

VIRGINIA: County of Lee, to-wit:

At the Regular Meeting of the Lee County Board of Supervisors in the General District Courtroom of the Lee County Courthouse on February 19, 2013 at 5:00 p.m. thereof.

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

MEMBERS ABSENT: None

OTHERS PRESENT: C. M. Callahan, Jr., County Attorney
Dane Poe, County Administrator
Jeny Hughes, Administrative Assistant

OTHERS ABSENT: None

INVOCATION

Fred Cagle, Pastor of Friendship Baptist Church of Jonesville, led in the Invocation.

PLEDGE TO THE FLAG

Fred Cagle led the Pledge to the Flag.

MEETING CALLED TO ORDER

The meeting was called to order at 5:15 p.m.

DEPARTMENTAL REPORTS

TRANSFER STATION

Gary Collingsworth, Transfer Station Supervisor, reported that the trash collected in January 2013 was 1,160.63 tons and the tire collection 20.13 tons. Mr. Collingsworth stated that his department has built three recycling buildings for the Schools, which will allow the schools to recycle and not lose space inside the schools. The buildings are being built three at a time, and each building will match the schools' colors. Mr. Collingsworth also stated that the dumpster repairs and replacements have gone well this winter, but have put on hold to build the recycling buildings. Mr. Collingsworth asked the Board to consider changing the operating hours to 7:00 a.m. to 3:30 p.m. in order that everyone can be on the same schedule and be more productive. Currently some employees work 7:00 a.m. to 3:30 p.m. and a few work 8:00 a.m. to 4:30 p.m. This results in loss of production as some employees have to wait until the 8:00 a.m. shift comes in before leaving the facility.

Mr. Slemp asked why the scale house operator has different hours.

Mr. Collingsworth stated that some waste comes into the facility after 3:30 p.m. and with the posted hours of 4:30 p.m. someone has to be there. There are only a few vendors that come in after 3:30 p.m. and it is not that frequent.

Ms. Rowe stated that she does understand wanting a consistent schedule, but she is concerned about the Town of Pennington, and asked that Mr. Collingsworth check and see how it would affect them before deciding to change the hours.

LITTER AND RECYCLING

Josh Fleenor, Litter Control Coordinator, introduced himself, and thanked the Board for giving him this opportunity. Mr. Fleenor reported that he had picked up bags for recycling, visited with Powell Valley News, and that he had been around to the recycling centers. Mr. Fleenor also reported that he has started signing up people on Community Service. Mr. Fleenor stated that there is currently an educational program for fourth grades for litter and recycling, but nothing after that level. He is going to look into starting a program for eighth or ninth grades to reinforce the message.

Ms. Rowe asked if the St. Charles United Methodist Church Youth Group had been in contact with him about doing a stream clean up.

Mr. Slempp commended Mr. Fleenor for the amount of work he has done in such a short time.

Mr. Crabtree asked that Mr. Fleenor look into doing something in the community for Earth Day.

CONSTITUTIONAL OFFICERS

TREASURER'S REPORT

The Treasurer's Report for the month of January 2013 was submitted as follows:

Revenues	\$ 4,272,440.98
Expenditures	\$ 5,401,653.40
General Fund	\$ 13,491,242.18
Total Assets and Liabilities	\$ 18,940,190.84

Mr. Crabtree asked Ms. McCann about a delinquent tax sale.

Ms. McCann stated that there will be another sale probably sometime in November.

PUBLIC EXPRESSION

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

Judy Collins, Lee Fosters Rescue, addressed the Board about a cat ordinance, shades on the windows at the Pound, and following up on animals that have been adopted and not been spayed or neutered. Ms. Collins also requested for Audrey Osborne to meet with the Board in closed session for Personnel.

Mr. Poe advised that he has spoken with the Animal Control Officers about the issues that were brought up last month, and stated he would check into the follow up on adopted animals.

Bob Bost, Jonesville, addressed the Board about the Spotsylvania County Supreme Court Case he brought up at a prior meeting, and asked if this case would be relevant to the M-2 zoning the Board passed for the Constitutional Oaks Industrial Park.

Mr. Callahan advised Mr. Bost that he looked into the case, but does not feel it would apply to the situation in Lee County.

Mr. Bost stated that he disagreed and this may be a matter to be decided by the courts.

There was no further public comment.

The Chairman closed the floor for public comment.

APPROVAL OF MINUTES

It was moved by Mr. Bailey, seconded by Ms. Rowe, to approve the minutes of the January 8, 2013 Recessed Meeting, and the January 15, 2013 Annual Meeting. 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 Mr. Mosley, seconded by Ms. Rowe, to approve the refund for Denver Houston in the amount of \$457.93. 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. Slemph, to approve the disbursements for the month of February in the amount of \$110,220.23. Upon the question being put the vote was as follows.

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

DELEGATIONS

**ROBINSON, FARMER, COX ASSOCIATES
2011-2012 AUDIT REPORT
CORBIN STONE**

Corbin Stone, Robinson, Farmer, Cox Associates, 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 the County's debt per capita was very low as compared with state averages. He stated that the expenditures have been held in check very well, and that is what is driving the increase in the fund balance. He reviewed the trends in federal, state and local revenues and County expenditures. He also provided additional information on some of the management comments issued as a result of their audit.

Mr. Slemph asked about the surplus for the year.

Mr. Stone stated that the surplus was just under \$7.9 million, which is a healthy surplus. This is an increase of about \$1.7 million; the County has done a good job.

AMEND AGENDA

It was moved by Mr. Crabtree, seconded by Ms. Rowe, to amend the agenda to move Dryden Primary Addition Permanent Financing to be discussed at this point in the meeting. Upon the question being put the vote was as follows.

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

DRYDEN PRIMARY SCHOOL ADDITION PERMANENT FINANCING

Mr. Poe reported that the School Board is considering obtaining permanent financing for the Dryden Primary School addition from a Virginia Public School Authority bond issue. This project was originally constructed with interim financing in the expectation of obtaining permanent financing from the State Literary Fund. Since the Literary Fund is not providing funding at this time, the VPSA bond sale is most likely the best option. The balance of the interim financing note is approximately \$2.2 million.

The School Board is also considering refinancing a Trane loan of approximately \$1.35 million. Mr. Poe added that when the School Board made the initial request for funding, they indicated that they would service the debt with existing funding. The debt service for capital projects does not count toward the Required Local Effort. Legally the Board of Supervisors would remain responsible for the loan.

Mr. Stone added that an operating lease would go toward the minimum appropriation. A Capital lease does not go towards meeting the local appropriations.

Mr. Slempp asked if the IDA has the obligation at this time.

Mr. Poe stated that the interim loan was structured through the IDA, and it has already matured once.

Mike James, Industrial Development Authority Director, added that the original loan was for three years, and no payments were made in the first three years. The loan was renewed for an additional three years and is due in September 2014. The School Board is currently paying \$5,000 per month toward the loan.

Mr. Crabtree asked about the \$270,000 in debt service, and stated that in the budget meetings last year, the School Board indicated their obligation for the early retirement would end this fiscal year.

Mr. Poe stated that this process is identical to the first floor renovation done at the Courthouse. The funding agency did not have funds available but they would have funds available at a future date. The County had to do a six-month extension three times. Some factors to consider are since that note has been extended for a three-year period already, is the lender going to be interested in renewing the debt again and is that what is best for the school system.

Mr. Bailey asked if the School Board turned the interim funding loan surplus of \$200,000 back in, or if they assumed the entire loan.

Mr. Poe stated that they did use some of the unspent portion to be paid back as interest payments.

Mr. Crabtree stated the Board should do what is best for the taxpayers of Lee County.

Ms. Rowe asked if the Board would also be liable for the additional \$1.35 million the School Board wants to add.

Mr. Poe stated that if the two loans are added together the County could be liable for the whole amount financed.

Ms. Rowe stated the Board could only apply for the \$2.2 million.

It was the consensus of the Board to hold a Public Hearing on the bond issue at the next Board Meeting.

**UPPER TENNESSEE RIVER ROUND TABLE
STONE CREEK TIPPLE OUTDOOR CLASSROOM
CAROL DOSS**

Carol Doss, Upper Tennessee River Round Table, reported to the Board that the process of clearing the Stone Creek site has been finished. The next step is to enhance the space for public use. The outdoor classroom is one use they are considering. Ms. Doss stated that they have had discussions with some of the area schools for input on how the teachers would use the space. The site will also be a community park and could also be a site on the Virginia Coal Heritage Trail.

Nathan Brown, Graham Landscape Architecture, gave an overview of the plans for the site. Mr. Brown stated there are two main things going on in the site; number one is the repair and restoration area, and the other part is the outdoor classroom, or interpretive education center.

Mr. Crabtree asked about soil contamination.

Tim Miles, Daniel Boone Soil and Water Conservation, stated that the Environmental Protection Agency required that environmental assessments be done on this property. They determined the condition of the soil, and what needed to be done to properly reclaim the area. Mr. Miles stated that guidelines were followed and a two-foot protective top soil layer was added over the whole site.

Ms. Rowe stated that the area looks beautiful and the public is very receptive to this idea.

Mr. Brown added that the maintenance of the site was taken into consideration, and this will be a very low maintenance site. The lawn will be a no mow lawn mix, that way it can go year round and never have to be touched.

Mr. Crabtree asked about the size of the location.

Ms. Doss stated it is approximately 1.5 acres.

Mr. Bailey asked if there would be any buildings on the site.

Mr. Brown stated that the event lawn could handle an event tent, but to reduce liability, there are no buildings.

Mr. Crabtree asked about the material that will be used for the walkway.

Mr. Brown stated it will be a crushed stone dust, and it is compatible with ADA standards. The walkway will be a little over 400 feet, so it will be about a tenth of a mile.

Mr. Slemph asked where the funds came from for this site.

Ms. Doss stated that most of the money has come from US Fish and Wildlife Service, and Department of Conservation and Recreation.

Mr. Poe asked if the parking area would be stone.

Mr. Brown stated the parking area will be asphalt and will be ADA compliant.

Mr. Poe asked what level of maintenance the stormwater wetland will have.

Mr. Brown stated that the parking lot is being done as pavement impervious so that it will charge the wetland; it will be a demonstration for how to treat stormwater. The plants for this zone will be native to the wetland, so it will be as hands off as possible.

Ms. Melanie Carter, U.S. Fish and Wildlife Service, reported that they have provided assistance on the stream bank design and on the wetlands. The US Fish and Wildlife Service will be responsible for removing an old bridge abutment, putting in a fish habitat, revegetating the stream bank, and repairing a buffer. Because the abutment is going to be removed, it will put the water level below the ordinary high water mark, so there will have to be a US Army Corp of Engineers permit. The Upper Tennessee River Round Table will be the applicant for the permit, but the County will need to sign as owner.

Mr. Poe stated that not having seen the design he was not sure what kind of maintenance features would be in them, and that was his primary concern. After looking at the design, he does not see any problem with the rest of the documents.

Mr. Crabtree asked about the completion time.

Ms. Carter stated the part of the U.S. Fish and Wildlife should be done in June and will take about a week, and planting will be done in the winter and spring.

Mr. Brown stated the majority of the park features should be constructed by November or December.

It was moved by Ms. Rowe, seconded by Mr. Crabtree, to authorize the County Administrator to sign the permit for the Army Corp of Engineers. Upon the question being put the vote was as follows.

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

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
13-002

WHEREAS, the Lee County Board of Supervisors has approved the Lee County Public School Budget and Virginia Public Assistance Budget for FY2012-13; 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 March 31, 2013;

VIRGINIA PUBLIC ASSISTANCE

Federal/State Funds	\$ 6,022,218
Local Funds	<u>1,068,481</u>
TOTAL VIRGINIA PUBLIC ASSISTANCE	\$ 7,090,699

LEE COUNTY PUBLIC SCHOOLS

Categorical Appropriation:

Instruction	\$ 24,030,343
Administration, Attendance and Health	2,065,227
Pupil Transportation	2,137,300
Operation and Maintenance	3,350,600
School Food Services	1,688,110
Facilities	547,967
Technology	852,725
Partially Self-Funded Insurance Fund	<u>4,650,000</u>
 TOTAL	 \$ 39,322,272

Source of Revenue:

Federal Funds	\$ 4,675,075
State Funds	24,741,951
Other Funds	81,600
Self Insured Health Fund	4,650,000
Local Funds	4,963,668
Lottery Carryover Funds	<u>209,978</u>

TOTAL PUBLIC SCHOOLS \$ 39,322,272

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.

Adopted this the 19th day of February, 2013.

NEW BUSINESS

BOARD APPOINTMENTS

AIRPORT AUTHORITY

It was consensus of the Board to table these appointments until next month

DRYDEN WATER AUTHORITY

It was moved by Mr. Slemp, seconded by Mr. Bailey, to re-appoint Darrell Cody to a four-year term on the Dryden Water Authority. Mr. Cody's term will expire February 28, 2017. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Bailey, Mr. Mosley, Ms. Rowe, Mr. Slemp
VOTING NO: Mr. Crabtree

SOUTHWEST VIRGINIA COMMUNITY CORRECTIONS

It was moved by Ms. Rowe, seconded by Mr. Slemp, to appoint Josh Fleenor to an unexpired term on Southwest Virginia Community Corrections. Mr. Fleenor's term will expire August 31, 2013. Upon the question being put the vote was as follows.

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

UPPER TENNESSEE RIVER ROUND TABLE

It was moved by Ms. Rowe, seconded by Mr. Bailey to re-appoint Shawn Morris to a one-term on Upper Tennessee Round Table. Mr. Morris' term will expire December 31, 2014. Upon the question being put the vote was as follows.

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

DOMESTIC VIOLENCE OFFICER GRANT AWARD

Mr. Poe reported that this grant provides \$36,056 in federal funds with a \$12,019 local in-kind match. The grant period is from January 1, 2013 to December 31, 2013.

Mr. Crabtree stated that several people have been very complimentary about the Domestic Violence Officer.

It was moved by Mr. Mosley, seconded by Mr. Bailey, to accept the Domestic Violence Grant in the amount of \$36,056. Upon the question being put the vote was as follows.

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

COST ALLOCATION PLAN PROPOSAL

Mr. Poe reported that the County has received a proposal from Robinson, Farmer, Cox Associates for completion of the County's Annual Cost Allocation Plan. The proposal is a one-year term cost of \$4,000 or a three-year term cost of \$3,500 per year. The Cost Allocation Plan is required in order to recoup costs associated with administration of federal grant programs, primarily in the Department of Social Services. It was recommended by Mr. Poe to accept the three-year term for the cost savings.

It was moved by Mr. Bailey, seconded by Mr. Slemp, to accept the proposal from Robinson, Farmer, Cox Associates for the three year term at a cost \$3,500 per year. Upon the question being put the vote was as follows.

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

MULTI USE TRAIL ENGINEERING PROPOSALS

Mr. Poe reported that an advertisement was recently run for engineering services for the planning, design and construction of a multi use trail system utilizing funds provided by a grant from the Virginia Tobacco Indemnification and Community Revitalization Commission. Two proposals were received, and the next step would be to schedule interviews.

TAX MAP DIGITIZATION/UPDATING PROPOSALS

Mr. Poe reported that an advertisement was recently run to begin the process to digitize and update the tax maps in the Commissioner of the Revenue's office. Cumberland Partners was the only firm that responded. The Request for Proposal called for approximately one third of the maps to be digitized this year with the balance completed over the next two years. Funding is budgeted to cover the anticipated cost for the current year. Mr. Poe added that digitizing each tax map would be \$5.00 per map. Any new deeds or property transfers regardless of which tax map they are on, and those will be done at \$60 per update. Mr. Poe state we have budgeted \$30,000, and this in line with the proposed fees.

Mr. Crabtree asked if this is the general foundation for GIS.

Mr. Poe stated that the aerial mapping is the foundation layer, but one of the most requested layers is tax parcels.

It was moved by Mr. Bailey, seconded by Mr. Mosley, to accept the proposal from Cumberland Partners for Tax Map Digitization. Upon the question being put the vote was as follows.

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

DUMP TRUCK BIDS

Mr. Poe reported that two bids were received for a 2014 dump truck for the Transfer Station. The received bids were from, Goodpasture Motor Company in the amount of \$94,000, and Smoky Mountain Truck Center in the amount of \$88,900. Mr. Poe stated that Gary Collingsworth, Transfer Station Supervisor, has reviewed the bids and both trucks do meet the specifications.

It was moved by Ms. Rowe, seconded by Mr. Slemp, to accept the dump truck bid from Smoky Mountain Truck Center in the amount of \$88,900. Upon the question being put the vote was as follows.

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

BOAT RAMP GRANT AGREEMENTS

Mr. Poe reported that he was notified of the award of two grants to construct boat access ramps on the Powell River by the Department of Game and Inland Fisheries. Each grant is in the amount of \$10,000 and requires a 25% local match, which can be in-kind, or cash. The County will be responsible for maintaining these facilities for a minimum of 20 years. The County applied for three grants, and was awarded with two.

Mr. Crabtree asked if these grants were location specific.

Mr. Poe stated they are, one will be located at Beech Grove Bridge, the other will be on Virgil Minor Road.

Mr. Crabtree stated he has received several calls from citizens that are opposed to the boat ramp on Virgil Minor Road.

Ms. Rowe asked if we could switch this grant to the third location.

Mr. Mosley stated that the ramps have to be a certain distance apart, so you could not switch locations.

Mr. Poe added that there is a possibility that a mussel study will be need.

It was moved by Mr. Mosley, seconded by Ms. Rowe, to accept the boat ramp grants. Upon the question being put the vote was as follows.

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

E-911 MAP DATA PRICING

Mr. Poe reported that the E-911 Department is beginning to receive requests for data that is available from the 911 mapping system, and there is a need for a uniform pricing schedule for the various products they can deliver.

It was moved by Ms. Rowe, seconded by Mr. Mosley, to accept the following pricing schedule for E-911 Map Data. Upon the question being put the vote was as follows.

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

Product:	Price:
Structure Points	\$300
RCL (Road Center Lines)	\$150
Driveways and Access Roads	\$50
Railways	\$30
Waterways	\$30
Walking Trails	\$20
Boundaries - County & Towns	\$30
Law Zones	\$30
Fire Zones	\$30
Emergency Medical Zones	\$30
Election Precincts	\$30
Election Districts	\$30
Fire Hydrants - currently building this layer	\$30
Postal Zones	\$30

DRYDEN PRIMARY SCHOOL ADDITION PERMANENT FINANCING

This matter was addressed earlier in the meeting.

It was moved by Mr. Mosley, seconded by Mr. Bailey, to take a ten-minute recess. 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 ATTORNEY

None

REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR

ROSE HILL COMPREHENSIVE COMMUNITY DEVELOPMENT PROJECT

Mr. Poe reported that there would be a project meeting on February 25, and a public hearing on March 19. The Public Service Authority has obtained 20 user agreements on this project, however the Housing Authority has had a few decide to withdraw.

STORMWATER MANAGEMENT

Mr. Poe reported that we are moving forward and will have our draft ready by the deadline. The Daniel Boone Soil and Water Conservation met last week, they advised him today that they did discuss this, and they are drafting a proposal to submit to the Board.

TRAILS PROJECT

Mr. Poe reported that there has not been much activity on this project; we are still trying to make contact with the coal companies.

CENTRALIZED ACCOUNTING

Mr. Poe reported that he has spoken with the Auditor, some School Board Employees, and with other Counties. Scott County is the only county in what is considered Southwest Virginia that has Centralized Accounting. Mr. Poe added that he needs to be a little more certain on what the Board wants to achieve from the switch, and then he can look at analyzing the cost. The School Board has four employees that are involved in their accounting department where the County only has two. If the County brings the School Board's accounting over, we would need to hire at least two additional employees. Based on the County's current pay scales, the approximate cost for two additional employees would be \$90,000 to \$120,000 depending on job titles and responsibilities. Mr. Poe added that because the School Board has an appropriated budget, that the County Administrator would still not have any control over purchases.

He stated that another option would be converting the School System to the same software that the County uses with a connection between the two for access to reports and data.

Mr. Crabtree stated that his current concern is that there is no transparency.

Mr. Poe stated that if we were all on the same accounting system with access on this side, we could have ready access to the budget.

Mr. Slemp stated that the County would be adding two new people here, and asked if that would not that leave about three positions not needed at the School Board Office.

Mr. Poe stated that the County is funding the School Board at the minimum required level, and they will still get that same amount of funding even though they no longer need those positions, so that gives them more money. The County will be spending a certain amount of money to fund Centralized Accounting, and we are still giving them the same amount of money regardless of who is doing the work.

Ms. Rowe stated that something needs to be done, and she likes the idea of the School Board changing to the Bright System software.

Mr. Poe stated there are costs associated with this, and asked is what you are going to receive worth what you going to have to pay?

Ms. Rowe stated that she likes the idea of Centralized Accounting, but not at a cost of \$90,000 to \$120,000 per year, and she is okay with going to the Bright System for a onetime cost and seeing how that works.

Mr. Poe suggested that this matter be taken up with the School Board during the Budget Committee Meetings.

Ms. Rowe stated that she would prefer that Mr. Poe start the discussion with the Superintendent, and let him go to their Board.

It was consensus of the Board to have Mr. Poe begin discussions with the Superintendent of the Schools about the School Board switching over to the Bright System and being networked with the County's system.

PRECINCT AND POLLING SITE CHANGES

Mr. Poe reported that the maps and descriptions of the proposed new precincts and polling sites have been completed. The schedule for adoption of the changes has been adjusted somewhat for actual requirements. The next potential election is a primary on June 11, 2013. The Registrar's Office is required to provide notice of any change in a precinct or polling place no less than 15 days prior to the election. The Department of Justice provides a 60 day time period, so the target date for notice to the Department of Justice is no later than March 26, 2013. This should allow ample time for the Registrar's Office notification to be mailed to the affected voters. The public hearing will be scheduled for March 19, 2013.

Mr. Crabtree asked if changing the name of the polling site would require additional time.

Mr. Poe stated that he has spoken to the Registrar, and it just requires sending out additional notices.

SCHOOL BOARD SURPLUS PROPERTY

Mr. Poe stated that he was notified today that the School Board is moving toward having the closed schools declared surplus property. He will have additional information on the deeds within the next few days.

Mr. Callahan stated that there may be some questions about a couple of those deeds, and he will check into them.

REPORTS AND RECOMMENDATIONS OF THE BOARD

CANE CREEK BRIDGE AND LINE PAINTING

Mr. Mosley asked the County Administrator about the bridge in Cane Creek.

Mr. Poe stated he had spoken with Mr. Sumpter and, with the bypass road still being a potential project that will reduce the amount of traffic on the bridge, a complete replacement of the bridge may not be a priority at this time.

Mr. Mosley asked about the painting of the white lines.

Mr. Poe stated he has been in contact with VDOT on line painting, and that is a statewide contract that is being administered in Richmond. They had hoped to get a crew down here before bad weather.

BLUE SPRINGS ROAD

Mr. Bailey asked about the access to the mountain on Blue Springs.

Mr. Poe stated that they are checking into the maintenance on that road.

CELL TOWERS

Mr. Slemp asked about the status of the new cell towers.

Mr. Poe stated they do not have building permits yet, but there is some work going on at two sites. One is just east of Rose Hill and the other site is just east of Cumberland Gap.

HEART OF APPALACHIA TOURISM AUTHORITY REQUEST

Ms. Rowe presented the Board with a funding request from the Heart of Appalachia Tourism Authority for a motorcycle ride that will go from Harlan through Stone Creek and Keokee. The Authority will be building a website and creating brochures for the event. The Authority is requesting \$1,500 to help fund this.

Mr. Slemp stated he asked the Tourism Director about a website that had a list of activities that was going on in the County, and was told it could not be done. However, this website has activities of things going on in Lee County and he thinks it is a good idea.

Mr. Mosley suggested that it be listed on the County's website.

Mr. Poe stated we could add a page to the County's website for events such as this.

Ms. Rowe also stated that according to this request, there has not be a representative attend the Heart of Appalachia meetings for approximately six months, and asked if there was something the Board could do.

Mr. Poe stated that according to the Heart of Appalachia bylaws the Chairman of each local Tourism Committee is that County's representative to the Authority. He stated that since the prior Chairman resigned, no one else has been appointed.

Mr. Slemp stated he is on the Tourism Board and would volunteer to be the Chairman and attend these meetings because this is something he is passionate about.

It was moved by Ms. Rowe, seconded by Mr. Crabtree, to fund Heart of Appalachia Tourism Authority \$1,500 for the Appalachia Back Roads project. Upon the question being put the vote was as follows.

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

LETTER OF SUPPORT FOR THE SLEMP FOUNDATION APPLICATION

Ms. Rowe stated that she had been contacted by Rob Widener about the Board providing a letter of support for a grant to renovate the C. Bascom Slemp Auditorium.

It was consensus of the Board to send a letter of support for the grant application.

COAL HAUL ROAD

Ms. Rowe asked Mr. Poe about dates for the Coal Haul Road Committee meeting.

Mr. Poe stated he has spoken with Mr. Sumpter, and has some dates and will email those to Ms. Rowe in the morning.

DILAPIDATED BUILDINGS

Ms. Rowe asked to status of the Derelict Structures the Building Inspector has been working on.

Mr. Poe stated the one in Stone Creek has been burned and all that is left is the stone foundation. The one on Martin's Creek has also been taken care of.

SOCIAL SERVICES BOARD

Ms. Rowe asked if the Board should have a representative on the Social Services Board.

Mr. Poe stated we had looked into that previously, and the bylaws state that one member of the Board shall be a member of the Board of Supervisor's unless the local governing body determines otherwise. The Board that is sitting now is a legal board of Social Services.

Mr. Mosley stated the problem he has with that is an even number of members on that board.

Mr. Bailey added that there are five members on the Board right now, and a representative from each district. If another member is appointed there will be an even number and the potential for tied votes.

Ms. Rowe stated that the way she was looking at it is that a member for this board could be active and know what is going on with that Board, and the two boards could communicate a little more.

Mr. Crabtree stated he is on the Community Policy Management Team, which is part of Social Services, and that he could report on what they go over at those meetings.

DISTRICT 5 COMMUNITY MEETING

Ms. Rowe stated she is planning to have a community meeting for her district, and stated she would like to have the County Administrator, someone from the PSA, the IDA and the Sheriff's Department present in order to decide on the best way to serve the citizens there.

STRATEGIC PLANNING SESSION

Ms. Rowe stated she had spoken with Bobby Lane and he is not available until after March 15, and asked if Wednesday is good for all of the board to meet for the strategic planning session, and for interviews for the Multi Use Trail Project.

It was consensus of the Board to hold interviews for the Trail Engineering Services and the strategic planning session on March 20, 2013, beginning 10:00 am at the airport conference room.

SCHOOL BOARD BUDGET

Mr. Crabtree asked Mr. Poe about having a combined joint meeting with the School Board on the Budget.

Mr. Poe stated he usually contacts them with a date.

SCHOOL BOARD BUDGET COMMITTEE

Mr. Crabtree appointed Ms. Rowe and himself to be on the School Board Budget Committee.

ANIMAL CONTROL TRUCK

Mr. Crabtree asked that advertisement for an Animal Control Truck be placed in the newspaper.

Mr. Poe stated that he would be advertising for the truck and for the recodification of County Ordinances in the near future.

CLOSED SESSION

It was moved by Ms. Rowe, seconded by Mr. Crabtree, to enter Closed Session pursuant to Section 2.2-3711 A.1., discussion, consideration or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees or employees of any public body, and Section 2.2-3711 A. 6., the investing of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected. Upon the question being put the vote was as follows.

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

Mr. Bailey left the meeting at 9:35 PM

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

VOTING AYE: 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.

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

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

