

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 17, 2013 at 5:00 p.m. thereof.

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

MEMBERS ABSENT: None

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

OTHERS ABSENT: None

INVOCATION

Emery Minton Jr., Pastor of Christian Life Fellowship led in the invocation.

PLEDGE TO THE FLAG

Emery Minton led the Pledge to the Flag.

MEETING CALLED TO ORDER

The meeting was called to order at 5:09 p.m.

DEPARTMENTAL REPORTS

ECONOMIC DEVELOPMENT

Michael James, Economic Development Director, reported that the IDA is extremely disappointed with Wellmont's recent decision to close Lee Regional Medical Center. IDA officials, elected officials and a couple members of the Board of Supervisor's had met with Wellmont officials on August 16, and were assured that Lee Regional would not be closing, and that the IDA and County Administrator would be given advance notice if there were additional announcements. He added that Mountain Empire Community College's Rapid Response Team will be onsite at the hospital next week to begin assisting the displaced workers with job search assistance, and is willing to hold occupational training classes in Pennington Gap if there is enough interest. He stated that he had attended the Pennington Gap Town Council meeting and that the local EMS and ambulance providers informed the citizens that they have contracts in place to transport to the ARH Hospital Facility in Harlan for those patients no longer wishing to use a Wellmont facility. He reported that the Building Code Official has received the final blue prints for the new O'Reilly Auto Parts Store in Pennington Gap and on the proposed Stone Mountain Health Clinic to be located off Sugar Run Road. He gave an update on the cell tower status, stating that the AT&T tower in Gibson Station should be online very soon and the Constitutional Oaks tower has been erected with projected date for completion in mid-October. He added that the IDA should complete the purchase of

the remaining KCG Call Center equipment within the next few weeks, for \$1.00. He reported that the Planning Commission should finalize the Zoning Ordinance at its meeting on September 18, and will hold the public hearing for adoption in October or November with a second public hearing jointly with the Board of Supervisors the following month. He reported that his department has issued 27 Zoning Permits and 3 Variances, 1 Rezoning request, and he has visited 19 properties with zoning concerns in the current quarter.

Mr. Slemp asked about Elite Apparel not being able to meet their payroll.

Mr. James stated that this was the first time he is hearing of this, that it was open and operational today, but he cannot comment beyond that.

TOURISM

Joan Minor, Tourism Director was unable to attend the meeting.

CONSTITUTIONAL OFFICERS

TREASURER'S REPORT

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

Revenues	\$ 4,316,943.07
Expenditures	\$ 4,653,461.73
General Fund	\$ 8,089,809.74
Total Assets and Liabilities	\$ 14,556,243.99

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.

Valerie Rowlett, Jonesville, addressed the Board with concerns about the closure of hospital, businesses not doing well, jobs being lost throughout the County, while state and federal monies being harder to come by, and she knows every decision that the Board makes is very difficult. The IDA has failed to bring businesses and jobs to the County, and has not kept the Board updated on their activities. She added that the Tobacco Commission is demanding a refund of a \$450,000 grant that was given to bring Green USA to the County. She added that it is time to change and build what is needed for business to come here. The County needs to work together to build a future.

Ms. Rowe stated she agreed with Ms. Rowlett, an investment needs to be made in the County and we need to come together and figure out what is best.

Mr. Slemp stated that we need citizens to contribute, not just the IDA Board, everyone needs to get involved and if the public is not on board it cannot be done.

Bob Bost, Jonesville, stated that the Board is faced with having to give back \$450,000 to the Tobacco Commission and this issue requires discussion now. He stated that if Don Willis does not have the \$225,000 to repay his part of the grant, and if the IDA does not have it, it is the County that is in default.

Randall Sturgill, Lee High Band Boosters, invited the Board members to attend the first annual Five Star Classic Band Invitational on September 28, 2013.

Richard Shuler, Dryden, stated that the County is facing tough times right now, and suggested that the Board get together with the people and keep them informed about what is going on in the County.

There was no further public comment.

The Chairman closed the floor for public comment.

APPROVAL OF MINUTES

Mr. Slemp stated that page 22 needs to be corrected to read the non-profit Corporation Charter has been issued.

It was moved by Ms. Rowe, seconded by Mr. Slemp, to approve the minutes of the August 20, 2013 Regular Meeting, with stated changes. 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 September in the amount of \$243,955.90. Upon the question being put the vote was as follows.

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

DELEGATIONS

**LETTER OF SUPPORT
RONNIE MONTGOMERY AND DR. JASON JOHNSON
LINCOLN MEMORIAL UNIVERSITY VETERINARY SCHOOL**

Ronnie Montgomery, stated that the new college of Veterinary Science School that has just been approved is one of 30 in the nation, and that the large animal portion of the school would be located in Ewing.

Dr. Jason Johnson, Lincoln Memorial University, stated that on July 2, the college received the letter of approval to be the 30th Veterinary College in the United States. There will be a 60,000 square foot facility built in Ewing to serve as the large animal learning center. The center will also do clinical trials and research and will house a diagnostic laboratory.

Mr. Slemp asked if this would be only for large animals.

Dr. Johnson stated that there would also be a small animal part and lectures that will occur on the Harrogate Campus.

Mr. Bailey stated that this is the most exciting news the County has had in a long time.

Mr. Mosley asked when the first class would be.

Dr. Johnson stated that the college is accepting applications now, with the first classes scheduled to start in the fall of 2014. The class size for this curriculum will be 85 students, and the college has already received hundreds of applications.

Mr. Montgomery added that this could also help in getting sewer services from Rose Hill to Cumberland Gap.

It was moved by Ms. Rowe, seconded by Mr. Bailey, to approve a letter of support for the Lincoln Memorial University Veterinary School. Upon the question being put the vote was as follows.

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

Mr. Poe stated that the Planning District Commission has held meetings, and there is potential access to grant funds for infrastructure construction. There has been a Preliminary Engineering Report completed for public sewer for the Western end of Lee County. There were four alternatives with the most economical alternative being multiple decentralized systems. With the addition of this school facility, it might be

possible to construct a treatment facility that could handle the school plus some additional area. It is very important in cases like this that construction funds be all grant funds instead of loans. The funding identified by the Planning District will require a letter of intent to the Army Corp of Engineers. It is a 75% Federal Grant program with a 25% local match required of the grant sponsor, but additional grant funds can be used for the 25% match. A meeting is currently being scheduled to determine whether the County or PSA would be the best applicant. He asked for approval to submit the letter of intent if it is determined that the County is the best applicant.

It was moved by Ms. Rowe, seconded by Mr. Mosley, to submit the letter of intent for the Western Lee Sewer Project if it is determined that the County is the best applicant. Upon the question being put the vote was as follows.

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

FINANCE

MONTHLY AND QUARTERLY APPROPRIATIONS

It was moved by Mr. Mosley, seconded by Mr. Slemp, 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 AND QUARTERLY APPROPRIATIONS 13-031

WHEREAS, the Lee County Board of Supervisors has approved the Headstart Budget, 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 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, 2013

HEADSTART

Federal Funds	\$ 1,283,218
TOTAL HEADSTART	\$ 1,283,218

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 October 31, 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 Headstart, 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 Headstart, Public School and Virginia Public Assistance Funds to the General Fund as of the beginning and ending of Fiscal Year 2013-2014.

SUPPLEMENTAL APPROPRIATIONS

SCHOOL BOARD

Mr. Poe reported that the School Board was successful in receiving a Slemp Foundation grant in the amount of \$481,511.20 to renovate the C. Bascom Slemp auditorium at Lee High School. The grant funds have been received and require appropriation in order for the School Board to expend them.

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

**RESOLUTION
13-032**

**LEE COUNTY SCHOOL BOARD
SUPPLEMENTAL APPROPRIATION**

WHEREAS, the Lee County School Board has been awarded a grant from the C. Bascom Slemp Foundation in the amount of \$481,511.20 to renovate the C. Bascom Slemp auditorium at Lee High School; and

WHEREAS, no local matching funds are required for this grant;

NOW, THEREFORE, BE IT RESOLVED, the Lee County Board of Supervisors grants a supplemental appropriation to the 2013-14 School Budget in the amount of \$481,511.20 to the Facilities category;

BE IT FURTHER RESOLVED, that the revised total Lee County School Board appropriation for the 2013-14 fiscal year be increased from Thirty Eight Million, One Hundred Thousand, One Hundred and One Dollars (\$38,100,101.00) to Thirty Eight Million, Five Hundred Eighty One Thousand, Six Hundred Twelve Dollars and Twenty Cents (\$38,581,612.20).

OLD BUSINESS

MEOC FUNDING REQUEST

Mr. Poe reported that last month the Board had a request from MEOC regarding funding for the Mountain Laurel Cancer Support and Resource Center. This was not included in their budget request for the year. He added that he was instructed to contact other localities in the MEOC service area to determine what action they had take. Both Scott County and the City of Norton stated that they took no action on this request.

Ms. Rowe stated that she would like to see this Board do something.

Mr. Mosley stated that he would prefer to get these types of request at budget time.

It was moved by Ms. Rowe, seconded by Mr. Crabtree, to donate \$500 to the Mountain Laurel Cancer Support and Resource Center. 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

Mr. Poe reported this is the balance of \$213,000 to be used to restore all positions that were terminated on July 15, 2013. Mr. Carter submitted a letter stating that all terminated positions were rehired as of August 13, 2013. However, in combination with the Slemp Foundation funding, this amount would have exceeded the threshold for supplemental appropriations without holding a public hearing. Mr. Carter preferred to get the Slemp money appropriated first and to reschedule this at next month's meeting.

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

NEW BUSINESS

BOARD APPOINTMENTS

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. Slemph

LONESOME PINE OFFICES ON YOUTH

It was moved by Mr. Slemph, seconded by Mr. Crabtree, to table all appointment to this Board 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

TOURISM COMMITTEE

It was moved by Mr. Slemph, seconded by Ms. Rowe, to re-appoint Charles Slemph, Jr. to a four-year term on the Tourism Committee. Mr. Slemph's term will expire September 30, 2017. Upon the question being put the vote was as follows.

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

TOURISM COMMITTEE

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

Mr. Slemph stated that there needs to be an appointment made for this as soon as possible to keep the meetings going.

Ms. Rowe asked if the District 5 member was attending the meetings.

Mr. Slemph stated that Sue Crockett, Kenny Thomas and himself were currently the only members attending.

Ms. Rowe asked if the By-Laws had been approved.

Mr. Poe stated that they were approved at last month's meeting with changes, the changes had been made and they will be given to the Tourism Committee for review at their September 19, 2013 meeting.

LEE HIGH BAND BOOSTERS

Mr. Slemp stated that the Lee High Band Boosters will be holding a band festival and it could really bring a lot of people into the County. With this being the first year it will tough to get it going, and he would like to donate \$500 to the Band Boosters.

It was moved by Mr. Slemp, seconded by Ms. Rowe to donate \$500 to the Lee High Band Boosters. Upon the question being put the vote was as follows.

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

COMMUNITY SERVICE BOARD MEETING ATTENDANCE

Mr. Poe stated that he has been notified that Susan Chadwell has not attended a Community Service Board meeting since December 2012. Ms. Chadwell's term expires November 30, 2013, however, the County is not being fully represented at the meetings.

TRANSFER STATION PICK-UP TRUCK

Mr. Poe reported that the budget includes funding for a new $\frac{3}{4}$ ton four door truck for the Transfer Station. The club cab setup allows for transport of several employees and trustees for work at various collection sites. Upon discussing this with the mechanic, he suggested a four-wheel drive unit, which will be a heavier built truck including the transmission, cooler, and suspension. He added that if we choose to go with a four-wheel drive, he would suggest going to a $\frac{1}{2}$ ton truck since the suspension will probably be as heavy as the $\frac{3}{4}$ ton.

Mr. Mosley asked if there was enough money budgeted for a four-wheel drive.

Mr. Poe stated that there is only about a \$2,000 difference, but we can take bids for both.

It was the consensus of the Board to obtain bids for both types of trucks.

COMMUNICATION TOWER MOVE

Mr. Poe stated that he has received notification that the move to the State Police tower at Hunters Gap has been approved. To optimize the results, it was recommended

and planned that we install new antennas and cable during the move. Mr. Poe is requesting the Board approve the move with all construction costs, approximately \$20,500. These costs will be eligible for reimbursement through the COPS Technology Grant previously awarded. He added that by using the State's tower at this site, the County could develop a new project for the Western part of the County with remainder of the funding through this grant.

Ms. Rowe asked about the grant amount.

Mr. Poe stated it was roughly \$270,000.

Ms. Rowe asked if the County to use some of the remaining grant funds to build cellular towers at the locations Mr. James talked about.

Mr. Poe stated that he was not sure if that could be done because the grant funds are for Emergency Communications, and he did not think the type of towers that are being built would be able to hold all the additional equipment that would be needed.

It was moved by Mr. Crabtree, seconded by Mr. Mosley, to approve the move with all construction costs. Upon the question being put the vote was as follows.

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

AIRPORT ENGINEERING BASE AGREEMENT

Mr. Poe reported that the proposed Base Agreement for Professional Services with Delta Airport Consultants for engineering services at the Lee County Airport has been received. This will serve as the master agreement for services, and any projects that are proposed during the term of the agreement would be completed under a separate amendment which would detail all costs for services rendered. The base agreement is for a one-year term with a provision for two additional one-year extensions.

It was moved by Mr. Mosley, seconded by Mr. Bailey, to approve the Base Agreement for Professional Services with Delta Airport Consultants, Inc. Upon the question being put the vote was as follows.

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

LANE GROUP ARCHITECT & ENGINEERING SERVICES AGREEMENT

Mr. Poe reported that the Lane Group has met with each affected office, gathered information, and has submitted their Architect and Engineering Services Agreements for approval. Task Order AE-01 for the new Extension Office Building has a construction cost of \$400,000, A/E fees of \$50,750, there will also be \$2,500 for a Traffic Impact Study and \$2,300 for geotechnical services. Task Order A/E-02 is the New Transfer Station with a construction cost of \$950,000, A/E fees of \$86,450 and \$3,500 for possible

geotechnical evaluation. Task Order A/E-03 is the Renovations of the Circuit Courtroom and General District Court Clerk's Office with a construction cost not determined, A/E fees \$32,000, asbestos and lead-based paint testing of \$2,000. Task Order A/E-04 is for Existing Extension Office Demolition cost of \$60,000, A/E fees of \$6,000 and asbestos and lead-based paint testing of \$2,000.

Ms. Rowe asked if there was a time line or if all projects will be completed at the same time.

Mr. Poe stated that all projects will move forward at the same time.

It was moved by Mr. Mosley, seconded by Ms. Rowe, to accept the Base Agreement for Architect and Engineering Services along with Task Orders 1-4. Upon the question being put the vote was as follows.

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

CONSTITUTION WEEK

Mr. Slemp stated that everyone should remember days like Constitution Day and Independence Day because the founders went through a lot to get this Country established, and we need to preserve our rights and our Country.

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

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

**PROCLAMATION
LEE COUNTY, VIRGINIA
CONSTITUTION WEEK, 2013**

WHEREAS, September 17, 2013 marks the two hundred twenty-fourth anniversary of the drafting of the constitution of the United States of America by the Constitutional Convention; and

WHEREAS, it is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary, and to the patriotic celebration which will commemorate the occasion; and

WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as CONSTITUTION WEEK;

NOW, THEREFORE, BE IT RESOLVED, the Lee County Board of Supervisors, do hereby proclaim the week of September 17 through 23, 2013 as CONSTITUTION WEEK in the County of Lee, Virginia;

BE IT FURTHER RESOLVED, we call upon our citizens to reaffirm the ideals that the Framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties, remembering that lost rights may never be regained.

MOMENT OF SILENCE

Mr. Crabtree asked for a moment of silence for the victims of the Naval Yard shooting in Washington D.C. on September 16, 2013.

911 SIGN INSTALLATION & MAINTENANCE CONTRACT

Mr. Poe reported that the 911 Sign Installation and Maintenance contract agreement with Clark Signs & Graphics, LLC has been drafted. There were some changes on the pricing, but it is basically the same.

It was moved by Mr. Mosley, seconded by Mr. Bailey, to accept the 911 Sign Installation and Maintenance Contract with Clark Signs and Graphics. Upon the question being put the vote was as follows.

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

CRUISER BIDS

Mr. Poe reported that he received three bids for four new police cruisers as follows:

<u>Dotson Chevrolet</u>	
4 2014 Chevrolet Impala	\$21,397.10 per unit
3 year financing	\$89,631.52
<u>Auto World</u>	
4 new 2014 Dodge Charges	\$22,244.25 per unit
3 year financing	\$92,707.17 (payments in advance)
	\$94,789.50 (payments in arrears)
<u>Freedom Ford</u>	
4 new 2014 Ford Taurus (front wheel drive)	\$22,848
3 year financing	\$98,294.76
4 new 2014 Ford Taurus (all wheel drive)	\$23,864
3 year financing	\$102,415.38

It was moved by Mr. Bailey, seconded by Mr. Mosley, to accept the bid from Dotson Chevrolet for \$21,397.10 per unit and 3 year financing of \$89,631.52. Upon the question being put the vote was as follows.

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

REPORTS AND RECOMMENDATIONS OF THE COUNTY ATTORNEY

None.

REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR

ANIMAL LAWS

Mr. Poe reported that the Animal Laws have not been updated since 1962, and there have been changes over the years that should be incorporated into a new ordinance. Updating the local ordinance will require some time and research may take several months to complete.

Mr. Bailey stated that he gets several calls about a leash law, and asked if there would be a limit on acreage because some of the farmers do not want restrictions, but it could be used in neighborhoods.

Mr. Poe stated that he would look at the other county and state laws.

FENCING LAWS

Mr. Poe reported that in the past few years there has been confusion about the fence laws. Based on research by his office, Lee County is a fence-in county, meaning that citizens do not have to build a fence to keep animals off their property. However, other laws require a property owner to construct a fence to keep their livestock contained. Previous actions by the Board of Supervisors to enact the law was done in piecemeal fashion spanning from 1905 - 1959. He suggested the Board consider adopting a new all-encompassing ordinance to clarify the actual status of the County fence law.

It was the consensus of the Board to begin working to update the Animal Law and the Fencing Law.

THOMAS WALKER POOL

Mr. Poe reported that there are no steps into the pool and this makes it very difficult for people to enter and exit the pool. He has spoken with National Pools in Roanoke, and the submitted an estimate of \$5,950 to install steps.

Ms. Rowe asked if there is a grant that would help cover this cost.

Mr. Poe stated he would check into that.

It was moved by Mr. Bailey, seconded by Mr. Mosley, to approve the estimate from National Pools if this is not eligible for grant funds. Upon the question being put the vote was as follows.

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

WILDERNESS ROAD

Mr. Poe reported that Wilderness Road State Park has invited the Board to attend the DCR Master Plan Meeting on September 24, 2013.

TRAILS UPDATE

Mr. Poe reported that he has met with the Engineers and they have identified some target properties, and are looking at the ones needed to tie the trails together. The National Guard could be available to assist with construction next summer.

Ms. Rowe asked about the land use agreements.

Mr. Poe stated that the agreements that SRRA use were provided to Mr. Callahan, but he is requesting that the County be included on those then the County would not have to go to SRRA to get permission to be on their easement.

Mr. Slemp asked about the Pennington Gap trail.

Mr. Poe stated that he does not think that has been bid for construction yet.

COAL HAUL ROAD

Ms. Rowe asked about the Coal Haul Road.

Mr. Poe stated that Mr. Sumpter sent the information by email today. There needs to be a meeting within the next 30 days.

REPORTS AND RECOMMENDATIONS OF THE BOARD

LEE REGIONAL MEDICAL CENTER

Mr. Mosley requested that Mr. Callahan see if there is anything the County can do about the hospital closing.

Mr. Callahan stated there are a few things, one thing is to find out if there is a requirement or approval by the Department of Health, or see if anything that is going to be removed was purchased with grant funds, the other thing is a Health Care Commission. He added that right now the possibilities are pretty bleak.

Mr. Poe stated that some of the original construction costs were done with bonds.

Mr. Mosley stated that he is very upset with Wellmont for the fact that they stated in a meeting that they would not shut down, and then said they had a low patient count while they were moving patients to Holston Valley to begin with.

DCR GRANTS

Ms. Rowe asked Mr. Poe to check into DCR grants for redoing the tennis courts at Lee High School and Thomas Walker High School.

INDUSTRIAL REVITALIZATION FUNDS

Ms. Rowe stated that the Department of Housing and Community Development has an Industrial Revitalization Fund that helps redevelop deteriorated industrial and commercial properties. She stated that even though there are no projects on the shelf, that it is good to know these funds are available in the future.

Mr. Poe stated that sounds similar to the Brownfield funds, which deals with heavy industrial sites and converting them for other uses, but there needs to be a tenant ready for that. He added that he would look into this.

SRRA

Ms. Rowe stated that after St. Paul's trail opening the Authority has sold 75 permits.

FINAL BUDGET

Ms. Rowe asked Mr. Poe for a copy of the final current year budget.

TOWN HALL MEETINGS

Ms. Rowe suggested that the Board have Town Hall meetings, and asked if the County has ever held public hearings to get more community input on making the County better.

Mr. Poe stated that the Board holds required public hearings for Community Development Block Grants, we also have a portion of the monthly meeting set aside for Public Expression.

Mr. Crabtree stated that the biggest thing right now is jobs.

Mr. Crabtree asked Mr. Callahan about a Hospital Commission Study Committee.

Mr. Callahan stated that the Committee would be whatever the Board makes it. The Board is allowed to create committees. He added that it could be created at next month's meeting.

Ms. Rowe stated that it could be too late to take up next month.

Mr. Crabtree asked how they are set up financially.

Mr. Callahan stated he is not sure how they are structured legally at this time.

BRIDGE NAMING

It was moved by Mr. Crabtree, 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 13-033

WHEREAS, Maurice David "Bo" Cope was born April 6, 1952 to the late W.G. and Ocie Cope near Flatwoods in Lee County, Virginia; and

WHEREAS, Mr. Cope attended grade school and high school at Flatwoods and received a Certificate in Mechanics from the Lee County Vocational School; and

WHEREAS, Mr. Cope's first job was with a construction company that built Mountain Empire Community College which serves Lee County; and

WHEREAS, Mr. Cope was also employed at Lee Ford Tractor and was a farmer; and

WHEREAS, Mr. Cope married the former Sherry Morrison on October 23, 1971 and had three children, Tracy, Kristy and Kelly; and

WHEREAS, Mr. Cope served Beech Grove Baptist Church as a Sunday School teacher and deacon; and

WHEREAS, on October 7, 1987, Mr. Cope announced his call to the ministry and in April of 1988 was elected Pastor of Beech Grove Baptist Church where he served until his death on April 13, 2010.; and

WHEREAS, during his 23 years as Pastor, Beech Grove Baptist Church grew from an attendance of 13 people to nearly 100 people and despite poor health, Bo's love for his church was evident in the fact that he faithfully served throughout this time;

NOW, THEREFORE, BE IT RESOLVED, to commemorate the life of Maurice David "Bo" Cope, the Lee County Board of Supervisors respectfully requests the Commonwealth Transportation Board and the Virginia Department of Transportation formally designate the Route 833 bridge over Powell River as the "Bo Cope Memorial Bridge".

CLOSED SESSION

It was moved by Mr. Crabtree, 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.5., discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community, and Section 2.2-3711 A.7., consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigation posture of the public body; and consultation with legal counsel employed or retaining by a public body regarding specific legal matters requiring the provision of legal advice by such counsel. Upon the question being put the vote was as follows.

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

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

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.

It was moved by Mr. Mosley, seconded by Mr. Bailey, to transfer supervisory authority of all 911 Dispatchers to the Sheriff with the Board retaining hiring and firing authority. Upon the question being put the vote was as follows.

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

It was moved by Mr. Bailey, seconded by Mr. Crabtree, recess to September 25, 2013 at 10:00 a.m. Upon the question being put the vote was as follows.

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