

**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 December 17, 2024 at 6:00 p.m. thereof.

MEMBERS PRESENT: D.D. Leonard, Chairman  
Josh Flanry  
Mike Kidwell  
Brian Shoemaker  
Roger Waddell

MEMBERS ABSENT: None

OTHERS PRESENT: Robby Wright, County Administrator  
Angie Thomas, Administrative Assistant  
Stacy Munsey, County Attorney

OTHERS ABSENT: None

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**INVOCATION**

Josh Leonard, Pastor of Beach Grove Baptist Church, led in the Invocation.

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**PLEDGE TO THE FLAG**

Brian Shoemaker led the Pledge to the Flag.

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**MEETING CALLED TO ORDER**

The meeting was called to order at 6:02 p.m.

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**PUBLIC HEARINGS**

**SPECIAL USE PERMIT REQUEST TO REZONE PROPERTY**

The Lee County Board of Supervisors held a Public Hearing on Tuesday, December 17, 2024 at 6:00 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. Tom Flora has applied to rezone property from R-2 (General Residential District) to A-1 (Agricultural District). The property is located in the Jonesville Community to the East of Collins Rd. and consists of +/- 6.9 acres and is located adjacent to 290 Spyglass Dr. (Tax Parcel # 53-(A)-21A).

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Clint Carter, Zoning Administrator, stated the property is zoned R-2 and most of the surrounding property is zoned A-1. There was some miscommunication between Mr. Flora and the previous Zoning Administrator they discussed different options for rentals and decided to go with campers. While doing an electrical service inspection they found there were 3 campers which constitutes an RV Park. This is step 1 of 2 to get him in compliance. The Planning Commission unanimously recommended approval.

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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.

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There was no public comment.

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The Chairman closed the floor for public comment.

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**SPECIAL USE PERMIT TO REZONE PROPERTY**

It was moved by Mr. Flanary, seconded by Mr. Kidwell, to approve Tom Flora's Special Use Permit Request to rezone property from R-2 (General Residential District) to A-1 (Agricultural District). Upon the question being put the vote was as follows.

VOTING AYE: Mr. Flanary, Mr. Kidwell, Mr. Leonard, Mr. Shoemaker, Mr. Waddell

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**SPECIAL USE PERMIT REQUEST**

The Lee County Board of Supervisors held a Public Hearing on Tuesday, December 17, 2024 at 6:00 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. Mark Bentoski has applied for a Special Use Permit to allow a doublewide manufactured home in a V-C (Village Commercial District). This property is located adjacent to 216 Bishop Hollow Road in Wildcat Community and consists of +/- 3.415 acres of land. (Tax Parcel # 19A-(1)-79,80).

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Clint Carter, Zoning Administrator, stated the Village Commercial Zoning District runs primarily along the corridors of the four-lanes and is supposed to be a mix between residential and business. A lot of the allowed uses allow for a mixture of both. A stick built single family dwelling is an allowed use in the V-C but a manufactured home is by Special Use Permit. He stated the Planning Commission unanimously recommended approval.

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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.

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There was no public comment.

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The Chairman closed the floor for public comment.  
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### **SPECIAL USE PERMIT**

It was moved by Mr. Leonard, seconded by Mr. Flanary, to approve Mark Bemtoski's Special Use Permit Request to allow a doublewide manufactured home in a V-C (Village Commercial District). Upon the question being put the vote was as follows.

VOTING AYE: Mr. Flanary, Mr. Kidwell, Mr. Leonard, Mr. Shoemaker, Mr. Waddell  
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### **SPECIAL USE PERMIT REQUEST**

The Lee County Board of Supervisors held a Public Hearing on Tuesday, December 17, 2024 at 6:00 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. Michael & Theresa Hammons have applied for a Special Use Permit to allow an event venue in an A-1 (Agricultural District). The property is located in the Hurricane Community of Jonesville at 367 Wilder Bent Rd. and consists of +/- 72.25 acres of land. (Tax Parcel # 69-(A)-67D, 70-(A)-17A, 70-(A)-15A).

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Clint Carter, Zoning Administrator, stated Mr. and Mrs. Hammonds explained to the Planning Commission that they are not currently looking to build a structure they are just planning on having outdoor weddings on their farm but may look at building a structure in the future. He stated there was one phone call expressing concerns about loud music, drinking, etc. He stated the Planning Commission voted unanimously to approve.

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Mr. Waddell stated the gentleman called him expressing his concerns and called back in a few days stating he spoke to the Hammonds and was happy with it.

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Mr. Carter stated the gentleman expressed concerns with the traffic on the road also.

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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.  
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There was no further public comment.  
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The Chairman closed the floor for public comment.  
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### **SPECIAL USE PERMIT**

It was moved by Mr. Leonard, seconded by Mr. Flanary, to approve Michael & Teresa Hammonds' Special Use Permit Request to allow an event venue in an A-1 (Agricultural District). Upon the question being put the vote was as follows.

VOTING AYE: Mr. Flanary, Mr. Kidwell, Mr. Leonard, Mr. Shoemaker, Mr. Waddell  
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### **SPECIAL USE PERMIT REQUEST**

The Lee County Board of Supervisors held a Public Hearing on Tuesday, December 17, 2024 at 6:00 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. Dustin & Rebecca Rhymer have applied for a Special Use Permit to allow a singlewide manufactured home in a V-C (Village Commercial District). The property is located in the Rose Hill Community adjacent to 5273 Dr. Thomas Walker Rd. and consists of +/- 1.5 acres of land. (Tax Parcel # 46A-(5)-TR1).  
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Clint Carter, Zoning Administrator, stated the parcel is zoned V-C and is by Special Use Permit to allow a manufactured home on the property. At the time of the Planning Commission hearing there were no complaints and was voted unanimously to approve. He reported they did receive a phone call after the public hearing with someone opposing the Special Use Permit.  
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Mr. Kidwell asked Mr. Carter to explain the Village Commercial District.  
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Mr. Carter stated by design it is a mix of residential and commercial uses.

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Mr. Kidwell asked what the language says about the housing in a rural district.

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Mr. Carter stated the single family homes are allowed by right and manufactured homes are by Special Use Permit.

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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.

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Teresa Ayers, Rose Hill, stated she was the phone call referred to by Mr. Carter and lives in the house that adjoins the property in discussion. She stated if a singlewide is allowed on property that is zoned Village Commercial her property value will go down and she spoke with neighbors who do not want it either. She stated her property will be passed on to her children and if they decide to sell it will go by comp value. She stated she prefers not to have a singlewide around all the nice homes.

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Rebecca Rhymer, Jonesville, stated they have had several pieces of property which have been under contract with contingent perks tests that have failed. She stated this property is zoned half residential half commercial and they prefer to put the mobile home closer to Dr. Thomas Walker Road rather than closer to the four-lane. She stated adjoining the property on the left are 3 mobile homes and she doesn't see it as a problem it is a home to them. She stated this is the property they are under contract with contingent on the Special Use Permit being approved.

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Ms. Ayers asked the Chairman to speak again.

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The Chairman allowed Ms. Ayers to speak.

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Ms. Ayers stated she looked it up and the property is zoned strictly Village Commercial. She stated it isn't anything personal but none of them want to see their property values go down.

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Mr. Carter stated he would like to clarify the zoning for this piece of property. The tract of land which is referred to in this request actually has 2 zones on it. The half nearest to Dr. Thomas Walker Road is zoned as Village Commercial which was established prior to the 4 lane being built. After the 4 lane was constructed, all properties adjacent to the new road were zoned A-1. The mobile home would be fully allowable in the half that adjoins the 4 lane but not where they want to place it nearer to Dr. Thomas Walker Road. Parcels with split zoning are required to adhere to the more stringent requirements that govern the property, therefore the zoning has to meet the VC requirements. This is the reason for the need to obtain a Special Use Permit.

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Mr. Kidwell asked if the property being purchased is waiting on a decision on the Special Use Permit and if they checked on the septic.

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Ms. Rhymer stated yes 2 spots perked for septic.

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Mr. Kidwell stated from what he has heard it is near impossible to get a new septic system in Lee County.

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Ms. Rhymer stated if the Special Use Permit is passed Josh McCurry will be taking care of the septic.

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Mr. Kidwell stated he appreciates the phone call and has nothing but good things to say about both parties however, he feels people should be able to do what they want with their own property and added these decisions never make everybody happy. He asked Mr. Carter if the property is split right now.

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Mr. Carter stated currently the Village Commercial only runs so many feet off of Dr. Thomas Walker Road.

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Mr. Kidwell stated the Planning Commission voted unanimously to approve.

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Mr. Carter stated yes to recommend approval to the Board.

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Mr. Waddell stated when all this was laid out the new road wasn't thought of and that is why the side next to the four-lane isn't zoned the same.

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Mr. Carter stated generally with the Village Commercial it's extended so many feet from the road.

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Mr. Kidwell asked how the 3 mobile homes Ms. Rhymer is talking about are zoned.

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Mr. Carter stated looking at the map it appears to the left of the property there are 2 parcels so the one with manufactured homes is strictly A-1.

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Mr. Leonard asked if the Rhymers purchase the land does it have to be checked to see if it will perk.

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Ms. Rhymer stated no it has 2 areas that have been approved by the Health Department.

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Mr. Leonard asked if the Rhymers had the perk test done.

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Ms. Rhymer stated it was tested before they went into contract by another individual that was going to by the property but fell through.

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Mr. Kidwell asked if the home was temporary.

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Ms. Rhymer stated yes and at some point they will be moving to a farm and one of their sons will move into the mobile home.

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There was no further public comment.

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The Chairman closed the floor for public comment.

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### **SPECIAL USE PERMIT**

It was moved by Mr. Flanary, seconded by Mr. Kidwell, to approve Dustin & Rebecca Rhymer's Special Use Permit Request to allow a singlewide manufactured home in a V-C (Village Commercial District). Upon the question being put the vote was as follows.

VOTING AYE: Mr. Flanary, Mr. Kidwell, Mr. Leonard, Mr. Shoemaker

VOTING NO: Mr. Waddell

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### **DEPARTMENTAL REPORTS**

Written departmental reports for Community Development, Tourism, Works Program and the CSA Expense report for November, 2024 were included in the packet.

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Mr. Wright stated DSS Office is working with him on remediation and he is getting timely reports.

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### **CONSTITUTIONAL OFFICERS**

#### **TREASURER'S REPORT**

The Treasurer's Report for the month of December 2024 was submitted as follows:

Revenues	\$ 9,712,501.90
Expenditures	\$ 7,439,530.51
General Fund	\$ 9,711,020.14
Total Assets and Liabilities	\$22,124,501.90

The Treasurer's Report for the month of November 2024 was submitted as follows:

Revenues	\$ 15,063,260.94
Expenditures	\$ 8,549,800.53
General Fund	\$ 8,137,433.92
Total Assets and Liabilities	\$ 19,851,296.85

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### **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.

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There was no public comment.

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The Chairman closed the floor for public comment.

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**APPROVAL OF MINUTES**

It was moved by Mr. Shoemaker, seconded by Mr. Waddell, to approve the minutes of the October 29, 2024 Recessed Meeting and November 19, 2024 Regular Meeting. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Flanary, Mr. Kidwell, Mr. Leonard, Mr. Shoemaker, Mr. Waddell

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**REFUNDS**

It was moved by Mr. Kidwell, seconded by Mr. Shoemaker, to approve the following refund. Upon the question being put the vote was as follows.

Wesley Coyle	\$1,307.25
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VOTING AYE: Mr. Flanary, Mr. Kidwell, Mr. Leonard, Mr. Shoemaker, Mr. Waddell

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**PAYROLL**

The County Administrator reports that payroll warrants have been issued.

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**APPROVAL OF DISBURSEMENTS**

It was moved by Mr. Flanary, seconded by Mr. Shoemaker, to approve the disbursements for the month of November in the amount of \$ 280,582.59. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Flanary, Mr. Kidwell, Mr. Leonard, Mr. Shoemaker, Mr. Waddell

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**NEW BUSINESS**

## **BOARD APPOINTMENTS**

### **APPALACHIAN COMMUNITY ACTION & DEVELOPMENT AGENCY**

It was moved by Mr. Leonard, seconded by Mr. Kidwell, to re-appoint Tony Lawson to a four-year term on the Appalachian Community Action & Development Agency. Mr. Lawson's term will expire on December 31, 2028. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Flanary, Mr. Kidwell, Mr. Leonard, Mr. Shoemaker, Mr. Waddell

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### **BUILDING CODE APPEALS**

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

VOTING AYE: Mr. Flanary, Mr. Kidwell, Mr. Leonard, Mr. Shoemaker, Mr. Waddell

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### **HEART OF APPALACHIA**

It was moved by Mr. Flanary, seconded by Mr. Leonard, to re-appoint Karen Maggard to a two-year term on the Heart of Appalachia. Ms. Maggard's term will expire December 31, 2026. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Flanary, Mr. Kidwell, Mr. Leonard, Mr. Shoemaker, Mr. Waddell

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### **SW VA EMERGENCY MEDICAL SERVICES COUNCIL**

It was moved by Mr. Flanary, seconded by Mr. Leonard, to re-appoint Adam Sharrett to a one-year term on the SW VA Emergency Medical Services Council. Mr. Sharrett's term will expire on December 31, 2025. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Flanary, Mr. Kidwell, Mr. Leonard, Mr. Shoemaker, Mr. Waddell

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### **SW VA WORKFORCE INVESTMENT**

It was moved by Mr. Leonard, seconded by Mr. Kidwell, to re-appoint Brian Shoemaker to a one-year term on the SW VA Workforce Investment. Mr. Shoemaker's term will expire on December 31, 2024. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Flanary, Mr. Kidwell, Mr. Leonard, Mr. Shoemaker, Mr. Waddell

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**TOURISM COMMITTEE**

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

VOTING AYE: Mr. Flanary, Mr. Kidwell, Mr. Leonard, Mr. Shoemaker, Mr. Waddell

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**UPPER TN RIVER ROUNDTABLE**

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

VOTING AYE: Mr. Flanary, Mr. Kidwell, Mr. Leonard, Mr. Shoemaker, Mr. Waddell

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**LEE COUNTY SCHOOL BOARD APPROPRIATIONS**

It was moved by Ms. Leonard, seconded by Mr. Kidwell, to adopt the following Resolution in the amount of \$96,458,019. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Flanary, Mr. Kidwell, Mr. Leonard, Mr. Shoemaker, Mr. Waddell

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**LEE COUNTY BOARD OF SUPERVISORS  
APPROPRIATIONS RESOLUTION  
FISCAL YEAR ENDING JUNE 30, 2025  
24-019**

**WHEREAS**, the Lee County Board of Supervisors has approved the Headstart Budget, Lee County Public School Budget and Virginia Public Assistance Budget for FY2024-25; 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 March 30, 2025

**HEADSTART**

Federal Funds

\$ 1,764,936

TOTAL HEADSTART \$ 1,764,936

**VIRGINIA PUBLIC ASSISTANCE**

Federal/State Funds \$10,242,700  
Local Funds 1,911,172

TOTAL VIRGINIA PUBLIC ASSISTANCE \$12,153,872

**LEE COUNTY PUBLIC SCHOOLS**

Federal, State & Other Funds \$58,055,581  
Local Funds 6,940,616

TOTAL LEE COUNTY PUBLIC SCHOOLS \$64,996,197

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 2024-2025.

**TOTAL FY 2024-25 BUDGET \$96,458,019**

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**AXON RENEWAL CONTRACT**

Mr. Wright provided the Board with a copy of the renewal contract from Axon concerning the body worn camera program for the Lee County Sheriff's and Lee County Commonwealth Attorney's Offices. The program is a cooperation between the Board and the 2 offices to supply the body worn cameras for our officers. This state program does have a code requirement for Lee County to fund a position in the Commonwealth Attorney's Office for review of this footage or a substitute agreement which benefits both parties while fulfilling the requirements. In our case, we do not fund the extra person and the duties of completing the process is distributed among the personnel already in this office. Also this agreement allows the Commonwealth Attorney's Office to collect and keep 50% of the proceeds from collections of past due debt to Lee County to be used in their budget. He stated the renewal of this contract is an increase of \$7,500 over the last 5 year deal and includes all new cameras at the beginning of the term, new cameras at the midpoint of the term and triple the storage space of the current contract. He reported Axon is allowing us access to utilize this extra storage which is already being used at no additional charge under the current contract pending the renewal. He stated even with the additional cost this program is more budget friendly than staffing an additional person to keep this program in place.

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It was moved by Mr. Leonard, seconded by Mr. Shoemaker, to approve the renewal of the Axon Contract. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Flanary, Mr. Kidwell, Mr. Leonard, Mr. Shoemaker, Mr. Waddell  
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### **WATER HEATER IN OLD SECTION OF COURTHOUSE**

Mr. Wright provided the Board with a quote from Southwest Heating & Air Conditioning at a total cost of \$5,000 to complete the install of new hot water heaters in the old section of the Lee County Courthouse. This will allow hot water to be installed into every bathroom on this section. He requested authorization from the Board to complete the work.

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It was moved by Mr. Kidwell, seconded by Mr. Flanary, to approve the purchase and installation of hot water heaters in the old section of the Lee County Courthouse from Southwest Heating & Air Conditioning at a total cost of \$5,000. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Flanary, Mr. Kidwell, Mr. Leonard, Mr. Shoemaker, Mr. Waddell  
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### **BRIDGE DEDICATION**

Mr. Wright presented a proposed resolution to begin the process of dedicating the bridge crossing at Martin Creek on Route 654 located near Lower Wallens Creek Road in honor of Nathaniel Clayton Ewing, MD.

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

VOTING AYE: Mr. Flanary, Mr. Kidwell, Mr. Leonard, Mr. Shoemaker, Mr. Waddell  
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### **RESOLUTION 24-018**

**WHEREAS**, Nathaniel Clayton Ewing, MD was born to parents Effie Pearl Albert Ewing and James Shelburne Ewing on May 6, 1993 living his whole life in Lee County; and,

**WHEREAS**, Nathaniel Clayton Ewing, MD graduated from Emory & Henry College

and the University of Virginia Medical School and spent his entire career serving the citizens of Lee County; and

**WHEREAS**, Nathaniel Clayton Ewing, MD volunteered in many local organizations such as Jonesville Fire Department for 50 years, volunteered his services to the Lee County Jail as well as Jonesville High School Team Doctor for 30 years; and

**WHEREAS**, Nathaniel Clayton Ewing, MD serving as REA Director for 15 years, Director of Ewing Bank for many years as well as served as Mayor of the Town of Jonesville, VA in the 1950's; and

**WHEREAS**, Nathaniel Clayton Ewing, MD practiced medicine out of his office in Jonesville, his home office and also served Lee County citizens by making house calls when called upon; and

**WHEREAS**, Nathaniel Clayton Ewing, MD owned and worked on a farm in the Martin Creek area, was an avid hunter and fisherman enjoying the wildlife and land of Lee County with his family;

**NOW, THEREFORE, BE IT RESOLVED**, the Lee County Board of Supervisors, in accordance with the requirements of Section 33.2-213 of the Code of Virginia, does hereby request the Commonwealth Transportation Board and the Virginia Department of Transportation formally designate and name the bridge over Martin Creek on Route 654 (Hurricane Bridge Road) as the "Nathaniel Clayton Ewing, MD. Memorial Bridge".

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### **CODE RECOMMENDATIONS**

Mr. Wright stated there have been several discussions concerning the need to update some of the codes we have published for convenience centers, land use, etc. He requested a list with specific detail as to what changes need to be made in order to be working to draft of proposed changes for approval at a later date.

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Mr. Waddell stated upon looking through old minutes the Board voted in May, 2024 to put this off and here we are. He asked if a motion was needed to move forward.

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Mr. Wright stated no this was for informational purposes.

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Mr. Shoemaker stated this is pertaining to County Ordinances.

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Mr. Wright stated yes and there have been several discussions about codes being lax or not clearly defined in different areas. He stated he will review the minutes of the last 6 or 7 meetings and get together a bullet point of previous discussions for the Board to review.

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Mr. Shoemaker asked if the ordinances are published.

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Mr. Wright stated yes they are on the County Website.

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**REPORTS AND RECOMMENDATIONS OF THE COUNTY ATTORNEY**

None.

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**REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR**

**DSS PAYROLL**

Mr. Wright stated the Board voted earlier this year for the Department of Social Services (DSS) to begin doing their own payroll however, we have discovered in doing this will be a budget increase for the County. He stated the major complaint at that time was not receiving timely information in order to get payroll completed in a timely manner. He reported the relationship we are building now is a lot better and upon speaking to Ms. Hughes, County Accounting Clerk, she stated she would prefer to continue to do DSS payroll. He asked to Board to allow the County to continue to do DSS payroll.

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Mr. Leonard stated better communication was his main goal and he is okay with the County Accounting Clerk continuing to do DSS payroll.

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Mr. Shoemaker stated he has no issue with it.

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Mr. Flanary stated as long is everything is working good he's fine with it.

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Mr. Kidwell stated he is fine with it and asked if DSS Board can budget to help pay the payroll clerk.

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Mr. Leonard asked Michele Brooks, DSS Director, if they have a pay position for payroll clerk.

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Ms. Brooks stated they do not have a designated person due to never doing payroll. She reported the initial outlay would cost around \$15,000 to get everything transferred over to a more user friendly system. She stated DSS is happy to do whatever but can't commit to helping pay the payroll clerk, however her Board is meeting on Thursday and she would add that to her agenda.

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Mr. Kidwell asked if they can line item funds to help pay for the County employee doing their payroll.

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Ms. Brooks stated technically DSS is Lee County but she will take that to her Board and she feels certain they will do something with that and asked if they have a figure in mind.

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Mr. Flanary recommended a stipend for each month.

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Mr. Wright stated if we don't make a decision tonight the DSS will have the payroll and if we decide it is more cost beneficial for the County to do payroll our hands will be tied.

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Mr. Kidwell stated he believes the decision has already been made to go ahead and have the County continue to do DSS payroll.

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Ms. Brooks stated she appreciates the Boards willingness to continue doing DSS payroll adding that would have been a huge learning curve and very difficult for everyone.

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There was a discussion about DSS payroll and the use of the County credit card.

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It was moved by Mr. Leonard, seconded by Mr. Shoemaker, to approve the County Clerk to continue to do DSS payroll. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Flanary, Mr. Kidwell, Mr. Leonard, Mr. Shoemaker, Mr. Waddell



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Mr. Flanary asked how everything was going with the new building.  
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Ms. Brooks stated extremely well and added they will be having an open house probably in January and would love for the Board to come.

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Mr. Flanary asked about any parking issues.  
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Ms. Brooks stated no one has expressed to her that there is an issue with parking.  
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#### **LANDFILL REPORTS**

Mr. Wright stated he received the reports from the DQ on the landfill and no deficiencies were found.  
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#### **COUNTY VEHICLE**

Mr. Wright stated he has several quotes for a replacement for the county vehicle and asked how the board wants to proceed.  
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Mr. Flanary asked if DSS has any vehicles they are not using.  
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Ms. Brooks stated they have 3 they are going to advertise on Gov Deals.  
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Mr. Wright stated he will get with Ms. Brooks and send the Board members an email.  
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Mr. Waddell asked how many miles is on the county vehicle that is down.  
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Mr. Wright stated he believes it has 116,000.

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Mr. Waddell stated that is relatively low miles and recommended a crate motor.

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Mr. Wright stated the county mechanic didn't recommend that.

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**SIGN ON PARKING LOT ACROSS FROM COURTHOUSE**

Mr. Wright stated there are some businesses interested in renting the sign across from the courthouse and with the Boards permission he would like to negotiate with them.

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It was consensus of the Board to allow the County Administrator to negotiate a cost and rent out the sign across from the courthouse.

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**BOARD OF EQUALIZATION**

Mr. Wright stated the time is getting here quickly to appoint members for the Board of Equalization.

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There was a discussion about the Board of Equalization and pay for members.

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**STATE RESPONSIBLE INMATES**

Mr. Wright stated he has been working with the Regional Jail on state responsible inmates and received some information from them that led him to work with the Clerk's Office. He stated he knows a lot more about this process now and is still working to get something done.

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Mr. Flanary asked how much last quarter's payment was for state responsible inmates.

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Mr. Wright stated just over \$61,000 and thinks this upcoming quarter has increased.

Mr. Wright reported that he received an email from Keith Harless, Town Manager of Pennington Gap, providing an update on the Pennington Gap IDA officially signing an agreement with AP Hospitality for the development of a 70 room hotel featuring an indoor pool and rooftop bar. He stated the project is expected to open in 2026 to bring additional tourism options and economic benefits to the area. As they move further in the planning process the town will have a clearer idea of the total project scope and funding and will share that at a later date.

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Mr. Wright requested closed session for Personnel and Investments of Public Funds.

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### **CONSTITUTIONAL OAKS PROPERTY**

Mr. Kidwell asked Mr. Wright to report on the property at Constitutional Oaks.

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Mr. Wright stated at this time Constitutional Oaks is at what DEDP considers to be a tier 2 site, however he is in the process of trying to get a grant and matching funds to move that property to a tier 3 site which is basically environmental studies that have to be done through an engineering group to get it to the next level so development can actually happen.

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Mr. Flanary stated that by not having the tiers up to 5 it is preventing businesses from going in on that property.

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Mr. Wright stated yes it makes it extremely difficult and he explained the process.

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### **REPORTS AND RECOMMENDATIONS OF THE BOARD**

Mr. Kidwell reported on a joint meeting with Terry Kilgore, Todd Pillion and 4 other counties. He stated some good topics were discussed along with other counties that are facing the same problems as Lee County, such as additional jail funding, school resource officer funding, the water treatment plant is moving forward, TW speed limit, DSS and 1% sales tax increase.

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Mr. Flanary asked if that is taking 1% from the state.

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Mr. Kidwell stated no it actually allows the localities to implement a 1% sales tax County wide.

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Mr. Flanary asked what the figure is on the 1% sales tax increase.

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Mr. Wright stated he will verify the number but believes the amount to be around \$2,000,000.

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Mr. Kidwell stated the 1% tax increase along with other things such as interest bearing checking accounts for the County can offset some of the tax burden and also some of the additional school funds for the upcoming year.

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Mr. Leonard agreed with Mr. Kidwell that the meeting went well and hopefully we can get them involved enough to follow through with some of the issues the County is facing.

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Mr. Kidwell stated EMS was another big topic that the County needs help with along with neighboring counties facing the same problem.

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### **CLOSED SESSION**

It was moved by Mr. Shoemaker, seconded by Mr. Flanary, 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, 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. Flanary, Mr. Kidwell, Mr. Leonard, Mr. Shoemaker, Mr. Waddell

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

VOTING AYE: Mr. Flanary, Mr. Kidwell, Mr. Leonard, Mr. Shoemaker, Mr. Waddell

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**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.

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**ADOPT STATE HOLIDAY SCHEDULE INCLUDING GOOD FRIDAY**

It was moved by Mr. Shoemaker, seconded by Mr. Flanary, to adopt the State Court Holiday schedule to include Good Friday for County Employees effective immediately. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Flanary, Mr. Kidwell, Mr. Leonard, Mr. Shoemaker

ABSTAINING: Mr. Waddell

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**APPLY FOR COUNTY CREDIT CARD**

It was moved by Mr. Flanary, seconded by Mr. Leonard, to allow the County Administrator to apply for a credit card at Powell Valley National Bank. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Flanary, Mr. Kidwell, Mr. Leonard, Mr. Shoemaker, Mr. Waddell

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**BOARD OF EQUALIZATION**

It was moved by Mr. Kidwell, seconded by Mr. Shoemaker, to appoint Gena Payne Clonce District 1, Kena Sizemore and Danny Hensley District 2, Larry Ruley District 3 and Billy Willis District 4 to the Board of Equalization. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Flanary, Mr. Kidwell, Mr. Leonard, Mr. Shoemaker, Mr. Waddell

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**WASTE MANAGEMENT BILL**

It was moved by Mr. Kidwell, seconded by Mr. Waddell, to pay the Waste Management bill in the amount of \$80,975.44. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Flanary, Mr. Kidwell, Mr. Leonard, Mr. Shoemaker, Mr. Waddell

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**FEE FOR TRUCKS WEIGHING AT TRANSFER STATION**

It was moved by Mr. Waddell, seconded by Mr. Shoemaker, to implement a \$15.00 fee per use for weighing vehicles at the Transfer Station excluding agricultural use effective January 1, 2025. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Flanary, Mr. Kidwell, Mr. Leonard, Mr. Shoemaker, Mr. Waddell

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It was the consensus of the Board to recommend the treasurer move all appropriate county funds to the highest interest bearing accounts available in the county.

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Mr. Waddell stated it is Christmas time and wished everyone a Merry Christmas. He stated he has enjoyed this past year on the Board.

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

VOTING AYE: Mr. Flanary, Mr. Kidwell, Mr. Leonard, Mr. Shoemaker, Mr. Waddell

