

VIRGINIA: County of Lee, to-wit:

At the Regular Meeting of the Lee County Board of Supervisors in the Conference Room of the Lee County Courthouse on August 20, 2013 at 5:00 p.m. thereof.

MEMBERS PRESENT: Jason Crabtree, Chairman
Carl Bailey
Larry Mosley
Tina Rowe
Charles Slempp, Jr.

MEMBERS ABSENT: None

OTHERS PRESENT: C.M. Callahan, Jr. County Attorney
Dane Poe, County Administrator
Jeny Hughes, Administrative Assistant

OTHERS ABSENT: None

INVOCATION

Dane Poe, County Administrator, led in the Invocation.

PLEDGE TO THE FLAG

Dane Poe led the Pledge to the Flag.

MEETING CALLED TO ORDER

The meeting was called to order at 5:13 p.m.

DEPARTMENTAL REPORTS

LITTER CONTROL

Josh Fleenor, Litter Control Coordinator, reported the Community Service program had 31 people with 705 bags of trash collected, and 20 people had signed up for the Assign-A-Highway program. He stated that he had met with Jerry Burgan concerning a property in Ocoonita, but would need to go back out once the brush started dying out to recheck that area. He added that he has had 3 complaints pertaining to the dumpsters at Hurricane Bridge Road, and is planning a cleanup event in that area the 2nd weekend of September. He stated that he has received two complaints on personal property, which makes a total 12 cases, and three of those have been resolved. He added that the financial report for the DEQ grant has been submitted, and that he is waiting on a response from that. He stated his office along with Keep Southwest Virginia Beautiful held an event at Leeman Field, where children made stepping-stones for the Stone Creek Outdoor Classroom, and there would be another event in September at the Outdoor Classroom. He is currently working on a map of all illegal dumpsites, and hopes to have a cleanup the last weekend of September.

SOLID WASTE

Gary Collingsworth, Transfer Station Supervisor, reported that they have been working on the Landfill for the past two months and have hauled 600 loads of clay, put down seed and mulch, have gotten the drainage dug, and grass has started growing. The shooting range has been relocated to a safer location. He stated that there has been work on the Keokee site, and Robbins Chapel voting precinct to remove overgrown brush and trees.

Mr. Poe added that moving the firing range was not only for safety, but it is also in the area of where the new Transfer Station will be located, so it was a good time to get that done while they had the equipment. He stated that the work done at the Keokee site has made a great improvement there.

CONSTITUTIONAL OFFICERS

TREASURER'S REPORT

The Treasurer's Report for the month of July 2013 was submitted as follows:

Revenues	\$ 3,300,990.47
Expenditures	\$ 2,924,058.52
General Fund	\$ 8,350,739.76
Total Assets and Liabilities	\$ 14,891,702.82

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, five minutes for a group.

Larry Gullion, Keokee Alumni Association, invited the Board to the Keokee High School reunion on August 30 and 31 at the East Stone Gap Taylor Lewis Baptist Community Center. He stated that there would also be a dedication of the Civil War Marker at Keokee School at 12:00 p.m. on August 31.

There was no further public comment.

The Chairman closed the floor for public comment.

APPROVAL OF MINUTES

It was moved by Mr. Mosley, seconded by Mr. Crabtree, to approve the minutes of the July 16, 2013 Regular Meeting, July 31, 2013 Special Called Meeting, and the August 6, 2013 Recessed Meeting. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slempp

APPROVAL OF REFUNDS

It was moved by Ms. Rowe, seconded by Mr. Mosley, to approve the refund for Jimmy W. Thomas in the amount of \$124.18. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

PAYROLL

The County Administrator reports that payroll warrants have been issued.

APPROVAL OF DISBURSEMENTS

It was moved by Mr. Bailey, seconded by Ms. Rowe, to approve the disbursements for the month of August in the amount of \$262,628.16. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

DELEGATIONS

**POTENTIAL COMMUNITY PLANNING GRANT
SCOTT NAPIER, EXECUTIVE DIRECTOR
LEE COUNTY REDEVELOPMENT AND HOUSING AUTHORITY**

Scott Napier, Executive Director, asked the Board to consider requesting funds from the Department of Housing and Community Development for a community planning grant to do a needs assessment in the Woodway area. The area will be ¼ mile past the river bridge going toward Dot, and going about a mile toward J and L Pit Stop. This is a big area with a lot of houses, and several that could use rehabilitation. He stated that usually what happens is the County sends a request in for a Planning Grant and they fund some preliminary money to do a windshield survey to determine if there is sufficient cause for a full needs assessment. If it is funded the County would contract with the Housing Authority to do a needs assessment. This is for low to moderate-income families that own the properties.

Mr. Poe stated that he thinks it is a good area for a housing rehab project, and that he would love to see a sewer project in that area.

It was move by Mr. Slemp, seconded by Mr. Mosley, to authorize the County Administrator to draft a letter for the Woodway Community Planning Grant. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

**REQUEST FOR EMERGENCY SERVICES PROVIDER
DR. GREG MARION**

LIFE CARE EMERGENCY SERVICES

Dr. Greg Marion, Life Care Emergency Services, stated that Life Care is looking to locate in Lee County and to contract with Wellmont and the nursing homes. He stated that Life Care is willing to sign a non-compete for the 911 service, would hire Lee County employees, and get their resources in Lee County. He added that Life Care wants to be part of the community and be part of the emergency response system, but the main goal is to contract with Wellmont and the nursing homes.

Ms. Rowe asked why this process is different from other businesses.

Mr. Poe stated that any company that provides emergency medical services has to be granted operating authority by the County.

Mr. Slempp asked what the local ambulance service provides.

Mr. Poe stated that the County has volunteer organizations, and Friendship Ambulance Service. The County has granted authority to others, but he believes that Friendship is the only one still operating in Lee County. He added that it gives another alternative if the rescue squads or Friendship is tied up on other calls.

Mr. Slempp stated that he is concerned that this could hurt Friendship and put them out of business.

Mr. Mosley stated that with the situation the way it is with the hospital, the County would need the additional transportation.

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

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slempp

**RESOLUTION OF APPROVAL OF
EMERGENCY MEDICAL SERVICES ORGANIZATION
LIFE CARE EMS, LLC
13-025**

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, Life Care EMS, LLC 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 Life Care EMS, LLC to provide these services;

NOW, THEREFORE, BE IT RESOLVED, the Lee County Board of Supervisors grants approval to Life Care EMS, LLC to establish emergency medical services within Lee County, subject to their compliance with regulations of the Commonwealth of Virginia.

FINANCE

MONTHLY APPROPRIATIONS

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

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

RESOLUTION
MONTHLY APPROPRIATIONS
13-026

WHEREAS, the Lee County Board of Supervisors has approved the Lee County Public School Budget and Virginia Public Assistance Budget for FY2013-14; and

WHEREAS, it is now necessary to appropriate sufficient funds for the contemplated expenditures as they are contained in the Lee County Public School and Virginia Public Assistance Budgets;

NOW, THEREFORE, BE IT RESOLVED, that the following activities 1/12 of the amount shown is appropriated for a 1-month period ending September 30, 2013;

VIRGINIA PUBLIC ASSISTANCE

Federal/State Funds	\$ 5,978,599
Local Funds	<u>1,077,062</u>
TOTAL VIRGINIA PUBLIC ASSISTANCE	\$ 7,055,661

LEE COUNTY PUBLIC SCHOOLS

Categorical Appropriation:

Instruction	\$ 23,912,714
Administration, Attendance and Health	1,721,521
Pupil Transportation	1,937,730
Operation and Maintenance	3,307,797
School Food Services	1,558,843
Facilities	460,218
Technology	712,278
Partially Self-Funded Insurance Fund	<u>3,990,000</u>
TOTAL	\$37,601,101

Source of Revenue:

Federal Funds	\$ 4,066,300
State Funds	24,206,669

Other Funds	71,600
Self Insured Health Fund	3,990,000
Local Funds	4,561,621
Textbook Carryover Funds	<u>704,911</u>
TOTAL PUBLIC SCHOOLS	\$ 37,601,101

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 Public School and Virginia Public Assistance funds and will not exceed the foregoing one and three months appropriations.

The Lee County Treasurer is also directed to revert all unexpended balances of the Public School and Virginia Public Assistance Funds to the General Fund as of the beginning and ending of Fiscal Year 2013-2014.

SUPPLEMENTAL APPROPRIATIONS

BOARD OF SUPERVISORS

It was moved by Mr. Mosley, seconded by Ms. Rowe, to approve a supplemental appropriation in the amount of \$2,878.58 to Fund 001, and to the following line items. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

Line Item 4-001-11010-8121	\$ (327.39)
Line Item 4-001-11010-8122	\$ 1,316.18
Line Item 4-001-11010-8123	\$ (127.00)
Line Item 4-001-11010-8124	\$ 783.97
Line Item 4-001-11010-8125	\$1,232.82

SHERIFF DEPARTMENT

It was moved by Mr. Mosley, seconded by Ms. Rowe, to approve a supplemental appropriation in the amount of \$1,561.36 to Fund 001, Mental Health Transports, Line Item 4-001-31200-5560. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

SHERIFF-VEHICLE EXPENSE

It was moved by Mr. Mosley, seconded by Ms. Rowe, to approve a supplemental appropriation in the amount of \$5,250.00 to Fund 001, Line Item 4-001-31700-8105. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

LEE COUNTY AIRPORT

It was moved by Mr. Mosley, seconded by Ms. Rowe, to approve a supplemental appropriation in the amount of \$12,592.16 to Fund 001, Airport Commission, Line Item 4-001-81800-5640. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

ROSE HILL COMPREHENSIVE PLANNING

It was moved by Mr. Mosley, seconded by Ms. Rowe, to approve a supplemental appropriation in the amount of \$30,000.00 to Fund 001, Rose Hill Comprehensive Planning, Line Item 4-001-91310-8212. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

FINES & FORFEITURES

It was moved by Mr. Mosley, seconded by Ms. Rowe, to approve a supplemental re-appropriation in the amount of \$12,722.23 to Fund 007, State Forfeiture Proceeds, Line Item 4-007-94100-5840. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

FINES & FORFEITURES

It was moved by Mr. Mosley, seconded by Ms. Rowe, to approve a supplemental re-appropriation in the amount of \$1,895.72 to Fund 007, Federal Forfeiture Proceeds, Line Item 4-007-94100-5860. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

IMAGINATION LIBRARY

It was moved by Mr. Mosley, seconded by Ms. Rowe, to approve a supplemental appropriation in the amount of \$4,768.19 to Fund 025, Imagination Library Expenses, Line Item 4-025-61322-6020. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

SCHOOL BOARD SUPPLEMENTAL APPROPRIATION

It was moved by Mr. Mosley, to approve a supplemental appropriation to the School Board in the amount of \$213,000.00.

Mr. Bailey stated that not all terminated employees have been re-hired, and he would like to see a list of all personnel terminated and a list of all re-hired before voting for this supplement.

Mr. Mosley withdrew his motion.

It was the consensus of the Board to table this matter until next month.

OLD BUSINESS

TOURISM COMMITTEE BY-LAWS

Mr. Poe reported that the requested changes to the Tourism Committee By-Laws have been made concerning committee member absences from meeting. The By-Laws are now ready for final review and adoption.

Mr. Slemp stated that he would like to see a change on number 7 by adding the by-laws may be amended with the approval of the local governing body.

It was moved by Ms. Rowe, seconded by Mr. Slemp, to approve the Tourism Committee By-Laws with the stated changes. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

TOWN OF PENNINGTON GAP REQUEST FOR VOLUNTEER FIREFIGHTERS

Mr. Poe reported that last month the Board heard a request from the Town of Pennington Gap to consider paying a per diem payment to Pennington Gap Fire Department volunteers who may be required for court appearances resulting from their responding to an emergency call. The Town manager has advised that they have received only one claim for payment and they have no guidelines or requirements of proof of appearance in place at this time.

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

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

It was moved by Mr. Bailey to take a 5 minute break.

The Chairman called a five minute recess.

The Chairman called the meeting back to order.

NEW BUSINESS

BOARD APPOINTMENTS

LONESOME PINE OFFICES ON YOUTH

It was moved by Mr. Bailey, seconded by Mr. Slempp, to re-appoint Judy Hatmaker to a four-year term on the Lonesome Pine Offices on Youth. Ms. Hatmaker's appointment will expire May 31, 2017. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slempp

MOUNTAIN EMPIRE REGIONAL BUSINESS INCUBATOR

It was moved by Mr. Slempp, seconded by Mr. Mosley, to appoint Paul Johnson to a four-year term on the Mountain Empire Regional Business Incubator. Mr. Johnson's appointment will expire June 30, 2017. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slempp

BOARD OF ZONING APPEALS

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

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slempp

SOUTHWEST VIRGINIA COMMUNITY CORRECTIONS

It was moved by Mr. Mosley, seconded by Mr. Bailey, to re-appoint Josh Fleenor to a one-year term on the Southwest Virginia Community Correction Board. Mr. Fleenor's term will expire August 31, 2014. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley Ms. Rowe, Mr. Slempp

EMERGENCY SERVICES COORDINATOR

It was moved by Mr. Mosley, seconded by Mr. Bailey, to re-appoint Alan Bailey as Emergency Services Coordinator. Mr. Bailey's term will expire May 31, 2015. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slempp

VCEDA 25th ANNIVERSARY COMMEMORATION

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

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slempp

RESOLUTION HONORING THE VIRGINIA COALFIELD ECONOMIC

**DEVELOPMENT AUTHORITY ON ITS 25TH ANNIVERSARY
13-028**

WHEREAS, the Virginia Coalfield Economic Development Authority (VCEDA) was duly authorized by the Virginia General Assembly and formally founded on July 1, 1988; and

WHEREAS, the Virginia Coalfield Economic Development Authority (VCEDA) has been an invaluable economic development partner for and ally of the Lee County Board of Supervisors; and

WHEREAS, VCEDA has provided tremendous economic and financial support to the Lee County Board of Supervisors and the Industrial Development Authority of Lee County through the issuance of grants, loans and professional guidance for economic development activities to enhance the quality of life for all Lee County citizens; and

WHEREAS, the Lee County Board of Supervisors values highly its professional working relationship with VCEDA.

NOW, THEREFORE, BE IT RESOLVED that the Lee County Board of Supervisor does hereby congratulate the Virginia Coalfield Economic Development Authority on the occasion of its 25th anniversary and looks forward to another productive 25 years.

MEOC FUNDING REQUEST

Mr. Poe reported that the Mountain Laurel Cancer Support and Resource Center of Mountain Empire Older Citizen assists people with travel expenses to and from regional cancer treatment centers, diagnostic services and oncology visits. MEOC is trying to raise \$9,000 to add to that program and is asking for donations.

Mr. Bailey asked that Mr. Poe find out what other Counties are doing and have it at the next meeting.

It was moved by Mr. Bailey, seconded by Mr. Crabtree, table this matter until next month. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

FIRE DEPARTMENT BILLING FOR DUMPSTER FIRES

Mr. Poe stated that he has received a bill from St. Charles Fire Department in the amount of \$4,000 for their response to six dumpster fires that occurred between June and December 2012. He added that typically, if there is a dumpster fire, the closest fire department is dispatched to put the fire out.

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

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

PERSONAL PROPERTY TAX RELIEF

Mr. Poe reported that the Commissioner of the Revenue's office has calculated the appropriate percentage of personal property tax relief for personal automobiles for 2013. The Personal Property Tax Relief Act provides for State reimbursement of a portion of the tax on personal automobiles. The percentage of relief must be re-calculated each year in order to account for changes in the total number and value of vehicles eligible for relief. The percentage of relief for the 2013 tax year is 68.01%.

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

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

**RESOLUTION
13-029**

WHEREAS, the Personal Property Tax Relief Act of 1998, Va. Code 58.1-3523 et seq. ("PPTRA"), has been substantially modified by the enactment of Chapter 1 of the Acts of Assembly, 2004 Special Session I (Senate Bill 5005), and the provisions of Item 503 of Chapter 951 of the 2005 Acts of Assembly (the 2005 revisions to the 2005-06 Appropriations Act, hereinafter cited as the "2005 Appropriations Act"); and

WHEREAS, these legislative enactments require the County to take affirmative steps to implement these changes, and to provide for the computation and allocation of relief provided pursuant to the PPTRA as revised; and

WHEREAS, these legislative enactments provide for the appropriation to the County of a fixed sum to be used exclusively for the provision of tax relief to owners of qualifying personal use vehicles that are subject to the personal property tax on such vehicles;

NOW, THEREFORE, BE IT RESOLVED, by the Lee County Board of Supervisors that qualifying vehicles obtaining situs within the County during tax year 2013, shall receive personal property tax relief in the following manner:

- Personal use vehicles valued at \$100 to \$20,000 will be eligible for 68.01% tax relief;
- Personal use vehicles valued at \$20,001 or more shall only receive 68.01% tax relief on the first \$20,000 of value; and
- All other vehicles which do not meet the definition of "qualifying" (business use vehicles, farm use vehicles, motor homes, etc.) will not be eligible for any form of tax relief under this program.

REPORTS AND RECOMMENDATIONS OF THE COUNTY ATTORNEY

None.

REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR

TRAILS UPDATE

Mr. Poe reported that he has been doing research to clarify property ownership, and was able to confirm that ARK Land is the owner of the property. He added that the tract is about 700 acres; he thinks this company will give us the easements, and he has instructed the engineer to go ahead and make contact. He stated that the Town of Pennington Gap is still waiting for DCR to give the go ahead to bid their project for construction. There is a blackout on most construction of the trail from May until November, and in November, they should be able to start construction and hopefully get the trail completed by spring. That will give us time to get the land agreements and trail designs in place. There are still a couple issues of getting across the railroad and across the river.

STORMWATER MANAGEMENT UPDATE

Mr. Poe reported that the Daniel Boone Soil and Water Conservation District has assigned an employee to this and he will be going to the appropriate trainings and meetings. We will be working with them on the administrative part of this and in developing the full ordinance. They have requested that we develop a memorandum of understanding for both parties to work off so that everyone understands what their role is in developing the program.

CIRCUIT COURTROOM HEAT PUMP PAY REQUEST

Mr. Poe reported that the new heat pump for the Circuit Courtroom has been installed, and Southwest Heating and Air Conditioning has submitted a bill for payment in full in the amount of \$21,500.00. It is the recommendation of Mr. Poe to approve this bill for payment.

It was moved by Mr. Mosley, seconded by Ms. Rowe, to approve the payment to Southwest Heating and Air Conditioning in the amount of \$21,500. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

DAY TO SERVE

Mr. Poe reported that the Planning District Commission office has submitted a proposed Resolution for consideration. The Governor has issued a proclamation encouraging all citizens of Virginia to participate in a "Day to Serve" between September 15 - 29, 2013.

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

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

**RESOLUTION
DAY TO SERVE
13-030**

WHEREAS, the Governors of Virginia, Maryland and West Virginia and the Mayor of Washington, D.C., have come together to support "Day to Serve"; and

WHEREAS, "Day to Serve" is a unique event that has inspired a diverse group of people of our larger region to set aside their political, religious and cultural differences to strengthen our collective communities by coming together to "feed the hungry, protect and enhance the environment, as well as strengthening our communities"; and

WHEREAS, the Governor of Virginia has issued a proclamation encouraging all citizens of Virginia to participate in a "Day to Serve ", between September 15-29, 2013: and

WHEREAS, since the inaugural "Day to Serve " in 2012, this remarkable and unprecedented event swept from the state capital to local churches, schools, neighborhoods, and families and resulted in over 750 community events with more than 14,000 volunteers, culminating in 26,000 hours of services rendered, resulting in over 600,000 pounds of food being donated to local food banks; and

WHEREAS, these events also helped to improve the environment through planting trees, cleaning up parks and streams, and "Adopt a Road" campaigns; and

WHEREAS, the Governor of Virginia has requested Virginians redouble our efforts for 2013;

NOW, THEREFORE, BE IT RESOLVED, the Lee County Board of Supervisors supports the Governor on this observance to call upon all faith based organizations, community organizations and Lee County residents to participate in a "Day to Serve" in their communities.

DMV SATURATION GRANT

Mr. Poe reported that the Department of Motor Vehicles has provided federal grant funds for selective enforcement on alcohol law enforcement. The grant funds some equipment and overtime hours for roadside checks. The total grant fund amount is \$20,500 with an in-kind match of \$10,250.

It was moved by Ms. Rowe, seconded by Mr. Mosley, to accept the DMV Saturation Grant in the amount of \$20,500.00 with an in kind match of \$10,250.00. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

ANIMAL CONTROL TRUCK BIDS

Mr. Poe reported that bids have been submitted for a new ½ ton 4-wheel drive pickup truck for Animal Control. Bid specifications were sent to six regional dealers with only three responses, Freedom Ford of Wise, VA in the amount of \$20,147, Fairway Ford of Kingsport, TN in the amount of \$20,509., and Auto World of Big Stone Gap, VA in the amount of \$21,977. He added that in addition to the truck there is a need for a new carrier unit. There was an initial plan of purchasing a chassis mount unit, however the base price on those units are \$9,500 and require a ¾ ton truck. He stated that he has obtained pricing on a slide-in unit from Jones Trailer Company of Woodson, TX. The base price of a slide in unit with six stalls would be \$4,553.80, and with selected options for safety and convenience, it would cost approximately \$6,000. Motor freight would be

an additional \$900-\$950 and the unit could be installed in house. If the unit were picked up, it would be approximately 17 hours driving time one way, and a \$263 installation fee.

Mr. Crabtree asked if the slide-in units are model specific.

Mr. Poe stated that they are made for the length of the bed.

Mr. Crabtree asked about the existing truck.

Mr. Poe stated that it is still running, but that truck needs to be replaced as well. Once we get the new truck, we can use the current truck as a backup. He added that it was budgeted two years ago to replace this vehicle. We could re-appropriate that money and buy a second truck this year, or wait and see how the new truck does and budget for another new one next year.

It was moved by Mr. Bailey, seconded by Mr. Mosley, to purchase a 2013 Ford F-150 from Freedom Ford in the amount of \$20,147, and a slide-in unit from Jones Trailer Company from Woodson, TX with stated options. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

AIRPORT ENGINEERING SERVICES

Mr. Poe reported that there was only one proposal received for the Airport Engineering Services, from Delta Airport Consultants. He added that the Board could choose either to accept this bid, or to re-bid.

Mr. Crabtree asked if Mr. Poe had reviewed the proposal.

Mr. Poe stated that he has worked with them for almost 10 years; it will be the same project manager.

Mr. Crabtree asked if the Airport Commission has begun meeting.

Mr. Poe stated that they have met each Wednesday for the past three weeks. The Authority has gotten a desk and chair donated, have been promised the donation of a courtesy car, and they have placed an ad for bids for cleaning services. He added that he is waiting on the State to send the forms needed to transfer the license over into their name. He added that the County's insurance policy on the Airport expires in December, and asked Mr. Callahan if the County could carry the car temporarily on the County's insurance policy, and let the Authority get their own policy after the County's expires.

Mr. Callahan stated that before making the car available for use, the County would need to check with their insurance carrier to see if they would cover it.

It was moved by Mr. Mosley, seconded by Mr. Crabtree, to accept the proposal from Delta Airport Consultants. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

ELK RESTORATION

Mr. Poe reported that he was contacted by Department of Game and Inland Fisheries, and the state is going to try to repopulate the elk in Southwest Virginia. They are trying to put together a stakeholders group, and there will be a meeting this Thursday in Lebanon.

REPORTS AND RECOMMENDATIONS OF THE BOARD

NATIONAL GUARD APPLICATION

Ms. Rowe asked about the application to the National Guard for work on the trails project.

Mr. Poe stated he had not gotten a response, and will try to make contact again.

TOWN OF ST. CHARLES

It was moved by Ms. Rowe, seconded by Mr. Bailey, to have the County Attorney draft a letter to the Mayor and Town Council advising them of the procedures to terminate their Charter. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

Mr. Callahan stated that the General Assembly reserves the authority to revoke the charter. He added that he would send a letter certified, and one by the Sheriff's Department. He stated that at this point in the year, he does not believe there will be enough time to get this on the ballot in November.

SRRA RIBBON CUTTING CEREMONY

Ms. Rowe reported that she attended the Ribbon Cutting ceremony for the trails in St. Paul, and everyone was very excited about the revenue the trails will bring into the area.

AIRPORT 911 ADDRESS

Ms. Rowe asked if there was a way to get the Airport 911 address on-line.

Mr. Poe stated we can put it on our website, but the problem is some map search companies have not updated their sites and directions to the airport are routed to the old Airport in Pennington Gap.

CITIZEN RECOGNITION

Mr. Bailey stated he would like to recognize Gene Lewis for taking his own time and money to fix the road on the mountain from Hagan to Rose Hill.

911 SIGNAGE CONTRACT

Mr. Mosley asked how often the sign maintenance company would come down.

Mr. Poe stated that the contract states at least monthly, but we have to have five issues.

Mr. Bailey asked that everyone be observant on locating downed signs.

STICKLEYVILLE SCHOOL COMMUNITY CENTER

Mr. Slemple reported that the Non-profit Corporation Charter for the Sticklelyville Group has been issued and most of the paperwork has been completed for the 501-C3 status.

Mr. Poe stated that he has the survey back on the convenience center site.

Mr. Mosley asked if there was any property across the road.

Mr. Poe stated the entire property was not surveyed; only the tract the convenience center is located on.

Mr. Mosley stated that the County needs to know where the boundaries are on the south end.

It was the consensus of the Board to get clarification of the property bounded on the south side.

COMMUNICATIONS TOWER

Mr. Crabtree asked Mr. Poe if he had heard from the State Police regarding the Communication Tower.

Mr. Poe stated that he has not gotten a response, but he will email and call until he gets a response.

CENTRALIZED ACCOUNTING

Mr. Crabtree asked if anyone was still thinking about the Centralized Accounting for the School Board.

Mr. Slempp stated the issue is dead for now.

ARCHITECT AND ENGINEERING PROPOSALS

Mr. Poe stated this was regarding the interviews that were conducted at the Airport on August 6th.

CLOSED SESSION

It was moved by Mr. Slempp, seconded by Mr. Bailey, to enter Closed Session pursuant to Section 2.2-3711 A.1., discussion, consideration or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees or employees of any public body, and Section 2.2-3711 A.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. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slempp

It was moved by Mr. Mosley, seconded by Mr. Bailey, to come out of Closed Session. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slempp

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.

SUBOXONE CLINIC

Mr. Mosley stated that he was informed today that there was a company wanting to put a Suboxone Clinic in Pennington Gap but they may also be looking at Cane Creek as a possible location.

Ms. Rowe asked if there is something in zoning to prohibit that.

Mr. Poe stated that there was an attempt to put a Methadone clinic in Dryden, and it was denied.

ARCHITECT AND ENGINEERING PROPOSALS

It was moved by Mr. Mosley, seconded by Mr. Slempp, to begin negotiations with Lane Engineering for Architect and Engineering Services. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slempp

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

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slempp

CHAIRMAN OF THE BOARD

CLERK OF THE BOARD