

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 June 21, 2016 at 6:00 p.m. thereof.

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

MEMBERS ABSENT: None

OTHERS PRESENT: Dane Poe, County Administrator

OTHERS ABSENT: Stacy Estep Munsey, County Attorney
Jeny Hughes, Administrative Assistant

INVOCATION

Nathan Cope led in the invocation.

PLEDGE TO THE FLAG

Larry Mosley led the Pledge to the Flag.

MEETING CALLED TO ORDER

The meeting was called to order at 6:01 p.m.

DEPARTMENTAL REPORTS

ECONOMIC DEVELOPMENT

Mike James, Economic Development, reported that the IDA and the Southwest Virginia Regional Workforce Development hosted a job fair with 80 people attending the job fair. On July 19, there will be a POWER initiative training session that is for displaced coalmine workers. He is working with Adult Education to schedule classes through Plugged in Virginia, and with the School System on a Certified Work Ready Community status for Lee County. He stated that the IDA would be closing with the sale of the Patriot Center to the Town of Pennington Gap within the next several days, and are continuing to market the remaining properties. The IDA continues to feature a spotlight business of the month. The Planning Commission finished with the first phase of the Zoning reviews. His department issued 49 zoning permits for the quarter and he visited 16 properties regarding Zoning issues.

Mr. Smith asked what was the asking price for the shell building at Constitutional Oaks.

Mr. James stated that the Real Estate firm suggested an as-is asking price of \$995,000.00.

TOURISM

Ashley Seals, Tourism Director was unable to attend the meeting.

DELEGATIONS

**LENOWISCO HEALTH DISTRICT
ZIKA UPDATE
DR. CANTRELL**

Dr. Cantrell presented an update on the ZIKA virus, how to avoid being infected and how to help reduce breeding of the mosquito. She also reviewed the County Health Rankings.

**PLANNING DISTRICT ONE BEHAVIORAL HEALTH
DONNA STANLEY**

Donna Stanley presented the Planning District One Behavioral Health update. She stated that the Planning District continues to grow and so does the need for the services.

CONSTITUTIONAL OFFICERS

TREASURER'S REPORT

The Treasurer's Report for the month of May 2016 was submitted as follows:

| | |
|------------------------------|-----------------|
| Revenues | \$ 5,884,251.97 |
| Expenditures | \$ 4,800,938.80 |
| General Fund | \$ 9,239,903.60 |
| Total Assets and Liabilities | \$14,772,774.52 |

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 5-minute time-period for a group.

Roger Elkins, Daniel Boone Soil and Water District, presented information on AMD projects conducted in the County.

There was no further public comment.

The chairman closed the floor.

Mr. Mosley left the meeting at 7:43 p.m.

APPROVAL OF MINUTES

It was moved by Mr. Cope, seconded by Mr. Leonard, to approve the minutes of the May 17, 2016 Public Hearing, May 17, 2016 Regular Meeting, May 26, 2016 Recessed Meeting and the June 2, 2016 Recessed Meeting. Upon the question being put the vote was as follows.

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

PAYROLL

The County Administrator reports that payroll warrants have been issued.

Mr. Mosley returned to the meeting at 7:45 p.m.

APPROVAL OF DISBURSEMENTS

It was moved by Mr. Cope, seconded by Mr. Slemp, to approve the disbursements for the month of June in the amount of \$130,834.91. 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

BOARD OF SUPERVISORS

It was moved by Mr. Mosley, seconded by Mr. Cope, to approve a supplemental appropriation in the amount of \$19,227.50 to the Board of Supervisors as follows. Upon the question being put the vote was as follows.

| | | |
|------------------|--------------------------------|--------------|
| Revenue Source | | |
| 3-001-41050-0099 | Budget Supplement from Reserve | \$ 19,227.50 |
| Expenditure | | |
| 4-001-11010-5899 | Miscellaneous | \$ 19,227.50 |

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

BOARD OF SUPERVISORS

It was moved by Mr. Mosley, seconded by Mr. Cope, to approve a supplemental appropriation in the amount of \$50,000.00 to the Board of Supervisors as follows. Upon the question being put the vote was as follows.

| | | |
|------------------|--------------------------------|--------------|
| Revenue Source | | |
| 3-001-41050-0099 | Budget Supplement from Reserve | \$ 50,000.00 |

| | | |
|------------------|---------------|--------------|
| Expenditure | | |
| 4-001-11010-5899 | Miscellaneous | \$ 50,000.00 |

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

CIRCUIT COURT

It was moved by Mr. Mosley, seconded by Mr. Cope, to approve a supplemental appropriation in the amount of \$7,651.59 to Circuit Court as follows. Upon the question being put the vote was as follows.

| | | |
|------------------|-----------------------------|-------------|
| Revenue Source | | |
| 3-001-18990-0051 | Drug Court Donations & Fees | \$ 7,651.59 |

| | | |
|------------------|------------|-------------|
| Expenditure | | |
| 4-001-21120-5899 | Drug Court | \$ 7,651.59 |

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

CENTRAL GARAGE

It was moved by Mr. Mosley, seconded by Mr. Cope, to approve a supplemental appropriation in the amount of \$19,922.25 to the Central Garage as follows. Upon the question being put the vote was as follows.

| | | |
|------------------|-----------------------|--------------|
| Revenue Source | | |
| 3-001-18990-0013 | VACO Insurance Claims | \$ 19,922.25 |

| | | |
|------------------|--------------------------|--------------|
| Expenditure | | |
| 4-001-12520-6009 | Vehicle Supplies (Parts) | \$ 19,922.25 |

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

CENTRAL GARAGE

It was moved by Mr. Mosley, seconded by Mr. Cope, to approve a supplemental appropriation in the amount of \$13,993.45 to the Central Garage as follows. Upon the question being put the vote was as follows.

| | | |
|------------------|----------------|--------------|
| Revenue Source | | |
| 3-001-18990-0007 | Central Garage | \$ 13,993.45 |

| | | |
|------------------|-----------------------|--------------|
| Expenditure | | |
| 4-001-12520-6109 | DSS/PSA Vehicle Parts | \$ 13,993.45 |

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

CIRCUIT COURT CLERK

It was moved by Mr. Mosley, seconded by Mr. Cope, to approve a supplemental appropriation in the amount of \$6,007.50 to the Circuit Court Clerk as follows. Upon the question being put the vote was as follows.

| | | |
|------------------|--------------------|-------------|
| Revenue Source | | |
| 3-001-18030-0006 | Reimbursements | \$ 6,007.50 |
| Expenditure | | |
| 4-001-21600-1350 | Part-Time Salaries | \$ 6,007.50 |

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

SHERIFF'S DEPARTMENT

It was moved by Mr. Mosley, seconded by Mr. Cope, to approve a supplemental appropriation in the amount of \$8,910.00 to the Board of Supervisors as follows. Upon the question being put the vote was as follows.

| | | |
|------------------|--------------------------|-------------|
| Revenue Source | | |
| 3-001-23020-0015 | VDOT Litter/Road Cleanup | \$ 8,910.00 |
| Expenditure | | |
| 4-001-31200-1350 | VDOT Road Crew Cleanup | \$ 8,910.00 |

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

EMERGENCY SERVICES

It was moved by Mr. Mosley, seconded by Mr. Cope, to approve a supplemental appropriation in the amount of \$5,998.20 to Emergency Services as follows. Upon the question being put the vote was as follows.

| | | |
|------------------|-----------------------|-------------|
| Revenue Source | | |
| 3-001-24040-0049 | COPS Technology Grant | \$ 5,998.20 |
| Expenditure | | |
| 4-001-32400-5875 | COPS Technology Grant | \$ 5,998.20 |

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

DSS CONTRIBUTIONS VRS/SGL

It was moved by Mr. Mosley, seconded by Mr. Cope, to approve a supplemental appropriation in the amount of \$49,192.98 to DSS Contributions VRS/SGL as follows. Upon the question being put the vote was as follows.

| | | |
|------------------|-----------------------------------|--------------|
| Revenue Source | | |
| 3-001-19020-0002 | VRS-Social Services Contributions | \$ 46,014.82 |
| 3-001-19020-0003 | SGL-Social Services Contributions | \$ 3,178.16 |
| Expenditure | | |
| 4-001-91100-2210 | DSS-VRS Contributions | \$ 46,014.82 |
| 4-001-91100-2400 | DSS-SGL Contributions | \$ 3,178.16 |

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

WOODWAY HOUSING REHAB

It was moved by Mr. Mosley, seconded by Mr. Cope, to approve a supplemental appropriation in the amount of \$15,000.00 to the Woodway Housing and Rehab Grant as follows. Upon the question being put the vote was as follows.

| | | |
|------------------|---------------------------|--------------|
| Revenue Source | | |
| 3-001-22010-0011 | Grants and Reimbursements | \$ 15,000.00 |

| | | |
|------------------|--------------------------------|--------------|
| Expenditure | | |
| 4-001-91315-8212 | Woodway Housing Rehab Expenses | \$ 15,000.00 |

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

COAL ROAD IMPROVEMENT

It was moved by Mr. Mosley, seconded by Mr. Cope, to approve a supplemental appropriation in the amount of \$488.36 to the Coal Road Improvement as follows. Upon the question being put the vote was as follows.

| | | |
|-----------------|-------------------|-----------|
| Revenue Source | | |
| 3-027-12150-001 | Gas Severance Tax | \$ 488.36 |

| | | |
|------------------|---------------------------------|-----------|
| Expenditure | | |
| 4-027-95100-5860 | Gas Severance Tax Disbursements | \$ 488.36 |

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

ECONOMIC DEVELOPMENT FUND

It was moved by Mr. Mosley, seconded by Mr. Cope, to approve a supplemental appropriation in the amount of \$22,925.29 to the Economic Development Fund as follows. Upon the question being put the vote was as follows.

| | | |
|------------------|------------------------------|--------------|
| Revenue Source | | |
| 3-061-15020-0001 | Economic Development Revenue | \$ 22,925.29 |

| | | |
|------------------|--------------|--------------|
| Expenditure | | |
| 4-061-94100-5899 | IDA Expenses | \$ 22,925.29 |

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

NEW BUSINESS

BOARD APPOINTMENTS

LONESOME PINE REGIONAL LIBRARY

It was moved by Mr. Mosley, seconded by Mr. Leonard, to appoint Roberta Smallwood to a four-year term on the Lonesome Pine Regional Library. Ms. Smallwood's term will expire June 30, 2020. Upon the question being put the vote was as follows.

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

MOUNTAIN EMPIRE COMMUNITY COLLEGE

It was moved by Mr. Leonard, seconded by Mr. Mosley, to appoint Stacy Munsey to a four-year term on the Mountain Empire Community College Advisory Board. Ms. Munsey's term will expire June 30, 2020. Upon the question being put the vote was as follows.

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

DRYDEN FIRE DEPARTMENT EMERGENCY MEDICAL APPROVAL

Mr. Poe reported that at the May Regular Meeting, a representative of Dryden Volunteer Fire Department requested the Board's consideration and approval of them establishing rescue services in addition to fire. The Board will need to adopt a Resolution authorizing them to provide emergency medical services in the county for them to proceed with establishing the agency and obtaining state certification.

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

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

**RESOLUTION OF APPROVAL OF
EMERGENCY MEDICAL SERVICES ORGANIZATION
DRYDEN VOLUNTEER FIRE DEPARTMENT
16-020**

WHEREAS, Section 15.2-955 of the Code of Virginia, 1950, as amended, requires the local governing body approval of any emergency medical service organization operating within that locality; and

WHEREAS, Dryden Volunteer Fire Department has appeared before the Lee County Board of Supervisors to request approval to provide emergency medical services to the citizens of Lee County; and

WHEREAS, the Lee County Board of Supervisors has determined it to be in the best interest of the citizens of Lee County for Dryden Volunteer Fire Department to provide these services;

NOW, THEREFORE, BE IT RESOLVED, the Lee County Board of Supervisors grants approval to Dryden Volunteer Fire Department to establish emergency medical services within Lee County, subject to their compliance with regulations of the Commonwealth of Virginia.

**RURAL RUSTIC DESIGNATION OF SIX-YEAR PLAN
PROJECTS**

Mr. Poe reported that The Six-Year Secondary Roads Plan was adopted at the May Regular Meeting. At that time, VDOT representatives explained that the roads on the Plan needed to be designated as Rural Rustic in order to complete the projects at a lower cost. There will need to be a Resolution adopted for each project. Mr. Poe added that a property owner called about the Friendship Road project regarding the community being opposed to this project. He has received four signed affidavits, two of which own property on that road, but do not live there.

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

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

**RESOLUTION
16-013**

WHEREAS, Section 33.3-332 of the Code of Virginia, permits the hard surfacing of certain unpaved roads deemed to qualify for designation as a Rural Rustic Road; and

WHEREAS, any such road must be located in a low-density development area and have no more than 1,500 vehicles per day; and

WHEREAS, the Board of Supervisors of Lee County, Virginia (“Board”) desires to consider whether Route 622, Stone Mountain Road, From: 0.11 miles North of Route 621 To: 1.41 miles North of Route 621 should be designated a Rural Rustic Road; and

WHEREAS, the Board is unaware of pending development that will significantly affect the existing traffic on this road; and

WHEREAS, the Board believes that this road should be designated due to its qualifying characteristics; and

WHEREAS, this road is in the Board’s six-year plan for improvements to the secondary system of state highways.

NOW, THEREFORE, BE IT RESOLVED, the Board hereby designates this road a Rural Rustic Road, and requests that the Residency Administrator for the Virginia Department of Transportation concur in this designation.

BE IT FURTHER RESOLVED, the Board requests that this road be hard surfaced and, to the fullest extent prudent, be improved within the existing right-of-way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in their current state.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Virginia Department of Transportation Residency Administrator..

**RESOLUTION
16-014**

WHEREAS, Section 33.3-332 of the Code of Virginia, permits the hard surfacing of certain unpaved roads deemed to qualify for designation as a Rural Rustic Road; and

WHEREAS, any such road must be located in a low-density development area and have no more than 1,500 vehicles per day; and

WHEREAS, the Board of Supervisors of Lee County, Virginia (“Board”) desires to consider whether Route 671, McLin Hollow Road, From: 0.53 miles East of Route 58 To: Route 672 should be designated a Rural Rustic Road; and

WHEREAS, the Board is unaware of pending development that will significantly affect the existing traffic on this road; and

WHEREAS, the Board believes that this road should be designated due to its qualifying characteristics; and

WHEREAS, this road is in the Board’s six-year plan for improvements to the secondary system of state highways.

NOW, THEREFORE, BE IT RESOLVED, the Board hereby designates this road a Rural Rustic Road, and requests that the Residency Administrator for the Virginia Department of Transportation concur in this designation.

BE IT FURTHER RESOLVED, the Board requests that this road be hard surfaced and, to the fullest extent prudent, be improved within the existing right-of-way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in their current state.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Virginia Department of Transportation Residency Administrator..

RESOLUTION
16-015

WHEREAS, Section 33.3-332 of the Code of Virginia, permits the hard surfacing of certain unpaved roads deemed to qualify for designation as a Rural Rustic Road; and

WHEREAS, any such road must be located in a low-density development area and have no more than 1,500 vehicles per day; and

WHEREAS, the Board of Supervisors of Lee County, Virginia (“Board”) desires to consider whether Route 850, Martin Wolf Road, From: Route 661 To: 1.00 mile North of Route 661 should be designated a Rural Rustic Road; and

WHEREAS, the Board is unaware of pending development that will significantly affect the existing traffic on this road; and

WHEREAS, the Board believes that this road should be designated due to its qualifying characteristics; and

WHEREAS, this road is in the Board’s six-year plan for improvements to the secondary system of state highways.

NOW, THEREFORE, BE IT RESOLVED, the Board hereby designates this road a Rural Rustic Road, and requests that the Residency Administrator for the Virginia Department of Transportation concur in this designation.

BE IT FURTHER RESOLVED, the Board requests that this road be hard surfaced and, to the fullest extent prudent, be improved within the existing right-of-way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in their current state.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Virginia Department of Transportation Residency Administrator.

**RESOLUTION
16-016**

WHEREAS, Section 33.3-332 of the Code of Virginia, permits the hard surfacing of certain unpaved roads deemed to qualify for designation as a Rural Rustic Road; and

WHEREAS, any such road must be located in a low-density development area and have no more than 1,500 vehicles per day; and

WHEREAS, the Board of Supervisors of Lee County, Virginia (“Board”) desires to consider whether Route 625, Sigma Road, From: Route 862 To: end of state maintenance should be designated a Rural Rustic Road; and

WHEREAS, the Board is unaware of pending development that will significantly affect the existing traffic on this road; and

WHEREAS, the Board believes that this road should be designated due to its qualifying characteristics; and

WHEREAS, this road is in the Board’s six-year plan for improvements to the secondary system of state highways.

NOW, THEREFORE, BE IT RESOLVED, the Board hereby designates this road a Rural Rustic Road, and requests that the Residency Administrator for the Virginia Department of Transportation concur in this designation.

BE IT FURTHER RESOLVED, the Board requests that this road be hard surfaced and, to the fullest extent prudent, be improved within the existing right-of-way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in their current state.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Virginia Department of Transportation Residency Administrator..

**RESOLUTION
16-017**

WHEREAS, Section 33.3-332 of the Code of Virginia, permits the hard surfacing of certain unpaved roads deemed to qualify for designation as a Rural Rustic Road; and

WHEREAS, any such road must be located in a low-density development area and have no more than 1,500 vehicles per day; and

WHEREAS, the Board of Supervisors of Lee County, Virginia (“Board”) desires to consider whether Route 688, Dry Branch Road, From: Route 690 To: end of state maintenance should be designated a Rural Rustic Road; and

WHEREAS, the Board is unaware of pending development that will significantly affect the existing traffic on this road; and

WHEREAS, the Board believes that this road should be designated due to its qualifying characteristics; and

WHEREAS, this road is in the Board’s six-year plan for improvements to the secondary system of state highways.

NOW, THEREFORE, BE IT RESOLVED, the Board hereby designates this road a Rural Rustic Road, and requests that the Residency Administrator for the Virginia Department of Transportation concur in this designation.

BE IT FURTHER RESOLVED, the Board requests that this road be hard surfaced and, to the fullest extent prudent, be improved within the existing right-of-way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in their current state.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Virginia Department of Transportation Residency Administrator..

**RESOLUTION
16-018**

WHEREAS, Section 33.3-332 of the Code of Virginia, permits the hard surfacing of certain unpaved roads deemed to qualify for designation as a Rural Rustic Road; and

WHEREAS, any such road must be located in a low-density development area and have no more than 1,500 vehicles per day; and

WHEREAS, the Board of Supervisors of Lee County, Virginia (“Board”) desires to consider whether Route 656, Friendship Hollow Road, From: Route 659 To: 1.0 mile South of Route 659 should be designated a Rural Rustic Road; and

WHEREAS, the Board is unaware of pending development that will significantly affect the existing traffic on this road; and

WHEREAS, the Board believes that this road should be designated due to its qualifying characteristics; and

WHEREAS, this road is in the Board’s six-year plan for improvements to the secondary system of state highways.

NOW, THEREFORE, BE IT RESOLVED, the Board hereby designates this road a Rural Rustic Road, and requests that the Residency Administrator for the Virginia Department of Transportation concur in this designation.

BE IT FURTHER RESOLVED, the Board requests that this road be hard surfaced and, to the fullest extent prudent, be improved within the existing right-of-way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in their current state.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Virginia Department of Transportation Residency Administrator..

**RESOLUTION
16-019**

WHEREAS, Section 33.3-332 of the Code of Virginia, permits the hard surfacing of certain unpaved roads deemed to qualify for designation as a Rural Rustic Road; and

WHEREAS, any such road must be located in a low-density development area and have no more than 1,500 vehicles per day; and

WHEREAS, the Board of Supervisors of Lee County, Virginia (“Board”) desires to consider whether Route 771, Greenleaf Road, From: Route 653 To: Route 652 should be designated a Rural Rustic Road; and

WHEREAS, the Board is unaware of pending development that will significantly affect the existing traffic on this road; and

WHEREAS, the Board believes that this road should be designated due to its qualifying characteristics; and

WHEREAS, this road is in the Board's six-year plan for improvements to the secondary system of state highways.

NOW, THEREFORE, BE IT RESOLVED, the Board hereby designates this road a Rural Rustic Road, and requests that the Residency Administrator for the Virginia Department of Transportation concur in this designation.

BE IT FURTHER RESOLVED, the Board requests that this road be hard surfaced and, to the fullest extent prudent, be improved within the existing right-of-way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in their current state.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Virginia Department of Transportation Residency Administrator..

CORP OF ENGINEERS AGREEMENT FOR WESTERN LEE SEWER

Mr. Poe presented the Board with a proposed agreement with the Army Corp of Engineers for the Western Lee Sewer Project, which requires commitment for a 25 percent match from the local sponsor. The overall project is expected to cost approximately \$11 million with the initial phase consisting of design services expected to be approximately \$350,000. The LENOWISCO Planning District Commission will provide the local sponsor match for design services. The local match for project construction is anticipated to come from the Virginia Tobacco Commission, ARC, CDBG and other possible funding sources. Construction is not expected to begin until 2018 or after. In order to move the project forward and allow the Corp to begin design of the system, this agreement must be approved. He added that the Western Lee Sewer project is very much needed in order to further development of that portion of the County.

It was moved by Mr. Smith, seconded by Mr. Slemp, to approve Army Corp of Engineers Agreement for the Western Lee Sewer Project. Upon the question being put the vote was as follows.

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

MEMORANDUM OF UNDERSTANDING WITH DANIEL BOONE SOIL & WATER

Mr. Poe stated that since July 1, 2014 the Daniel Boone Soil and Water Conservation District has administered the County's Erosion and Sediment Control Program. Their Board of Directors has requested that a written agreement be in place for the service. Mr. Poe presented the Board with a proposed Memorandum of Understanding to designate the obligations of each party for their continued administration of the Erosion and Sediment Control Program within the County.

Roger Elkins, Daniel Boone Soil and Water Conservation, stated that they recently realized that there was not a formal agreement for overseeing the Erosion and Sediment Control Program, and the Soil and Water District wanted something in writing.

It was moved by Mr. Mosley, seconded by Mr. Leonard, to approve Memorandum of Understanding with Daniel Boone Soil & Water Conservation District. Upon the question being put the vote was as follows.

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

NEW TRANSFER STATION PAY REQUEST NUMBER 13

Mr. Poe reported that he has received Pay Request Number 13 from Green Construction Company in the amount of \$80,425.77 for work completed in the past month on construction of the new Transfer Station. The architect has recommended payment.

It was moved by Mr. Mosley, seconded by Mr. Leonard, to approve Pay Request Number 13 from Green Construction Company in the amount of \$80,425.77. Upon the question being put the vote was as follows.

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

ESTABLISHMENT OF PUBLIC SCHOOLS CAPITAL RESERVE FUND

Mr. Poe presented two documents to the Board for their consideration of creating a Public Schools Capital Reserve Fund to be used to finance needed school facilities improvements. The first document was a Resolution creating the fund and the second was a guideline for the source and use of the funds. The School Board is in agreement that any year-end savings in their budget would be split into two pots. One third of that savings would revert to the County's General Fund and two-thirds would be deposited into the Capital Reserve Funds. The Board of Supervisors would be free to contribute to the fund as they deem appropriate. As needs are determined by the School Board, they will request the funds for specific projects at which time the Board of Supervisors will decide whether to approve and appropriate the funds. This, in essence, gives the Board of Supervisors final approval of a project funded by these monies.

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

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

**RESOLUTION
ESTABLISHING THE LEE COUNTY PUBLIC SCHOOLS
CAPITAL RESERVE FUND
16-021**

WHEREAS, the Lee County Board of Supervisors and the Lee County School Board have determined that a serious need exists for capital improvements to school properties including future school construction, building additions, renovations, major

maintenance issues, land purchases, architect and engineering fees associated with capital projects, and school buses; and

WHEREAS, the Lee County School Board adopted a policy on May 12, 2016 approving establishment of a Capital Reserve Fund to be used to enhance or advance the School Board approved Capital Improvement Plan or to address other facility needs; and

WHEREAS, the Lee County Board of Supervisors has carefully considered this matter and determined the need for said Capital Reserve Fund;

NOW, THEREFORE, BE IT RESOLVED, the Lee County Board of Supervisors hereby instructs the County Administrator to work with the Lee County Treasurer to establish a fund to be named the “Lee County Public Schools Capital Reserve Fund”;

TRANSFER STATION REQUEST FOR NEW MOWER

Mr. Poe reported that the Transfer Station Superintendent, Gary Collingsworth, has requested to purchase a new bush hog mower. The older mower is only five years old but the frame is breaking up and has been cut due to damage, the stump jumper has been replaced once and has been welded several times. Some of this damage was due to very rough terrain that has since been regraded. Mr. Collingsworth is requesting to replace this 7' unit with a new 10' mower that will save time in mowing operations. He also recommends a tongue style pull-type unit instead of a three point hitch mount which puts additional stress on the tractor. Mr. Collingsworth has obtained quotes of four different brands from four vendors. Prices quoted are as follows:

| | |
|---|------------|
| <u>Lady Equipment</u> | |
| 10' Howse brand mower | \$5,640.00 |
| <u>Greene's Trailer & Equipment</u> | |
| 10' Bush Hog brand mower | \$7,850.00 |
| 10' Tennessee River brand mower | \$4,950.00 |
| <u>Lawson Building Supply</u> | |
| 10' Bush Hog brand mower | \$9,950.00 |
| 10' Landpride brand mower | \$8,650.00 |
| <u>Cox Tractor Company</u> | |
| 10' Bush Hog brand mower | \$7,795.00 |

After viewing all the mowers and reviewing the machine specifications, Mr. Collingsworth recommends the 10' Howse mover from Lady Equipment.

Mr. Smith stated that the Howse is not a good Bush Hog.

Mr. Slemp stated that Bush Hog is a good brand, and he would not buy anything other than the Bush Hog brand.

It was moved by Mr. Leonard, seconded by Mr. Slemp, to table this and get additional information. Upon the question being put the vote was as follows.

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

REPORTS AND RECOMMENDATIONS OF THE COUNTY ATTORNEY

None.

REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR

REFUND REQUEST

Mr. Poe reported that he received a refund request from the Commissioner of Revenue's Office for Winston Terry in the amount of \$11.73 for Erroneously Assessed Real Estate.

It was moved by Mr. Mosley, seconded by Mr. Cope, to approve the refund request for Winston Terry in the amount of \$11.73. Upon the question being put the vote was as follows.

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

SOUTHWEST VIRGINIA LONG TERM RECOVERY COALITION TIPPING FEE WAIVER

Mr. Poe was contacted by Mr. Swecker with Southwest Virginia Long Term Recovery Coalition, they will be doing a roof on a house next week and expect to have around 1 ton on waste material. They are requesting the Board to waive the tipping fee.

It was the consensus of the Board to get more specific information on this project.

IDA LOAN RENEWAL

Mr. Poe reported that the \$50,000, one-year line of credit loan to the IDA is now due. The IDA is requesting a one-year extension on this loan.

It was moved by Mr. Slempp, seconded by Mr. Mosley, to extend the loan to the IDA for another year. Upon the question being put the vote was as follows.

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

EWING FLAGPOLE BID

Mr. Poe stated there was one bid for the Ewing Flagpole in the amount of \$25.00 from Jerry Brown.

It was moved by Mr. Leonard, seconded by Mr. Smith, to accept the bid from Jerry Brown in the amount of \$25.00 for the Ewing Flagpole. Upon the question being put the vote was as follows.

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

REPORTS AND RECOMMENDATIONS OF THE BOARD

Mr. Cope stated that he met with some local fire and rescue departments, and that he may look into to making an oversight committee for the services of fire, rescue, dispatch and the Sheriff's Office.

It was moved by Mr. Slempp, seconded by Mr. Cope, to recess until June 23, 2016 at 6:00 p.m. Upon the question being put the vote was as follows.

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

CHAIRMAN OF THE BOARD

CLERK OF THE BOARD