Dodge Chargers from Auto World of Big Stone Gap up to \$26,029.45 each. Upon the question being put the vote was as follows.

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

SCHOOL BOARD CAPITAL RESERVE FUND

Mr. Poe reported that per the letter provided by the School Board at last month's meeting, they indicated a refund of a portion of a Required Local Effort for Fiscal Year

2017-2018 in the amount of \$52,100.00. Per the previously agreed policy for the Capital Reserve Fund, \$17,173.00 of this amount will be retained by the County and they are requesting the remaining \$34,907.00 be transferred to the School Board Capital Reserve Fund.

Mr. Slemph left the meeting at 7:13 p.m.

It was moved by Mr. Mosley, seconded by Mr. Smith, to approve the budget transfer from General Funds to School Board Capital Reserve Fund in the amount of \$34,907.00. Upon the question being put the vote was as follows.

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

RATIFICATION OF LOAN DEFAULT LETTERS

Mr. Poe reported that due to ongoing developments with the Americore hospital reopening, he contacted each board member regarding default letters to be sent to Americore with regard to the County's Deed of Trust. Mr. Poe advised the County Attorney to send the letters and is now requesting the Board ratify that decision through formal action.

Mr. Slemph re-entered the meeting at 7:15 p.m.

It was moved by Mr. Leonard, seconded by Mr. Mosley, to ratify the decision on the loan default letters. Upon the question being put the vote was as follows.

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

EPA GRANT LETTER OF SUPPORT

Mr. Poe reported that DCR contacted him last week regarding an application that the Nature Conservancy is making for the Brownfields cleanup grant from the Environmental Protection Agency to address cleanup and reclamation at the property adjacent to the Natural Bridge on Curt Russell Road. This is part of the Russell sawmill

property, it does not include the active sawmill, but does include the abandoned sawmill and associated buildings. It is beyond the capacity of the Nature Conservancy and DCR to do the cleanup, which is why they are seeking grant funds. Once the property would be cleaned up, it would be deeded over to DCR. As part of the application, they are asking for letters of support.

Mr. Cope asked if inmates could be used for the cleanup.

John Hartley stated that this is at the old sawmill site and there is a lot of heavy metal and old saw dust. The grant would be for \$250,000.00 with a 20% match by DCR and the Nature Conservancy. Mr. Hartley is asking for a letter of support for the project. To go along with this grant process, they want to see applications that improve public access. He stated that he has gotten verbal confirmation that the driveway entrance to the Chance property would be converted into a low volume entrance to establish a parking lot, and provide a small trail system down to the Natural Bridge for historical and natural heritage observance purposes.

Mr. Cope asked how many acres are owned in Lee County.

Mr. Hartley stated that between DCR and the Nature Conservancy there are about 18,000 acres with about 64 preserves across the state.

It was moved by Mr. Mosley, seconded by Mr. Slemph, to provide a letter of support for the EPA grant. Upon the question being put the vote was as follows.

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

REPORTS AND RECOMMENDATIONS OF THE COUNTY ATTORNEY

None.

REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR

RECYCLING

Mr. Poe stated that he had received notification that Tri-City Waste Paper would be closing in February. This is the company that does the recycling for the County. He stated that staff would begin to look for another company to partner with.

REPORTS AND RECOMMENDATIONS OF THE BOARD

CONVENIENCE CENTER FLOATING POSITION

It was moved by Mr. Smith, seconded by Mr. Mosley, to hire Donnie Roger Cheek in the Floating Position at the Convenience Centers in the Western end of the County. Upon the question being put the vote was as follows.

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

HOSPITAL

Mr. Mosley stated that Lee County would not be out one penny regarding the Hospital Authority's partnership with Americore. Any money the County has invested was prior to the Hospital Authority's relationship with Americore and none of the funds went to Americore. The County will get the funds invested to buy the hospital building back.

RADIO TOWERS

Mr. Leonard stated that there is finally work being completed on the towers in Keokee, hopefully testing will be starting within the next week.

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

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

CHAIRMAN OF THE BOARD

CLERK OF THE BOARD