

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 September 15, 2015 at 5:00 p.m. thereof.

MEMBERS PRESENT: Carl Bailey, Chairman
Larry Mosley
Tina Rowe
Charles Slemper, Jr.

MEMBERS ABSENT: Jason Crabtree

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

OTHERS ABSENT: None

INVOCATION

Dane Poe, County Administrator, 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 5:04 p.m.

PUBLIC HEARINGS

**SPECIAL USE PERMIT
RONNIE RHOTEN**

The Lee County Board of Supervisors held a Public Hearing on September 15, 2015 at 5:00 p.m. in the General District Courtroom of the Lee County Courthouse located in Jonesville, Virginia to solicit input on a Special Use Permit request. Ronnie Rhoten has requested a Special Use Permit to allow replacement of a singlewide manufactured home with a larger singlewide manufactured home in a V-C, Village Commercial district. The property is located on the east side of US Hwy. 23 at mile marker 28.6 (Tax Parcel 18-(A)-76) and consists of approximately 0.89 acres of land.

The Chairman opened the floor for public comment.

Mike James, Economic Development Director, stated that his office had not received any public comment. He added that the Planning Commission recommends approval of this request.

There was no further public comment.

The Chairman closed the floor for public comment.

It was moved by Mr. Slemp, seconded by Ms. Rowe, to approve the Special Use Permit for Ronnie Rhoten. Upon the question being put the vote was as follows.

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

**SPECIAL USE PERMIT
DANNY WILDER**

The Lee County Board of Supervisors held a Public Hearing on September 15, 2015 at 5:00 p.m. in the General District Courtroom of the Lee County Courthouse located in Jonesville, Virginia to solicit input on a Special Use Permit request. Danny Wilder has requested a Special Use Permit to allow a convenience store in an A-1, Agricultural district. The property is located on the North side of US Hwy. 58 approximately one mile west of Ewing at the intersection of Route 698 (Calway Rd) (Tax Parcel 62-(2)-1B,1C) and consists of 1.104 acres.

The Chairman opened the floor for public comment.

Mike James, Economic Development Director, stated that this was approved over 5 years ago but had not yet been built and the request just needs to be re-approved by the Board of Supervisors. He added that the Planning Commission recommends approval of this request.

There was no further public comment.

The Chairman closed the floor for public comment.

It was moved by Mr. Bailey, seconded by Mr. Mosley, to approve the Special Use Permit for Danny Wilder. Upon the question being put the vote was as follows.

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

**REZONING REQUEST
THE PLANNING COMMISSION**

The Lee County Board of Supervisors held a Public Hearing on September 15, 2015 at 5:00 p.m. in the General District Courtroom of the Lee County Courthouse located in Jonesville, Virginia to solicit input on a rezoning request. The Lee County Planning Commission has requested to rezone a certain parcel from A-1, Agricultural district to B-2, General Business district to allow creation of an urgent care clinic and hospital. The property is located just west of the corporate limits of the Town of Pennington Gap at 127 Healthcare Drive (Tax Parcel 36-(22)-1) and consists of 8.119 acres and is commonly known as the former Lee Regional Medical Center.

The Chairman opened the floor for public comment.

Mike James, Economic Development Director, stated that his office had not received any opposition to this request and that the grandfathering for this site will expire October 01, 2015. He added that the Planning Commission recommends approval of this request.

There was no further public comment.

The Chairman closed the floor for public comment.

It was moved by Mr. Mosley, seconded by Ms. Rowe, to approve the Re-zoning Request by the Planning Commission. Upon the question being put the vote was as follows.

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

**SUBDIVISION PROPOSAL
CREEKWOOD SUBDIVISION**

The Lee County Board of Supervisors held a Public Hearing on September 15, 2015 at 5:00 p.m. in the General District Courtroom of the Lee County Courthouse located in Jonesville, Virginia to solicit input on a subdivision proposal. Creekwood Subdivision has submitted a subdivision plan for approval for property located on the South side of US Hwy. 58 approximately one mile west of Ewing near the intersection of Route 698 (Cowan Mill Rd).

The Chairman opened the floor for public comment.

Mike James, Economic Development Director, stated that his office had not received opposition. He added that several years ago this subdivision was developed and there needed to be two zoning actions, the property needed to be rezoned and the subdivision needed to be approved. The property was rezoned, but the approval of the subdivision slipped through the cracks. The Planning Commission recommends approval of this request.

There was no further public comment.

The Chairman closed the floor for public comment.

It was moved by Mr. Bailey, seconded by Ms. Rowe, to approve the Subdivision Proposal. Upon the question being put the vote was as follows.

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

AMEND THE AGENDA

It was moved by Mr. Mosley, seconded by Mr. Slemp, to amend the agenda to hear delegations before Departmental Reports. Upon the question being put the vote was as follows.

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

DELEGATIONS

BRANDY PARSONS DRYDEN ELEMENTARY PTO

Ms. Parsons was unable to attend the meeting.

Mr. Crabtree entered the meeting at 5:15 pm.

ZACK HARRIS EAGLE SCOUT CANDIDATE

Zack Harris, Eagle Scout Candidate, stated that he is a member of the Boys Scouts of America and is a candidate to become an Eagle Scout. A major requirement for achieving the Eagle Scout rank is a community service project. He added that he

would like to create a playground and picnic area at the Thomas Walker Park for his project. He asked the Board for permission to move the playground equipment from the Ewing Elementary School to the Thomas Walker Park.

Mr. Bailey stated that he appreciated the hard work of Mr. Harris.

It was moved by Mr. Bailey, seconded by Mr. Slemp, to allow construction of a playground and picnic area adjacent to the Thomas Walker Pool and moving of the playground equipment from Ewing School to the Thomas Walker Park. Upon the question being put the vote was as follows.

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

**DR. SUE CANTRELL
HEALTH DEPARTMENT**

Dr. Sue Cantrell, Director of LENOWISCO Health District, presented the Board with the County health ranking. She stated that Virginia is going to be working on improving community well being. She stated that the three main areas of death in this area are tobacco use, obesity and lack of physical activity. As part of the community well being assessment, the community is being asked to complete a survey to help identify concerns and priorities of the community.

DEPARTMENTAL REPORTS

TOURISM

Ashley Seals, Tourism Director, reported that approximately 20,000 brochures have been distributed, the website is up and going with nearly 16,000 views and there are two billboards. The Tourism department has received grant funding from Virginia Tourism Corporation to implement the "Have you Experienced Lee County" campaign that will consist of a new page on the website. Ms. Seals has been working with Harlan to extend the 421 yard sale into Lee County, the ATV Trail as well as walking, hiking, biking, and horseback trails connecting three states.

ECONOMIC DEVELOPMENT

Mike James, Economic Development Director, reported that he hosted a job fair on August 11, 2015 with 160 job seekers, 17 employers and 3 state agencies. The Industrial Development Authority continues to host a spotlight business every month. Mr. James has met with four current or potential business owners about their plans, and a couple of those are almost ready to move forward. The Planning Commission will restart the zoning map review in October. He added that his department has issued 30 zoning permits, 2 variances and he made 4 property visits.

Mr. Mosley asked how many new jobs Taco Bell created.

Mr. James stated around 25 to 30.

Mr. Mosley asked if Mr. James had been in contact with the Assisted Living company.

Mr. James stated he has but will need to wait on an official announcement for the open date for the hospital before any commitments will be made.

Mr. Bailey stated that the importance of a hospital goes beyond urgent care. That is the reason this Board has fought so hard to get this hospital back.

CONSTITUTIONAL OFFICERS

TREASURER'S REPORT

The Treasurer's Report for the month of August 2015 was submitted as follows:

Revenues	\$ 4,044,654.33
Expenditures	\$ 4,645,539.31
General Fund	\$ 6,166,169.97
Total Assets and Liabilities	\$ 11,826,535.54

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.

There was no public comment.

The Chairman closed the floor for public comment.

MINUTES

It was moved by Mr. Crabtree, seconded by Mr. Slemp, to approve the minutes from the August 18, 2015 Regular Meeting. Upon the question being put the vote was as follows.

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

REFUNDS

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

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

Jerry Deirth	\$108.12
Rufus and Jennifer Brock	\$ 71.40

PAYROLL

The County Administrator reports that payroll warrants have been issued.

APPROVAL OF DISBURSEMENTS

It was moved by Mr. Slempp, seconded by Mr. Mosley, to approve the disbursements for the month of September in the amount of \$165,765.15. Upon the question being put the vote was as follows.

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

FINANCE

MONTHLY APPROPRIATIONS

It was moved by Mr. Slempp, seconded by Ms. Rowe, 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

MONTHLY AND QUARTERLY APPROPRIATIONS

15-028

WHEREAS, the Lee County Board of Supervisors has approved the Headstart Budget, Lee County Public School Budget and Virginia Public Assistance Budget for FY2015-16; and

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

NOW, THEREFORE, BE IT RESOLVED, that the following activities, 25% of the amount shown is appropriated for a 3-month period ending December 31, 2015

HEADSTART

Federal Funds	\$ <u>1,370,586</u>
TOTAL HEADSTART	\$ 1,370,586

WHEREAS, the Lee County Board of Supervisors has approved the Lee County Public School Budget and Virginia Public Assistance Budget for FY2015-16; 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 October 31, 2015;

Federal/State Funds	\$ 7,082,972
Local Funds	<u>1,292,948</u>
TOTAL VIRGINIA PUBLIC ASSISTANCE	\$ 8,375,920

LEE COUNTY PUBLIC SCHOOLS

Categorical Appropriation:

Instruction	\$ 24,512,881
Administration, Attendance and Health	2,038,267
Pupil Transportation	1,862,995
Operation and Maintenance	3,213,825
School Food Services	1,589,425
Facilities	449,000
Technology	1,262,110
Partially Self-Funded Insurance Fund	<u>4,200,000</u>
TOTAL	\$39,128,503

Source of Revenue:

Federal Funds	\$ 4,639,454
State Funds	24,889,483
Other Funds	39,100
Self Insured Health Fund	3,750,000
Local Funds	5,040,466
Textbook Carryover Funds	<u>770,000</u>
TOTAL PUBLIC SCHOOLS	\$ 39,128,503

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 month 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 2015-2016.

NEW BUSINESS

BOARD APPOINTMENTS

BOARD OF ZONING APPEALS

It was moved by Mr. Slemph, seconded by Mr. Mosley, to recommend the re-appointment of Aubrey Hobbs to a five-year term on the Board of Zoning Appeals. Mr. Hobb's term will expire July 31, 2020. Upon the question being put the vote was as follows.

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

BOARD OF ZONING APPEALS

It was moved by Ms. Rowe, seconded by Mr. Crabtree, to recommend the re-appointment of Patricia Williams to a five-year term on the Board of Zoning Appeals. Ms. Williams' term will expire July 31, 2020. Upon the question being put the vote was as follows.

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

INDUSTRIAL DEVELOPMENT AUTHORITY

It was moved by Mr. Mosley, seconded by Ms. Rowe, 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. Slemph

LONESOME PINE OFFICE ON YOUTH

It was moved by Ms. Rowe, seconded by Mr. Slemph, to table these appointments 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

ST. CHARLES WATER AUTHORITY

It was moved by Ms. Rowe, seconded by Mr. Crabtree, 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

TOURISM COMMITTEE

It was moved by Mr. Bailey, seconded by Mr. Mosley, to re-appoint Sue Crockett to a four-year term on the Tourism Committee. Ms. Crockett's term will expire September 30, 2019. Upon the question being put the vote was as follows.

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

WOODWAY WATER AUTHORITY

It was moved by Mr. Mosley, seconded by Mr. Slempp, to re-appoint Brenda Allen to a four-year term on the Woodway Water Authority. Ms. Allen's term will expire September 30, 2019. Upon the question being put the vote was as follows.

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

SOUTHWEST VIRGINIA HEALTH AUTHORITY

It was moved by Mr. Slempp, 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

NEW TRANSFER STATION PAY REQUEST NUMBER 4

Mr. Poe reported that he received Green Construction Company's Pay Request No. 4 in the amount of \$40,706.00 for work performed to date on the new Transfer

Station project. The architect has reviewed and approved the request for payment and Mr. Poe recommends it to be approved.

It was moved by Mr. Mosley, seconded by Mr. Slemph, to approve Green Construction Company's Pay Request Number 4 in the amount of \$40,706.00. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Crabtree, Mr. Mosley, Mr. Slemph
ABSTAINING: Ms. Rowe

WOODWAY HOUSING & SEWER GRANT APPLICATION

Mr. Poe stated that the Department of Housing and Community Development recently announced a new pilot grant program called the Vibrant Communities Initiative that could provide up to \$2.5 million for a project, but it did require a 25% local match. The total project cost for just the sewer project is about \$6.5 million. The process is not far enough along to be able to prove the other funding sources. At this point in time, the group feels it's best to submit a standard Community Development Housing Block Grant application in March of next year to begin the housing rehab work.

NEW ABSENTEE CENTER VOTING MACHINE

Mr. Poe stated that within the past year the State Board of Elections has deemed certain types of voting machines to be out of compliance with state requirements. Those used by Lee County were not on the list of non-complaint units but the touch screen style of machines is under review. Recently, the State Board of Elections advised that they would provide a one-time reimbursement of \$3,500 toward the purchase of one new style machine for use in the absentee center.

The Electoral Board and Registrar selected a fully compliant unit from Atlantic Election Services, Inc. at a total cost of \$8,625.00. With the state reimbursement, the actual local cost will be \$5,125.00. There was \$16,000 budgeted for new electronic poll books but the State has now provided those units at no cost so these funds can be used to cover the expense this machine. The purchase of this machine does not obligate the County to use the same units in all locations but will give us the opportunity to test this style of machine to determine if that is what is desired at some point in the future if the state should outlaw the touch screen machines.

It was moved by Mr. Crabtree, seconded by Mr. Mosley, to approve purchase of a new voting machine from Atlantic Election Services in the amount of \$8,625.00. Upon the question being put the vote was as follows.

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

SOUTHWEST VIRGINIA EMS COUNCIL LETTER OF SUPPORT

Mr. Poe reported that the EMS Council is required to apply for a re-designation every three years and need a letter of support from all participating localities in their service area.

It was moved by Mr. Mosley, seconded by Mr. Crabtree, to send a letter of Support for the Southwest Virginia EMS Council. Upon the question being put the vote was as follows.

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

REVISED MEMORANDUM OF UNDERSTANDING WITH SOUTHWEST REGIONAL RECREATION AUTHORITY AND TOWN OF PENNINGTON GAP

Mr. Poe reported that at the August 5, 2015 Recessed meeting, the Board approved a Memorandum of Understanding with Southwest Regional Recreation Authority to operate and manage the new trail system. The Town of Pennington Gap was also a party to this MOU but requested changes prior to approval. After much discussion, the Town approved a very similar document with only a few changes. Since the Town and County are both parties to the trail easement agreements, Mr. Poe feels it would serve all parties if the County rescinded the previous MOU and adopted the new one so that everyone has the same terms.

It was moved by Mr. Crabtree, seconded by Ms. Rowe, to rescind the previously adopted Memorandum of Understanding and adopt the newly presented Memorandum of Understanding. Upon the question being put the vote was as follows.

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

MONTE VISTA ROAD RURAL ADDITION

Mr. Poe reported that at the August 5, 2015 Recessed Meeting, the Board voted to complete a small unpaved portion (300 feet) of Monte Vista Road for inclusion in the Secondary System of Highways. The project is expected to cost no more than \$10,000 and will be funded through the Rural Addition program. Adoption of a formal Resolution is required.

It was moved by Mr. Bailey, seconded by Mr. Crabtree, 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. Slemph

**RESOLUTION
15-031**

WHEREAS, the street described below currently serves at least 3 families and was established prior to July 1, 1992, at which time it was used by motor vehicles as a public access; and

WHEREAS, the County has determined its subdivision ordinance satisfies subsection B of §33.2-335, Code of Virginia, and is therefore eligible to make qualifying additions to the secondary system of state highways maintained by the Virginia Department of Transportation and fund necessary improvements as setout therein, except as otherwise prohibited by subsection B of §33.2-336, Code of Virginia; and

WHEREAS, after examining the ownership of all property abutting this street, including the deeds and related plats, this Board finds no restriction on the use of public funds for improving of the road; and

WHEREAS, after examining the ownership of all property abutting this street, this Board finds that speculative interest does not exist; and

WHEREAS, this Board has identified immediately available funding to make improvements required to qualify the street for addition to the aforesaid secondary system of state highways, based on the Department's cost estimate of \$10,000;

NOW, THEREFORE, BE IT RESOLVED, pursuant to §33.2-335, Code of Virginia, this Board requests the following street be added to the secondary system of state highways maintained by the Virginia Department of Transportation and hereby guarantees the right-of-way of the street to be clear, unencumbered and unrestricted,

which right of way guarantee shall include any necessary easements required for cuts, fills, and drainage:

Subdivision Name: W. J. Parkey & Fred Wheeler Subdivision
Name of Street: Monte Vista Road
From: End of Rte. 952
To: 0.0549 mi. W. Route 952
Length: 0.0559 mi. (300 feet)
Guaranteed Right-of-Way Width: 40 Feet
Right-of-Way Instrument Reference: DB191 PG462
Date Recorded: August 17, 1963

BE IT FURTHER RESOLVED, this Board requests the Virginia Department of Transportation to improve said street to the prescribed minimum standards, funding said improvements with the following funds;

Source of Funds: FY 2015-2016 VDOT Secondary Six Year Plan
Amount: \$10,000

BE IT FURTHER RESOLVED, this Board agrees to reimburse, within 45 days of receiving an invoice, all costs that the Virginia Department of Transportation incurs to relocate existing utilities within the right of way that are discovered during the course of and in conflict with the construction, drawing such funds from resources other than those administered by the Department; and

BE IT FURTHER RESOLVED, this Board agrees to reimburse, within 45-days of receiving an invoice, all costs that the Virginia Department of Transportation incurs in the construction of necessary improvements to the road that are over and above the estimated cost of improvements or to otherwise identify an eligible source of funds administered by the Department to cover such costs; and

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

**SOUTHWEST VIRGINIA CULTURAL HERITAGE FOUNDATION LETTER
OF SUPPORT**

Mr. Poe reported that the Southwest Virginia Cultural Heritage Foundation is requesting a letter of support for their initiative to further create the Southwest Virginia brand by gaining recognition with Virginia Tourism Corporation as a cohesive region.

It was moved by Mr. Mosley, seconded by Mr. Crabtree, to provide a letter of support to the Southwest Virginia Cultural Heritage Foundation. Upon the question being put the vote was as follows.

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

SOUTHWEST VIRGINIA LONG TERM RECOVERY COALITION

Mr. Poe stated that this item would need to be tabled because the Memorandum of Understanding is still a working document.

It was moved by Mr. Bailey, seconded by Mr. Mosley, to 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

EQUIPMENT LEASE FOR LANDFILL DRAINAGE REPAIRS

Mr. Poe reported that the Transfer Station Superintendent Gary Collingsworth had planned to work on some drainage issues at the old landfill earlier this year but was unable to due to the early summer rains. The area north of the bus shop, behind the bus parking area needs additional drainage. Mr. Collingsworth had initially planned to lease a small excavator and dozer from Carter Machinery but a local company, Marcum Oil Company, Inc. has the proper sized machines and has offered to lease them to the County at the same cost as Carter. This would keep the money local and still provide good quality equipment. Mr. Collingsworth has looked at both machines and feels this would be a good option for the County.

It was moved by Mr. Crabtree, seconded by Ms. Rowe, to lease the equipment through Marcum Oil Company. 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 FOR 2015

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 2015. 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 2015 tax year has been calculated at 66.20%. The Board will need to pass a Resolution to enact this rate of relief for the 2015 tax year.

It was moved by Ms. Rowe, seconded by Mr. Crabtree, 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. Slemph

**RESOLUTION
15-029**

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 2015, shall receive personal property tax relief in the following manner:

- Personal use vehicles valued at \$100 to \$20,000 will be eligible for 66.20% tax relief;
- Personal use vehicles valued at \$20,001 or more shall only receive 66.20% 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

SOCIAL SERVICES SIGNS

Mr. Poe reported that he had received a request to replace the Social Services sign and had contacted the sign company in Wise that made the County Welcome signs. The sign would be 5' x 4' not including the logo; the sandblasted signs would be \$2,600, the aluminum background with vinyl lettering would be \$850. Adding the Virginia seal would be an extra \$75.

Mr. Mosley questioned the need for a double-sided sign and stated that if it was turned at an angle, it could be seen from both directions.

It was moved by Ms. Rowe, seconded by Mr. Crabtree, to get a one-sided blue sandblasted sign for Social Services. Upon the question being put the vote was as follows.

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

OFFICE OF SURFACE MINING PROPOSED STREAM PROTECTION RULE

Mr. Poe reported that there is a public hearing tonight at Mountain Empire Community College regarding OSM stream protection rule. The comment period ends October 26, 2015. There will be six or seven nationwide, but they will take written comments and that can be done online. He provided information to the Board for their review.

EXTENSION OFFICE BUILDING

Mr. Poe stated that he had spoken with the Architect about the Board's concerns on the Extension Office Building. The Architect has made changes to the plans that moves the expansion to the west side of the building. In the end, this will be a better fit. Mr. Poe recommends advertising for bids when the architect gets everything completed.

It was the consensus of the Board to move forward and advertise for bids on the Extension Office Building.

INTERVIEWS FOR BUILDING OFFICIAL

Mr. Poe stated that the deadline for applications for the Building Code Official would be September 21, 2015. He stated that applications would be mailed out to the Board on September 22, 2015. An interview date would need to be set.

It was the consensus of the Board to hold interviews for the Building Code Official on October 7, 2015 beginning at 4:00 pm.

ATV TRAILS

Ms. Rowe asked Mr. Poe if he had been contacted by Chuck Riedhammer regarding additional funds needed for the completion of the ATV trail project.

Mr. Poe advised that he had emailed him regarding documentation for match funds for the Tobacco Commission grant. TIC grant did not require an actual match but we provided a list of leverage for the grant. We have \$50,000 budgeted for the trail that was intended as one half the required match for the DCR grant if the Town actually receives those funds.

Ms. Rowe stated that if the existing budgeted funds are spent now that would meet the DCR requirements.

Mr. Poe stated the environmental studies were conducted for those portions of the property that the DCR funds would be spent on and we could not spend match funds in areas not on the environmental study areas.

Ms. Rowe stated that the Authority needed the additional funding in order to complete the trail and get it open on time.

Mr. Poe explained that he was not opposed to spending the funds to complete the trail but he wanted the Board to understand that if the funds were spent for additional work now, it will not be available to match the DCR funds should the Town receive them.

It was moved by Ms. Rowe, seconded by Mr. Mosley, to use \$14,000 of the budgeted funds for the ATV Trail to complete the Tobacco Commission grant portion of the trail. Upon the question being put the vote was as follows.

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

Prior to the vote, Mr. Mosley asked if the budgeted funds were intended for the DCR match.

Mr. Poe advised that it was.

Mr. Mosley stated if the DCR funds do come through and they ask for \$50,000 match from the County, he is only in favor of providing the balance of the budgeted funds at that time.

REPORTS AND RECOMMENDATIONS OF THE BOARD

VDOT - BEECH GROVE

Mr. Crabtree asked Mr. Poe about the Beech Grove Bridge.

Mr. Poe stated that he had sent a reaffirmation to VDOT.

CHIARI WALK

Ms. Rowe stated that there will be a Chiari Walk on September 26 starting at 9:00 am.

It was moved by Mr. Mosley, seconded by Mr. Crabtree, to recess to October 7, 2015 at 4:00 pm. Upon the question being put the vote was as follows.

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

CHAIRMAN OF THE BOARD

CLERK OF THE BOARD