

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 April 18, 2023 at 5:30 p.m. thereof.

MEMBERS PRESENT: Larry Mosley, Chairman
Sidney Kolb
D.D. Leonard
David Jessee
Robert Smith

MEMBERS ABSENT: None

OTHERS PRESENT: Dane Poe, County Administrator
Angie Thomas, Administrative Assistant
Stacy Munsey, County Attorney

OTHERS ABSENT: None

INVOCATION

Dane Poe, County Administrator, led in the Invocation.

PLEDGE TO THE FLAG

D.D. Leonard led the Pledge to the Flag.

MEETING CALLED TO ORDER

The meeting was called to order at 5:37 p.m.

PUBLIC HEARINGS

SPECIAL USE PERMIT REQUEST

The Lee County Board of Supervisors held a Public Hearing on Tuesday, April 18, 2023 at 5:30 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. Daniel Knepp has applied

for a Special Use Permit to allow playset manufacturing in an A-1, Agricultural District. The property consists of approximately 26.765 acres and is located on Flatwoods Road (Route 661) approximately 0.4 mile East of Wilson Hill Road (Route 855) in the Flatwoods Community, Tax Parcel #67-(7)-2.

The Chairman opened the floor for public comment.

Richard Johnson, Zoning Administrator, stated that Mr. Knepp had a public hearing with the Planning Commission last month. He stated there was some public comment from Mr. Baker noting some traffic and noise impacts in the area as well as a change in use in agriculture districts. He advised the Planning Commission recommended approval of the Special Use Permit Request.

Mr. Knepp, Jonesville, stated he wants to build swing sets on his property while also being at home with his family. Mr. Knepp stated he is Amish and doesn't have a vehicle and would create more traffic if he had to hire someone to take him to and from work. He stated his business would not be a public gathering place. He will be building the swing sets and delivering and setting them up for customers.

There was no further comment.

The Chairman closed the floor.

It was moved by Mr. Jessee, seconded by Mr. Smith, to approve Mr. Knepp's Special Use Permit Request to allow swing set manufacturing in an A-1 Agricultural District. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Jessee, Mr. Leonard, Mr. Mosley, Mr. Smith

ABSTAINING: Mr. Kolb

SPECIAL USE PERMIT REQUEST

The Lee County Board of Supervisors held a Public Hearing on Tuesday, April 18, 2023 at 5:30 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. Benjamin Yoder has applied for a Special Use Permit to allow furniture manufacturing in an A-1, Agricultural District. The property consists of approximately 12.92 acres and is located on Tobacco Road (Route 662) approximately 0.9 mile East of Flanary Bridge Road (Route 758) in the Flatwoods Community, Tax Parcel #68A-(1)-2,3A.

The Chairman opened the floor for public comment.

Richard Johnson, Zoning Administrator, stated the public hearing was held last month with the Planning Commission recommending approval. He stated Mr. Baker noted potential traffic and noise impacts in addition to agriculture district and school traffic impacts. He advised the structure will be Mr. Yoder's dwelling and could be permitted by right if shop space were under 25% of the footprint of the entire structure but with it being around 50% it does not fall under the bounds of home occupation.

Mr. Yoder, Jonesville, stated he is looking to have a home business and advised it will not be a retail space and most of his furniture will be hauled out to other dealers. He doesn't see traffic increasing much and added the noise level would be comparable to a lawn mower running and would be in an insulated building.

Tom Baker, property owner in the area, stated Tobacco Road is a small road and it isn't feasible to allow a manufacturing facility on that road. Mr. Baker is asking the Board not to issue a Special Use Permit because of the size of the road. He advised that under the County Code section 10 or 11 a permit can't be allowed if the noise could be heard outside of the property limits. He advised that Mr. Yoder knew when he bought the property that it was zoned A-1 Agricultural.

Charles Langley, Jonesville, stated he lives beside Mr. Yoder's property and doesn't have a problem and the other neighbors don't have any issues. He added if there's a problem with traffic it's because of school busses.

Mr. Smith asked Mr. Yoder how the materials will be delivered.

Mr. Yoder stated the lumber will brought in by pickup and trailer and would have varnish delivered about once a month by tractor and trailer.

Mr. Smith asked if the road is wide enough for a tractor and trailer.

Mr. Yoder stated yes and stated the road isn't an issue.

Mr. Smith asked if the road was gravel or asphalt.

Mr. Yoder stated it was asphalt.

There was no further comment.

The Chairman closed the floor for public comment.

It was moved by Mr. Mosley, seconded by Mr. Leonard, to approve the Special Use Permit to allow furniture manufacturing in an A-1 Agriculture District. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Jessee, Mr. Leonard, Mr. Mosley, Mr. Smith

ABSTAINING: Mr. Kolb

DEPARTMENT REPORTS

Written departmental reports for Building Inspection, Extension Office and Works Program were included in the packet.

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.

Terry Cox, Sticklelyville, stated May 15 is the spring meeting for the VDOT Smart Scale Program. He asked if the supervisors or County Administrator will attend the meeting. He stated he is here specifically for extending the east bound passing lanes on Powell Mountain. He advised we could do a great thing for the county by opening it up. He stated at Lovers Leap in Patrick County, which is the highest point on the 58 Project they are moving ten million cubic yards of earth and added if they can do that we can get the two thousand feet of passing lanes down Powell Mountain. He asked Mr. Jessee to attend the meeting.

Jerry Cox, Sticklelyville, stated his brother gave information about the project in Patrick County and added they are calling it a game changer for the county. He thinks that could be the same for Lee County with the passing lanes on Powell Mountain. He encourages Mr. Jessee to attend the meeting.

There was no further public comment.

The Chairman closed the floor for public comment.

APPROVAL OF MINUTES

It was moved by Mr. Kolb, seconded by Mr. Leonard, to approve the minutes of the March 21, 2023 Regular Meeting. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Jessee Mr. Kolb, Mr. Leonard, Mr. Mosley, Mr. Smith

PAYROLL

The County Administrator reports that payroll warrants have been issued.

APPROVAL OF DISBURSEMENTS

It was moved by Mr. Leonard, seconded by Mr. Smith, to approve the disbursements for the month of April in the amount of \$223,263.97. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Jessee, Mr. Leonard, Mr. Mosley, Mr. Smith

VOTING NO: Mr. Kolb

SUPPLEMENTAL APPROPRIATIONS

CENTRAL GARAGE

It was moved by Mr. Leonard, seconded by Mr. Jessee, to approve the following Supplemental Appropriation in the amount of \$11,054.00. Upon the question being put the vote was as follows.

| | | |
|------------------|-----------------------|--------------|
| Revenue Source: | | |
| 3-001-18990-0013 | VACO Insurance Claims | \$ 11,054.00 |

| | | |
|------------------|--------------------------|--------------|
| Expenditure: | | |
| 4-001-12520-6009 | Vehicle Supplies (Parts) | \$ 11,054.00 |

VOTING AYE: Mr. Jessee, Mr. Kolb, Mr. Leonard, Mr. Mosley, Mr. Smith

BLACKWATER WATER PROJECT

It was moved by Mr. Leonard, seconded by Mr. Jessee, to approve the following Supplemental Appropriation in the amount of \$9,450.00. Upon the question being put the vote was as follows.

| | | |
|------------------|-------------------------------|-------------|
| Revenue Source: | | |
| 3-055-17050-0001 | Blackwater Water Project CDBG | \$ 9,450.00 |

| | | |
|------------------|-------------------------------|-------------|
| Expenditure: | | |
| 4-055-94950-8212 | Blackwater Water Project CDBG | \$ 9,450.00 |

VOTING AYE: Mr. Jessee, Mr. Kolb, Mr. Leonard, Mr. Mosley, Mr. Smith

WESTERN LEE SEWER PROJECT

It was moved by Mr. Leonard, seconded by Mr. Jessee, to approve the following Supplemental Appropriation in the amount of \$80,000.00. Upon the question being put the vote was as follows.

| | | | |
|------------------|---------------------------|----|-----------|
| Revenue Source: | | | |
| 3-055-17070-0001 | Western Lee Sewer Project | \$ | 80,000.00 |

| | | | |
|------------------|---------------------------|----|-----------|
| Expenditure: | | | |
| 4-055-94970-8212 | Western Lee Sewer Expense | \$ | 80,000.00 |

VOTING AYE: Mr. Jessee, Mr. Kolb, Mr. Leonard, Mr. Mosley, Mr. Smith

OLD BUSINESS

EDA BUDGET DISBURSEMENT REQUEST

Mr. Poe stated the Board tabled action last month on the EDA's request for disbursement of the remaining \$7,658.28 allocated in the FY22-23 budget. Per the Board's request a listing of operating expenses for the current fiscal year has been provided and he advised they have a current balance of \$169,493.52 which is primarily from the recent sale of EDA property in Rose Hill.

Mr. Mosley asked Mr. Johnson about the miscellaneous expenses in the report.

Mr. Johnson stated that was a fraudulent check that was written and later recovered.

Mr. Mosley asked if they had spent \$10,000 for this year.

Mr. Johnson stated no and advised the Board to look at the expenditures and added anything marked off on the side isn't included in the \$26,000.00 total. He stated the only things included are the actual operating expenses. Mr. Johnson stated it is the position of the Authority that the funds were allocated for the fiscal year as operating expenditures and should be disbursed.

Mr. Mosley asked which property the EDA sold.

Mr. Johnson stated it was in front of the Deroyal building and next to Dutch Treat in Rose Hill.

Mr. Mosley asked if they got \$169,000.00 for the property.

Mr. Johnson stated it was more than that.

Mr. Mosley stated they have that much money and are asking for more.

Mr. Johnson stated it was the position of the Authority that the full allocation be disbursed.

Mr. Mosley stated the Board didn't know the EDA was going to sell property for \$170,000.00 plus when the funds were allocated.

Mr. Kolb asked for Mr. Johnson to explain how the selling of the property came about.

Mr. Johnson advised the property was subject to option by Pete Debusk and was entered into by the Authority in 1983. He stated that the option wasn't exercised and he doesn't know how the Authority didn't know they still retained ownership of the property.

Mr. Kolb advised the Board that about a year and a half ago the EDA refused to sign a note and that when this money was allocated it was only if they needed it. He stated he is opposed to giving them the money.

It was moved by Mr. Kolb, seconded by Mr. Jessee, to deny the EDA budget disbursement request. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Jessee, Mr. Kolb, Mr. Leonard, Mr. Mosley, Mr. Smith

COUNTY CODE RECODIFICATION

Mr. Poe advised he hasn't had an opportunity to meet with the County Attorney.

FIRE ALARMS AT COURTHOUSE

Mr. Poe advised he hasn't been able to take action on the fire alarms at this time.

Mr. Kolb stated he spoke with someone at the fire hall and they stated they have waited this many years they can wait a little longer. He asked if we could hurry and get this done.

Mr. Poe advised he will try to get it done. He stated we don't have any diagrams on the old fire alarm system.

Mr. Kolb stated we will have to have someone here to pull alarms.

Mr. Poe stated we will need someone at dispatch standing by, someone at the fire department standing by and someone here at the courthouse to trip alarms and see what code it reads so we can tell them where it is in the building.

Mr. Kolb asked if we can get a diagram of the building drawn up.

Mr. Poe stated he will draw out a diagram.

PROPERTY DONATIONS TO COUNTY

Mr. Poe stated he needs to follow up with the property owner on last month's approval in the Monarch area. He stated he recently provided Ms. Munsey with information on one of the other properties. He stated the Board indicated they wanted to look at one property and he provided Ms. Munsey with additional information on the property owners.

Ms. Munsey stated she was able to look at the information today and she has one she would like to discuss in closed session under property acquisition.

Mr. Leonard asked about the MBO's.

Mr. Poe stated he doesn't have any further information but he will follow up on this.

Mr. Kolb stated we haven't decided on the site for the third MBO.

Mr. Leonard stated we had them do a coverage map on the St. Charles location.

Mr. Poe advised we were asking for a coverage map for the northern part of St. Charles and there is potential for one in Stickleyville.

NEW BUSINESS

BOARD APPOINTMENTS

BUILDING CODE APPEALS

It was moved by Mr. Leonard, seconded by Mr. Kolb, to table District 5 Building Code Appeals appointment. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Jessee, Mr. Kolb, Mr. Leonard, Mr. Mosley, Mr. Smith

PLANNING COMMISSION

It was moved by Mr. Mosley, seconded by Mr. Smith, to appoint Jeannie Stidham to the un-fulfilled term on the Planning Commission. Ms. Stidham’s term will expire on February 28, 2024. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Jessee, Mr. Kolb, Mr. Leonard, Mr. Mosley, Mr. Smith

PLANNING COMMISSION

It was moved by Mr. Leonard, seconded by Mr. Kolb, to re-appoint Joyce Williams to a four-year term on the Planning Commission. Ms. Williams’ term will expire on April 30, 2027. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Jessee, Mr. Kolb, Mr. Leonard, Mr. Mosley, Mr. Smith

BLACK DIAMOND RESOURCE CONSERVATION

It was moved by Mr. Kolb, seconded by Mr. Leonard, to table the alternate appointment on Black Diamond Resource Conservation. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Jessee, Mr. Kolb, Mr. Leonard, Mr. Mosley, Mr. Smith

SOCIAL SERVICES

It was moved by Mr. Leonard, seconded by Mr. Smith, to table the District 5 appointment on Social Services Board. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Jessee, Mr. Kolb, Mr. Leonard, Mr. Mosley, Mr. Smith

ECONOMIC DEVELOPMENT AUTHORITY

It was moved by Mr. Smith, seconded by Mr. Leonard to re-appoint Mark Long to a four-year term on the Economic Development Authority. Mr. Long's term will expire on April 30, 2027. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Jessee, Mr. Kolb, Mr. Leonard, Mr. Mosley, Mr. Smith

FAIR HOUSING RESOLUTION AND DESIGNATION OF FAIR HOUSING ADMINISTRATOR

Mr. Poe presented to the Board a Resolution endorsing Fair Housing practices in Lee County also designating the County Administrator as the Fair Housing Administrator in the County. This Resolution and designation is required pursuant to acceptance of Community Development Block Grants from the Department of Housing and Community Development. He stated if approved the Resolution must be published in the local newspaper.

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

VOTING AYE: Mr. Jessee, Mr. Kolb, Mr. Leonard, Mr. Mosley, Mr. Smith

**RESOLUTION
FAIR HOUSING NOTICE
023-003**

WHEREAS, the Lee County Board of Supervisors endeavors to ensure equal opportunity to all persons residing in the County of Lee to live in decent housing facilities; and

WHEREAS, discrimination in the sale, purchase, rental, or financing of housing against any person on the basis of race, color, religion, national origin, sex, age, familial status, disability, veteran status, gender identity, sexual orientation, or source of funds will be prohibited by the County of Lee; and

WHEREAS, the County of Lee does hereby designate the Lee County Administrator as the Fair Housing Administrator to investigate all complaints of fair housing discrimination; and

WHEREAS, the Lee County Administrator in his official capacity as Fair Housing Administrator will work with the Lee County Board of Supervisors to develop grievance procedures which will serve as a guide for the investigation and filing of discrimination complaints to the proper authorities;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Lee, Virginia, endorses the concept of fair housing within the County of Lee and appoints the Lee County Administrator as the designated Fair Housing Administrator and is hereby authorized to further the County of Lee's efforts in this regard.

Adopted this the 18th day of April, 2023.

REQUEST TO INSTALL CAMERAS AT LEE COUNTY HEALTH DEPARTMENT

It was moved by Mr. Kolb, seconded by Mr. Leonard, to approve the Virginia Department of Health's request to install cameras at the Lee County Health Department building. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Jessee, Mr. Kolb, Mr. Leonard, Mr. Mosley, Mr. Smith

REQUEST FOR INCREASE IN HVAC MAINTENANCE CONTRACT

Mr. Poe stated the contract for maintenance and repair of the HVAC system in various County buildings was awarded to Southwest Heating & Air Conditioning, Electrical & Mechanical in 2011 with little to no increase in contract amounts since that time. Southwest is requesting an increase in the monthly fee for maintenance, servicer call fees and labor costs.

Mr. Kolb asked to take the matter up in closed session.

It was the consensus of the board to take this matter up in closed session.

E-911 DEPARTMENT REQUEST FOR ADDITIONAL PART-TIME FUNDING

Mr. Poe stated the additional cost is a result of vacancies due to turnover and additional training costs for new dispatchers. He recommends an additional \$5,000 be appropriated.

It was moved by Mr. Leonard, seconded by Mr. Jessee, to approve the following supplemental appropriation in the amount of \$5,000.00. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Jessee, Mr. Kolb, Mr. Leonard, Mr. Mosley, Mr. Smith

Revenue Source:

| | | |
|------------------|------------------------|------------|
| 3-001-41050-0099 | Budget Supplement From | \$5,000.00 |
|------------------|------------------------|------------|

Expenditure

| | | |
|------------------|----------------------|------------|
| 4-009-31400-1352 | Part-time Dispatcher | \$5,000.00 |
|------------------|----------------------|------------|

REASSESSMENT CONTRACT UPDATE

Mr. Poe stated he was notified last week that the owner of Old Dominion Appraisal Company, Inc. suffered a fall resulting in injuries. Due to the injuries he will be unable to conduct the County's reassessment and is requesting the contract be terminated and the County release the performance bond in the amount of \$78,175. He advised no work has been billed and no payments have been made under the contract.

It was moved by Mr. Kolb, seconded by Mr. Jessee, to discuss the matter in closed session under contracts. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Jessee, Mr. Kolb, Mr. Leonard, Mr. Mosley, Mr. Smith

REQUEST FOR SPONSORSHIP OF MEOC EMERGENCY FUEL FUND WALKATHON

It was moved by Mr. Mosley, seconded by Mr. Smith, to approve the request for sponsorship for the MEOC Emergency Fuel Fund Walkathon in the amount of \$5,000.00. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Jessee, Mr. Leonard, Mr. Mosley, Mr. Smith

VOTING NO: Mr. Kolb

POSSIBLE TIPPING FEE INCREASE

Mr. Poe stated the County's tipping fee for business or non-household waste has been set at \$37.50 for years. He stated with increases in transportation and disposal fees, this fee no longer covers the charges. The current cost for loading, transporting and disposing of waste is \$57.71 per ton and recommended increasing the County tipping fee to match this cost.

Mr. Kolb asked if previous increases had been effective on one date, if there was a suggested effective date for an increase, and what amount was recommended.

Mr. Poe suggested delaying the start date to July 1 in order to advertise the increase and notify existing customers, with the full increase implemented at that time. He recommended a tipping fee of at least \$57.50 per ton.

Mr. Mosley stated it is costing more than what we are charging and agrees with Mr. Poe.

Mr. Leonard asked if it's going to impact the Convenience Centers with people trying to sneak their trash in.

Mr. Poe stated that could happen.

Mr. Kolb asked if Dump Your Junk and similar companies are the majority of paying customers.

Mr. Poe stated he doesn't know the full volume. He stated we do get Dump Your Junk and business waste from the Town of Pennington. He advised this would also impact the Federal Prison, contractors and private individuals.

Mr. Kolb stated he thought it may cause people to start throwing trash in the dumpsters and thought Dump Your Junk was the majority.

Mr. Leonard stated a more in depth look at the impact should be taken.

It was moved by Mr. Mosley, seconded by Mr. Kolb, to table the Possible Tipping fee increase. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Jessee, Mr. Kolb, Mr. Leonard, Mr. Mosley, Mr. Smith

RENEWAL OF WAIVER TO PROVIDE WIOA YOUTH SERVICES

The Southwest Virginia Workforce Development Board is requesting renewal of a waiver which would allow them to continue providing Title I Youth Services within the seven county-one city region they serve.

It was moved by Mr. Mosley, seconded by Mr. Smith, to approve the renewal of the Waiver to provide Title I Youth services in the SWVA Workforce Development Board region. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Jessee, Mr. Kolb, Mr. Leonard, Mr. Mosley, Mr. Smith

WORKFORCE DEVELOPMENT ONE-STOP OPERATOR AGREEMENT EXTENSION

The Southwest Virginia Workforce Development Board is requesting a one-year extension to their agreement to provide workforce and training services in the Local Workforce Development Area I territory through their One-Stop centers. They have petitioned the state for a one-year waiver and this would allow the County to delay issuing a Request for Proposal for these services for one year.

It was moved by Mr. Kolb, seconded by Mr. Smith, to approve the Workforce Development One-Stop Operator Agreement Extension. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Jessee, Mr. Kolb, Mr. Leonard, Mr. Smith

ABSTAINING: Mr. Mosley

RABIES CLINIC SCHEDULE

Mr. Poe stated that the Lee County Animal Hospital submitted a rabies clinic schedule two days after the March Board Meeting and no approval could be given between meetings. The Health Department advised him that Wise County has authorized the County Administrator to give approval for clinic dates. He stated they sent a revised schedule with clinic dates of April 29, 2023 at Lee High and May 6, 2023 at Thomas Walker with a possible third clinic later in the year.

It was moved by Mr. Mosley, seconded by Mr. Leonard, to give authority to the County Administrator to approve Rabies Clinic dates. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Jessee, Mr. Kolb, Mr. Leonard, Mr. Mosley, Mr. Smith

REPORTS AND RECOMMENDATIONS OF THE COUNTY ATTORNEY

Ms. Munsey requested closed session for Property Acquisition.

REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR

VICTIMS' RIGHTS WEEK

Mr. Poe stated the Victim Witness Program has requested April 23-29, 2023 to be proclaimed Victims' Rights Week.

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

VOTING AYE: Mr. Jessee, Mr. Leonard, Mr. Mosley, Mr. Smith

ABSTAINING: Mr. Kolb

**PROCLAMATION
CRIME VICTIMS' RIGHTS WEEK**

WHEREAS, the term “victim” is more than just a label and has legal standing and protections that go along with it; and

WHEREAS, crime victims’ rights acts passed here in Virginia and at the federal level guarantee victims the right to participate and use their voice in the criminal justice system; and

WHEREAS, victim service providers, advocates, law enforcement officers, attorneys, and other allied professionals can help survivors find their justice by enforcing these rights; and

WHEREAS, the right to provide an impact statement ensures that victims’ voices are considered in court during the sentencing and, when applicable, restitution processes; and

WHEREAS, including and elevating the voices of survivors makes certain they are heard and seen and creates a path to forging and sustaining community trust; and

WHEREAS, engaging survivors creates responses and services that are credible, meaningful, and centered on individual needs;

WHEREAS, survivors’ lived experiences can serve as a catalyst for implementing innovative programs, shifting existing programs in new directions, and changing policies or practices that prevent survivors from accessing services of pursuing justice; and

WHEREAS, National Crime Victims’ Rights Week provides an opportunity to recommit to listening to crime survivors in every space where decisions are made that could impact them; and

WHEREAS, Lee County Victim/Witness Program is hereby dedicated to amplifying the voices of survivors and creating an environment where survivors have the confidence that they will be heard, believed, and supported:

NOW, THEREFORE, BE IT RESOLVED, the Lee County Board of Supervisors do hereby proclaim the week of April 23-29, 2023 as “Crime Victims’ Rights Week” reaffirming Lee County’s commitment to creating a victim service and criminal justice response that assists all victims of crime during Crime Victims’ Rights Week and throughout the year; and expressing our sincere gratitude and appreciation for those community members, victim service providers, and criminal justice professionals who are committed to improving our response to all victims of crime, so that they may find relevant assistance, support, justice, and peace.

TERMITES AT HEALTH DEPARTMENT

Mr. Poe stated there are termites present at the Health Department. He advised they have spot treated in previous years; however a full building treatment has not been done. He recommended the full building be treated and advised he has two quotes for the work.

Mr. Leonard asked if an inspection has been done.

Mr. Poe stated both companies have inspected the building.

Mr. Mosley recomended the building be treated.

Mr. Leonard asked which company treated the School Board Building.

Mr. Poe stated Lone Pine Exterminating Company gave the School Board as a reference.

Mr. Leonard asked who treated the school building prior to Lone Pine Exterminating Company because they had to retreat the building.

Mr. Poe advised he does not know.

Mr. Kolb asked who contacted the exterminating companies.

Mr. Poe advised his office made the contacts.

Mr. Kolb asked if Wright's Pest Control in Lee County was contacted.

Mr. Poe advised Wright's has spot treated in the past and was not contacted.

Mr. Kolb suggested contacting Wright's Pest Control since they are local.

Mr. Leonard asked if Mr. Poe can reach out to the School Board Superintendant to find out who treated their building prior to Lone Pine Exterminating.

Mr. Poe stated yes.

Mr. Poe stated he has an item for closed session under personnel.

REPORTS AND RECOMMENDATIONS OF THE BOARD

AIRPORT HANGER RENT

Mr. Kolb stated the Airport has lost \$260,000 in FAA Entitlement Funds BIL Funds this year due to not having ten based aircraft. He stated the Airport Authority has discussed evicting hanger tenants that are not permanently based. He recommended giving the Airport Authority the authority is send out letters advising the non-based hanger tenants of the situation and see if any will volunteer to give up their hanger.

Mr. Smith asked if the planes have to be there.

Mr. Kolb advised they have to be there 180 or 182 days a year. He stated we have eight currently.

It was moved by Mr. Kolb, seconded by Mr. Mosley, to authorize the Airport Authority to send out letters to the people occupying a hanger. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Jessee, Mr. Kolb, Mr. Leonard, Mr. Mosley, Mr. Smith

TIN ON AG SHOP BUILDING

Mr. Kolb stated he noticed the tin on the Ag Shop was loose and asked if someone can address that.

HOUSING STUDY RFP

Mr. Kolb asked if there was a Housing Study RFP being done.

Mr. Poe stated he would defer that to Mr. Johnson.

Richard Johnson advised that was being done by LENOWISCO.

Mr. Kolb asked if the Board needed to take any action.

Mr. Johnson advised no action was needed at this time.

ORDINANCE TO CLEAN-UP PROPERTY

Mr. Kolb stated awhile back there was a discussion concerning an Ordinance on houses that need to be cleaned up. He stated that there is not an Ordinance that would allow the County to clean up property and put a lien on the property. He advised Mr. Poe and Ms. Munsey to draft an Ordinance.

Mr. Poe stated we have an Ordinance on derelict structures.

Mr. Kolb advised he was talking about litter clean-up.

Mr. Poe stated he has seen Ordinances on overgrown property. He advised litter is addressed in other ways and requests that Ms. Munsey research if there is a statutory for that.

Mr. Kolb stated the problem is that people are getting written up not paying the fine and not cleaning the property up.

Ms. Munsey advised taking out judgments.

Mr. Kolb stated if they're not forced to sell they are still occupying the property.

Ms. Munsey advised in the meantime place judgments on the property.

Mr. Kolb agrees that should be done and asked Ms. Munsey to research what can be put in place.

RESTROOM MAINTENANCE

Mr. Kolb stated he received a complaint about the woman's restroom next to Circuit Court Clerk offices about the toilet not flushing and no hot water.

Mr. Poe advised the maintenance contractor checked both issues about two weeks ago and parts have been ordered.

HAY AT LANDFILL

It was moved by Mr. Kolb, seconded by Mr. Mosley, to advertise for bids to cut the hay at the Landfill. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Jessee, Mr. Kolb, Mr. Leonard, Mr. Mosley, Mr. Smith

WEBSITE REDESIGN

It was moved by Mr. Mosley, seconded by Mr. Smith, to award the contract for Website Redesign to USA Custom Solutions. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Jessee, Mr. Leonard, Mr. Mosley, Mr. Smith

ABSTAINING: Mr. Kolb

CAMERAS AT TRANSFER STATION

Mr. Poe stated we have to get internet service.

Mr. Mosley stated he is having a problem with people in the garbage at the Transfer Station.

Mr. Poe stated he will talk to the Litter Coordinator.

Mr. Mosley asked if we have any part-time workers to cover the site all day.

Mr. Poe advised we don't have enough to cover all day.

Mr. Kolb stated at one time we had a Works Program participant.

NAME CHANGE FOR SOLID WASTE

Mr. Mosley stated the name of the Transfer Station needs to be changed.

Mr. Poe stated if it's changed to Public Works Department, Solid Waste would be a division of that department.

It was moved by Mr. Mosley, seconded by Mr. Smith, to change the name of Solid Waste to Public Works Department. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Jessee, Mr. Kolb, Mr. Leonard, Mr. Mosley, Mr. Smith

CLOSED SESSION

It was moved by Mr. Kolb, seconded by Mr. Mosley, to enter Closed Session pursuant to Code 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, 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, 2.2-3711 A.29. Discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, 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. Jessee, Mr. Kolb, Mr. Leonard, Mr. Mosley, Mr. Smith

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

VOTING AYE: Mr. Jessee, Mr. Kolb, Mr. Leonard, Mr. Mosley, 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.

READVERTISE REASSESSMENT

It was moved by Mr. Kolb, seconded by Mr. Leonard, to re-advertise for Proposals for Appraisal services. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Jessee, Mr. Kolb, Mr. Leonard, Mr. Mosley, Mr. Smith

HVAC MAINTENANCE CONTRACT

It was moved by Mr. Kolb, seconded by Mr. Leonard, to approve the HVAC Maintenance contract amendment as submitted. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Jessee, Mr. Kolb, Mr. Leonard, Mr. Mosley, Mr. Smith

ACCEPT DONATED PROPERTIES

It was moved by Mr. Kolb, seconded by Mr. Leonard, to accept all properties currently offered for donation contingent on having clear title. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Jessee, Mr. Kolb, Mr. Leonard, Mr. Mosley, Mr. Smith

POOL EMPLOYEES

It was moved by Mr. Kolb, seconded by Mr. Leonard to authorize Robert Smith to hire pool employees. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Jessee, Mr. Kolb, Mr. Leonard, Mr. Mosley, Mr. Smith

It was moved by Mr. Mosley, seconded by Mr. Leonard, to recess to May 1, 2023 at 5:00 p.m. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Jessee, Mr. Kolb, Mr. Leonard, Mr. Mosley, Mr. Smith

CHAIRMAN OF THE BOARD

CLERK OF THE BOARD