

VIRGINIA: County of Lee, to-wit:

At the Regular Meeting of the Lee County Board of Supervisors in the Circuit Courtroom of the Lee County Courthouse on May 17, 2012 at 6:00 p.m. thereof.

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

MEMBERS ABSENT: None

OTHERS PRESENT: C. M. Callahan, Jr., County Attorney
Dane Poe, County Administrator

OTHERS ABSENT: None

INVOCATION

Dane Poe led in the Invocation.

PLEDGE TO THE FLAG

Dane Poe led the Pledge to the Flag.

MEETING CALLED TO ORDER

The meeting was called to order at 6:20 p.m.

PUBLIC HEARING

MARY GIBSON SPECIAL USE PERMIT REQUEST

The Lee County Board of Supervisors held a Public Hearing on May 17, 2012 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. Mary Gibson has applied for a Special Use Permit to allow a doublewide manufactured home in a Village-Commercial District. The property consists of 1.46 acres and is located in the York Community East of Jonesville on the North side of Highway 58 approximately ½ mile East of York United Methodist Church.

The Chairman opened the floor for public comment.

Charles Wynn reported the Planning Commission received no objections to this request.

Mary Gibson requested the Board to approve the Special Use Permit.

There was no other public comment.

The Chairman closed the floor for public comment.

MARY GIBSON SPECIAL USE PERMIT

It was moved by Mr. Mosley, seconded by Mr. Bailey, to approve the Mary Gibson Special Use Permit to allow a doublewide manufactured home in a Village-Commercial District in the York Community. Upon the question being put the vote was as follows.

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

CELL TOWER ZONING TEXT AMENDMENT REQUEST

The Lee County Board of Supervisors and the Lee County Planning Commission held a Joint Public Hearing on May 17, 2012 at 6:00 p.m. in the General District Courtroom of the Lee County Courthouse located in Jonesville, Virginia to solicit input on a proposed Zoning Text Amendment. The proposed amendment would add the following language to the permissible use of Radio broadcasting stations, towers serving the station and communication towers for cellular use provided the tower placement conforms with Section 5-6, Supplementary Height Regulations: "Any tower application will be reviewed by the County to determine the feasibility of co-location of County's emergency communications equipment. Any such co-location would be performed in such a manner as not to interfere with applicant's use of the tower for its primary purpose and the tower owner would be requested to provide the co-location function free of charge to the County as a community service. In exchange for co-location of County's equipment, the County would waive all zoning application fees associated with the tower application. Emergency communications equipment includes, but is not limited to, antennas, radios and other ground equipment to be located on a tower or within a control building. The cost of installing County's equipment on the tower would be borne by the County. The tower owner may also be requested to provide data including, but not limited to, a map depicting and describing all tower sites and antenna installations controlled by the applicant within the county or within ten miles of the county boundary line. The tower owner shall provide such data within ninety days of issuance of a zoning permit and annually each year thereafter. Information required on the county zoning application will include the operating frequencies, microwave link locations and type of current broadcast system technology."

Mr. Poe advised that the County had been considering this action for some time in an effort to provide improved emergency radio transmission coverage in the future.

The Chairman opened the floor for public comment.

There was no public comment.

There was no other public comment.

The Chairman closed the floor for public comment.

LEE COUNTY COMPREHENSIVE PLAN

The Lee County Board of Supervisors and the Lee County Planning Commission held a Joint Public Hearing on Thursday, May 17, 2012 at 6:00 p.m. in the General District Courtroom of the Lee County in Jonesville, Virginia. The purpose of the Public hearing is to receive public comment on the proposed Lee County Comprehensive Plan.

Chris Starnes, LENOWISCO Planning District Commission, gave a brief report on the development of the update to the Comprehensive Plan including some of the new additions to the Plan.

The Chairman opened the floor for public comment.

There was no public comment.

Mr. Poe advised that a representative of the Virginia Department of Forestry had contacted him today regarding the possibility of providing additional information to be included in the Comprehensive Plan regarding forest land. Mr. Poe stated that if the Board does not wish to include further information at this late date, the Forestry Department will review the document in the next update cycle.

The Chairman closed the floor for public comment.

At this time, the Planning Commission withdrew to the Conference Room to take action on these two matters.

DEPARTMENTAL REPORTS

LITTER CONTROL AND RECYCLING REPORT

Mary Wires, Litter Control & Recycling Coordinator, reported she had signed up seven new probationers in the Assign-a-Highway program with 36 participants released in the last quarter. She has followed up on four litter complaints. Elydale Elementary School won the Trex Plastic Bag Recycling Challenge with Dryden Primary placing second and Stickleyville Elementary placing third. The April 21 Clean Up event was cancelled due to rain. The County's recycling rate for 2011 was 19.75% which exceeds the state goal of 15%. She also reported she recently attended the Virginia Recycling Association Conference in Roanoke.

SOLID WASTE

Gary Collingsworth, Transfer Station Superintendent, reported his department had completed clearing protection zone areas at the airport with assistance from jail trustees. They have also assisted with checking water lines and other issues at the Thomas Walker Pool. Rain has continued to delay completion of the grading and seeding project at the old landfill. The new recycling building has been placed at the Dryden Convenience Center and a smaller building has been placed at the Rose Hill Convenience Center. He met with VDOT at the proposed Olinger Convenience Center site today to provide information on what the County is proposing.

Mr. Crabtree asked if problems were continuing at the Olinger site.

Mr. Collingsworth stated it continued to experience problems.

Mr. Slemp stated he recently saw what appeared to be mining hoses dumped at the site

Mr. Collingsworth stated that was correct.

PLANNING COMMISSION REPORT ON CELL TOWER ZONING TEXT AMENDMENT

Charles Wynn, Planning Commission Chairman, reported the Planning Commission had voted to approve the Cell Tower Zoning Text Amendment.

CELL TOWER ZONING TEXT AMENDMENT

It was moved by Mr. Crabtree, seconded by Mr. Bailey, to approve the Cell Tower Zoning Text Amendment to provide for co-location of the County's emergency communications equipment, when feasible, on new radio or cell towers constructed in the County. Upon the question being put the vote was as follows.

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

PLANNING COMMISSION REPORT ON LEE COUNTY COMPREHENSIVE PLAN UPDATE

Charles Wynn, Planning Commission Chairman, reported the Planning Commission had voted to approve the Lee County Comprehensive Plan update.

LEE COUNTY COMPREHENSIVE PLAN UPDATE

It was moved by Mr. Crabtree, seconded by Mr. Bailey, to approve the Lee County Comprehensive Plan update as presented. Upon the question being put the vote was as follows.

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

CONSTITUTIONAL OFFICERS

TREASURER'S REPORT

The Treasurer's Report for the month of May, 2012 was submitted as follows:

Revenues	\$ 4,391,676.63
Expenditures	\$ 5,055,437.06
General Fund	\$10,406,450.23
Total Assets and Liabilities	\$15,747,658.70

PUBLIC EXPRESSION

The Chairman opened the floor for public comment.

There was no public comment.

The Chairman closed the floor for public comment.

APPROVAL OF MINUTES

Ms. Rowe stated that on page 22 of the minutes, the vote on the motion for the Security Camera System for Airport needs to be added.

It was moved by Mr. Crabtree, seconded by Mr. Mosley, to approve the minutes of the April 17, 2012 Regular Meeting with the correction as noted. Upon the question being put the vote was as follows.

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

APPROVAL OF REFUNDS

It was moved by Ms. Rowe, seconded by Mr. Crabtree, to approve a refund to Barbara Jean Fleenor in the amount of \$114.32. Upon the question being put the vote was as follows.

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

PAYROLL

The County Administrator reports that payroll warrants have been issued.

APPROVAL OF DISBURSEMENTS

It was moved by Mr. Bailey, seconded by Mr. Crabtree, to approve the disbursements for the month of May in the amount of \$131,138.34. Upon the question being put the vote was as follows.

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

**FY2010-2011 AUDIT REPORT
CORBIN STONE
ROBINSON, FARMER, COX ASSOCIATES**

Corbin Stone, Robinson, Farmer, Cox Associates, stated that completion of the audit report was delayed due to having to wait on an actuary report for inclusion in the report. He provided information on the General Fund balance and stated the County's current reserve is in line with their recommendation of 10% of annual expenditures. He stated that some one-time events during the year increased the reserve fund more than usual. He stated the County's debt per capita was very low as compared with state averages. He reviewed the trends in federal, state and local revenues and County expenditures. He also provided additional information of some of the management comments issued as a result of their audit.

Mr. Slemp asked about internal control issues and whether they had been addressed with the Administration office.

Mr. Stone stated it had been discussed with the Administrator.

Mr. Poe advised that this comment had been in the audit report for several years due to the lack of additional staff to segregate duties.

Mr. Slemp asked if centralized accounting and feasible for Lee County.

Mr. Stone stated he did think it could be implemented in the county.

**MOUNTAIN EMPIRE COMMUNITY COLLEGE UPDATE
DR. SHARON FISHER
DIRECTOR OF PLANNING AND COMMUNITY RELATIONS**

Dr. Fisher was unable to be present due to a family illness.

**DANIEL BOONE SOIL AND WATER DISTRICT UPDATE
ROGER ELKINS**

BOARD OF DIRECTORS

Roger Elkins, Soil and Water District Board Member, provided an update on their agency's work. He stated they had received additional funding of nearly one-half million dollars in conservation funds to implement best management practices. The Department of Conservation and Recreation has just announced an allocation for addressing acid mine drainage in the state. He stated that Lee County should receive approximately \$600,000 of this allocation. He advised that five of thirty identified acid mine drainage sites had been addressed to date.

Mr. Bailey asked if there was a list of applicants who want to participate in the conservation program.

Mr. Elkins stated there was a list of applicants and that the applications were reviewed to determine if the project was eligible. The application remains in the system until funding becomes available.

Mr. Mosley stated it was important to note that in the review process, applications have no names to identify the application. This insures that the approval process is not influenced by who owns the property.

FINANCE

MONTHLY APPROPRIATIONS

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

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

**MONTHLY APPROPRIATIONS
12-012**

WHEREAS, the Lee County Board of Supervisors has approved the Lee County Public School Budget and Virginia Public Assistance Budget for FY2011-12; and

WHEREAS, it is now necessary to appropriate sufficient funds for the contemplated expenditures as they are contained in the Lee County Public School and Virginia Public Assistance Budgets;

NOW, THEREFORE, BE IT RESOLVED, that the following activities 1/12 of the amount shown is appropriated for a 1-month period ending June 30, 2012;

VIRGINIA PUBLIC ASSISTANCE

Federal/State Funds	\$ 6,169,315
Local Funds	<u>1,068,509</u>
TOTAL VIRGINIA PUBLIC ASSISTANCE	\$ 7,237,824

LEE COUNTY PUBLIC SCHOOLS

Categorical Appropriation:

Instruction	\$24,959,063.10
Administration, Attendance and Health	1,584,870.40
Pupil Transportation	2,043,841.50
Operation and Maintenance	3,710,728.00
School Food Services	1,510,410.00
Facilities	466,400.00
Technology	755,653.00
Partially Self-Funded Insurance Fund	<u>4,925,000.00</u>
 TOTAL	 \$39,955,966.00

Source of Revenue:

Federal Funds	\$ 4,949,721.00
State Funds	25,234,600.00
Other Funds	62,600.00
Self Insured Health Fund	4,925,000.00
Local Funds	4,404,045.00
Lottery Carryover Funds	<u>380,000.00</u>
 TOTAL PUBLIC SCHOOLS	 \$ 39,955,966.00

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 Public School and Virginia Public Assistance funds and will not exceed the foregoing one month appropriation.

SUPPLEMENTAL APPROPRIATIONS

Prior to a motion on supplemental appropriations, Mr. Crabtree asked about the decal refunds.

Mr. Poe advised that these expenses are written from the Treasurer's Office and his office has not records on the expenditures.

Ms. Rowe asked why supplemental appropriations were being requested on items the Board had previously approved.

Mr. Poe advised that the prior approval had been for the purchase of the equipment and, since it was not a budgeted item, it required a supplemental appropriation to the budget.

Ms. Rowe asked if the supplemental appropriation could be approved at the time of purchase approval.

Mr. Poe stated they could be done simultaneously in many instances.

DELINQUENT TAX COLLECTION

It was moved by Mr. Mosley, seconded by Mr. Slempp, to approve a supplemental appropriation in the amount of \$980.00 to Fund 001, Delinquent Tax Collection, Line Item 4-001-12230-3150. Upon the question being put the vote was as follows.

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

DELINQUENT TAX COLLECTION

It was moved by Mr. Mosley, seconded by Mr. Slempp, to approve a supplemental appropriation in the amount of \$6,461.25 to Fund 001, Delinquent Tax Collection, Line Item 4-001-12230-3160. Upon the question being put the vote was as follows.

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

DATA PROCESSING

It was moved by Mr. Mosley, seconded by Mr. Slempp, to approve a supplemental appropriation in the amount of \$14,269.25 to Fund 001, Data Processing, Line Item 4-001-12510-8102. Upon the question being put the vote was as follows.

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

CIRCUIT COURT CLERK

It was moved by Mr. Mosley, seconded by Mr. Slempp, to approve a supplemental appropriation in the amount of \$3,873.00 to Fund 001, Circuit Court Clerk, Line Item 4-001-21600-5866. Upon the question being put the vote was as follows.

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

SHERIFF VEHICLE EXPENSE

It was moved by Mr. Mosley, seconded by Mr. Slempp, to approve a supplemental appropriation in the amount of \$50,000.00 to Fund 001, Sheriff Vehicle Expense, Line Item 4-001-31700-8105. Upon the question being put the vote was as follows.

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

SHERIFF VEHICLE EXPENSE

It was moved by Mr. Mosley, seconded by Mr. Slempp, to approve a supplemental appropriation in the amount of \$4,250.00 to Fund 001, Sheriff Vehicle Expense, Line Item 4-001-31700-8105. Upon the question being put the vote was as follows.

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

RETIREE HEALTH INSURANCE

It was moved by Mr. Mosley, seconded by Mr. Slemph, to approve a supplemental appropriation in the amount of \$5,185.20 to Fund 001, Retiree Health Insurance, Line Item 4-001-91200-2390. Upon the question being put the vote was as follows.

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

GENERAL EXPENSES

It was moved by Mr. Mosley, seconded by Mr. Slemph, to approve a supplemental appropriation in the amount of \$114.32 to Fund 001, General Expenses, Line Item 4-001-91500-5840. Upon the question being put the vote was as follows.

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

MISCELLANEOUS EXPENSES

It was moved by Mr. Mosley, seconded by Mr. Slemph, to approve a supplemental appropriation in the amount of \$11,817.16 to Fund 001, Miscellaneous Expenses, to the following line items. Upon the question being put the vote was as follows.

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

Line Item 4-001-92100-5870	\$ 180.23
Line Item 4-001-92100-5880	\$11,636.93

DEPARTMENT OF SOCIAL SERVICES

It was moved by Mr. Mosley, seconded by Mr. Slemph, to approve a supplemental appropriation in the amount of \$265,000.00 to Fund 002, Department of Social Services, to the following line items. Upon the question being put the vote was as follows.

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

Line Item 4-002-53100-0004	\$ 12,000.00
Line Item 4-002-53100-0012	\$185,000.00
Line Item 4-002-53100-0013	\$ 53,000.00
Line Item 4-002-53100-0014	\$ 15,000.00

E-911 EXPENDITURES

It was moved by Mr. Mosley, seconded by Mr. Slemph, to approve a supplemental appropriation in the amount of \$22,227.55 to Fund 009, E-911 Expenditures, Line Item 4-009-31400-8102. Upon the question being put the vote was as follows.

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

IMAGINATION LIBRARY

It was moved by Mr. Mosley, seconded by Mr. Slemph, to approve a supplemental appropriation in the amount of \$5,000.00 to Fund 025, Imagination Library, Line Item 4-025-61322-6020. Upon the question being put the vote was as follows.

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

COAL ROAD DISBURSEMENTS

It was moved by Mr. Mosley, seconded by Mr. Slemp, to approve a supplemental appropriation in the amount of \$15,586.05 to Fund 027, Coal Road Expenditures, Line Item 4-027-91500-5860. Upon the question being put the vote was as follows.

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

COAL ROAD IMPROVEMENT

It was moved by Mr. Mosley, seconded by Mr. Slemp, to approve a supplemental appropriation in the amount of \$28.54 to Fund 027, Coal Road Improvement, Line Item 4-027-95100-5860. Upon the question being put the vote was as follows.

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

OLD BUSINESS

None

NEW BUSINESS

BOARD APPOINTMENTS

EMERGENCY MANAGEMENT COORDINATOR

Mr. Crabtree stated he would like to table this appointment.

Mr. Mosley asked why the Board was tabling this matter.

Mr. Crabtree stated that 911 was consuming most of Mr. Bailey's time and he was not able to give emergency management the time it needed.

It was the consensus of the Board to table this appointment.

LEE COUNTY REDEVELOPMENT & HOUSING AUTHORITY

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

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

TOURISM COMMITTEE

Mr. Slemp stated he had talked to Regenia Egan and she had agreed to withdraw her resignation and fulfill her appointment to the Tourism Committee.

AIRPORT FENCING PROJECT PAY REQUESTS NO. 2 AND NO. 3

It was moved by Ms. Rowe, seconded by Mr. Mosley, to approve Hurricane Fence Company Pay Requests No. 2 and No. 3 in the total amount of \$229,264.20 for work completed on the Airport Fencing Project. Upon the question being put the vote was as follows.

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

AIRPORT ENGINEERING AMENDMENT NO. 6 – DBE UPDATE

It was moved by Mr. Mosley, seconded by Mr. Bailey, to approve the Delta Airport Consultant, Inc. Engineering Amendment No. 6 for DBE Update in the amount of \$9,090.00. Upon the question being put the vote was as follows.

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

VIRGINIA RETIREMENT SYSTEM RATE ELECTION RESOLUTUION

It was moved by Mr. Crabtree, seconded by Mr. Mosley, to adopt the following Resolution regarding the County’s VRS rate for FY 2012-13. Upon the question being put the vote was as follows.

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

**RESOLUTION
12-013**

Employer Contribution Rates for Counties, Cities, Towns,
School Divisions and Other Political Subdivisions
(In accordance with the 2012 Appropriation Act Item 468(H))

BE IT RESOLVED, that the Lee County 55152 does hereby acknowledge that its contribution rates effective July 1, 2012 shall be based on the higher of a) the contribution rate in effect for FY 2012, or b) seventy percent of the results of the June 30, 2011 actuarial valuation of assets and liabilities as approved by the Virginia Retirement System Board of Trustees for the 2012-14 biennium (the “Alternate Rate”) provided that, at its option, the contribution rate may be based on the employer contribution rates certified by the Virginia retirement System Board of Trustees pursuant to Virginia Code §51.1-145(I) resulting from the June 30, 2011 actuarial value of assets and liabilities (the “Certified Rate”); and

BE IT ALSO RESOLVED, that the Lee County 55152 does hereby certify to the Virginia Retirement System Board of Trustees that it elects to pay the following contribution rate effective July 1, 2012:

(Check only one box)

- The Certified Rate of 12.01% The Alternate Rate of 8.41%; and

BE IT ALSO RESOLVED, that the Lee County 55152 does hereby certify to the Virginia Retirement System Board of Trustees that it has reviewed and understands the information provided by the Virginia Retirement System outlining the potential future fiscal implications of any election made under the provisions of this resolution; and

NOW THEREFORE, the officers of Lee County 55152 are hereby authorized and directed in the name of the Lee County to carry out the provisions of this resolution, and said officers of the Lee County are authorized and directed to pay over the Treasurer of Virginia from time to time such sums as are due to be paid by Lee County for this purpose.

EMPLOYEE BENEFITS PROVIDER RESOLUTION

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

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

RESOLUTION TO PROVIDE ADDITIONAL EMPLOYEE BENEFIT UNDER SECTION 125 CAFETERIA PLAN 12-014

WHEREAS, the Liberty National Life Insurance Company has offered to provide a Group Term Life Insurance policy to each eligible employee, their spouses and all qualifying children on a minimal or no cost basis; and

WHEREAS, Internal Revenue Service Section 125 allows this benefit to be offered under the County's current Cafeteria Plan;

NOW, THEREFORE, BE IT RESOLVED, the Lee County Board of Supervisors does hereby authorizes the County Administrator to execute any and all documents necessary to allow this benefit to be provided to the employees of the County of Lee.

RENEWAL AGREEMENT FOR CONSULTING FINANCIAL SERVICES

Ms. Rowe stated that she had spoken with an auditor and he indicated this additional service was no longer required.

Mr. Poe stated that he was not aware that the requirement had been removed.

Ms. Rowe asked if this could be delayed for further information.

Mr. Poe stated that he would get additional information and report back to the Board at a later date.

BUDGET SCHEDULE

Mr. Bailey asked when another budget meeting would be scheduled.

Mr. Poe stated he did see the need for another meeting until something is resolved with the School Board budget.

Mr. Crabtree stated he had information to share later in the meeting regarding the school budget.

POOL EMPLOYEES HIRING

It was moved by Mr. Bailey, seconded by Mr. Crabtree, to hire Travis Hall as Pool Manager at \$8.00 per hour, Robert Giles as Assistant Manager at \$7.75 per hour, Brandon Moore, Lonnie Surgener, Virginia Carter and Tyler Scott as Lifeguards at \$7.50 per hour and Candace Moles, Victoria Long, Samantha Williams and Autumn Smith as Concession Workers at \$7.25 per hour. Upon the question being put the vote was as follows.

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

BUILDING CODE OFFICIAL INTERVIEWS

Mr. Crabtree asked if there had ever been an interview panel which brought back a recommendation to the full Board.

Mr. Poe advised that several years ago some positions were interviewed by committee. He stated most department heads were interviewed by the full Board.

REPORTS AND RECOMMENDATIONS OF THE COUNTY ATTORNEY

PROPOSED ORDINANCE FOR UNSAFE STRUCTURES

Mr. Callahan advised that he had researched ordinances in some other counties and believed the Buchanan County ordinance was best suited for use in Lee County. He advised the ordinance would require a public hearing.

SCHEDULE PUBLIC HEARING FOR UNSAFE STRUCTURE ORDINANCE

It was moved by Ms. Rowe, seconded by Mr. Crabtree, to schedule a public hearing for a proposed ordinance for the removal or repair of unsafe structures. Upon the question being put the vote was as follows.

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

UNIFORM SEVERANCE TAX ORDINANCE

Mr. Callahan updated the Board on progress made in drafting a model severance tax ordinance for the seven coal counties. He advised that the working group expected to have a draft of the ordinance within the next week and would also require a public hearing.

SCHEDULE PUBLIC HEARING FOR SEVERANCE TAX ORDINANCE

It was moved by Ms. Rowe, seconded by Mr. Bailey, to schedule a public hearing for the revised severance tax ordinance. Upon the question being put the vote was as follows.

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

REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR

MOUNTAIN EMPIRE COMMUNITY COLLEGE BOARD RESIGNATION

Mr. Poe advised that he had received notice that Ann Sage had resigned her appointment to the Mountain Empire Community College Board effective May 15, 2012.

**ROSE HILL COMPREHENSIVE COMMUNITY DEVELOPMENT PLANNING
GRANT ACCEPTANCE**

It was moved by Mr. Slemp, seconded by Mr. Bailey, to accept the Department of Housing and Community Development Planning Grant in the amount of \$30,000 for the Rose Hill Comprehensive Community Development Project. Upon the question being put the vote was as follows.

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

REPORTS AND RECOMMENDATIONS OF THE BOARD

SCHOOL BUDGET

Mr. Crabtree distributed information received by the School Budget Committee to all members of the Board. He provided a brief review of some of the information.

Mr. Poe distributed copies of additional information that he had received from the School Board today.

Mr. Crabtree stated there were some line items that had been significantly overspent for the current year.

There was a general discussion of the School Board budget.

COST OF CENTRALIZED ACCOUNTING

Mr. Crabtree stated he would like to explore the cost of centralized accounting.

DOLLAR STORE IN DRYDEN

Mr. Slemp advised that the Dollar Store was under construction in Dryden.

AIRPORT STATUS

Mr. Mosley asked about progress on the airport authority or commission.

Mr. Poe advised that he had discussed this with the Town of Pennington Gap Mayor and Mr. Callahan. At this time, it appears it may be simpler to create a new commission to operate the airport.

AUTHORIZATION TO CREATE NEW AIRPORT COMMISSION

It was moved by Mr. Mosley, seconded by Mr. Crabtree, to authorize the County Attorney and County Administrator to move forward with creation of a new airport commission. Upon the question being put the vote was as follows.

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

The Chairman called a ten-minute recess.

The Chairman called the meeting back to order.

CLOSED SESSION

It was moved by Mr. Crabtree, seconded by Ms. Rowe, 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. Upon the question being put the vote was as follows.

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

It was moved by Mr. Mosley, seconded by Mr. Bailey, to come out of Closed Session. Upon the question being put the vote was as follows.

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

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.

ART STUDENTS CONTEST FOR NEW COUNTY FLAG

Mr. Crabtree provided drawings from Lee High art students for the new County flag.

Mr. Bailey stated he would have to check with Thomas Walker High School staff to see if their students completed drawings for the flag.

SCHOOL BUDGET

There was a general discussion of the school budget and the possibility of a joint meeting with the School Board to discuss their budget.

It was moved by Mr. Crabtree, seconded by Mr. Bailey to recess to June 1, 2012 at 4:00 p.m. Upon the question being put the vote was as follows.

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

CHAIRMAN OF THE BOARD

CLERK OF THE BOARD