

**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 July 21, 2020 at 4:30 p.m. thereof.

MEMBERS PRESENT: D. D. Leonard, Chairman  
Larry Mosley, Vice Chairman  
Sidney Kolb  
Charles Slemm, Jr.  
Robert Smith

MEMBERS ABSENT: None

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

OTHERS ABSENT: Stacy Munsey, County Attorney

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**INVOCATION**

Dane Poe, County Administrator, led the invocation.

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**PLEDGE TO THE FLAG**

Mr. Mosley led the Pledge to the Flag.

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**MEETING CALLED TO ORDER**

The meeting was called to order at 4:38 p.m.

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**PUBLIC HEARING**

**PROPOSED CHANGE IN STICKLEYVILLE ELECTION  
PRECINCT POLLING PLACE**

The Lee County Board of Supervisors held a Public Hearing on Tuesday, July 21, 2020 at 4:30 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 would make the following change to the Sticklelyville Precinct polling place:

- Sticklelyville Precinct Polling Place will move from its current location at the Sticklelyville Fire Department, 137 Sage Mountain Rd. to the former Sticklelyville Elementary School building, 46727 Wilderness Road.

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The Chairman opened the floor for public comment.

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There was no public comment.

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The Chairman closed the public hearing.

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It was moved by Mr. Slempp, seconded by Mr. Kolb, to approve the change in the Sticklelyville Election Precinct Polling Place. Upon the question being put the vote was as follows.

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

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**PUBLIC HEARING NOTICE – CDBG GRANT APPLICATION**

The County of Lee held a public hearing on Tuesday, July 21, 2020 at 4:30 p.m., in the General District Courtroom of the Lee County Courthouse, Jonesville, VA 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 Lee County Small Business Recovery Assistance project. The proposed project will involve the capitalization of a grant program to help local businesses meet their long term business goals by adjusting to COVID-19 demands, in accordance with the Governor’s guidance.

A draft CDBG proposal or fact sheet was presented for comment along with information on projected beneficiaries, benefit to low- and moderate-income residents, and plans to minimize displacement. Citizens were also be given an opportunity to comment on Lee County’s past use of CDBG funds.

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Frank Kibler, Lenowisco, stated that the Department of Housing and Community Development has funds that they are making available to localities for the purposes stated on the Facts Sheet. A recent change has been to make it a regional project of the four surrounding Counties, making it easier to oversee. The City of Norton is prepared to serve as the applicant and grantee and Lee County will still be requesting \$500,000.00.

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The Chairman opened the floor for public comment.

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There was no public comment.

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The Chairman closed the public hearing.

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It was moved by Mr. Slemph seconded by Mr. Mosley, to submit the CDBG grant application. Upon the question being put the vote was as follows.

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

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**DEPARTMENT REPORTS**

A written departmental report for E-911, Building Inspection and Extension Office was included in the Board Packet.

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**CONSTITUTIONAL OFFICERS**

**TREASURER'S REPORT**

The Treasurer's Report for the month of June 2020 was submitted as follows:

Revenues	\$ 8,224,451.46
Expenditures	\$ 5,491,637.42
General Fund	\$ 5,927,971.71
Total Assets and Liabilities	\$ 10,606,112.41

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**CIRCUIT COURT CLERK**

Rene Lamey, Circuit Court Clerk, addressed the Board about an office on the old side of the Courthouse that does not have an air conditioning unit. She stated that over the past week the lowest the temperature has gotten is 77 degrees, and asked the Board to consider having central heat and air installed in her offices.

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Mr. Poe stated that Mr. Kolb had asked about a portable unit before, and in order to have exhaust going outside, it would require around thirty feet of exhaust hose and he is not sure if one of those units would be capable of pushing the air that far and work the way it is supposed to.

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It was moved by Mr. Kolb, seconded by Mr. Mosley, to table this until after New Business. Upon the question being put the vote was as follows.

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

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**PUBLIC EXPRESSION**

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

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Carol Crowder addressed the Board to request that the cat euthanasia program not be approved and explained that she and the local vet were working on a plan that would capture stray cats, have them spayed and neutered and returned back where they were captured.

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Mr. Kolb asked how many cats could be handled in a month.

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Ms. Crowder stated that vet the could work on three or four cats, one Saturday every other month, which would cost \$15.00 to \$20.00 every two months.

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Mr. Kolb asked who would pay the fees.

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Ms. Crowder stated it would be the County or she would pay for it herself.

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Mr. Slempp asked what happens after the cats are fixed.

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Ms. Crowder stated that the males would be released right away and the females would need to be held a couple of days and she had the ability to do that.

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Mr. Poe stated that there is an issue with private citizens capturing animals and releasing them back into the population. Mr. Fortner has more knowledge of what is allowed to be done legally and needs to be involved before a program could be started.

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Mr. Leonard stated the County would not take responsibility but he is alright with Animal Control getting involved.

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There was no further public comment.

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The Chairman closed the floor for public comment.

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**APPROVAL OF MINUTES**

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It was moved by Mr. Kolb, seconded by Mr. Mosley, to approve the June 9, 2020 Recessed Meeting, June 16, 2020 Regular Meeting, June 18, 2020 Recessed Meeting, June 24, 2020 Recessed Meeting and July 1, 2020 Recessed Meeting with the following changes, to the July 1 minutes page 5 changing “4.5%” to “4.5 cents” and page six to change “stated there is not a way” to “asked if there was not a way to”. Upon the question being put the vote was as follows.

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

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### **REFUNDS**

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

Harless A. & Ginger R. Mullins	\$ 1,039.30
Eric W. Roberts	\$ 822.79
Jim Gordon	\$ 35.70

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

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### **PAYROLL**

The County Administrator reports that payroll warrants have been issued.

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### **APPROVAL OF DISBURSEMENTS**

It was moved by Mr. Mosley, seconded by Mr. Smith, to approve the disbursements for the month of June in the amount of \$928,324.19. Upon the question being put the vote was as follows.

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

VOTING NO: Mr. Kolb

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### **DELEGATIONS**

### **FY 18-19 AUDIT PRESENTATION**

**ROBINSON, FARMER, COX ASSOCIATES  
SCOTT WICKHAM**

Scott Wickham presented the FY 18-19 audit report, stating that the General Fund balance is starting to go down which is something to monitor. The debt per capita ratio is below the state average, which is good. Local Revenues increased at about 1%, Expenditures for the period have shown an increase of 2.1%. The ending fund balance is back to the amount it was eight years ago.

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**VIRGINIA DEPARTMENT OF TRANSPORTATION  
PAUL MATTICKS  
WISE RESIDENCY ADMINISTRATOR**

Paul Matticks, Residency Administrator, stated that this is his fourth month in the Residency, and he has been restructuring and reorganizing the Residency. He introduced Joey Mullins, Assistant Residency Engineer, in charge of everything that is non-routine maintenance and Brandon Bennett, in charge of all of the contracting. He stated that they are streamlining the work process to get the work orders answered quickly, projects completed in a timely manner and taking care of any other issues that pop up.

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Mr. Leonard stated that he had spoken with Mr. Mullins about an accident on Route 352 and asked if there was an update on the asphalt that is in that curve.

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Mr. Mullins stated that he would go back and see what the findings were and get back with Mr. Leonard.

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Mr. Kolb asked about the road going to Harlan and an area to connect to the project Kentucky is doing.

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Mr. Mullins stated that he could reach out to Kentucky and find out what the plan is on the Kentucky side.

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Mr. Kolb asked about dead animals on the road and asked that the headquarters be proactive about picking up the animals.

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Mr. Kolb asked about locally administered projects.

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Mr. Mullins stated that there are numerous types of projects and funding; the funds must be applied for and the locality can opt to administer the projects themselves.

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**ARH CLINIC  
DR. JOSE ECHEVERRIA**

Dr. Jose Echeverria stated that the ARH Clinic had to close in April due to COVID-19, but he has received notice that the clinic will be reopening. He wanted the County to know that there are other options to reopening the hospital.

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Mr. Kolb asked what options are available.

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Dr. Echeverria stated that he represents an organization out of Florida that would have been interested.

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Mr. Kolb asked if this was presented to the Hospital Authority.

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Dr. Echeverria stated that they were presented to the Authority.

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**FINANCE  
PRIOR YEAR SUPPLEMENTAL APPROPRIATIONS  
DSS CONTRIBUTIONS VRS/SGL**



It was moved by Mr. Mosley, seconded by Mr. Smith, to approve the following Prior Year Supplemental Appropriation in the amount of \$.20. Upon the question being put the vote was as follows.

Revenue Source:  
3-001-19020-0002                      VRS-Social Services Contributions    \$            .20

Expenditure:  
4-001-91100-2210                      DSS-VRS Contributions                      \$            .20

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

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### **GENERAL EXPENSES**

It was moved by Mr. Mosley, seconded by Mr. Smith, to approve the following Prior Year Supplemental Appropriation in the amount of \$985.19. Upon the question being put the vote was as follows.

Revenue Source:  
3-001-41050-0099                      Budget Supplement from Reserves    \$            985.19

Expenditure:  
4-001-91500-5840                      Disbursements General Expenses    \$            985.19

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

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### **HEAD START**

It was moved by Mr. Mosley, seconded by Mr. Smith, to approve the following Prior Year Supplemental Appropriation in the amount of \$264,354.43. Upon the question being put the vote was as follows.

Revenue Source:  
3-024-33020-0024                      Headstart Funds                              \$ 264,354.43

Expenditure:  
4-024-62170-5860                      Disbursements Head Start                      \$ 264,354.43

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

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**COAL ROAD & SEVERANCE FUND**

It was moved by Mr. Mosley, seconded by Mr. Smith, to approve the following Prior Year Supplemental Appropriation in the amount of \$76.02. Upon the question being put the vote was as follows.

Revenue Source:  
3-027-12150-0001                      Coal Severance Taxes                      \$            76.02

Expenditure:  
4-027-95100-5860                      Coal Road Tax Disbursements                      \$            76.02

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

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**LEE COUNTY WATER PROJECTS**

It was moved by Mr. Mosley, seconded by Mr. Smith, to approve the following Prior Year Supplemental Appropriation in the amount of \$95,917.63. Upon the question being put the vote was as follows.

Revenue Source:  
3-055-15020-0002                      ARC Frog Level                      \$    95,917.63

Expenditure:  
4-055-94700-8210                      Frog Level Expenditures - ARC                      \$    95,917.63

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

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**OLD BUSINESS**

**SWVA 4-H CENTER REQUEST FOR FUNDING**

Jeanette Reynolds, 4-H Center Director, presented the Board with profit and loss statements for the past three years and stated that all 13 counties have been asked to fund the \$200.00 per camper revenue that was lost because of the COVID-19 pandemic and summer camp being cancelled.

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Mr. Kolb asked if the 4-H Center had received anything from the Payroll Protection Program.

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Ms. Reynolds stated that the Center received \$54,500.00

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Mr. Kolb asked why the center is requesting \$200.00 if the center was not open and did not have the expense of camp.

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Ms. Reynolds stated that the Center would need the funds to be able to operate next year.

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Mr. Kolb asked if there was an explanation from Scott County on their decision.

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Ms. Reynolds stated that there was not.

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Mr. Leonard stated that it would be easier to justify if there were numbers that shows costs with camp versus a year without camp.

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The chairman called a 10 minute recess.

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The meeting was called back to order at 6:39 p.m.

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**NEW BUSINESS**

**BOARD APPOINTMENTS**

**AIRPORT AUTHORITY**

It was moved by Mr. Slempp, seconded by Mr. Kolb, to appoint Bill Sage to the Airport Authority. Mr. Sage's term will expire July 31, 2024. Upon the question being put the vote was as follows.

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

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### **BOARD OF ZONING APPEALS**

It was moved by Mr. Leonard, seconded by Mr. Mosley, to table the District 5 appointment. Upon the question being put the vote was as follows.

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

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### **BOARD OF ZONING APPEALS**

It was moved by Mr. Slempp, seconded by Mr. Smith, to recommend re-appointment of Aubrey Hobbs to a four-year term on the Board of Zoning Appeals. Mr. Hobbs' term will expire July 31, 2024. Upon the question being put the vote was as follows.

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

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### **SWVA 4-H CENTER REQUEST FOR FUNDING**

It was moved by Mr. Kolb, seconded by Mr. Slempp, to give the SWVA 4-H Center \$10,500.00 contingent upon 75% of the other 13 counties giving at least half of the amount that was requested. Upon the question being put the vote was as follows.

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

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Prior to the question being put to vote, Mr. Mosley asked if this would come out of the Federal CARES money.

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Mr. Poe stated that he believes this to be an eligible expense under the guidelines.

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**COAL HAUL ROAD COMMITTEE**

It was moved by Mr. Leonard, seconded by Mr. Smith, to re-appoint Jimmy Woodard to a four-year term on the Coal Haul Road Committee. Mr. Woodard's term will expire July 31, 2024. Upon the question being put the vote was as follows.

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

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**ECONOMIC DEVELOPMENT AUTHORITY**

It was moved by Mr. Slep, seconded by Mr. Smith, to re-appoint Paul Johnson to a four-year term on the Economic Development Authority. Mr. Johnson's term will expire July 31, 2024. Upon the question being put the vote was as follows.

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

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**ECONOMIC DEVELOPMENT AUTHORITY**

It was moved by Mr. Leonard, seconded by Mr. Mosley, to re-appoint Greg Edwards to a four-year term on the Economic Development Authority. Mr. Edwards' term will expire July 31, 2024. Upon the question being put the vote was as follows.

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

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**SOUTHWEST VIRGINIA COMMUNITY CORRECTIONS**

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

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

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**COOPERATIVE EXTENSION REQUEST TO HIRE HOURLY EMPLOYEE**

Amy Byington, Unit Manager, stated that there currently is not a 4-H Agent, nor a FCS Agent. Ms. Byington is proposing to use those funds to hire an hourly employee for

the 4-H program. This would be a 1,500-hour wage position that would end when the State hires the 4-H Agent.

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It was moved by Mr. Slemp, seconded by Mr. Mosley, to approve the request to hire an hourly employee at the Cooperative Extension Office. Upon the question being put the vote was as follows.

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

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**LOCAL EMERGENCY MANAGEMENT PERFORMANCE GRANT**

Mr. Poe reported that he received notice of award of the FY 2020 Local Emergency Management Performance Grant provided through the Virginia Department of Emergency Management. The grant provides a federal allocation of \$7,500.00 which requires a \$7,500.00 local match. Notification must be provided to VDEM no later than August 9, 2020 regarding whether the County plans to accept the funds or opt-out of the grant program for this fiscal year. Mr. Poe and Mr. Bailey could not provide a proposed use of the funds at this time. Mr. Poe is requesting this be tabled and the Board hold a meeting before the August 9 deadline.

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It was the consensus of the Board to meet August 5, 2020 at 1:30 p.m.

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It was moved by Mr. Mosley, seconded by Mr. Kolb, to table this item. Upon the question being put the vote was as follows.

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

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**OFFICE OF EMERGENCY MEDICAL SERVICES GRANT**

Mr. Poe stated that he has received notice of award of a grant from the Office of Emergency Medical Services for the purchase of new laptop computers and mounts for the volunteer rescue squads throughout the County. Emergency Management Coordinator Alan Bailey submitted this grant application as a 100% "hardship" in the amount of \$66,462.00. Unfortunately, the state did not fund any 100% grants and awarded Lee County \$44,800.00 on an 80/20 basis. The minimum local match to obtain all the grant funds would be \$11,200.00; however, this would not cover the full cost of

the equipment as quoted. The County has until September 1, 2020 and this could be taken up at the August meeting.

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

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

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### **REAL PROPERTY SALE PUBLIC HEARING AND SALE TERMS**

Mr. Poe reported that in order to sell the three parcels of property previously discussed by the Board, a public hearing would need to be held. Advertisements of the public hearing would need to be published twice with the public hearing no sooner than one week after the last advertisement. This could be done at the August meeting as it will take that long to get a survey of the property tract adjacent to the old landfill.

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It was consensus of the Board to advertise for the public hearing for the August meeting.

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### **POSSIBLE INCREASE OF COURTHOUSE SECURITY FEE**

Mr. Poe stated that the Virginia Code Section 53.1-120 provides that counties may assess a fee as part of the costs in each criminal or traffic case in its district or circuit courts in which the defendant is convicted with the fee being used solely for the funding of courthouse security personnel, equipment and other personal property used in connection with courthouse security. The County currently imposes a fee of \$10 which was the maximum allowed by law. The 2020 Virginia General Assembly adopted legislation to authorize an increase in the fee amount of up to \$20.00. If the Board wishes to consider increasing this fee, a public hearing to amend the ordinance would be required.

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It was consensus of the Board to advertise for the public hearing for the August meeting.

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**SCHOOL FACILITY REPAIRS FINANCING**

Dr. Brian Austin, School Superintendent, stated that at the July 9, 2020 School Board meeting the School Board voted to award a contract to Farmers and Miners Bank for the \$300,000.00 loan to repair the roof at Dryden Elementary over a four-year term. The School Board is requesting permission from the Board to proceed with that loan.

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It was moved by Mr. Mosley, seconded by Mr. Slemp, to approve the financing proposal from Farmers and Miners Bank and allow the School Board to proceed with the loan. Upon the question being put the vote was as follows.

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

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**RESOLUTION OF CONSENT AND MORAL OBLIGATION FOR DRYDEN WATER AUTHORITY BOND**

Mr. Poe reported that Dryden Water Authority is looking to issue Bonds not to exceed \$161,000.00, in conjunction with grant funds, for water line improvements. In order to do that, they will need a Resolution of Consent from the County. It would also require a moral obligation from the County.

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It was moved by Mr. Mosley, seconded by Mr. Slemp, to approve the Resolution of Consent and Moral Obligation. Upon the question being put the vote was as follows.

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

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**RESOLUTION OF THE BOARD OF SUPERVISORS OF LEE COUNTY, VIRGINIA CONSENTING TO THE ISSUANCE OF A \$161,000 WATER REVENUE BOND BY THE DRYDEN WATER AUTHORITY AND AUTHORIZING THE EXECUTION OF A SUPPORT AGREEMENT PROVIDING FOR LEE COUNTY’S MORAL OBLIGATION TO MAKE CERTAIN APPROPRIATIONS WITH RESPECT TO THE BOND**

**20-010**

The Dryden Water Authority (the “Authority”) proposes to issue its not to exceed \$161,000 Water Revenue Bond, Series 2020 (the “Bond”) to the Virginia Resource Authority, as Administrator of the Virginia Water Supply Revolving Fund (the “VRA”),



to finance improvements to the Authority's water system (the "System) in Eastern Lee County service area of Lee County (the "Project").

The Authority has requested the Board of Supervisors of Lee County, Virginia (the "County") to facilitate the issuance and sale of the Bond by consenting to the issuance of the Bond and providing for the County's moral obligation to make certain appropriations to the Authority with respect to the Bond and the System.

As part of its plan for financing the Project, the Authority proposes to execute the following documents, drafts of which have been presented to the Board of Supervisors at this meeting:

- a. Financing Agreement (the "Financing Agreement") between the Authority and the VRA; and
- b. Support Agreement (the "Support Agreement"), between the Authority, the Board of Supervisors of the County, and the VRA.

**BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF LEE COUNTY, VIRGINIA:**

1. The Authority's plan of financing for the Project, substantially on the terms set forth in the Financing Agreement and which involves the issuance of the Bond, is approved. The Board of Supervisors consents to the issuance of the Bond.

2. The Board of Supervisors agrees, in accordance with the Support Agreement, to pay to the Authority amounts sufficient to pay (i) the debt service under the Bond and any other indebtedness secured by or payable from the revenues of the System, including the Existing Parity Bonds set forth on Exhibit F to the Financing Agreement, (ii) the operation and maintenance expense of the system of which the Project is a part, (iii) additional payments for costs and expenses related to any amendment, waiver, consent, or collection or enforcement proceedings under the Financing Agreement, and (iv) the Reserve Deficiency Amount, as defined in the Support Agreement, all of which shall be subject to annual appropriation by the Board of Supervisors, all on the terms and conditions to be provided in the Support Agreement. The County's obligations to make payments to the Authority pursuant to this resolution shall be subject to and dependent upon annual appropriations being made from time to time by the Board of Supervisors for such purpose. Nothing in this resolution, the Bond or the Support Agreement shall constitute a debt of the County within the meaning of any constitutional or statutory limitation or a pledge of the faith or credit or the taxing power of the County.

3. The Board of Supervisors acknowledges that (i) the obligations of the Authority to determine, and of the County to pay, the charges for the use of and for services to be furnished by the System (as defined in the Financing Agreement) are

crucial to the security for the Bond, (ii) VRA would not purchase the Bond without the security and credit enhancement provided by the Support Agreement, (iii) VRA will be a third party beneficiary of the Support Agreement for so long as the Bond remains outstanding, and (iv) VRA is treating the Support Agreement as a “local obligation” within the meaning of Section 62.1-199 of the Code of Virginia of 1950, as amended (the “Virginia Code”), which in the event of a nonpayment thereunder authorizes VRA to file an affidavit with the Governor that such nonpayment has occurred pursuant to Section 62.1-216.1 of the Virginia Code. Section 62.1-216.1 of the Virginia Code provides that if the Governor is satisfied that such nonpayment has occurred, the Governor will immediately make an order directing the Comptroller to withhold all further payment to the County of all funds, or of any part of them, appropriated and payable by the Commonwealth of Virginia to the County for any and all purposes, and the Governor will, while the nonpayment continues, direct in writing the payment of all sums withheld by the Comptroller, or as much of them as is necessary, to VRA, so as to cure, or cure insofar as possible, such nonpayment.

4. Any one of the Chairman or Vice-Chairman of the Board of Supervisors or the County Administrator is authorized and directed to execute and deliver the Support Agreement on behalf of the County, the form of which is approved. The Support Agreement shall be in substantially the form as presented to this meeting, with such changes, insertions and deletions as may be approved by the officer executing it, his execution to constitute conclusive evidence of his approval of any such changes, insertions or deletions; provided, however, that the terms of the Bond are substantially as stated in this resolution. The County Administrator is authorized and directed to take such actions and give such notices as may be required of him under the Support Agreement

5. This resolution shall take effect immediately upon its adoption. Unless otherwise defined, each capitalized term used in this Resolution shall have the meaning given in the Financing Agreement.

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**REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR**

**FACE COVERINGS**

Mr. Poe stated since June 29 there has been an increase of 51 COVID-19 cases and there have been a few near misses within the courthouse. The main doors of the Courthouse have been posted that a mask is required to enter, with the rise in cases, Mr. Poe is requesting the Board make it mandatory for employees to wear a face covering while entering and exiting the building and anytime they are in the hallways. The Sheriff also mentioned checking temperatures at the door and anyone with temperature of 100 or higher be turned away.

It was moved by Mr. Smith, seconded by Mr. Mosley, to require employees to wear face coverings while entering and exiting the building and anytime they are out of their office. Upon the question being put the vote was as follows.

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

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### **FENCING PAYMENTS**

Mr. Poe stated that the fence for the Dryden and 606 sites are up; when the gates were delivered, they were wrong and had to be returned so the gates are delayed. Mr. Collingsworth and his crew have been working on installing electric on the fence at Dryden; however, the bears have damaged another portion of the fence and Mr. Poe approved repairs to be made on that portion of the fence as well, which cost \$3,106.50. The total cost of these projects is \$21,868.80 and Mr. Poe is requesting to pay 75%, which would be \$16,401.60 and \$3,106.50 for the additional fence work at the Dryden site.

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It was moved by Mr. Kolb, seconded by Mr. Leonard, to approve 75% payment for the fencing project in the amount of \$16,401.60, and the \$3,106.50 for additional work at Dryden. Upon the question being put the vote was as follows.

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

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### **CARES FUNDING**

Mr. Poe stated that there are CARES funds available to Registrar's to help offset costs associated with the 2020 Presidential election, for items such as: mailings, equipment to handle the increase in voting preferences and personnel, expenditures related to the protection of the health and safety of the poll workers, staff, voters, mailing costs, printing cost for ballots, mailers, postage, any additional equipment needed and any temporary staff. Lee County is eligible for up to \$56,177.00 and the County would have to send notification by July 31, 2020.

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It was moved by Mr. Mosley, seconded by Mr. Kolb, to accept the CARES funding for the Registrar for the 2020 Presidential Election. Upon the question being put the vote was as follows.

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

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**TOURISM GRANT**

Mr. Poe stated that he received notification about a Virginia Tourism Corporation Marketing Grant and that Spearhead Trails contacted him offering to do all the work on submitting the grant, doing promotions and marketing for existing programs that Spearhead Trails already has in the County. There would be no cash match required by the County.

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It was moved by Mr. Kolb, seconded by Mr. Mosley, to approve the Tourism Grant to be administered by Spearhead Trails. Upon the question being put the vote was as follows.

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

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**POLICE VEHICLES**

Mr. Poe reported that the police vehicles ordered last year have been held up due to COVID-19 pandemic. Last week, it was reported that the vehicles could be here in mid-August. Major Woodard has requested that all the additional equipment be ordered, at a cost of \$7,484.70 per vehicle, total amount of \$29,938.80. Mr. Poe stated that since the vehicles were not delivered in the last fiscal year, there would need to be a re-appropriation of the unspent funds to this fiscal year in the amount of \$32,949.57.

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It was moved by Mr. Leonard, seconded by Mr. Mosley, to purchase the additional equipment needed for the new police vehicles in the amount of \$29,938.80 and to approve the following Supplemental Re-Appropriation. Upon the question being put the vote was as follows.

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

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Revenue Source:  
3-001-41050-0099                      Budget Supplements from Reserve    \$ 32,949.57

Expenditure:

4-001-31700-8105

Capital Outlay

\$ 32,949.57

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### **INTERVIEWS FOR GENERAL LABORER AND FIELD INSPECTOR**

Mr. Poe stated that applications were provided at the July 1 meeting and interviews need to be scheduled.

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It was consensus of the Board to hold interviews for the General Laborer position on August 5, 2020 at 1:30 p.m.

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### **CIRCUIT COURT CLERK'S OFFICE AIR CONDITIONING**

It was moved by Mr. Mosley, seconded by Mr. Kolb, to proceed with engineer creating proposals for installing air conditioning in Circuit Court Clerk's Office, as well as other proposed improvements. Upon the question being put the vote was as follows.

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

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### **REPORTS AND RECOMMENDATIONS OF THE BOARD**

#### **COUNTY CODE RECODIFICATION**

Mr. Poe stated that he included a request for proposals in the packet for the Board to review.

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It was moved by Mr. Kolb, seconded by Mr. Mosley, to proceed with the RFP for recodification. Upon the question being put the vote was as follows.

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

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### **COVID-19 EXPENDITURES**

Mr. Kolb stated this would be taken up at the August 5, 2020 recessed meeting.

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**COUNTY CODE**

Mr. Kolb stated that the Board had talked about adopting the state traffic code as part of the County Code, and asked if a public hearing could be set.

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Mr. Poe stated that a date could be set, but when it is advertised, a copy of the proposed ordinance needs to be available. He added that Ms. Munsey suggested the Board form a committee to work with her on the ordinance.

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It was consensus of the Board for Mr. Kolb to work with Ms. Munsey on the County Code.

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**MEALS AND CIGARETTE TAX**

Mr. Kolb asked about the status of the meals and cigarette tax.

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Mr. Poe stated that the cigarette tax could not take effect until July 1, 2021, and that the meals tax will be effective as soon as the Commissioner of Revenue has everything in place.

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**WORKS PROGRAM**

Mr. Kolb stated that the Board has discussed a Works program a few times, and asked if action could be taken next month, or if there is any discussion on a handbook, location or anything that could progress the program along.

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Mr. Leonard asked if COVID has slowed the programs down.

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Mr. Kolb stated that he could not answer that question. The first thing the Board needs to do is make preliminary plans on a handbook, salary, how many employees would be needed and office space.

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Mr. Mosley stated that the County needs to explore other localities programs.

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Mr. Kolb stated that other localities programs are ran by the Commonwealth's Attorney, but ours does not want to administer it.

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It was moved by Mr. Kolb, seconded by Mr. Leonard, to advertise for office space to rent within a mile of the courthouse. Upon the question being put the vote was as follows.

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

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#### **COMMONWEALTH ATTORNEY'S OFFICE**

Mr. Kolb stated that he was in the Commonwealth Attorney's Office and there is a lot of moisture in that office space causing mold to grow on the codebooks, even with dehumidifiers running every day. He stated that one option would be to mount the dehumidifier on the wall and fixing it to drain into the sink.

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It was moved by Mr. Kolb, seconded by Mr. Slemp, to mount the dehumidifier on the wall and fixing it to drain into the sink. Upon the question being put the vote was as follows.

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

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#### **AIRPORT RUNWAY**

Mr. Kolb stated that several pilots have mentioned the striping issue, and at this point it is an emergency. Mr. Kolb got a quote for the striping work in the amount of \$19,260.00.

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It was moved by Mr. Kolb, to have the airport runway stripped under code section 2.2-403(f), document that is an emergency and award the bid, not to exceed \$20,000.00.

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Prior to the second, Mr. Poe stated that even if grant funds are used, it still requires FAA approval, and asked what the bid includes.

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Mr. Kolb stated that it was for restriping and a treatment that might be used to remove the fungus.

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Mr. Poe stated that the last time it was redone, the old stripping was removed.

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Mr. Kolb stated he would table the issue and gather more information.

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**BRIDGE**

Mr. Mosley asked if Mr. Poe had heard anything from VDOT on the bridge in Stickleyville.

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Mr. Poe stated he has not.

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**THOMAS WALKER RESCUE SQUAD**

Mr. Mosley stated that there needs to be a meeting with Thomas Walker Rescue, Mr. Poe, Mr. Bailey and Sheriff Parsons on Friday at 1:00 p.m.

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**COMMUNITY CENTER DONATIONS**



It was moved by Mr. Slemp, seconded by Mr. Smith, to donate \$2,500.00 to the Sticklelyville, White Rocks and Keokee Community Centers. Upon the question being put the vote was as follows.

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

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### **CLOSED SESSION**

It was moved by Mr. Kolb, seconded by Mr. Mosley, to enter Closed Session pursuant to Code 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 Code 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. Kolb, Mr. Leonard, Mr. Mosley, Mr. Slemp, Mr. Smith

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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. Kolb, Mr. Leonard, Mr. Mosley, Mr. Slemp, Mr. Smith

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### **CERTIFICATE OF CLOSED SESSION**

It was unanimously agreed as follows.

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

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

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

Motion convening the Closed Meeting were heard, discussed or considered by the Lee County Board of Supervisors.

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It was moved by Mr. Mosley, seconded by Mr. Smith, to recess to August 5, 2020 at 1:30 p.m. Upon the question being put the vote was as follows.

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

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CHAIRMAN OF THE BOARD

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CLERK OF THE BOARD