

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 March 15, 2022 at 5:30 p.m. thereof.

MEMBERS PRESENT: D. D. Leonard, Chairman
Sidney Kolb
Larry Mosley
Charles Slemp, Jr.
Robert Smith

MEMBERS ABSENT: None

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

OTHERS ABSENT: Stacy Munsey, County Attorney

INVOCATION

Dane Poe, County Administrator, led in the Invocation.

PLEDGE TO THE FLAG

Larry Mosley led the Pledge to the Flag.

MEETING CALLED TO ORDER

The meeting was called to order at 5:36 p.m.

PUBLIC HEARINGS

SPECIAL USE PERMIT HOPKINS MEDICAL ASSOCIATION, LLC

The Lee County Board of Supervisors held a Public Hearing on March 15, 2022 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. Hopkins Medical Association, LLC has applied for a Special Use Permit to allow a Medical Office

performing Primary Care, Walk-In Acute Visits, and Substance Abuse Treatment in a V-C, Village Commercial District. The property consists of approximately 3.308 acres of land (Tax Parcel #36A-(11)-A,C,D) and is located at 177 Dollar Drive, Pennington Gap, Virginia in the Cane Creek area.

Richard Johnson, Community Development Director, stated that the Planning Commission heard this request and voted to recommend approval of the Special Use Permit.

Tina Ball, Director of Operations for Hopkins Medical Association, stated that this request is to open a medical clinic for primary care, acute care, walk-ins as well as substance abuse treatment by utilizing buprenorphine. The clinic would operate Monday through Friday. The program is set up through the guidelines of the ARTS program through Virginia Medicaid.

Joe Bunn, legal representative of Hopkins Medical Association, stated that he could answer any questions on the legal side if there are any.

Mr. Smith asked Ms. Ball to give more explanation on the ARTS program.

Ms. Ball stated that several years ago, Virginia Medicaid developed the ARTS program that designs the care for buprenorphine patients. The patients are given a physical exam, a behavioral health exam and are assessed according to their opioid dependence disorders. Providers must obtain a Data 2000 waiver, which means the providers have to go through training for this treatment. The patients are required to go through counseling for their addictions or any underlying issues they may have.

Mr. Smith asked how long the treatment continues before the patient can come off of the medication.

Ms. Ball stated that the typical treatment is one time a week for twelve to thirteen weeks, next it would go to every two weeks for up to a year and then can go to once a month.

Mr. Smith asked who decides if the patient is ready to be tapered off of the medication.

Ms. Ball stated that it is up to the provider based on examinations along with other assessments. The patients are drug screened twice a month unless the drug screens show insufficient levels of buprenorphine or there are other drugs in their system.

Mr. Kolb asked if the patient is dropped if they fail a drug screen.

Ms. Ball stated that the patient would go for further counseling and limit the medication.

Mr. Kolb asked if there would be an issue if the Special Use Permit set a cap of 275 patients.

Mr. Bunn stated they do not anticipate having more than one provider at the Pennington Office, which would only have the capability of seeing 275 patients.

Mr. Leonard asked if there was any data that shows using this drug aids in recovery.

Ms. Ball stated that this is a disease that may not always be cured but this drug helps to suppress the craving.

Mr. Kolb stated that he would like to have the County Attorney's guidance before a decision is made.

The Chairman opened the floor for public comment.

Katie Kolb asked the representatives from Hopkins Medical Association several questions regarding patient counseling, in-patient treatment and the possibility of working with the court system for referrals.

There was no other public comment.

The Chairman closed the floor for public comment.

It was moved by Mr. Kolb, seconded by Mr. Smith, to table this request. Upon the question being put the vote was as follows.

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

VOTING NO: Mr. Mosley

SPECIAL USE PERMIT JOHN MIELE

The Lee County Board of Supervisors held a Public Hearing on March 15, 2022 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. John Miele has applied for a Special Use Permit to allow a Recreational Vehicle Park in an A-1, Agricultural District. The property consists of approximately 19.65 acres of land (Tax Parcel #63A-(1)-BKA, 3,4) and is located at Cherokee Hills Lane off of Sand Cave Rd. in Ewing, Virginia.

Richard Johnson, Community Development Director, stated that the Planning Commission heard this request and voted to recommend approval of the Special Use Permit.

John Miele, stated that he owns a beautiful property beneath the White Rocks and he started renting out a tent and RV spot last year. There were a few customers that were interested in riding the trails on their horses, but there is nowhere to camp with a horse. He decided to open a small campground with the focus on trail riders. The plan is to have eight spots to target the trail riding customers. The plan is to work in phases with the first phase being primitive camping and as funding permits install bathroom facilities.

The Chairman opened the floor for public comment.

There was no public comment.

The Chairman closed the floor for public comment.

Mr. Smith stated that the citizens in the area are in support of this request.

It was moved by Mr. Smith, seconded by Mr. Kolb, to approve the Special Use Permit for John Miele. Upon the question being put the vote was as follows.

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

DEPARTMENTAL REPORTS

Written departmental reports for Community Development, Tourism, and the 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.

There was no public comment.

The Chairman closed the floor for public comment.

APPROVAL OF MINUTES

It was moved by Mr. Mosley, seconded by Mr. Kolb, to approve the minutes of the February 15, 2022 Regular Meeting. Upon the question being put the vote was as follows.

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

APPROVAL OF REFUNDS

It was moved by Mr. Kolb, seconded by Mr. Mosley to approve a refund to Eugene Ely in the amount of \$2,277.28. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Kolb, Mr. Leonard, Mr. Mosley, Mr. Slempp, 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. Slempp, to approve the disbursements for the month of March, in the amount of \$158,698.62. Upon the question being put the vote was as follows.

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

VOTING NO: Mr. Kolb

DELEGATIONS

**CREATIVE COMMUNITIES PARTNERSHIP ARTS GRANT
MICHAEL MCNULTY
PRO-ART ASSOCIATION**

Michael McNulty, stated that the Pro-Art Association has had increases in the attendance, media coverage and financial support. The Association held 22 professional arts programs, 7 educational programs with 8 programs remaining this year. He asked the Board to apply for the Creative Communities Partnership grant through the Virginia Commission for the Arts, which is a matching program. He is requesting the Board's support of \$3,000.00 for the local match.

It was moved by Mr. Kolb, seconded by Mr. Slemp, to approve funding in the amount of \$3,000.00 for a local match. Upon the question being put the vote was as follows.

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

**EX-OFFENDER WORKFORCE RE-ENTRY
MONICA BUCHANAN
ADULT/DISLOCATED WORKER WORKFORCE DEVELOPMENT
SPECIALIST**

Ms. Buchanan was unable to attend the meeting.

**REQUEST TO PROVIDE EMERGENCY MEDICAL SERVICES
BRIAN SKIDMORE
TOWN OF PENNINGTON GAP**

Brian Skidmore, Town of Pennington Gap, stated that the Town has been trying to figure out how to provide emergency medical services to the community since the Pennington Gap Rescue Squad has closed. At the February meeting, the Town Council voted to proceed with applying to become an emergency medical agency for the state. Mr. Skidmore asked the Board to consider adopting a resolution of approval.

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

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

**RESOLUTION OF APPROVAL OF
EMERGENCY MEDICAL SERVICES ORGANIZATION
THE TOWN OF PENNINGTON GAP EMERGENCY MEDICAL SERVICES
22-007**

WHEREAS, Section 15.2-955 of the Code of Virginia, 1950, as amended, requires the local governing body approval of any emergency medical service organization operating within that locality; and

WHEREAS, The Town of Pennington Gap, Emergency Medical Services has appeared before the Lee County Board of Supervisors to request approval to provide emergency medical services to the citizens of Lee County; and

WHEREAS, the Lee County Board of Supervisors has determined it to be in the best interest of the citizens of Lee County for The Town of Pennington Gap, Emergency Medical Services to provide these services;

NOW, THEREFORE, BE IT RESOLVED, the Lee County Board of Supervisors grants approval to The Town of Pennington Gap, Emergency Medical Services to establish emergency medical services within Lee County, subject to their compliance with regulations of the Commonwealth of Virginia.

FINANCE

QUARTERLY APPROPRIATIONS

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

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

**LEE COUNTY BOARD OF SUPERVISORS
APPROPRIATIONS RESOLUTION
FISCAL YEAR ENDING JUNE 30, 2022
22-005**

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

Budget, Lee County Public School Budget and Virginia Public Assistance Budget for FY2021-22; 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 June 30, 2022.

HEADSTART

Federal Funds	\$ <u>1,553,635</u>
TOTAL HEADSTART	\$ 1,553,635

VIRGINIA PUBLIC ASSISTANCE

Federal/State Funds	\$ 9,275,139
Local Funds	<u>1,426,036</u>
TOTAL VIRGINIA PUBLIC ASSISTANCE	\$ 10,701,175

LEE COUNTY PUBLIC SCHOOLS

Federal, State & Other Funds	\$41,163,965
Local Funds	<u>4,975,422</u>
TOTAL LEE COUNTY PUBLIC SCHOOLS	\$46,139,387

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 2021-2022.

TOTAL FY 2021-22 BUDGET \$74,581,344

OLD BUSINESS

REQUEST TO TAKE UP D19 TRANSPORTATION REQUEST FIRST

D19 TRANSPORTATION REQUEST FOR OPERATING AUTHORITY

Byron Haskins, Director of Operations, stated that D19 Transportation would primarily provide the County coverage on transportation calls, but would be available for backup if it was needed on emergency calls.

Mr. Kolb asked if the Resolution is written for emergency and non emergency calls.

Mr. Poe stated that the Resolution covers both, and if they are going to make themselves available if a volunteer crew is not available they would need both designations.

Mr. Haskins stated that typically D19 is called for longer transports, but has no problem serving as backup if volunteer agencies are not available.

Mr. Leonard asked if the Resolution could be written for transportation only and be amended later if needed.

Mr. Poe stated that the issue would be that if D19 was needed in an emergency they would not have authority to answer that call. The Board would need to pass a new Resolution prior to D19 being able to answer an agency call. In a case like this, dispatch would be notified that D19 is available as a backup only.

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

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

**RESOLUTION OF APPROVAL OF
EMERGENCY MEDICAL SERVICES ORGANIZATION
D19 TRANSPORTATION SERVICE, INC.
22-004**

WHEREAS, Section 15.2-955 of the Code of Virginia, 1950, as amended, requires the local governing body approval of any emergency medical service organization operating within that locality; and

WHEREAS, D19 Transportation Service, Inc. has appeared before the Lee County Board of Supervisors to request approval to provide emergency medical services to the citizens of Lee County; and

WHEREAS, the Lee County Board of Supervisors has determined it to be in the best interest of the citizens of Lee County for D19 Transportation Service, Inc. to provide these services;

NOW, THEREFORE, BE IT RESOLVED, the Lee County Board of Supervisors grants approval to D19 Transportation Service, Inc. to establish emergency medical services within Lee County, subject to their compliance with regulations of the Commonwealth of Virginia.

EMPLOYEE HEALTH INSURANCE RENEWAL

Mr. Poe presented the results of an employee survey on current health insurance satisfaction. A large majority of employees indicated they were satisfied with the current coverage.

It was moved by Mr. Kolb, seconded by Mr. Slempp, to approve the employee health insurance renewal with The Local Choice. Upon the question being put the vote was as follows.

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

NEW BUSINESS

BOARD APPOINTMENTS

LONESOME PINE OFFICE ON YOUTH

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

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

HOSPITAL AUTHORITY

Mr. Kolb stated that are there appointments coming up for the Hospital Authority, and he spoke to one of the members, and that member indicated that there are too many people on the Authority. Mr. Kolb feels the Board needs to consider reducing the size of the Authority.

Mr. Poe stated that the way the code is written, the Authority makes a recommendation to this Board on reappointments or new appointments.

Mr. Mosley stated that all the Authority needs to do is change their by-laws if they wish to decrease the number needed for a quorum.

Mr. Poe stated that there may be members of the Authority that feel their work is done and do not wish to sit on the Authority and longer. There is still a need for the Authority to coordinate with the Hospital, but that will be up to the Authority if they want to change the number of members.

Mr. Kolb stated that the number of members could be decreased and who had that authority.

Mr. Poe stated it could be a mutual thing if there are several that do not wish to continue to serve.

Mr. Leonard asked if Mr. Poe should poll the Hospital Authority members to see how many wish to remain on the Authority.

Mr. Poe stated that it would be required of them to do that, they are trying to schedule a meeting in the near future, and that is one of the issues that will be taken up.

It was the consensus of the Board to allow the Hospital Authority to decrease the number of members if they so choose, and to have the County Administrator contact them prior to the next meeting.

SECURITY CAMERA SYSTEM UPGRADE

Mr. Poe stated that the first security camera system covering the exterior of the courthouse and the Sheriff's Department offices is approximately 15 years old. The analog cameras in that system do not provide as clear an image as newer digital cameras. Mr. Poe received a quote from Wells Communication, the vendor who installed this system, to upgrade to all new cameras with a new DVR control unit. The cost would be \$3,969.48 to install the new system.

It was moved by Mr. Kolb, seconded by Mr. Smith, to purchase a new camera system from Wells Communication in the amount of \$3,969.48. Upon the question being put the vote was as follows.

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

AIRPORT CAPITAL IMPROVEMENT PLAN

The Board was provided a copy of the proposed Airport Capital Improvement Plan for capital improvement projects utilizing federal and state grant funds. The County is required to submit the plan to the Federal Aviation Administration by April 1. The Airport Authority voted to recommend the following plan to be approved.

FY 22-23	Design of the Electrical Rehabilitation Project
FY 23-24	Construct Electrical Rehabilitation Project
FY 24-25	No Project
FY 25-26	Design of Runway Rehabilitation Project
FY 26-27	Construct Box Hangar Project
FY 27-28	Design of Runway Rehabilitation Project
FY 28-29	Construct Runway Rehabilitation Project

It was moved by Mr. Kolb, seconded by Mr. Slemp, to approve the Airport Capital Improvement Plan as presented. Upon the question being put the vote was as follows.

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

SOLID WASTE MANAGEMENT PLAN UPDATE

Mr. Poe reported that the Virginia Department of Environmental Quality requires that each county maintain a Solid Waste Management Plan covering a 20 year projection and to also update that plan periodically. The County's plan is currently due for an update and Mr. Poe obtained a quoted form Lane Engineering for services to prepare and submit this update. The proposed cost of services is a lump sum fee of \$6,500.00.

Mr. Kolb asked if this would include runoff from the pad.

Mr. Poe stated that this has more to do with the volume of waste and the waste stream.

It was moved by Mr. Mosley, seconded by Mr. Kolb, to contract Lane Engineering to update the Solid Waste Management Plan at a cost of \$6,500.00. Upon the question being put the vote was as follows.

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

PROPOSED RABIES CLINIC

Mr. Poe reported that the Lee County Animal Hospital is proposing to conduct rabies clinics on the following dates and places:

April 23, 2022	9:00 a.m. – 11:00 a.m. 1:00 p.m. – 3:00 p.m.	Thomas Walker High School Flatwoods Primary School
May 7, 2022	9:00 a.m. – 11:00 a.m. 1:00 p.m. – 3:00 p.m.	Lee High Vo-Tech School Old Stickleyville Elementary School

May 14, 2022

9:00 a.m. – 11:00 a.m.
1:00 p.m. – 3:00 p.m.

Dryden Primary School
St. Charles Elementary School

All rabies clinic conducted in the county require approval of the Board of Supervisors and the Health Department.

It was moved by Mr. Mosley, seconded by Mr. Smith, to approve the rabies clinic as presented. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Kolb, Mr. Mosley, Mr. Slemph, Mr. Smith

VOTING NO: Mr. Leonard

THOMAS WALKER POOL DIVING BOARD

Mr. Poe reported that the diving board at the Thomas Walker Pool is cracked and not usable for another season. Quotes were obtained from National Pools of Roanoke for a replacement board at a cost of \$5,892.71 with an expected delivery time of 12 weeks. Several other pool supply vendors have given similar delivery times and pricing.

It was moved by Mr. Smith, seconded by Mr. Mosley, to purchase a diving board for Thomas Walker pool at a cost of \$5,892.71. Upon the question being put the vote was as follows.

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

HOT WATER PRESSURE WASHER FOR SOLID WASTE DEPARTMENT

The hot water pressure washer at the Transfer Station is breaking down on a regular basis and repairs are only lasting a short time. The price of a new commercial pressure washer is \$3,676.47 from Pittsburg Spray Equipment. A hot water washer is the only thing found that will clean the garbage trucks.

It was moved by Mr. Mosley, seconded by Mr. Smith, to purchase a hot water pressure washer from Pittsburg Spray Equipment at a cost of \$ 3,676.47. Upon the question being put the vote was as follows.

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

VDOT SMARTSCALE PROJECTS

Project pre-applications for VDOT's SmartScale funding program must be submitted by April 1, 2022. The proposed projects are as follows:

- Offset left turn lanes at Trade Center Lane/Plum Drive (Wal-Mart traffic light: for better visibility and safety).
 - Construct roundabout to replace traffic light at US 58A/North Combs Road (Hospital intersection).
 - As part of the Roundabout project, a center left turn lane would be constructed from the roundabout to Cecil Street in West Pennington Gap.
 - Realign Rout 879 (Pioneer Road) intersection with US 58 Business on west side of Thomas Walker High School, close existing parking lot entrance and construct new entrance further from the intersection.
-

Mr. Mosley stated he would like to have the right turn lane at the Wal-Mart intersection left in the plan.

Mr. Kolb stated he would recommend not doing away with the right turn lane at Wal-Mart.

It was moved by Mr. Smith, seconded by Mr. Mosley, to submit the proposed projects for the SmartScale Projects while keeping the right turn lane at Wal-Mart. Upon the question being put the vote was as follows.

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

ANIMAL CONTROL OFFICERS BULLETPROOF VESTS

Mr. Poe stated that the Board voted in December to provide full funding for new bulletproof vests for the Sheriff's Department if grant funds could not be obtained. No grant programs for this purchase have been found and they are now in the process of ordering the vests. Animal Control officers currently utilize bulletproof vests also and have inquired if they could be included in the purchase as the protection date of their vest

has expired. Based on previous pricing, the cost of vests is approximately \$800 each depending on the size.

It was moved by Mr. Mosley, seconded by Mr. Smith, to approve the purchase of three bulletproof vests for Animal Control. Upon the question being put the vote was as follows.

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

CONTROLLED BURN OF OLD SCHOOL BOARD OFFICE BUILDING

Mr. Poe stated that in preparing for demolition of the old School Board office building, one possible method of eliminating a lot of the wood debris is to work with the local fire department and allow them to use this as a training project in a controlled burn. The fire department would have to obtain permission from the Department of Environmental Quality prior to conducting the training burn. In considering this action, there is always the possibility of unexpected events which could cause damage to other structures in the area. Another factor to consider is the smoke and odor generated in the community.

Mr. Leonard stated that would affect the Registrar's Office.

Mr. Kolb stated that there was only 35 feet between the buildings and it could smell for weeks.

It was the consensus of the Board not to conduct a controlled burn at the old School Board office.

ELECTING THE STANDARD ALLOWANCE FOR SLFRF

Mr. Poe stated that he advised the Board of the option to elect a standard allowance of up to \$10,000,000.00 under the revenue loss category for use of the Coronavirus State & Local Fiscal Recovery Funds. This election must be made by April 1, 2022 and would allow the county to use the full amount of the award of \$4,549,643.00

for “government services” which is defined as generally any service traditionally provided by a government. This election also provides for streamlined reporting and compliance requirements which would greatly reduce administrative time devoted to compliance.

Based on both the interim and final rules issued by the Department of Treasury, Mr. Poe believes it would be in the County’s best interest to make this election since there have been no final decisions made for project funding at this time.

It was moved by Mr. Leonard, seconded by Mr. Kolb, to elect the standard allowance for the Coronavirus State & Local Fiscal Recovery Funds. Upon the question being put the vote was as follows.

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

**PROCLAMATION
NATIONAL LIBRARY WEEK**

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

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

**PROCLAMATION
NATIONAL LIBRARY WEEK**

WHEREAS, Lonesome Pine Regional Library helps lives change within our communities; and

WHEREAS, librarians work to meet the changing needs of their communities, including providing resources for everyone and brining services outside of library walls; and

WHEREAS, libraries and librarians bring together community members to enrich and shape the community and address local issues; and

WHEREAS, librarians are trained professionals, providing technology training and access to downloadable content like e-books and electronic databases; and

WHEREAS, libraries offer programs for all ages to meet community needs; and

WHEREAS, libraries continuously grow and evolve in how they provide for the needs of every member of their communities; and

WHEREAS, libraries, librarians, library workers, Friends groups and supporters across American are celebrating National Library Week;

NOW, THEREFORE, BE IT RESOLVED, the Lee County Board of Supervisors proclaim April 3-9, 2022 National Library Week and encourages all residents to visit the Lee County Public Library and Rose Hill Community Library during the month of April to take advantage of the wonderful library resources available at your library. Connect with your library.

REPORTS AND RECOMMENDATIONS OF THE COUNTY ATTORNEY

None.

REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR

AIRPORT LIGHTING REHABILITATION

Mr. Poe reported that he received the Professional Services Agreement for the Rehabilitate Airfield Electrical System project from Delta Airport Consultants. This agreement is for the design through the bidding process for the lighting on the airport field, in the amount of \$118,000.00. This project would be funded 90% by the FAA, 8% State funding and 2% local funds which would be \$2,360.00. Because of the dollar amount of this project, the FAA required the scope of work to be submitted to a second engineer to have an independent fee evaluation. That proposed fee schedule came in at a cost of \$181,000.00; therefore Delta's proposal for \$118,000.00 is well below.

It was moved by Mr. Kolb, seconded by Mr. Slemph, to approve Task Order 3 from Delta Airport Consultants for the Rehabilitate Airfield Electrical System project in the amount of \$118,000.00. Upon the question being put the vote was as follows.

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

The chairman called a five minute recess.

The meeting was called back to order at 8:00 p.m.

THOMAS WALKER BASKETBALL COURT

Mr. Poe stated that Mr. Collingsworth provided him a quote that was obtained from a local contractor for gravel, concrete and labor only for construction of the Thomas Walker basketball at a cost of approximately \$45,000.00. Mr. Collingsworth priced the materials including fencing and goals at an approximate cost of \$37,740.00 if the project were to be constructed by County staff.

It was moved by Mr. Smith, seconded by Mr. Mosley, to approve construction on the Thomas Walker basketball court to be constructed by County employees. Upon the question being put the vote was as follows.

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

BLACKWATER CONVENIENCE CENTER PROPOSALS

Mr. Poe stated only one proposal was received for the Blackwater Convenience Center operation and maintenance and he suggested this be discussed this in closed session.

CLOSED SESSION REQUEST

Mr. Poe stated the request for closed session is for public contracts, litigation and personnel.

REPORTS AND RECOMMENDATIONS OF THE BOARD

PARKING LOT

Mr. Kolb asked the status of the parking lot project.

Mr. Poe stated that the proposed advertisement narrative has been submitted for the pre-qualification and is ready to go out for a request for submittals for pre-qualification of contractors.

ST. CHARLES BASKETBALL COURT

Mr. Mosley stated that the project for the St. Charles basketball court needs to move forward.

Mr. Leonard stated that there needs to be a cost estimate done on that.

Mr. Mosley stated that Ballad Health has verbally committed to pay the cost.

CLOSED SESSION

It was moved by Mr. Kolb, seconded by Mr. Mosley, to enter Closed Session pursuant to 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.7., Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigation posture of the public body; and consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel, 2.2-3711 A.8, Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel. 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, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body. Upon the question

being put the vote was as follows. Upon the question being put the vote was as follows.

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

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

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

CERTIFICATE OF CLOSED SESSION

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.

Upon the question being put the vote was as follows.

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

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

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

**RESOLUTION
22-006**

WHEREAS, the Lee County Board of Supervisors (hereinafter referred to as the "County"), and BRIGHTMINDS LLC (hereinafter referred to as "BRIGHTMINDS"), entered into an Agreement For Appraisal Services dated August 27, 2020; and

WHEREAS, in said Agreement, BRIGHTMINDS agreed to perform a general fair market value reassessment/assessment of all taxable and non-taxable real estate parcels within the boundaries of the County of Lee, Virginia; and

WHEREAS, BRIGHTMINDS failed to perform and timely complete its contractual obligations pursuant to said Agreement; and

WHEREAS, Virginia Code§ 58.1-3252 requires the County of Lee, Virginia to conduct its general reassessments at either five-year or six-year intervals; and

WHEREAS, Virginia Code§ 58.1-3259 imposes monetary penalties for a county's failure to comply with the provisions requiring a general reassessment of real estate periodically or with the provisions of Virginia Code§ 58.1-3201; and

WHEREAS, because BRIGHTMINDS failed to perform and timely complete its contractual obligations pursuant to said Agreement, the County does not have a complete and final general fair market value reassessment/assessment of all taxable and non- taxable real estate parcels within the boundaries of the County of Lee, Virginia as required by Virginia Code§ 58.1-3252;

NOW, THEREFORE, BE IT RESOLVED, in order to comply with Virginia Code§ 58.1-3252, the County has determined and hereby resolves that a necessity exists to contract with another qualified contractor in the business of performing general fair market value reassessments and assessments of taxable and non-taxable real estate parcels within the boundaries of the County of Lee, Virginia, and must forthwith advertise for bids in order to hire said contractor.

BLACKWATER CONVENIENCE CENTER

It was moved by Mr. Kolb, seconded by Mr. Smith, to contract Robert Myers, II for operation and maintenance of the Blackwater Convenience Center at a cost of \$900 per month for one year. Upon the question being put the vote was as follows.

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

ACCOUNTING CLERK

It was moved by Mr. Mosley, seconded by Mr. Smith, to move Jeny Hughes from Administrative Assistant to Accounting Clerk at her current salary effective immediately. Upon the question being put the vote was as follows.

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

It was the consensus of the Board to advertise for the Administrative Assistant position.

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

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

CHAIRMAN OF THE BOARD

CLERK OF THE BOARD