

VIRGINIA: County of Lee, to-wit:

At the Regular Meeting of the Lee County Board of Supervisors in the General District Courtroom of the Lee County Courthouse on March 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

Layne Pennington, Pastor of Jonesville First United Methodist 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 6:03 p.m.

PUBLIC HEARINGS

REZONING REQUEST ESCHDALE ENTERPRISES, LLC

The Lee County Board of Supervisors held a Public Hearing on March 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. Eschdale Enterprises, LLC has applied for a Special Use Permit to allow expansion of an existing business that sells roofing materials and manufactured wooden trusses. The property is located in an A-1, Agricultural district on the North side of Highway 58 approximately 0.40 miles west of State Rte. 670 (Hennegar Town Rd.) near Rose Hill and consists of 2.341 acres (Tax Parcel 48-(A)-102A).

Aaron Fee, Community Development Director, stated that the Planning Commission heard this request at their last monthly meeting with no objections and recommended approval 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 Eschdale Enterprises, LLC. Upon the question being put the vote was as follows.

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

PROPOSED ORDINANCE TO EXEMPT A PORTION OF PERSONAL PROPERTY TAX FOR VOLUNTEER FIREFIGHTERS AND RESCUE SQUAD MEMBERS

The Lee County Board of Supervisors held a Public Hearing on Tuesday, March 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 an ordinance to exempt a portion of personal property tax for volunteer firefighters and rescue squad members. If adopted, the ordinance would exempt up to a maximum of \$200.00 of personal

property tax on one vehicle of each active volunteer firefighter or rescue squad member who meets the annual qualification threshold.

Mr. Poe stated this Ordinance would grant a personal property tax exemption of up to \$200 per volunteer that meet certain criteria and would be subject to appropriation of funds from the Board of Supervisors on an annual basis. The volunteer must be active for 2 years, cannot be receiving any compensation and cannot have delinquent taxes, must meet an annual requirement of 30 points. The points would be earned through meetings, training sessions, classes or course training and through response calls.

Mr. Cope added that this was joint effort between himself, the Commissioner of Revenue and the Chief and Capitan's of the local fire and rescue squads. It was drawn up at the Chief and Capitan's meeting, and the points system was created by those members to make if fair for active volunteers to earn points towards their tax relief. He would like to make an amendment on the point system to add if training sessions exceed four hours it is worth two points.

Mr. Slemph asked if there was an estimated amount on the tax relief.

Mr. Cope stated it would be around \$30,000.00 or less.

Mr. Mosley asked if this Ordinance were adopted what the effective date would be.

Mr. Cope stated that it would be effective for this year's taxes.

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. Cope, seconded by Mr. Leonard, to approve the Ordinance with stated amendment to be effective on the current year's taxes. Upon the question being put the vote was as follows.

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

**AN ORDINANCE TO EXEMPT PERSONAL PROPERTY FOR VOLUNTEER
FIREFIGHTERS AND RESCUE SQUAD MEMBERS BY LOCAL
CLASSIFICATION OR DESIGNATION**

WHEREAS, the Lee County Board of Supervisors desires to provide an incentive to Lee County's volunteer firefighters and volunteer rescue squad members who sacrifice their time, dedicate their labor, and risk their personal well being for the benefit of the health and safety of the County's residents by providing them with a partial tax exemption from Lee County personal property taxes on vehicles; and

WHEREAS, pursuant to Section 58.1-3506 (A)(15) of the Code of Virginia, 1950, as amended, the may enact such exemptions within the limitations therein prescribed; and

WHEREAS, the Board wishes to amend the existing taxation ordinance to provide this exemption;

NOW, THEREFORE, BE IT RESOLVED, pursuant to Section 58.1-3506 (A)(15) of the Code of Virginia, the Lee County Code of Ordinances be amended as follows:

Sec. 15-5. Definitions.

- (a) *Qualified taxpayer* for purposes of this division is a taxpayer who:
- (1) Is an active member of a volunteer fire department or a volunteer rescue squad located in and operating in Lee County, as verified by the department chief or squad captain, and has been active for a minimum of two (2) years prior to application, without receiving any compensation for such volunteer duties.
 - (2) Is not delinquent on any real or personal property taxes previously assessed by Lee County.
 - (3) Is included on his or her department's roster, in the case of a firefighter, which is filed with the Lee County Circuit Court Clerk's Office.
 - (4) Is certified as qualified by the Lee County Emergency Management

Coordinator.

- (5) The chief of each volunteer fire department shall on or before January 15 of each year submit to the Emergency Management Coordinator a certification form, which contains information to verify eligibility of the department's members, together with a copy of the roster certification stamped filed with the Lee County Circuit Court Clerk. The certification form shall be as attached hereto.
- (6) Is a resident of Lee County and lists Lee County as their domicile.
- (7) Accumulates a total of 30 points annually, on a calendar year basis, with points earned as follows:

Department or squad meeting attendance	1 point each (max of 12)
Training sessions	1 point each
Classes and/or course trainings	
4 hours or less	1 point each
Over 4 hours	2 points each
Response calls	2 points each

Records subject to audit by the Commissioner of the Revenue to verify the minimum point threshold is met.

- (b) *Eligible vehicle* is titled in the qualified taxpayer's name, either jointly or solely and proof of such ownership and a copy of current registration must be provided to the Commissioner along with application for exemption; it must be for personal use only, located, taxed and tagged in Lee County, Virginia. Commercial vehicles are not eligible for any exemption under this division.

Sec. 15-6. Exemption.

- (a) All or a portion of the value of a single automobile owned or leased by a qualified taxpayer, which is subject to local taxation pursuant to Code of Virginia § 58.1-3500 et seq., shall be exempted from personal property taxation as hereinafter set forth.
- (b) The aggregate amount of exemptible value pursuant to this division shall be determined annually by the Board of Supervisors in their annual budget on or before June 30 each year. No exemption shall exceed two hundred dollars (\$200.00) per qualified taxpayer on their personal property obligation, in any given year. Upon approval of board's annual budget on or before June 30 each year the County Administrator or their designee shall advise the Commissioner in writing of the amount budgeted by the board for the purposes of this division. The exemptible value per qualified taxpayer, who applies for and is granted the exemption, shall be the aggregate amount of exemptible value set by the Board of Supervisors divided by the total number of qualified taxpayers who apply for and are granted the exemption.

Sec. 15-7. Procedure.

- (a) Each year on or before March 31, the Emergency Management Coordinator shall submit to the Commissioner of the Revenue a list of eligible qualified taxpayers.
- (b) Any qualified taxpayer may submit to the Commissioner of the Revenue an application, in a form approved by the Commissioner, on or before March 31 of each year to receive the exemption. However, the Commissioner of the Revenue shall be authorized, in his discretion, and for good cause shown and without fault on the part of the qualified taxpayer, to accept a certification after the March 31 deadline.
- (c) The Commissioner shall, using the list submitted by the Emergency Management Coordinator, determine which applicants are eligible for the exemption.
- (d) The Commissioner then shall exempt a portion of the value each eligible applicant's eligible vehicle, according to the formula herein set forth, from taxation for that tax year. Should the exemptible value available for any qualified taxpayer exceed the value of such taxpayer's eligible vehicle the entire value of such vehicle shall be exempted; no remaining exemptible value shall be allocated to the taxpayer.

Sec. 15-8. Appeals.

- (a) Any applicant who believes he or she was eligible for the exemption but was not listed by the Emergency Management Coordinator as qualified may appeal to the Board of Supervisors by giving written notice to the County Administrator within thirty (30) days of receiving his or her tax assessment.
- (b) Any applicant who was designated by the Emergency Management Coordinator as eligible for the exemption but was not granted the exemption by the Commissioner, may appeal said decision as provided in the Code of Virginia for assessments generally.

**CDBG BLOCK GRANT FOR ST. CHARLES WATER LINE
REPLACEMENT**

Notice was given that on Tuesday, March 19, 2019, at 6:00 p.m., in the General District Courtroom of the Lee County Courthouse, the Lee County Board of Supervisors conducted a public hearing to solicit public input on a proposed Community Development Block Grant (CDBG) application to be submitted to the Virginia Department of Housing and Community Development for the "St. Charles Water Line Replacement - Phase III" project. The project will involve the replacement of selected segments of existing water distribution lines, generally along St. Rt. 352 and St. Rt. 636 in or near St. Charles. All interested citizens are encouraged to attend.

Frank Kibler, LENOWISCO, stated that his office has been working on this project for three or four years with St. Charles Water and Sewer Authority in an attempt to fund this phase of the waterline replacement project. Because of the status of the Town of St. Charles, obtaining grant funding was impossible. Since the Lee County Public Service Authority has taken over the St. Charles Water and Sewer Authority, they would like to resume this project. In order to receive any grant funding the County would need to serve as the applicant on this block grant project.

Mr. Poe stated that funding agencies would take applications from St. Charles Water and Sewer Authority, but advised the Authority that due to the situation with the Town of St. Charles they would not provide funding for future projects until something was resolved, which was one of the reasons that the PSA took over St. Charles Water Authority.

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. Slemph, to adopt Resolution 19-004. Upon the question being put the vote was as follows.

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

**RESOLUTION IN SUPPORT OF
COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION
19-004**

ST. CHARLES WATER LINE REPLACEMENT - PHASE III

WHEREAS, the County of Lee, Virginia, wishes to apply for \$1,000,000 in Virginia Community Development Block Grant (VCDBG) funds for the “St. Charles Water Line Replacement - Phase III” project; and

WHEREAS, other project funding, identified in the application, will provide the balance of the total project cost of \$1,881,252; and

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

WHEREAS, the project will meet the VCDBG National Objective of providing benefit to low- and moderate-income (LMI) persons by providing improved public water service to the Lee County Public Service Authority’s existing customer base in the St. Charles project area, a predominantly LMI population.

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

DEPARTMENT REPORTS

Written departmental reports for Economic Development and Tourism were included in the packet.

CONSTITUTIONAL OFFICERS

TREASURER’S REPORT

The Treasurer’s Report for the month of February 2019 was submitted as follows:

Revenues	\$ 4,510,371.60
Expenditures	\$ 5,187,361.29
General Fund	\$ 6,733,303.70
Total Assets and Liabilities	\$11,131,928.36

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. Leonard, seconded by Mr. Mosley, to approve the minutes of the February 13, 2019 Special Called Meeting, the February 19, 2019 Regular Meeting, the February 28, 2019 Recessed Meeting and the March 11, 2019 Recessed 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. Smith, to approve a refund to Winston Kelly in the amount of \$193.92. 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. Slempp, seconded by Mr. Leonard, to approve the disbursements for the month of February in the amount of \$161,510.85. Upon the question being put the vote was as follows.

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

DELEGATIONS

**JANIE DOCKERY
CHILDREN'S ADVOCACY CENTER
COURTHOUSE SPACE**

Janie Dockery, MEOC Children's Advocacy Center, addressed the services that the Children's Advocacy Center has been able to provide to Lee County families over the past year. She stated that the office space layout has been ideal for interviewing child victims, and it has also been used by the Commonwealth Attorney's Office for child interviews. The office is used by the Children's Advocacy Center's Forensic Interviewer at least one day per week so that families would not have to travel to another County. In 2018 the Children's Advocacy Center provided services to 187 child victims of abuse and their non offending caregivers, 112 children and parents through Healthy Families, and 21 and caregivers through the Kin Care Program. Lee County is the second largest group of people served and many are from the Western end of the County. This year the plan was to add Trauma Focused Mental Health treatment services, and to apply for a full satellite designation for a Children's Advocacy Center with the Accreditation Board that would provide the County with the services and the Center the ability to apply for additional money, if it was able to retain the space. She thanked the Board for the donated space and added that she knew there has been discussion about the Center having to relocate.

Mr. Leonard asked how much space the Center needed.

Ms. Dockery stated that the amount of space is not as important as ensuring there is enough space to provide what the Center is required through the standards and accreditations. The benefit of the current location is that there was a separate space for caregivers, a space for the interviews to be conducted and there is also a space already set up for observation interviews which is used by Child Protective services and Law Enforcement Investigators. If the Center is able to retain the same space for the upcoming year mental health treatment services would be added to the services provided, which would require confidential space and restroom access within the space. She stated that she did look at the space Mr. Poe spoke about moving them to, and it is in a location out of the way of courtroom traffic and there are two restrooms right outside the office space. Although it is not as ideal as the space currently in use, it would be beneficial.

Mr. Leonard asked if the space could be constructed to look like the space being utilized now.

Mr. Poe stated that it would be a small version of the current location. If the mirrored glass in the existing space were taken out and relocated, there would have to be another wall built and another doorway added so that those observing the interview could have room for their equipment.

Mr. Leonard stated that he could not see putting the judge on a different floor.

Mr. Poe stated that he was not proposing putting the judge's office on another floor. When the request was made to move there was a rough sketch drawn allowing one office for a judge, but the Architects have not provided their drawing. He believes the Court is looking for two separate offices for the home judge and visiting judge.

Ms. Dockery stated that if the Center does have to move to a new space, there will be costs associated with that and the Center does not have any money for construction or renovations. She asked the Board to cover expenses incurred in the move if the center has to relocate.

FINANCE

QUARTERLY APPROPRIATIONS

It was moved by Mr. Mosley, seconded by Mr. Leonard, to adopt Resolution 19-003. Upon the question being put the vote was as follows.

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

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 June 30, 2019

HEADSTART

Federal Funds	\$ 1,408,547
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	<u>4,670,267</u>
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.

SUPPLEMENTAL APPROPRIATIONS

CENTRAL GARAGE

It was moved by Mr. Leonard, seconded by Mr. Slemp, to approve the following Supplemental Appropriation in the amount of \$20,555.19. Upon the question being put the vote was as follows.

Revenue Source:
3-001-18990-0013 VACO Insurance Claims \$ 20,555.19

Expenditure:
4-001-12520-6009 Vehicle Supplies (Parts) \$ 20,555.19

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

CENTRAL GARAGE

It was moved by Mr. Leonard, seconded by Mr. Slemp, to approve the following Supplemental Appropriation in the amount of \$5,682.52. Upon the question being put the vote was as follows.

Revenue Source:
3-001-18990-0007 Central Garage \$ 5,682.52

Expenditure:
4-001-12520-6109 DSS/PSA Vehicle Parts \$ 5,682.52

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

CIRCUIT COURT CLERK

It was moved by Mr. Leonard, seconded by Mr. Slemp, to approve the following Supplemental Appropriation in the amount of \$10,655.50. Upon the question being put the vote was as follows.

Revenue Source:
3-001-23070-0005 Grants Circuit Court \$ 10,655.50

Expenditure:
4-001-21600-5866 Clerks Misc Grants \$ 10,655.50

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

ARTS COUNCIL

It was moved by Mr. Leonard, seconded by Mr. Slemp, to approve the following Supplemental Appropriation in the amount of \$5,000.00. Upon the question being put the vote was as follows.

Revenue Source:			
3-001-24040-0020	Commission for the Arts-Grant	\$	5,000.00
Expenditure:			
4-001-72700-5650	Pro-Art Project	\$	5,000.00

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

SCHOOL RESOURCE OFFICER

It was moved by Mr. Leonard, seconded by Mr. Slemp, to approve the following Supplemental Appropriation in the amount of \$57,390.00. Upon the question being put the vote was as follows.

Revenue Source:			
3-001-023020-0021	School Resource Officer Grant Fund	\$	57,390.00
Expenditure:			
4-001-31225-1140	Salaries	\$	39,323.00
4-001-31225-2100	FICA (employers share)	\$	2,735.00
4-001-31225-2210	VRS –Retirement	\$	3,429.00
4-001-31225-2300	Health Insurance	\$	10,764.00
4-001-31225-2400	VRS-SGL	\$	189.00
4-001-31225-2600	VEC - Unemployment	\$	90.00
4-001-31225-2700	Workers Compensation	\$	860.00

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. Cope, to appoint Ron Carson to a four-year term on the Redevelopment and Housing Authority. Mr. Carson's term 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

BUILDING CODE APPEALS

It was moved by Mr. Cope, seconded by Mr. Leonard, to re-appoint Douglas Graham, Robert Hines and Wayne Bonham to a four-year term on the Building Code Appeals Board. Mr. Graham, Mr. Hines and Mr. Bonham's terms 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

DRYDEN WATER AUTHORITY

It was moved by Mr. Slemp, seconded by Mr. Leonard, to re-appoint Roger Gates to a four-year term on the Dryden Water Authority. Mr. Gates' term 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

DEPARTMENT OF SOCIAL SERVICES

It was moved by Mr. Cope, seconded by Mr. Leonard, re-appoint Crystal Willis and Michelle Warner to a four-year term on the Department of Social Services Board. Ms. Willis and Ms. Warner's terms 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

PLANNING COMMISSION

It was moved by Mr. Cope, seconded by Mr. Leonard, re-appoint Donnie Brooks to a four-year term on the Planning Commission. Mr. Brooks' terms 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

RESIGNATION OF LITTER CONTROL COORDINATOR

Mr. Poe reported that the Litter Control Coordinator submitted his resignation and his last day of work was March 8, 2019. The position has been advertised and applications are due April 3, 2019.

PROPOSED RABIES CLINIC SCHEDULE

Mr. Poe reported that the Lee County Animal Hospital has requested to conduct a local rabies clinic in the County as follows:

Saturday, May 4, 2019

Lee High School	9:00 – 10:00
Deep Springs Church	10:15 – 11:00
Seminary Church	11:15 – 11:45
Clarks Grocery	12:15 – 12:45
Sticklelyville School	2:00 – 2:45
Blackwater Post Office	3:30 – 4:00

Saturday, May 11, 2019

Campground Church	9:00 – 10:00
Flatwoods School	10:15 – 11:00
Speaks Chapel	11:30 – 12:15
Rose Hill School	1:15 – 2:00
Ewing Stock Barn	2:15 – 3:00
Elydale School	3:15 – 4:15

Saturday, May 18, 2019

Woodway Gas Station	9:00 – 10:00
Dryden Post Office	10:15 – 11:15
Pennington Middle School	11:30 – 12:30
St. Charles School	1:45 – 2:45
Robbins Chapel Church	3:15 – 3:45
Keokee School	4:00 – 4:45

All rabies clinics in the County are required to be approved by the Board of Supervisors.

Mr. Leonard asked about the Robbins Chapel location.

Mr. Poe stated that School was on the paper he was given, but he would double check but he believes that should be Robbins Chapel Church.

It was moved by Mr. Mosley, seconded by Mr. Slemph, to approve the purchase of Option 1 from Auto World of Big Stone Gap in the amount of \$25,759.00. Upon the question being put the vote was as follows.

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

COLON CANCER AWARENESS MONTH

Mr. Poe presented the Board with a proclamation declaring March as Colon Cancer Awareness Month.

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

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

PROCLAMATION COLON CANCER AWARENESS MONTH

WHEREAS, colon cancer is the second leading cause of cancer death in the United State; and

WHEREAS, 1 in 20 people will develop colon cancer and every 10 minutes a life is lost to the disease; and

WHEREAS, this year alone, 142,000 new cases of colon and rectal cancer will be diagnosed in the America and nearly 50,000 deaths are expected; and

WHEREAS, a simple screening test is recommended to individuals over age 50 and those with a family history to help combat the disease; and

WHEREAS, Lee County, Virginia has joined with the Colon Cancer Alliance to increase screening and save lives in the County and across the country; and

WHEREAS, education and increased awareness can help inform the public of methods of prevention and the early detection of colon cancer; and

WHEREAS, through recommended screenings, this cancer can be caught early when treatment is most effective; and

WHEREAS, the declaration of the month of March as Colon Cancer Awareness Month will help bring greater awareness to the disease and the importance of being screened;

NOW, THEREFORE, BE IT RESOLVED, the Board of Supervisors of the County of Lee, Virginia does hereby proclaim the month of March as Colon Cancer Awareness Month in the County of Lee and encourages all individuals to work together to promote awareness and understanding of colon cancer and the need for screening to eradicate the disease.

NATIONAL RED CROSS MONTH

Mr. Poe presented the Board with a proclamation declaring March as National Red Cross Month.

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

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

PROCLAMATION NATIONAL RED CROSS MONTH

WHEREAS, March is American Red Cross Month - a special time to recognize and thank our heroes - those who volunteer, donate blood, take life-saving courses or provide financial donations to support an organization whose mission is to help those in need; and

WHEREAS, we would like to remember those who help all of us here in the County of Lee by giving their time to help their neighbor, and thank our heroes- our volunteers, blood donors, class takers and financial supporters who help us assist those in need; and

WHEREAS, in the County of Lee, the Red Cross works tirelessly through it 3 employees and 196, volunteers to help when disaster strikes, when someone needs lifesaving skills or the comfort of a helping hand. It provides 24-hour support to

members of the military, veterans and their families, and provides training in CPR, aquatics safety, and first aid; and

WHEREAS, across the country, the American Red Cross responds to nearly 70,000 disasters a year. It provides some 400,000 services to military members, veterans and civilians, collects and distributes about 40 percent of the nation's blood supply and trains more than seven million people in first aid, water safety and other life-saving skills a every year; and

WHEREAS, our community depends on the American Red Cross, which relies on donations of time, money and blood to fulfill its humanitarian mission. Despite these challenging economic times, the American Red Cross continues to offer help and comfort to those in need.

NOW THEREFORE, BE IT RESOLVED, the Board of Supervisors of the County of Lee, Virginia does hereby proclaim the month of March as American Red Cross Month in Lee County and encourages all Americans to support this organization and its noble humanitarian mission.

POWER LINE COSTS FOR NEW COMMUNICATION TOWERS

Mr. Poe reported that with the new Communication Towers project moving forward, the County will need to have power run to both sites. Since these are remote locations, power lines will have to be constructed on both sites. Old Dominion Power is the provider for both locations and has provided cost estimates for both locations. The Ewing site should be less than \$10,000.00; however, the Keokee site will be in the neighborhood of \$80,000.00 due to the distance the line must be constructed. There is an existing coal company owned line over a portion of the property but it has not been energized in quite some time and would require some undetermined maintenance work to make it serviceable. Discussions with them to utilize this line have not been entirely successful as it would require an upfront payment to the owner while reserving them the right to use it in the future and the County would still have to construct approximately 2,000 feet of line to reach the tower site. At this point, it may be in the County's best interest to move forward with constructing an entirely new line, which would be completely under County control. Old Dominion has suggested a private contractor may be able to build the line at a cheaper cost and Mr. Leonard has discussed this with the company that could do the work.

Mr. Leonard stated that he has been talking to companies to run fiber on the line also.

Mr. Poe stated that fiber on the line would be beneficial if a wireless phone company chose to use that tower, and it would be beneficial to the community for wireless high-speed internet service. The fact that there is not power on either site now will not hold up construction in anyway, but there does need to be power ready when the towers are operational and work is slated to start in mid April. The soil reports on both sites are in and the Ewing site is good but here are a couple of things of concern on the Keokee site. Because the Keokee site is a former strip bench it is not just soil and material that have always been there, it is a lot of rock and voids, which makes it an uncertain base. Rather than doing a shallow platform style foundation it may have to be a foundation that goes into the ground.

It was moved by Mr. Cope, seconded by Mr. Leonard, to proceed with the electrical work at each tower site. 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

None.

REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR

LANDFILL GROUNDWATER MONITORING PROGRAM

Mr. Poe reported that after submittal of the 2018 Landfill Groundwater Monitoring Report, the Virginia Department of Environmental Quality requested to meet with the County's engineer and Mr. Poe to discuss the overall groundwater-monitoring program. During that meeting, DEQ staff advised that the existing monitoring network is still insufficient in that there is still not a suitable established up gradient monitoring point for comparison with the down gradient wells. This issue has arisen previously and additional wells have been installed at locations directed by DEQ; however, the seemingly ever-changing underground water level and flow has resulted in the new wells being deemed not to be up gradients wells. Based on discussions with DEQ staff over the years and most recently on February 21, 2019, this is an anomaly they have not experienced anywhere else in their careers. They are now requiring that one additional well be installed in an area just north of the last closed landfill cell. Based on discussion during the last meeting with DEQ, even if this well does not prove to be a reliable up gradient point, there will be sufficient wells all around the perimeter of the last cell that will provide the groundwater data needed to complete the monitoring program. The installation of another well into the monitoring program will require an additional 3 – 5

years monitoring period in order to obtain sufficient data to request release from groundwater monitoring requirements. DEQ staff has indicated they have no real concerns about the groundwater quality, there just has to be sufficient scientific proof in order to be released from the monitoring program.

Mr. Poe will be submitting a request later this year for partial release of the landfill post closure monitoring requirements regarding gas well monitoring. The gas monitoring programs results have yielded no methane gas reading for the past four years.

Mr. Poe recommends proceeding as the County has done in the past by allowing The Lane Group to procure the well installation and bill the County for the total costs to include materials, installation and engineering fees as this simplifies the process. Typical cost for a monitoring well has been \$20,000.00 to \$25,000.00 including the well installation, pump and all accessories, and engineering fees. We currently have in excess of \$28,000.00 left in the budget but will also have some additional sampling expenses prior to the end of the fiscal year on June 30, 2019.

Mr. Leonard stated that he felt that he heard the same words last year.

Mr. Poe stated that at the present time the County does not have a compliant groundwater monitoring program and that means a new well with an additional three to five years of testing.

Mr. Mosley asked what is done if there is a hit on material.

Mr. Poe stated that it would depend on what the material was and the quantity.

Mr. Leonard asked about the cost of drilling the well.

Mr. Poe stated that the cost would depend on how far they have to drill.

Mr. Leonard asked if there was a certain time this needed to be completed.

Mr. Poe stated the sooner they can get started the better that way it can be installed when the next sampling takes place around May.

It was moved by Mr. Smith, seconded Mr. Mosley, to proceed with installation of the groundwater monitoring well and allowing The Lane Group to oversee the project.

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

DUMPSTER BIDS

Mr. Poe reported that Gary Collingsworth, Solid Waste Superintendent, has attempted to obtain multiple quotes for sixteen new 8 cubic yard dumpsters. Only one vendor chose to submit a quote. Municipal Equipment, Inc. of Louisville, Kentucky submitted a quote of \$1,075 per dumpster for a total delivered price of \$17,200 and these units meet all specifications. This is a budgeted purchase.

It was moved by Mr. Slemph, seconded by Mr. Leonard, to accept the bid from Municipal Equipment, Inc. for sixteen dumpsters at the total price of \$17,200.00. Upon the question being put the vote was as follows.

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

COUNTY WELCOME SIGNS AND KINSER HONORARIUM

Mr. Poe stated that he contacted the vendor for the County welcome signs about either altering the existing signs or creating a new rider for tourism and the honorarium for Cynthia Kinser. After looking at a couple of the existing signs he realized that the paint on some of them had faded considerably due to sun and weather exposure. Working with the vendor, he has suggested two options:

Option 1	
New 96"x24" rider signs with Kinser and tourism information	\$ 250 each
New 20" aluminum composite circle with new County seal	\$ 125 each
Welcome sign removal, repair, repaint and reinstall	<u>\$1,275 each</u>
Total per sign	\$1,650 each

	<u>X 6</u>
Total for all signs	\$9,900

This option requires removal of the existing signs to repair and repaint in his shop.

Option 2	
New 96"x24" rider signs with Kinser and tourism information	\$ 250 each
New 20" aluminum composite circle with new County seal	\$ 125 each
Field repair and repaint only red, gray and black trim	<u>\$ 600 each</u>
Total per sign	\$ 975 each
	<u>X 6</u>
Total for all signs	\$5,850

This option would repaint everything except the white lettering, which is still in fair condition. The other paint is in poor condition and really showing wear. Repairs would be minimal conducted in the field.

It was moved by Mr. Slemph, seconded by Mr. Leonard, to go with option 1 on updating the County welcome signs in the amount of \$9,900.00. Upon the question being put the vote was as follows.

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

MEOC WALK-A-THON

Mr. Poe reported that he received a request from Mountain Empire Older Citizens asking the Board to donate to their annual walk-a-thon again this year.

It was moved by Mr. Leonard, seconded by Mr. Slemph, to donate \$5,000.00 to the MEOC Walk-A-Thon. Upon the question being put the vote was as follows.

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

DEPARTMENT OF SOCIAL SERVICES REQUEST FOR SALARY SUPPLEMENT

Mr. Poe reported that the Lee County Department of Social Services is requesting approval to provide a one-time salary supplement of \$750 per employee prior to June 30, 2018. Local funds to provide this supplement would not exceed \$6,200, the other portion will be state funds.

It was moved by Mr. Mosley, seconded by Mr. Smith, to approve the Department of Social Services request for salary supplement with local funds not to exceed \$6,200.00. Upon the question being put the vote was as follows.

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

DEED FOR OLD JONESVILLE ELEMENTARY SCHOOL PROPERTY

Mr. Poe reported that he has received the deed from the School Board to the old Jonesville Elementary School Property that they are deeding to the County. Mr. Poe requests a motion to authorize the Chairman and the County Attorney to sign on behalf of the County to accept the deed.

It was moved by Mr. Leonard, seconded by Mr. Smith, to authorize the Chairman and the County Attorney to sign on behalf of the County to accept the deed on the old Jonesville Elementary School Property. Upon the question being put the vote was as follows.

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

REQUEST FOR CLOSED SESSION

Mr. Poe stated he has a request for closed session under investing of public funds.

REPORTS AND RECOMMENDATIONS OF THE BOARD

EWING ELEMENTARY ROAD ABANDONMENT

Mr. Smith stated that the road that goes in front of the old Ewing Elementary School is still a state road and property owners would like to have that abandoned so he can fence it off.

Mr. Poe stated that this is a VDOT secondary road and would require abandonment in order for the owners to install a fence. To do an abandonment the property has to be posted at least 30 days prior to a public hearing, so there isn't sufficient time to hold the public hearing at the April meeting and it would have to be done at the May meeting.

It was moved by Mr. Smith, seconded by Mr. Leonard, to advertise for a public hearing for road abandonment for the old Ewing Elementary School property road. Upon the question being put the vote was as follows.

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

CLOSED SESSION

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

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

It was moved by Mr. Leonard, seconded by Mr. Slemph, 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.

SOLID WASTE DISPOSAL CONTRACT

It was moved by Mr. Leonard, seconded by Mr. Slemph, to renew the contract for solid waste disposal with the City of Bristol for another 5 years. Upon the question being put the vote was as follows.

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

CHILDREN'S ADVOCACY CENTER OFFICE SPACE

It was moved by Mr. Leonard, seconded by Mr. Slemph, to allow the space currently used by the Children's Advocacy Center to be included in the renovation plan for a judges office and to move the Children's Advocacy Center's office to room 110 with minor renovations. 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. Smith, seconded by Mr. Mosley, 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