

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 February 19, 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

Emery Minton, Pastor of Christian Life Fellowship, led in 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 6:04 p.m.

PUBLIC HEARINGS

REZONING REQUEST JOHN AND VIVIAN KNUCKLES

The Lee County Board of Supervisors held a Public Hearing on February 19, 2019 at 6:00 p.m. in the General District Courtroom of the Lee County Courthouse

located in Jonesville, Virginia to solicit input on a Rezoning request. John and Vivian Knuckles have requested to rezone property from R-1, Residential to B-2, General Business. The property is located on the south side of Highway 58 approximately 0.05 miles west of Rte. 950 (Allen Rock Rd.) approximately 0.50 mile west of Elydale School and consists of 4.660 acres (Tax Parcel 61B-(2)-140-143).

Aaron Fee, Community Development Director, stated that the Planning Commission heard this request at the December meeting with no objections, and recommended approve of this rezoning request.

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.

It was moved by Mr. Smith, seconded by Mr. Leonard, to approve the Rezoning Request for John and Vivian Knuckles. Upon the question being put the vote was as follows.

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

**PROPOSED AMENDMENT TO COURTHOUSE SECURITY FEE ORDINANCE
ENACTED PURSUANT TO TITLE 53.1, CHAPTER 756 (§53.1-120) OF THE
CODE OF VIRGINIA, AS AMENDED**

The Lee County Board of Supervisors held a Public Hearing on Tuesday, February 19, 2019 at 6:00 p.m. in the General District Courtroom of the Lee County Courthouse located in Jonesville, Virginia. The purpose of the Public Hearing was to take public comment on a proposed amendment to the Courthouse Security Fee Ordinance which imposed a fee of \$10.00 as part of the costs in each criminal or traffic case in the General District or Circuit Courts in the County of Lee, Virginia. If adopted, the amendment will also impose the fee in each criminal or traffic case in the Juvenile and Domestic Relations Court as well.

Mr. Poe stated that this change is strictly because of splitting the General District Court and the Juvenile and Domestic Relations Court. By updating the ordinance, it would allow the Juvenile and Domestic Relations Court to collect the \$10.00 fee as well.

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.

It was moved by Mr. Slemp, seconded by Mr. Smith, to approve the amendment to the Courthouse Security Fee Ordinance. Upon the question being put the vote was as follows.

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

**PROPOSED AMENDMENT TO ORDINANCE ESTABLISHING BOUNDARY
LINES OF ELECTIONS DISTRICTS, BOUNDARY LINES OF PRECINCTS,
AND POLLING PLACES FOR EACH PRECINCT IN THE COUNTY OF LEE,
VIRGINIA**

The Lee County Board of Supervisors held a Public Hearing on Tuesday, February 19, 2019 at 6:00 p.m. in the General District Courtroom of the Lee County Courthouse located in Jonesville, Virginia. The purpose of the Public Hearing was to take public comment on a proposed amendment to the Ordinance establishing the boundary lines of election districts, boundary lines of election precincts, and polling places for each precinct in the County of Lee, Virginia. If adopted, the amendment will make the following change to the central absentee voter precinct location:

The Central Absentee voter precinct polling place shall be moved from the Conference Room (Room 208) of the Lee County Courthouse, Main Street, Jonesville, Virginia to the offices of the Lee County General Registrar and Electoral Board at 133

School Board Place, and shall be operated consistent with the provisions of the Code of Virginia, § 24.2-712, as amended.

Mr. Poe stated that this would move the absentee center from the Courthouse Conference Room to the Registrar's office.

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.

It was moved by Mr. Leonard, seconded by Mr. Smith, to approve the amendment to the Boundary Lines of Election Districts, Boundary Lines of Precincts and Polling Places for each Precinct. Upon the question being put the vote was as follows.

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

DEPARTMENT REPORTS

Written departmental reports for Animal Control, Litter Control and Recycling and Solid Waste were included in the packet.

CONSTITUTIONAL OFFICERS

TREASURER'S REPORT

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

Revenues	\$ 4,257,202.94
Expenditures	\$ 6,024,550.71

General Fund	\$ 6,932,133.94
Total Assets and Liabilities	\$11,808,371.05

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.

Sharon Fisher, Stickleyville, addressed the Board about her disappointment in the Board not adopting the ERA Resolution last month and asked the Board to reconsider.

Roberta Thacker, Pennington Gap, addressed the Board about the ERA Resolution and stated that the Town of Jonesville and the Town of Pennington Gap had both adopted it, and asked the Board to reconsider their decision.

Bill Wireman, Big Stone Gap, addressed the Board about the ERA Resolution stating that he hoped the Board did some research and would reconsider their vote.

Dylan Mabe, Jasper, addressed the Board about the ERA Resolution and stated that the southern women are very much in support of this Amendment and asked the Board to reconsider their vote.

There was no further public comment.

The Chairman closed the floor for public comment.

APPROVAL OF MINUTES

Mr. Poe stated that the Quarterly Appropriation Resolution number needed to be a corrected to Resolution 19-001 on page 13 of the January 15, 2019 minutes.

It was moved by Mr. Smith, seconded by Mr. Leonard, to approve the minutes of the December 11, 2018 Recessed Meeting and the January 15, 2019 Annual Meeting with the stated corrections. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Cope, Mr. Leonard, Mr. Mosley, Mr. Slemp, 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 February in the amount of \$156,621.99. Upon the question being put the vote was as follows.

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

DELEGATIONS

STATE ARTS GRANT APPLICATION JAN ZENTMEYER, EXECUTIVE DIRECTOR PRO-ART ASSOCIATION

Jan Zentmyer, Executive Director of Pro-Art Association, updated the Board on the activities Pro-Art sponsored during the first half of the year, and of upcoming projects next year. She informed the Board about a Creative Communities Partnership Grant in which the Virginia Commission for the Arts will match the localities contribution up to \$4,500.00. She asked that Lee County apply for the matching funds and to maintain the County's same contribution level as last year.

Mr. Leonard asked what the County contributed last year.

Mr. Poe stated \$2,500.00.

It was moved by Mr. Slemp, seconded by Mr. Leonard, to approve a \$3,000.00 contribution to Pro-Arts Association for the Fiscal Year 2019-2020. Upon the question being put the vote was as follows.

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

FINANCE

SUPPLEMENTAL APPROPRIATIONS

SHERIFF'S DEPARTMENT

It was moved by Mr. Smith, seconded by Mr. Leonard, to approve the following Supplemental Appropriation in the amount of \$2,057.51. Upon the question being put the vote was as follows.

Revenue Source:			
3-001-22010-0021	Triad Grant	\$	1,861.76
3-001-22010-0021	Triad Grant	\$	205.75
Expenditure:			
4-001-31200-3150	Triad Grant	\$	2,057.51

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

SHERIFF'S DEPARTMENT

It was moved by Mr. Smith, seconded by Mr. Leonard, to approve the following Supplemental Appropriation in the amount of \$2,161.48. Upon the question being put the vote was as follows.

Revenue Source:			
3-001-18030-0006	Reimbursements	\$	2,161.48
Expenditure:			

Expenditure:
4-001-92100-5870 Building Fund Expenses & Refunds \$ 102.46

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

DEPARTMENT OF SOCIAL SERVICES

It was moved by Mr. Smith, seconded by Mr. Leonard, to approve the following Supplemental Appropriation in the amount of \$93,000.00. Upon the question being put the vote was as follows.

Revenue Source:
3-002-24010-0005 State & Federal Funding \$ 93,000.00

Expenditure:
4-002-53100-0004 Auxiliary Grants \$ 25,000.00
4-002-53100-0012 Adoption Incentive \$ 25,000.00
4-002-53100-0014 Adoption Subsidy \$ 3,000.00
4-002-53100-0024 Foster Futures \$ 40,000.00

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

FINES & FORFEITURES

It was moved by Mr. Smith, seconded by Mr. Leonard, to approve the following Supplemental Appropriation in the amount of \$8,357.33. Upon the question being put the vote was as follows.

Revenue Source:
3-007-14010-0004 LCSO State Forfeiture Proceeds \$ 8,357.33

Expenditure:
4-007-94100-5840 LCSO State Forfeiture Proceeds \$ 8,357.33

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

FINES & FORFEITURES

It was moved by Mr. Smith, seconded by Mr. Leonard, to approve the following Supplemental Appropriation in the amount of \$16,025.35. Upon the question being put the vote was as follows.

Revenue Source:
3-007-14010-0005 LCSO Federal Forfeiture Proceeds \$ 16,025.35

Expenditure:
4-007-94100-5860 LCSO State Forfeiture Proceeds \$ 16,025.35

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

COAL ROAD IMPROVEMENTS

It was moved by Mr. Smith, seconded by Mr. Leonard, to approve the following Supplemental Appropriation in the amount of \$333.56. Upon the question being put the vote was as follows.

Revenue Source:
3-027-12150-0001 Gas Severance Tax \$ 333.56

Expenditure:
4-027-95100-5860 Gas Severance Tax \$ 333.56

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

NEW BUSINESS

BOARD APPOINTMENTS

REDEVELOPMENT AND HOUSING AUTHORITY

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

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

WOODWAY WATER AUTHORITY

It was moved by Mr. Mosley, seconded by Mr. Smith, to re-appoint James Shelburne to a four-year term on the Woodway Water Authority. Mr. Shelburne's appointment will expire February 28, 2023. Upon the question being put the vote was as follows.

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

PLANNING COMMISSION

It was moved by Mr. Smith, seconded by Mr. Leonard, to re-appoint Mike Brindle to a four-year term on the Planning Commission. Mr. Brindle's appointment will expire March 31, 2023. Upon the question being put the vote was as follows.

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

BLACK DIAMOND RESOURCE CONSERVATION

It was moved by Mr. Smith, seconded by Mr. Slemp, re-appoint Jerry Ingle to a four-year term on the Black Diamond Resource Conservation, and to appoint Jeff Woodard as his alternate. Mr. Ingle's and Mr. Woodard's appointments will expire February 28, 2023. Upon the question being put the vote was as follows.

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

THOMPSON AND LITTON FEE PROPOSALS

Mr. Poe presented the Board with a copy of Thompson and Litton's fee proposal for Architect and Engineering services related to interior renovations of a portion of the second floor for use by the General District Court Clerk and security and other upgrades to the existing offices on the first floor which will be used by the Juvenile and Domestic Relations Court Clerk. The total proposed fee is \$38,058.00 with the following breakdown:

Architecture	\$13,339.00
Electrical Engineering	\$ 2,334.00
Mechanical Engineering	\$ 3,891.00
Structural Engineering	\$ 2,181.00
Bidding	\$ 3,000.00
Construction Contract Administration	\$ 5,943.00
Asbestos Abatement Design	\$ 3,000.00
Asbestos Inspection & Lab Fee	\$ 1,500.00

Project Management	\$ 2,370.00
Expenses	\$ 500.00

He added that another issue that needs to be addressed is the District Court Judges' request last month for use of the space now occupied by MEOC Children's Advocacy Center.

Mr. Slemph asked how often the Children's Advocacy Center used the space.

Mr. Poe stated that he does not believe it is used that often.

Mr. Slemph asked if there as an agreement for the space.

Mr. Poe stated that there was an oral agreement to provide the space

Mr. Leonard asked if there was any other space to move them.

Mr. Poe stated that there is a vacant office beside the County Administrator's Office.

Mr. Slemph asked what would happen if the Judge does not get the additional space.

Mr. Poe stated that the project would proceed as originally planned in the 700 square foot area.

It was moved by Mr. Leonard, seconded by Mr. Mosley, to approve Thompson and Litton's Fee Proposal and let the General District Court Judge have the additional office space. Upon the question being put the vote was as follows.

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

E-911 WORKSTATION COUNTERTOP REPLACEMENTS

Mr. Poe reported that there has been a problem for some time with the countertops of the E-911 Center workstations. The edges of the tops have cracked and constantly snag and pick clothing as well as presenting sharp edges that can potentially injure employees. This is custom-built equipment and an easy solution has not presented itself. Mr. Bailey has obtained pricing from the original manufacturer of these units for replacement tops, which now have a customized edge made of softer materials that should not crack and will prevent a reoccurrence of the present situation. The cost of the replacement tops, including delivery and installation, is \$9,739.03. These are customized units designed specifically for this application with an original cost of approximately \$52,000.00. To prevent further problems, Mr. Poe recommends the replacement tops be purchased with the factory installation option to insure proper fit and operation.

It was moved by Mr. Leonard, seconded by Mr. Cope, to replace the countertops in E-911 with installation from the original vendor in the amount of \$9,739.03 and to approve the following supplemental appropriation. Upon the question being put the vote was as follows.

Revenue Source:			
3-001-41050-0099	Budget Supplement from Reserve	\$	9,739.03
Expenditure:			
4-009-31400-8102	E-911 Capital Outlay	\$	9,739.03

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

E-911 MAP DATA PRICING

Mr. Poe reported that the pricing schedule for data acquired from the E-911 Department by businesses and individuals was adopted in 2013. At that time, tax map data was not yet available in the county mapping system. Since it is now available, a fee has been assigned for that data. Pricing was previously approved by the Board of

Supervisors and now the fee schedule needs to be updated to include tax map grid and parcel lines at a cost \$150.00 for all data. Reduced fees may apply when only a small portion of the data is requested and will be determined by the E-911 Director based on the quantity of data and time involved in the request.

It was moved by Mr. Mosley, seconded by Mr. Leonard, to approve the E-911 Map Data Pricing Schedule as presented. Upon the question being put the vote was as follows.

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

E-911 COMPUTER SCREEN FILTERS

Mr. Poe reported that there has been a request that all computer monitors in the E-911 Dispatch Center be equipped with screen filters to reduce glare and prevent eyestrain.

Mr. Cope stated that he told Mr. Bailey to request these filters for the dispatchers after he received a couple complaints of eyestrain.

It was moved by Mr. Leonard, seconded by Mr. Slemp, to approve the purchase of 6 computer screen filters for E-911 computers in the amount of \$600.00. Upon the question being put the vote was as follows.

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

RECYCLING PROGRAM CHANGES

Mr. Poe reported that the current recycling vendor is closing their Kingsport facility and will not service the County from their Asheville, NC location. No additional empty trailers will be spotted at the Transfer Station and those currently there will be removed by March 15. The available trailers are still being loaded with materials, but no onsite storage space is available for recyclables beyond the March 15 date.

Both the Solid Waste Superintendent and Litter Control and Recycling Coordinator have been exploring other vendor options. Regardless of who the County goes with, it appears we will have to bale the materials before it will be accepted by

vendors. This will also require storage space for both bulk and baled materials as the remaining vendors do not provide empty trailers on site for storage. They will pick up mixed loads of baled materials when a full load is available. The upside of this is that they will be able to pay significantly more than our current vendor.

As of now, there is a need for at least three capital items. These are a multi-use baler, a forklift of some type to move and load baled materials, and a storage building to house the bulk and baled materials as well as the baler. Gary Collingsworth has done some preliminary work to obtain pricing for what this would cost.

The alternative to this action is to shut down the recycling program and put all recyclables into the normal waste stream. This would eliminate the need for recycling trucks, driver, and collection buildings. It would also increase the cost of hauling and disposing of waste through the normal waste stream. While this is without question the easiest solution, it will greatly impact our state recycling rate and also uses more landfill space. While gathering information on potential vendors, Mr. Collingsworth learned that Lee County probably has the highest annual tonnage of recycling materials as any other in Southwest Virginia. With all the time and effort that has gone into building our recycling program, it seems a shame to discard it at this time.

Mr. Collingsworth stated that he had been in contact with several vendors and none are going to take loose recycling, it will all have to be baled. He narrowed it down to two different vendors, one will not accept any plastics and the other vendor will take it if the number one and number two plastics are separated, both vendors want the cardboard baled. He stated that a decision needs to be made about continuing the program. He added that it was suggested that Lee, Wise and Scott Counties create a Regional hub and Lee County house it since it has a higher recycling volume.

Mr. Poe stated that there is no guarantee on the regional program, but if the County is going to continue with the program, it will need facilities. One option for a temporary facility would be the old Ag Shop at the old School Board location.

Mr. Mosley stated that the Regional facility would be a good idea and the Counties could share in the cost.

Mr. Cope asked how much the baler machine would cost and how much a bale would weigh.

Mr. Collingsworth stated that he has found several refurbished balers between \$5,000.00 and \$7,000.00, and once the products are baled, they would weigh between 2,000 and 2,200 pounds.

Mr. Poe stated that this is just to give the Board some idea of what will need to happen if the recycling program continues. He added that the baler would have to have 3-phase power, which is going to be an additional expense.

Mr. Leonard stated that the regional option would be best.

Mr. Poe stated that all of this is coming at once, and the regional option is just an idea that has been mentioned, no details have been discussed.

Mr. Collingsworth stated that he just needs to know if the Board wished to continue with the program or to end it.

Mr. Leonard stated that if the County were going to invest in equipment, it would be good to get multi-use equipment.

Mr. Mosley asked which vendor Mr. Collingsworth recommends.

Mr. Collingsworth stated that Tri County Recycle seems like the best option.

It was moved by Mr. Leonard, seconded by Mr. Mosley, to continue with the recycling program and to authorize the purchase of needed equipment. 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 use Tri County Recycle as the recycling vendor. Upon the question being put the vote was as follows.

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

PUMP AND HAUL SEPTIC PERMIT REQUEST

Mr. Poe reported that Wallens Creek Primitive Baptist Church is requesting to be allowed to install a pump and haul septic system as they do not have adequate field drain space to install a standard septic tank. These systems are allowed by the Health Department when requested by the County. The County requires a \$1,000.00 bond or bank letter of credit be on file in the Administration Office which would be used in the event of a spill or overflow from the system that was not handled by the permittee. The County also requires the permittee to have a signed agreement with a septic tank pumper to service the system as needed.

Mr. Slemph asked if Mr. Poe had spoken with the Church.

Mr. Poe stated that he made them aware of the requirements

It was moved by Mr. Leonard, seconded by Mr. Slemph, to approve the request once the requirements have been met. Upon the question being put the vote was as follows.

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

HEALTH INSURANCE RENEWAL RATES

Mr. Poe reported that the County has received notification from The Local Choice that the County's employee health insurance rates will see no increase for the July 1, 2019 to June 30, 2020 fiscal year. The County is required to notify The Local Choice of our decision to renew or cancel coverage by April 1.

It was moved by Mr. Leonard, seconded by Mr. Slemp, to approve The Local Choice renewal rates for the July 1, 2019 to June 30, 2020 Fiscal Year. Upon the question being put the vote was as follows.

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

SCHOOL BOARD RESOLUTION

Brian Austin, School Superintendent, addressed the Board about adopting a Resolution authorizing the School Board to move forward with legal action regarding the School Security option that the School Board has been pursuing.

Mr. Smith asked about the attorney costs.

Dr. Austin stated that there is not an estimated cost, that it would depend on the appeals process.

Mr. Mosley asked who would be paying the attorney fees.

Dr. Austin stated that the School Board would pay the attorney.

Mr. Poe stated that this is not authorizing or an endorsement of the School Security Program. The Virginia Code requires local governing body's approval on legal actions.

Mr. Mosley asked about an estimated cost.

Dr. Austin stated that there is not estimate, but the School Board is not going to spend a lot of money on this matter.

It was moved by Mr. Cope, seconded by Mr. Leonard, to adopt Resolution 19-002. Upon the question being put the vote was as follows.

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

VOTING NO: Mr. Mosley, Mr. Slemp

**RESOLUTION AUTHORIZING LEE COUNTY SCHOOL BOARD TO
INSTITUTE LEGAL ACTION
19-002**

WHEREAS, the Lee County School Board has submitted an application for a school system employee to become a Special Conservator of the Peace in order to carry firearms on school premises; and

WHEREAS, the Virginia Department of Criminal Justice Services has rejected that application based on an opinion issued by the State Attorney General; and

WHEREAS, the Lee County School Board now requests, per Virginia Code Section 22.1-82 C., authorization of the Lee County Board of Supervisors to institute legal action with regard to this matter;

NOW, THEREFORE, BE IT RESOLVED, in accordance with Virginia Code Section 22.1-82, the Board of Supervisors of Lee County hereby authorizes the Lee County School Board to undertake appropriate legal action, including but not limited to appeals from any decision of the Virginia Department of Criminal Justice Services, needed to implement its July 12, 2018 policy to further protect children, employees and visitors in Lee County Public Schools with the understanding that this resolution is not an endorsement of the July 12, 2018 policy and that the Lee County School Board will pay all legal fees and costs out of its already-existing appropriations and will seek reimbursement for such fees and costs as allowed by law.

REPORTS AND RECOMMENDATIONS OF THE COUNTY ATTORNEY

Ms. Munsey stated that she has a request for closed session under Legal Counsel.

REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR

COYOTE BOUNTY

Mr. Poe reported that the \$1,000.00 that was appropriated for the Coyote Bounty has been depleted, and there are 12 to 15 additional claims that have been filed, but no funds to pay them.

It was moved by Mr. Slemph, seconded Mr. Leonard, to appropriate \$500.00 to the Coyote Bounty. Upon the question being put the vote was as follows.

Revenue Source:		
3-001-41050-0099	Budget Supplement from Reserve	\$500.00
Expenditure:		
4-001-11010-5820	Coyote Bounty	\$500.00

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

VOTING NO: Mr. Mosley

COST ALLOCATION PLAN PROPOSAL

Mr. Poe reported that Robinson, Farmer, Cox Associates has submitted a proposal to prepare the County's annual Central Services Cost Allocation Plan. The Plan allows the County, and particularly the Department of Social Services, to recover costs associated with the administration of federal grants and programs. The proposal provides for either a one or a three-year contract period. A one-year agreement would cost \$4,500.00 where as a three year agreement would be \$12,000.00 with an annual payment of \$4,000.00.

It was moved by Mr. Slemph, seconded by Mr. Leonard, to accept the three year agreement with Robinson, Farmer, Cox Associates in the amount of \$12,000.00 for preparation of the Annual Cost Allocation Plan. Upon the question being put the vote was as follows.

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

Mr. Poe stated that he has a request for closed session under Personnel and Investing of Public Funds.

REPORTS AND RECOMMENDATIONS OF THE BOARD

GARBAGE ON ROADS

Mr. Mosley stated that he is getting several complaints about garbage on the sides of the roads. He added that he had brought up plastic bags a few months ago and he still believes the Board needs to think about going to paper bags only, and that the County needs to start prosecuting the ones that are littering.

Mr. Slemph stated that the road between Dry Branch and Dryden has heavy litter.

Mr. Poe stated that there was a period that probationers were not being assigned roads due to personnel changes, but they are being assigned roads now.

CHARGES FOR BRUSH

Mr. Mosley asked if the County is now charging for brush being brought into the Transfer Station.

Mr. Collingsworth stated that the rate for garbage was cut in half and everyone is now charged for brush.

SIGNS

Mr. Leonard asked about the signs to honor Cynthia Kinser.

Mr. Poe stated that he is trying to figure out how to connect a new sign onto the existing signs.

CLOSED SESSION

It was moved by Mr. Slemph, 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, 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, and 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 retaining by a public body regarding specific legal matters requiring the provision of legal advise 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.

It was moved by Mr. Cope, seconded by Mr. Leonard, to recess to February 28, 2019 at 6:00 p.m. at the School Board Meeting Room. Upon the question being put the vote was as follows.

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

CHAIRMAN OF THE BOARD

CLERK OF THE BOARD