

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 19, 2019 at 6:00 p.m. thereof.

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

MEMBERS ABSENT: None

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

OTHERS ABSENT: None

INVOCATION

Josh Leonard, Pastor of Beech Grove Baptist Church, led the invocation.

PLEDGE TO THE FLAG

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

MEETING CALLED TO ORDER

The meeting was called to order at 6:05 p.m.

MOTION TO AMEND AGENDA

It was moved by Mr. Cope, seconded by Mr. Leonard, to amend agenda to take up a Resolution. Upon the question being put the vote was as follows.

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

SECOND AMENDMENT SANCTUARY

Mr. Leonard presented the Board with a Resolution for the Board to declare Lee County as a Second Amendment Sanctuary.

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

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

VOTING NO: Mr. Mosley

Prior to the question being put to vote, Mr. Mosley stated that this is the first time he has seen this Resolution and he could not vote for this without doing research.

**RESOLUTION OF LEE COUNTY BOARD OF SUPERVISORS
19-019**

WHEREAS, The Second Amendment of the United States Constitution reads: “A well-regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed”; and

WHEREAS, Article 1, Section 13, of the Constitution of Virginia provides “that a well-regulated militia, composed of the body of the people, trained to arms, is the proper, natural and safe defense of a free state, therefore, the right of the people to keep and bear arms shall not be infringed; that standing armies, in time of peace, should be avoided as a dangerous to liberty; and that in all cases the military should be under strict subordination to, and governed by, the civil power”; and

WHEREAS, certain legislation introduced in the 2019 session of the Virginia General Assembly, and certain legislation introduced in the current session of the United States Congress could have the effect of infringing on the rights of law abiding citizens to keep and bear arms, as guaranteed by the Second Amendment of the United States Constitution; and

WHEREAS, the current Governor of Virginia has stated that he intends to endorse and pass into law legislation that is unconstitutional as it pertains to the rights enumerated in the US & Virginia Constitution; and

WHEREAS, the Lee County Board of Supervisors is concerned about the passage of any bill containing language which could be interpreted as infringing the rights of the citizens of Lee County to keep and bear arms or could begin a slippery slope of restrictions on the Second Amendment rights of the citizens of Lee County; and

WHEREAS, the Lee County Board of Supervisors wishes to express its deep commitment to the rights of all citizens of Lee County to keep and bear Arms; and

WHEREAS, the Lee County Board of Supervisors wishes to express opposition to any law that would unconstitutionally restrict the rights under the Second Amendment of the citizens of Lee County to bear Arms; and

WHEREAS, the Lee County Board of Supervisors wishes to express its intent to stand as a Sanctuary County for Second Amendment rights and to oppose, within the limits of the Constitutions of the United States and the Commonwealth of Virginia, any efforts to unconstitutionally restrict such rights, and to use such legal means at its disposal to protect the right of the citizens to keep and bear arms, including through legal action, the power of appropriation of public funds, and the right to petition for redress of grievances, and the direction to the law enforcement and judiciary of Lee County to not enforce any unconstitutional law;

NOW, THEREFORE, BE IT RESOLVED, that the Lee County Board of Supervisors hereby expresses its intent to uphold the Second Amendment rights of the citizens of Lee County, Virginia and its intent that public funds of the County not be used to restrict Second Amendment rights or to aid in the unnecessary and unconstitutional restriction of the right under the Second Amendment of the citizens of Lee County, Virginia to bear arms;

BE IT FURTHER RESOLVED, that this Board hereby declares its intent to oppose unconstitutional restrictions on the right to keep and bear arms through such legal means as may be expedient, including without limitation court action;

BE IT FURTHER RESOLVED, that this Board hereby declares Lee County, Virginia, as a “Second Amendment Sanctuary County”.

PUBLIC HEARING

PROPOSED AMENDMENT TO FY 2019-2020 BUDGET

The Lee County Board of Supervisors held a public hearing on Tuesday, November 19, 2019 at 6:00 p.m. in the General District Courtroom of the Lee County Courthouse, Jonesville, Virginia. The purpose of the public hearing was to solicit public comment on a proposed amendment to the Fiscal Year 2019-2020 Budget. The Lee County School Board has requested a supplemental re-appropriation of revenue from the prior fiscal year in the amount of \$672,989.93 which requires no local match. The requested re-appropriation is the result of budget savings from the FY2018-2019 budget year which the state will allow to be carried over to next fiscal year.

Brian Dean, Assistant Superintendent, stated that the School Board is also requesting that \$52,100.00 that was remaining in fiscal year 2017-2018 be moved from the School Board’s General Fund into the Capital Reserve Fund and that \$40,208.00 of the unspent Required Local Effort from last year be put into the Capital Reserve Fund.

Mr. Poe stated that the Public Hearing only deals with the supplemental re-appropriation, the agreement to transfer funds to the Capital Reserve Fund is not a matter for the public hearing.

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.

Mr. Poe stated that the Board already approved the \$52,100.00 request and no additional action was needed. The current request of \$40,208.00 from fiscal year 2018 - 2019 is for the full amount to be moved into the Capital Reserve Fund, which conflicts with the guidelines that was adopted by both Boards. The guidelines state that one-third of any returned local funds would revert to the County’s General Fund with two-thirds being placed in the School’s Capital Reserve Fund. While Mr. Poe understands that the School System has pressing Capital Reserve repair issues to address, the County also has pressing needs and a rapidly declining reserve balance. Mr. Poe recommends the Board use the guidelines established for the funds and approve a transfer of \$26,939.36 to the Capital Reserve Fund with the balance of \$13,268.64 reverting to the County General Fund.

It was moved by Mr. Leonard, 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. Slempp, Mr. Smith

**RESOLUTION
19-018**

**LEE COUNTY SCHOOL BOARD
SUPPLEMENTAL APPROPRIATION**

WHEREAS, Lee County Public Schools has eligible carryover funds of \$672,989.93 from the prior fiscal year; and

WHEREAS, Lee County Public Schools has requested the re-appropriation of \$672,989.93 of funds from the prior year to Fiscal year 2019-2020; and

WHEREAS, these funds require no additional local match;

NOW, THEREFORE, BE IT RESOLVED, the Lee County Board of Supervisors grants a supplemental appropriation to the 2019-20 School Budget in the amount of \$672,989.93;

BE IT FURTHER RESOLVED, that the revised total Lee County School Board appropriation for the 2019-20 fiscal year be increased from Forty Four Million, Four Hundred Fifty Thousand, One Hundred Seventy Six Dollars (\$44,450,176) to Forty Five Million, One Hundred Twenty Three Thousand, One Hundred Sixty Five Dollars and Ninety Three Cents (\$45,123,165.93).

TRANSFER TO SCHOOL BOARD CAPITAL RESERVE FUND

It was moved by Mr. Slempp, seconded by Mr. Mosley, to approve the transfer of \$26,939.36 in to the School Board's Capital Reserve Fund. Upon the question being put the vote was as follows.

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

DEPARTMENT REPORTS

A written departmental report for Litter Control was distributed at the meeting.

CONSTITUTIONAL OFFICERS

TREASURER'S REPORT

The Treasurer's Report for the month of October 2019 was submitted as follows:

Revenues	\$ 5,855,971.67
Expenditures	\$ 6,275,538.30
General Fund	\$ 1,496,258.07
Total Assets and Liabilities	\$ 5,912,946.16

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.

Brian Hogan, Jonesville, thanked the Board for standing behind the Constitution and adopting the Second Amendment Sanctuary County Resolution.

There was no further public comment.

The Chairman closed the floor for public comment.

APPROVAL OF MINUTES

It was moved by Mr. Leonard, seconded by Mr. Mosley, to approve the minutes of the October 15, 2019 Regular Meeting. Upon the question being put the vote was as follows.

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

APPROVAL OF REFUNDS

It was moved by Mr. Leonard, seconded by Mr. Slempp, to approve the refund to Dorothy Farmer in the amount of \$64.19. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Cope, Mr. Leonard, Mr. Mosley, Mr. Slempp, 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. Mosley, to approve the disbursements for the month of November in the amount of \$142,431.26. Upon the question being put the vote was as follows.

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

DELEGATIONS

**REQUEST FOR REFUND OF TAX SALE PROCEEDS
RONNIE MONTGOMERY
ON BEHALF OF ROBERT AND CATHY CLARK**

Ronnie Montgomery addressed the Board about a delinquent tax property sale on Robert and Cathy Clark. The property sale resulted in excess funds in the amount of approximately \$24,000, which were turned over to the Clerk's Office. Ms. Clark did not get the petition for the refund filed in time, and the money reverted to the County. He stated that for this type of refund to be made, there has to be an ordinance allowing it and asked the Board to consider passing an Ordinance.

Mr. Mosley stated that this property sold in excess of what was owed in taxes and that is what the refund amount would be for.

Mr. Poe stated he could draft an Ordinance for this issue.

**ANNEXATION
JERRY HARRIS, MAYOR
TOWN OF JONESVILLE**

Jerry Harris, Town of Jonesville Mayor, addressed the Board about annexing the area to the Town Water Plant on both sides of the road on the west end of the Town of Jonesville.

Mr. Poe asked about the actual boundary requested to be taken into the Town and any proposed services the Town would be providing that was currently not available.

Mr. Harris stated that sewer may be offered.

Mr. Poe advised Mr. Harris to gather more information and come back next month.

NEW BUSINESS

BOARD APPOINTMENTS

APPALACHIAN JUVENILE COMMISSION

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

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

PUBLIC SERVICE AUTHORITY

It was moved by Mr. Smith, seconded by Mr. Cope, to reappoint Aaron Stacy to a four year term on the Public Service Authority. Mr. Stacy's term will expire November 30, 2023. Upon the question being put the vote was as follows.

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

PUBLIC SERVICE AUTHORITY

It was moved by Mr. Cope, seconded by Mr. Mosley, to reappoint Bill Carter to a four year term on the Public Service Authority. Mr. Carter's term will expire November 30, 2023. Upon the question being put the vote was as follows.

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

GILES HOLLOW PHASE I WATER PROJECT AGREEMENTS

Mr. Poe presented the Board with two agreements for the Giles Hollow Phase I Water Project. The first agreement is for the grant administration services to be provided by the LENOWISCO Planning District Commission at a cost not to exceed \$34,091.00. The cost is allowed by the Community Development Block Grant obtained for this project and will require no additional funds from the County.

The second agreement between the County and the Public Service Authority provide the stipulations for the PSA to construct the project using the grant funding referenced above. Both agreements are required in order to comply with the Block Grant Program Guidelines to receive the grant funds.

It was moved by Mr. Smith, seconded by Mr. Cope, to approve the Giles Hollow Phase I Water Project Agreements. Upon the question being put the vote was as follows.

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

DOMESTIC VIOLENCE OFFICER GRANT RENEWAL

Mr. Poe stated he has received notification of renewal of the Domestic Violence Officer grant for the calendar year 2020. The grant consists of \$36,056 in federal funds with a local match of \$12,019 and the position is included in the current budget. A motion to accept the grant would be in order.

It was moved by Mr. Mosley, seconded by Mr. Leonard, to approve the Domestic Violence Officer Grant Renewal. Upon the question being put the vote was as follows.

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

REQUEST FOR VDOT ECONOMIC DEVELOPMENT ACCESS PROGRAM FUNDS

Mr. Poe presented the Board with a resolution requesting Economic Development Access Program funds from the Commonwealth Transportation Board to construct approximately 750 feet of roadway to serve the Constitutional Oaks Shell Building site. The roadway would be built from the existing paved entry constructed by the Economic Development Authority a few years ago and would extend to the rear of the shell building. It would become a part of the Secondary System of State Highways to be maintained by VDOT in the future.

The Economic Development Access Program will provide up to \$500,000 toward the cost of construction. Twenty percent of all new qualifying capital investment in the property (land, buildings, manufacturing equipment) during the first five year period after construction is eligible to effectively pay back VDOT's investment. If the qualifying investment does not meet or exceed the requirement, the County would be responsible for the difference and, under existing program guidelines, would have another five years to repay the balance at 20% per year.

This Resolution does not constitute any obligation on the County's part and can be withdrawn but in order to get the process started to obtain funding, it must be approved and submitted to VDOT.

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. Slemp, Mr. Smith

**RESOLUTION
REQUEST FOR COMMONWEALTH TRANSPORTATION BOARD
ECONOMIC DEVELOPMENT ACCESS PROGRAM FUNDS
19-016**

WHEREAS, the Lee County Board of Supervisors desires to assist in the development of property for the purpose of economic development located off of U.S. Highway 58 in the County of Lee, Virginia, within the Constitutional Oaks Industrial Park; and

WHEREAS, this property is expected to be the site of new private capital investment in land, building, and manufacturing equipment which will provide substantial employment; and

WHEREAS, the subject property has no access to a public street or highway and will require the construction of a new roadway to connect with U.S. Highway 58; and

WHEREAS, the County of Lee hereby guarantees that the necessary environmental analysis, mitigation, fee simple right of way and utility relocations or adjustments, if necessary, for this project will be provided at no cost to the Economic Development, Airport and Rail Access Fund; and

WHEREAS, the County of Lee acknowledges that no land disturbance activities may occur within the limits of the proposed access project prior to appropriate notification from the Department of Transportation; and

WHEREAS, the County of Lee hereby guarantees that all ineligible project costs and all costs not justified by eligible capital outlay will be provided from sources other than those administered by the Virginia Department of Transportation; and

NOW, THEREFORE, BE IT RESOLVED, that the Lee County Board of Supervisors hereby requests that the Commonwealth Transportation Board provide Economic Development Access Program funding to provide an adequate road to this property; and

BE IT FURTHER RESOLVED, that the Lee County Board of Supervisors hereby agrees to provide a surety or bond, acceptable to and payable to the Virginia Department of Transportation, in the full amount of the Commonwealth Transportation Board's allocation less eligible capital outlay credit as determined by VDOT; this surety shall be exercised by the Department of Transportation in the event that sufficient

qualifying capital investment does not occur on the approximately 15 acre site, consisting of three tracts, which includes the existing 60,000 square foot shell building, within five years of the Commonwealth Transportation Board's allocation of funds pursuant to this request; and

BE IT FURTHER RESOLVED, that the Lee County Board of Supervisors hereby requests that the new roadway so constructed will be added to and become a part of the secondary system of state highways pursuant to Section 33.2-1509, paragraph C, of the Code of Virginia.

**ECONOMIC DEVELOPMENT AUTHORITY BOARD MEMBER
RESIGNATION**

Mr. Poe reported that he received a letter of resignation from the Economic Development Authority for Wayne Bonham effective December 31, 2019. Mr. Poe wanted the Board to be aware of this in order to prepare to appoint a replacement at the December Regular Meeting.

TURNOVER AUDIT FOR TREASURER'S OFFICE

Mr. Poe stated that with the current Treasurer retiring on December 31, 2019, a turn over audit will be required in that office. The Treasurer has contacted Robinson, Farmer, Cox Associates and they have provided a proposed Contract Modification Agreement to cover these additional services at a cost not to exceed \$9,500. Approval of the Board for this expenditure is needed.

It was moved by Mr. Cope, seconded by Mr. Leonard, to approve the contract modification for Robinson, Farmer, Cox Associates not to exceed \$9,500. Upon the question being put the vote was as follows.

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

SEPTEMBER 17, 2019 MINUTES ERROR CORRECTION

Mr. Poe reported that in preparing the minutes for the September 17, 2019, there was an error in the supplemental appropriation for the current renovation project. The supplemental appropriation was listed as approved for Line Item 4-001-12410-1350. This line item is incorrect and should have been Line Item 4-001-91325-8225. Since the minutes were approved at the October 15, 2019 Regular Meeting there needs to be a motion to correct the minutes to reflect the proper line item.

It was moved by Mr. Cope, seconded by Mr. Leonard, to make the stated correction to the September 17, 2019 minutes. Upon the question being put the vote was as follows.

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

COMMONWEALTH'S ATTORNEY REQUEST FOR EMERGENCY EXIT

Mr. Poe reported that on Friday, November 1, Commonwealth's Attorney Fuller Cridlin contacted him about the possibility of having the renovations contractor install an additional exit door from his office suite for security and emergency purposes. He advised that it would require more than just a door since it would affect entry to the new Judges' office. He contacted the architect on Monday, November 4 about this matter and asked that they determine the scope of work required to accomplish this and obtain a cost from the contractor. The contractor's quote for the proposed work is \$5,035.00. This included adding two door and frames, associated wall framing work, reconfiguring the electrical wiring and adding a light fixture. It would also add three days to the contract schedule.

While Mr. Poe understands the concern for employee safety, he does not think this is a feasible option at this time. Had this been part of the original design and construction documents, the added cost would have been minimal but, at this point of construction, it typically costs much more to change the plans. It may be possible to look at additional security measures as a separate project and look at all courthouse offices in the process since there are others that could be affected similarly.

Mr. Leonard stated that it would not look favorable to have a door for the Commonwealth Attorney and Judge in the same location.

It was moved by Mr. Leonard, seconded by Mr. Slempp, to leave the project contract as is. Upon the question being put the vote was as follows.

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

GRANT WRITER CONTRACT AGREEMENT

Mr. Poe reported that the County and School Board's current agreement with a contract grant writer would expire at the end of November. There is a provision in the agreement to renew for two additional one-year periods if all parties are in agreement.

It was moved by Mr. Leonard, seconded by Mr. Smith, to extend the Grant Writer Contract for one year at the same terms. Upon the question being put the vote was as follows.

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

EMERGENCY OPERATION PLAN UPDATE

Mr. Poe presented the Board with relevant pages of the County Emergency Operation Plan which were the subject of changes in order to update the plan to current status. Most changes are related to contact names or phone numbers. This update will keep the EOP in a current status and in compliance with Virginia Department of Emergency standards. A resolution for adoption was enclosed in the board packet for consideration.

It was moved by Mr. Cope, seconded by Mr. Leonard, to table this matter. Upon the question being put the vote was as follows.

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

REPORTS AND RECOMMENDATIONS OF THE COUNTY ATTORNEY

Ms. Munsey stated that she had a request for closed session under consultation with legal counsel.

REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR

FSA DROUGHT DESIGNATION

Mr. Poe reported that he received notification from the Department of Agriculture that six counties in Kentucky were designated as natural disaster areas due to the recent drought. When there is a disaster designation, contiguous counties are also afforded that designation even across state lines. There are additional areas in Kentucky and Virginia that share in the contiguous designation and Lee County is one of those. The Disaster Designation makes farm operators in these Counties eligible to be considered for assistance from the Farm Service Agency provided eligibility requirements are met. Farmers in eligible counties have eight months from the date of the disaster declaration to apply for emergency loans from the Farm Service Agency.

WESTERN LEE SEWER

Mr. Poe reported on the Western Lee Sewer Project stating that the contract engineer to the Corp of Engineers is the Lane Group, and they are working on the preliminary design. There are roughly 700 easements to be obtained for the Western Lee Sewer Project. In previous work, the Corp of Engineers was able to provide assistance in that area. They could potentially have staff that could assist with that again, but at a cost. A letter would need to be drafted to request the Corp perform duties related to: securing lands, easements, rights of ways, relocations and disposal for the identified property owners included in the project and that Lee County understands it must provide funds sufficient to cover the cost of the labor to provide this support, and draft a formal Memorandum of Agreement in order for the work to be performed on the County's behalf. The Planning District office is handling all of the funding on this right now, and Mr. Poe has been told that they would be able to cover any associated costs that the County would be required to match for Corp funds to be used for these services.

It was the consensus of the Board to proceed.

SPEARHEAD TRAILS BOARD MEMBER RESIGNATION

Mr. Poe reported that he received an email today from Keith Harless resigning from the Spearhead Trails Board.

It was moved by Mr. Leonard, seconded by Mr. Mosley, to appoint Chris Rowe to the un-expired term on the Spearhead Trails Board. Mr. Rowe'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

COYOTE BOUNTY

Mr. Poe advised that he has received several calls and emails asking about the coyote bounty. The Coyote Bounty Ordinance stays in place all of the time, but funds were not budgeted.

SOLID WASTE COMMITTEE

Mr. Poe informed the Board that the Solid Waste Committee met and discussed the full scope of solid waste, not only litter and recycling. There is an increase of construction materials at all of the sites throughout the County and that is creating a burden having to pick that up with the rough truck or boom truck. The committee will meet again before the December meeting and will come back with more solid recommendations.

Mr. Leonard stated that the County is covered in residential trash; he called the Litter Coordinator and found out that he is spending most of his days covering recycling.

Mr. Poe stated that the committee discussed recycling in depth, and instead of making a hasty recommendation, he feels it is best to think it through and make sure the right recommendation is made to the Board.

REQUEST FOR CLOSED SESSION

Mr. Poe stated that he has a request for Closed Session under Personnel, Prospective New Business, Legal Counsel and Investing of Public Funds.

REPORTS AND RECOMMENDATIONS OF THE BOARD

TAX DUE DATE

It was moved by Mr. Cope, seconded by Mr. Leonard, to hold a public hearing to change the tax due date to October 31. Upon the question being put the vote was as follows.

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

CLOSED SESSION

It was moved by Mr. Slempp, 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 and Section 2.2-3711 A.5., Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community 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, and 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 exit 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.

EMERGENCY OPERATIONS PLAN

It was moved by Mr. Cope, seconded by Mr. Leonard, to approve the Emergency Operations Plan as amended and presented. Upon the question being put the vote was as follows.

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

**RESOLUTION
EMERGENCY OPERATIONS PLAN
19-017**

WHEREAS, the Board of Supervisors of the County of Lee, Virginia recognizes the need to prepare for, respond to, and recover from natural and manmade disasters; and

WHEREAS, Lee County has a responsibility to provide for the safety and well being of its citizens and visitors; and

WHEREAS, the Lee County has established and appointed a Director and Coordinator of Emergency Management;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Lee, Virginia, this Emergency Operations Plan as revised is officially adopted;

BE IT FURTHER RESOLVED AND ORDERED that the Director of Emergency Management, or his/her designee, is tasked and authorized to maintain and revise as necessary this document during the next four (4) year period or until such time it be ordered to come before this board.

DISPATCHERS SALARY

It was moved by Mr. Leonard, seconded by Mr. Mosley, to increase three dispatchers salaries to the formal approved state minimum of \$26,185.00 annually. Upon the question being put the vote was as follows.

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

JANITORIAL CONTRACT

It was moved by Mr. Leonard, seconded by Mr. Slempp, to extend the current janitorial contract for one month and to advertise for proposals. Upon the question being put the vote was as follows.

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

COMMONWEALTH ATTORNEY'S REQUEST FOR APPROPRIATION OF DELINQUENT FINES COLLECTION FUND

It was moved by Mr. Mosley, seconded by Mr. Leonard, to re-appropriate funding to the budget and to approve the use of it for salary supplements. Upon the question being put the vote was as follows.

REVENUE SOURCE:

3-001-14010-0013	Commonwealth Atty Collection	\$24,579.00
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EXPENDITURE:

4-001-22100-1136	Salaries	\$13,297.00
4-001-22100-2100	FICA (Employers Share)	\$ 1,017.00
4-001-22100-2210	VRS – Retirement	\$ 1,160.00
4-001-22100-2400	VRS-SGL	\$ 69.00
4-001-22100-2500	VRS – The Standard	\$ 14.00
4-001-22100-2700	Workers Compensation	\$ 22.00
4-001-22220-5899	CWA Collection Program Expenses	\$ 9,000.00

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

VOTING NO: Mr. Leonard, Mr. Smith

OPIOID LAWSUIT

It was moved by Mr. Mosley, seconded by Mr. Leonard, to opt out of the class action opioid lawsuit and proceed with the suit as originally filed in State Court. Upon the question being put the vote was as follows.

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

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

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

CHAIRMAN OF THE BOARD

CLERK OF THE BOARD