

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 February 21, 2017 at 6:00 p.m. thereof.

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

MEMBERS ABSENT: None

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

OTHERS ABSENT: None

INVOCATION

Layne Pennington, Pastor of Jonesville First United Methodist Church, led in the Invocation.

PLEDGE TO THE FLAG

Charles Slemp led the Pledge to the Flag.

MEETING CALLED TO ORDER

The meeting was called to order at 6:03 p.m.

DEPARTMENTAL REPORTS

ANIMAL CONTROL

Allen Fortner, Animal Control Officer, reported that for the last quarter his department received 179 calls through the Lee County Sheriff's Office and 534 at the Pound for a total of 713 calls, picked up 46 strays, 84 owner surrenders, 6 seized, 1 horse and 1 pig. 17 dogs were reclaimed, 6 were adopted, 105 transferred to rescue, 8 were euthanized. The horse trailer has been purchased, the barn has been delivered and stalls have been made. He reported that he is still getting more information from the state on upcoming changes.

LITTER CONTROL

Josh Fleenor, Litter Control Coordinator, reported that there are 155 people in the Community Service Program with 96 participating for a 62% participation rate, 6 people completed the program and 12 new people signed up. He reported that is he is currently working on illegal dumpsites and road cleanups; he has had 4 new complaints and has 15 open complaints.

Mr. Leonard asked about the location in St. Charles.

Mr. Fleenor stated that he is working on Big Branch Road.

Mr. Leonard asked him to find out who owns the property.

Mr. Mosley asked about the house on the 4-lane.

Mr. Fleenor stated that the owner is supposed to be getting a demolition permit.

Mr. Cope asked if there was a list of start dates on the complaints and what happens when the period on a complaint goes over six months.

Mr. Fleenor stated that he does keep the dates and could take it to court, but after the fine gets paid there is no other avenue to pursue and the goal is to get the property cleaned up.

Mr. Cope stated that he should get them into court and let the judge make the decision.

SOLID WASTE

Gary Collingsworth, Transfer Station Superintendent, reported that there was 1,050.97 tons of garbage and 13.69 tons of tires taken into the Transfer Station. The department continues to do routine maintenance, each convenience center site has been worked and new gravel has been placed. There have been a few equipment breakdowns but nothing major. The new construction is complete and he is waiting on approval from DEQ to start using the new tipping floor.

CONSTITUTIONAL OFFICERS

TREASURER'S REPORT

The Treasurer's Report for the month of January 2017 was submitted as follows:

Revenues	\$ 7,127,117.78
Expenditures	\$ 8,311,969.09
General Fund	\$ 6,919,510.26
Total Assets and Liabilities	\$12,563,247.87

PUBLIC EXPRESSION

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

Ramona Alsup, addressed the Board about a Senior Citizen Wellness Program. She stated that this program is needed for the elderly to have a place to meet, have an

indoor walking track and an indoor heated pool. She asked that the program be considered in the upcoming budget year.

Mr. Poe advised Ms. Alsup to submit a formal written request to the County Administrator's Office by the end of February in order to be considered in the budget.

Sue Ella Kobak stated that the group is currently working with Keith Harless with the Town of Pennington Gap and he is working on a plan. She will have Mr. Harless get into contact with Mr. Poe.

A group from Sunshine Hill Drive addressed the Board about the condition of the road and asked the Board to help have it paved.

Mr. Smith advised that he put in a request last week with the School Bus Shop to have the road graveled.

Mr. Poe stated that is a private road and is not eligible to be the Six Year Plan, it would have to be added into the Rural Addition Program. There are two ways to get private roads into state maintenance; be brought in under the Rural Addition Program or for the residents on the road to bring it up to state standards and submit it to the State to be taken over. Mr. Poe advised the group to complete a Rural Addition application.

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. Cope, to approve the minutes of the January 17, 2017 Annual Meeting. Upon the question being put the vote was as follows.

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

PAYROLL

The County Administrator reports that payroll warrants have been issued.

APPROVAL OF DISBURSEMENTS

It was moved by Mr. Mosley, seconded by Mr. Leonard, to approve the disbursements for the month of February in the amount of \$154,007.89. Upon the question being put the vote was as follows.

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

DELEGATIONS

SECOND GRADER ART EDUCATION BETSY WHITE, EXECUTIVE DIRECTOR WILLIAM KING MUSEUM OF ARTS

Betsy White, Executive Director, addressed the Board about the second grader art education course that is currently being offered to Lee County students. She stated that the plan for the upcoming year is to include third graders in the class course, and a course for fourth graders that would consist of those students going to the museum.

FACILITIES STUDY DR. BRIAN AUSTIN, SUPERINTENDENT LEE COUNTY PUBLIC SCHOOLS

Dr. Brian Austin, Superintendent, addressed the Board about the Facility Master Plan study that had been conducted by MGT of America Consulting. He informed the Board of the three options the School Board has been given for improving the school facilities.

**INTERNET SERVICES
JAN BROWN
HUBBARD CLUB LAMBS**

Jan Brown, Hubbard Club Lambs, addressed the Board about the need for internet access on the Western end of the County. She stated that because of the lack of internet service her business may have to shut down, and stated that the lack of broadband in that area of the County could be hindering growth.

**TRAILS UPDATE
SHAWN LINDSEY, EXECUTIVE DIRECTOR
SPEARHEAD TRAILS**

Shawn Lindsey, Executive Director, introduced himself to the Board and gave an overview of new programs and events the trail system is hoping to offer in the future. He asked the Board for a \$25,000 donation to help with cost of one Trail Technician. He added that when a locality makes this donation, the residents of that County will be give a 50% discount on annual permits starting January 2018.

FINANCE

SUPPLEMENTAL APPROPRIATIONS

CIRCUIT COURT CLERK

It was moved by Mr. Mosley, seconded by Mr. Slempp, to approve a supplemental appropriation in the amount of \$6,475.50 to the Circuit Court Clerk as follows. Upon the question being put the vote was as follows.

Revenue Source		
3-001-18030-0006	Reimbursements	\$ 6,475.50
Expenditure		
4-001-21600-1350	Part Time Salaries	\$ 6,475.50

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

SHERIFF DEPARTMENT

It was moved by Mr. Mosley, seconded by Mr. Slempp, to approve a supplemental appropriation in the amount of \$500 to the Sheriff's Department as follows. Upon the question being put the vote was as follows.

Revenue Source		
3-001-18990-0002	Sheriff Donations	\$ 500.00
Expenditure		
4-001-31200-6024	K-9 Expenses	\$ 500.00

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

GENERAL EXPENSES

It was moved by Mr. Mosley, seconded by Mr. Slempp, to approve a supplemental appropriation in the amount of \$19,691.37 to the General Expenses as follows. Upon the question being put the vote was as follows.

Revenue Source		
3-001-41050-0099	Budget Supplements From Reserve	\$19,691.37
Expenditure		
4-001-91500-5840	Disbursements General Expenses	\$19,691.37

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

MISCELLANEOUS EXPENSES

It was moved by Mr. Mosley, seconded by Mr. Slempp, to approve a supplemental appropriation in the amount of \$125.86 to the Miscellaneous Expenses as follows. Upon the question being put the vote was as follows.

Revenue Source		
3-001-13030-0008	Building Permits	\$ 125.86
Expenditure		
4-001-92100-5870	Building Fund Expenses & Refunds	\$ 125.86

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

FINES & FORFEITURES

It was moved by Mr. Mosley, seconded by Mr. Slemph, to approve a supplemental appropriation in the amount of \$531.49 to the Fines & Forfeitures as follows. Upon the question being put the vote was as follows.

Revenue Source		
3-007-14010-0004	State Forfeiture Proceeds	\$ 531.49
Expenditure		
4-007-94100-5840	State Forfeiture Proceeds	\$ 531.49

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

IMAGINATION LIBRARY

It was moved by Mr. Mosley, seconded by Mr. Slemph, to approve a supplemental appropriation in the amount of \$615.50 to the Imagination Library as follows. Upon the question being put the vote was as follows.

Revenue Source		
3-025-12010-0001	Imagination Library Revenue	\$ 615.50
Expenditure		
4-025-61322-6020	Imagination Library Expenses	\$ 615.50

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

AIRPORT EXPENDITURES

It was moved by Mr. Mosley, seconded by Mr. Slemph, to approve a supplemental appropriation in the amount of \$438,443.00 to the Airport Expenditures as follows. Upon the question being put the vote was as follows.

Revenue Source		
3-051-33070-0006	Construction Airport	\$438,443.00
Expenditure		
4-051-94100-8109	New Airport Construction	\$438,443.00

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

NEW BUSINESS

BOARD APPOINTMENTS

LONESOME PINE OFFICE ON YOUTH

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

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

DRYDEN WATER AUTHORITY

It was moved by Mr. Slemph, seconded by Mr. Cope, to re-appoint Darrell Cody to a four-year term on the Dryden Water Authority. Mr. Cody's term will expire February 28, 2021. Upon the question being put the vote was as follows.

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

TRANSFER STATION SCALE SOFTWARE

Mr. Poe reported that with the installation of the new Transfer Station scales, the scale software program will need to be updated. The software currently in use with the old scales cannot be upgraded to operate on newer computers and has limited applications. The scale vendor, Central Scale, Inc., has provided two solutions based on what option the County wishes to have.

Option 1 has a cost of \$8,650.00 and will allow for generation of various reports which can be printed and/or emailed to the Administrator's Office. This system will track hauler, trucks, waste types, customers and weighs in tons and/or pounds; prints tickets and reports on site; and will generate and export Excel files to integrate with the QuickBooks billing program which is maintained in the County Administrator's Office.

Option 2 has a cost of \$13,725.00 and includes all customer transactions with a cash module to provide amount to be collected and change required; all reports listed in Option1; billing module for charge customers; multiple security levels to limit file maintenance ability. With this system, bill would be done from the scale house instead of the Administrator's Office. A computer controlled cash drawer for this system is an additional cost of \$2,150.00.

He also requested to implement a new collection procedure on July 1, 2017 with all cash sales collected onsite at the time of waste delivery to the Transfer Station. They would accept cash, check, and debit or credit cards for payment. Customers wishing to establish a charge account would be required to submit a credit application for approval prior to any charges being incurred. Any charge account not paid within 90 days of the due date would result in suspension of tipping privileges until the account is brought current. Sales and collections would be audited daily with deposits made in the Treasurer's office at least twice weekly depending on the volume of sales.

Staff believes Option 1 would provide everything needed to implement this change. Cash sales would be handled at the Transfer Station. Charge sales data would be emailed monthly to the Administrator's Office for import into our existing QuickBooks program and invoices mailed to customers. Two inexpensive cash boxes would be needed to complete the system and would be purchased separately. Debit and credit card sales would be subject to a service fee to cover any bank/credit agency fees.

While implementing debit and credit card acceptance at the Transfer Station, we would also like to implement this method of collection in the Building and Zoning departments for the convenience of the public.

It was moved by Mr. Mosley, seconded by Mr. Smith, to approve the Transfer Station Scale Software Option 1 in the amount of \$8,650.00 and the new collection procedure. Upon the question being put the vote was as follows.

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

POLICE CRUISER BIDS

Mr. Poe reported that he opened bids for five (5) police cruisers on February 9 with the following results:

Auto World, Big Stone Gap, VA

2017 Dodge Charger, All-Wheel Drive, V-8 \$24,238.00 each
(Bid includes financing proposal with Powell Valley
National Bank at 2.5% interest.)

Fairway Ford, Kingsport, TN

2017 Ford Taurus, Front-Wheel Drive, V-6 \$24,525.28 each
2017 Ford Taurus, All-Wheel Drive, V-6 \$27,543.28 each
(Bid includes financing proposal with Ford Credit
At 4.45% interest.)

<u>Short-Richmond Ford, LaFollete, TN</u>	
2017 Ford Taurus, Rear-Wheel Drive, V-6	\$25,987.28 each
2017 Ford Taurus, All-Wheel Drive, V-6	\$27,042.28 each

<u>Tim Short Chrysler, Middlesboro, KY</u>	
2017 Dodge Charger, Rear-Wheel Drive, V-6	\$27,106.00 each
2017 Dodge Charger, All-Wheel Drive, V-8	\$28,884.00 each

<u>Freedom Ford, Wise, VA</u>	
2017 Ford Taurus, Front-Wheel Drive, V-6	\$24,650.00 each
2017 Ford Taurus, All-Wheel Drive, V-6	\$25,650.00 each
(Bid includes financing proposal with Ford Credit At 4.95% interest.)	

He advised that Powell Valley National Bank would provide financing at the stated rate for any bid accepted.

It was moved by Mr. Mosley, seconded by Mr. Slempp, to accept the bid from Freedom Ford on the 2017 Ford Taurus All-Wheel Drive in the amount of \$25,650.00. Upon the question being put the vote was as follows.

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

HEALTH INSURANCE RENEWAL

Mr. Poe reported that he received notification from the Local Choice that the employee health insurance premiums will increase 8.3% for the plan year beginning July 1, 2017. The County currently provides the best product offered by the Local Choice which is Anthem Key Advantage Expanded which includes medical, dental and vision coverage. Mr. Poe has contacted several counties in the region regarding their current health insurance by received responses from only four. Wise County and the City of Norton both offer Key advantage 250 and 500. Scott County is with United Healthcare and Buchanan County has Anthem Key Care 300, which is similar to the Key Advantage 500 benefits.

If this is put out to bid, Mr. Poe would recommend an insurance consultant be hired to analyze the proposals as no two insurance companies will bid the same product regardless of what is requested. They have established products that may be similar but will always have differences from competitors.

Mr. Leonard requested that Mr. Poe find out what a consultant would charge to analyze the proposals.

IDA REQUEST ADDITIONAL LINE OF CREDIT

Mr. Poe reported that the Industrial Development Authority has another payment due to the Tobacco Commission this month. This is for the failed Elite Apparel project at Dryden and the payment amount is \$113,875. The IDA is requesting an additional \$100,000 line-of-credit loan from the County to cover this payment as they currently have less than \$40,000 in their account.

Efforts to sell the timber on the Constitutional Oaks property have been fruitless until recently. They are now in the process of signing an agreement for the sale of all timber 12" or greater in diameter. The logger will not begin work until at least April 1 so it will be some time before they generate much revenue from this project. They will receive 40% of the gross sales price of all timber harvested.

Mr. Cope asked if the action of the IDA required Board of Supervisor's approval.

Mr. Poe stated that the time the IDA could make application to the Tobacco Commission on their own.

Mr. Smith asked how the County would get the money back.

Mr. Poe stated that it would all depend on how successful the IDA is in the future.

Mr. Cope stated that he would like to get something into place in the future where the Board of Supervisors would know in advance before things like this happen.

Mr. Smith stated that money is tight for this Board and the IDA wants to borrow \$100,000 with no means to repay the loan.

Mr. Poe asked that this matter be taken into closed session.

REPLACEMENT WATER MONITORING WELL

Mr. Poe reported that there is a need for an additional water monitoring well on the Landfill property because of some issues with the current well. He stated that he has received a quote from the engineer in the amount of \$22,650.00 to install a well that is needed to stay on track with the testing. Right now, the County preparing to apply to be released from the gas well monitoring within the next year.

Mr. Leonard asked what was wrong with the well that is already there.

Mr. Poe stated that the well in use now belongs to a homeowner and there have been issues with it for a couple of years.

It was moved by Mr. Mosley, seconded by Mr. Cope, to accept the bid from the engineer for a new water monitoring well in the amount of \$22,650.00. Upon the question being put the vote was as follows.

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

ECONOMIC DEVELOPMENT MARKETING

Mr. Poe reported that there are ongoing legislative efforts to create funding sources for additional Economic Development Marketing for the Southwest Region. There has been some discussion about forming a Regional Authority for Economic Development with Lee, Wise, Scott, Dickenson Counties and the City of Norton. The options available by State Code to form a regional group are a regional authority or a joint authority. A joint authority does not have revenue sharing power, whereas a regional authority can create that, but a regional authority has more power, which may need to be limited and a joint authority may be better for that.

It was the consensus of the Board to move forward with the Joint Authority.

REPORTS AND RECOMMENDATIONS OF THE COUNTY ATTORNEY

None.

REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR

Mr. Poe requested for Closed Session for Personnel and Investing of Public Funds.

REPORTS AND RECOMMENDATIONS OF THE BOARD

None.

CLOSED SESSION

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

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

It was moved by Mr. Cope, seconded by Mr. Mosley, to exit Closed Session. Upon the question being put the vote was as follows. Upon the question being put the vote was as follows.

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

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.

IDA ADDITIONAL LINE OF CREDIT

It was moved by Mr. Cope, seconded by Mr. Leonard, to give the IDA a loan in the amount of \$100,000.00. Upon the question being put the vote was as follows.

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

CONVENIENCE CENTER OPERATOR

It was moved by Mr. Smith, seconded by Mr. Cope, to hire Neal Clonce at the Ewing Convenience Center. Upon the question being put the vote was as follows.

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

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

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

CHAIRMAN OF THE BOARD

CLERK OF THE BOARD