

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 March 20, 2012 at 5:00 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

Roger Mathess, Pastor of First United Methodist Church of Pennington Gap, led in the Invocation.

PLEDGE TO THE FLAG

Roger Mathess led the Pledge to the Flag.

MEETING CALLED TO ORDER

The meeting was called to order at 5:04 p.m.

DEPARTMENTAL REPORTS

E-911 REPORT

Alan Bailey, E-911 Director, provided a brief report on the E-911 implementation project. He advised that mapping information had been distributed to the fire and rescue organizations in the county. He stated that training on the new software for the E-911 operations is ongoing and has taken a considerable amount of his time. This has limited the amount of time he has been available in the office with the Mapping Technician covering the office. He stated that E-911 service is scheduled to go live on June 11, 2012.

Mr. Carl Bailey advised of three structures in his district that have not been assigned a physical address.

Mr. Crabtree asked about the sign maintenance contract.

Mr. Alan Bailey advised that the contract with PSI was for the initial installation and follow up maintenance had been by mutual agreement.

Mr. Crabtree asked if the 911 Department had the equipment to install signage.

Mr. Bailey advised that some of the equipment is available.

Mr. Slemp asked if the Jasper Fire Department had been included in the mapping distribution.

Mr. Bailey advised they were one of the first to receive it.

Mr. Mosley asked if all 911 addresses were valid.

Mr. Bailey stated that Post Office box users will not have their physical address listed by the Postal Service.

Mr. Poe advised that our address information goes to the state database and that various map search engines may not have acquired current information.

LITTER CONTROL AND RECYCLING REPORT

Mary Wires, Litter Control & Recycling Coordinator, reported three litter violations had been corrected, two roadside litter pickups had been conducted as well as quarterly probationary clean ups for a total of 129 bags of trash and 128 hours of community service. The plastic bag collection project is underway in local schools and a clean up event is being planned for April. She has surveyed local businesses about possible recycling pick up service with seventeen responses. The Recycling Committee also met recently to discuss the program's progress and possible improvements including an additional truck and driver. She has addressed school principals and met with one school regarding the recycling program. She is also working to establish collection sites for plastic containers for potted plants and has distributed paper recycling boxes to many of the courthouse offices.

Mr. Slemp asked that efforts be increased to clean up the mess at the old Magic Mart property in Dryden.

Ms. Rowe asked that the Millers Chapel area be looked at.

Gary Collingsworth, Transfer Station Superintendent, reported on the need for a larger recycling building at Dryden. He stated the existing Dryden building could be moved to the Transfer Station entrance with that existing building moved to Rose Hill which does not currently have one. Mr. Collingsworth also expressed a need for a better collection site for the Seminary/Olinger area due to abuse and out of county waste.

AUTHORIZATION TO SEEK NEW OLINGER CONVENIENCE CENTER SITE

It was moved by Mr. Slemph, seconded by Mr. Mosley, to authorize Mr. Collingsworth and Mr. Poe to look for property for the Olinger Convenience Center site. Upon the question being put the vote was as follows.

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

TOURISM REPORT

Joan Minor, Tourism Director, reported she is developing an inventory of local tourism assets including events, crafts, music and outdoor recreation opportunities. This list will be submitted to the Virginia Tourism Corporation for marketing purposes. She advised that two local venues may become affiliates of the The Crooked Road. She stated she had attended meetings with local and regional partners, written newspaper articles and was conducting internet radio broadcasts to educate local residents about local events and attractions.

Mr. Crabtree asked about partnering with Cumberland Gap National Park to attract visitors to Lee County.

Ms. Minor stated she been working with the Park Service.

Ms. Rowe suggested Ms. Minor work with local trails groups to schedule an event for National Trails Day.

ECONOMIC DEVELOPMENT REPORT

Michael James, Economic Development Director, reported the Constitutional Oaks Industrial Park entrance project was underway with additional landscaping and new signage to follow. He indicated there would probably be a re-opening event scheduled for the shell building later this year. The paving project for the Patriot Center in Pennington Gap has been advertised for bid. The local hotel project is currently seeking local investors and a local marketing video has been posted on Youtube. He advised he had two prospect visits pending.

Mr. Crabtree inquired about the sale of the building in Ewing.

Mr. James advised that negotiations are still ongoing.

AMEND AGENDA

It was moved by Mr. Mosley, seconded by Ms. Rowe, to amend the agenda to address Delegations at this time. Upon the question being put the vote was as follows.

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

DELEGATIONS

**FRIENDS OF SOUTHWEST VIRGINIA
TODD CHRISTENSEN, EXECUTIVE DIRECTOR
SOUTHWEST VIRGINIA CULTURAL HERITAGE FOUNDATION**

Todd Christensen addressed the Board regarding development of the Southwest Virginia Cultural Heritage Foundation and the Heartwood facility located in Abingdon. Mr. Christensen advised that the Foundation had been working in many areas of tourism development in Southwest Virginia including outdoor recreation and music. He stated that the Heartwood facility presented many opportunities for Southwest Virginia to showcase its assets and resources. He stressed the importance of attracting visitors in the Cumberland Gap region to other parts of Virginia and vice versa. Mr. Christensen introduced Diana Blackburn with the Round the Mountain organization.

Diana Blackburn provided information on Round the Mountain, a network of artisans and crafters in the region. She stated they currently had a membership of over 500 with seven businesses from Lee County being promoted by this effort. Ms. Blackburn advised that each member is evaluated on their skill and craft before becoming a member to insure the quality of their products. Marketing efforts on behalf of the members is statewide including brochures at seven state welcome centers as well as other regional visitor centers.

Mr. Crabtree asked if this effort was modeled on other areas and long it took to develop.

Mr. Christensen advised that this was an effort to provide a new source of jobs and a quality of life for residents who had seen familiar industries decline with the resulting loss of jobs in the region. He advised that development and expansion of broadband services would help attract new residents. He also expressed the need for downtown revitalization projects in the region.

Ms. Rowe advised of a local resident who built furniture as a hobby and desired to promote and advertise their products.

PUBLIC HEARING

**PROPOSED AMENDMENT TO ORDINANCE REGARDING REAL ESTATE
TAX EXEMPTION FOR ELDERLY AND DISABLED PERSONS**

The Lee County Board of Supervisors held a Public Hearing on March 20, 2012 at 5:00 p.m. in the General District Courtroom of the Lee County Courthouse located in Jonesville, Virginia to receive public comment on a proposed amendment to the Ordinance providing real estate tax exemption for elderly and disabled persons. The proposed amendment would adjust the qualifying family income and total net worth amounts allowed for eligibility in the exemption program.

The Chairman opened the floor for public comment.

There was no public comment.

The Chairman closed the floor for public comment.

**AMENDMENT TO ORDINANCE REGARDING REAL ESTATE TAX
EXEMPTION FOR ELDERLY AND DISABLED PERSONS**

It was moved by Mr. Crabtree, seconded by Mr. Slemp, to adopt the following Ordinance regarding real estate tax exemption for elderly and disabled persons. Upon the question being put the vote was as follows.

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

**ORDINANCE REGARDING TAX RELIEF FOR THE ELDERLY AND
DISABLED**

**ARTICLE II. REAL ESTATE TAX EXEMPTION FOR ELDERLY AND
DISABLED PERSONS**

Sec. 15-15. Definitions.

The following words, terms and phrases, when used in this article, shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning:

Affidavit means the real estate tax exemption affidavit (a sworn statement in writing).

Dwelling means the full-time residence of the person claiming an exemption.

Exemption means exemption from the county real estate tax according to the provisions of this article.

Permanently and totally disabled means that a person is unable to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment or deformity which can be expected to result in death or can be expected to last for the duration of such person's life.

Property means real property.

Taxable year means the calendar year, from January 1 until December 31, for which an exemption is claimed.

Sec. 15-16. Exemption authorized.

Real estate tax exemption is provided for qualified property owners who are 65 years of age or older or permanently and totally disabled and who are eligible according to the terms of this article. Persons qualifying for exemption are deemed to be bearing an extraordinary real estate tax burden in relation to their income and financial worth.

Sec. 15-17. Administration of exemption.

The exemption shall be administered by the commissioner of the revenue according to the provisions of this article. The commissioner is hereby authorized and empowered to prescribe, adopt, promulgate and enforce rules and regulations in conformance with the provisions of this article, including the requirement of answers under oath, as may be reasonably necessary to determine qualifications for exemption as specified by this article. The commissioner may require the production of certified tax returns and appraisal reports to establish income or financial worth.

Sec. 15-18. Qualifications for exemption.

Exemption shall be granted to persons subject to the following provisions:

- (1) The title of the property for which exemption is claimed is held, or partially held, on January 1 of the taxable year, by the person claiming exemption.
- (2) The head of the household occupying the dwelling and owning title, or partial title, thereto is determined to be 65 years old or older or permanently and totally disabled on December 31 of the year immediately preceding the taxable year.
- (3) The gross combined income of the owner during the year immediately preceding the taxable year shall not exceed \$25,000.00. Gross combined income shall include income from all sources of the owner and of the owner's relatives living in the dwelling for which exemption is claimed, excluding the first \$2,000.00 of the relative's income. Any form of public welfare assistance (other than medical care for the medically indigent) must be listed as income.
- (4) The total combined financial worth of the owner, as of December 31 of the year immediately preceding the taxable year, shall not exceed \$85,000.00. Total financial worth shall include the value of all assets, including equitable interests, of the owner and the owner's relatives living in the dwelling for which exemption is claimed, and shall exclude the fair market value of the dwelling and the land upon which it is situated, not exceeding one acre, for which the exemption is claimed.

Sec. 15-19. Claimant's affidavit and certification of disability.

(a) Annually, and not later than May 1 of the taxable year, the person claiming an exemption must file a real estate tax exemption affidavit with the commissioner of the revenue. The affidavit shall set forth, in a manner prescribed by the commissioner of the revenue, the names of all persons occupying the dwelling for which exemption is claimed, their gross combined income and their total combined net worth.

(b) If the person claiming exemption is under 65 years of age, the affidavit shall have attached thereto a certification by the Social Security Administration, the Department of Veterans Affairs or the Railroad Retirement Board, or if such person is not eligible for certification by any of these agencies, a sworn affidavit by two medical doctors who are either licensed to practice medicine in the commonwealth or are military officers on active duty who practice medicine with the United States Armed Forces, to the effect that such person is permanently and totally disabled, as defined in Section 15-15 of this ordinance and in Code of Virginia, Section 58.1-3217; however, a certification pursuant to 42 USC 423(d) by the Social Security Administration so long as the person remains eligible for such social security benefits shall be deemed to satisfy such definition. The affidavit of at least one of the doctors shall be based upon a physical examination of the person by such doctor. The affidavit of one of the doctors may be based upon medical information contained in the records of the Civil Service Commission which is relevant to the standards for determining permanent and total disability.

Sec. 15-20. Certification to county treasurer; deduction from tax liability.

If, after audit and investigation, the commissioner of the revenue determines that the claimant is qualified for exemption, the commissioner shall so certify to the county treasurer who shall deduct the amount of the exemption from the claimant's real estate tax liability.

Sec. 15-21. Amount of exemption.

For qualified persons, the amount of exemption of the real estate tax shall be determined by the following table:

Annual Income	Percent of Tax to be Exempted
\$0 – 17,000	100
\$17,001 – 19,500	75
\$19,501 – 22,000	50
\$22,001 – 25,000	25

After determining which income range the person's annual income falls in, the amount of tax exemption will be computed by multiplying the existing tax bill times the percentage opposite the appropriated income figure, the result of which will be the amount of tax to be excused. The difference between the original tax and the figure arrived at will be due the county as the assessed property tax for that year. In no case will the tax excused exceed \$200.00.

Sec. 15-22. When exemption effective; reduction applies only if taxes paid when due.

The exemption shall be effective only in the current tax year and shall be applied to reduce taxes, if the taxes due and owing are paid on or before the due date set by law for payment without penalty. In the event the taxpayer qualified for exemption owes delinquent real property taxes, the exemption will be allowed for the current tax year only and all payments received by the current tax year due date may be credited first to the current year tax amount. Any payment in excess of the current year amount, less any allowed exemption, will be applied to the most delinquent tax due, less any accrued penalty and interest.

Sec. 15-23. Effect of changes in status.

Changes in respect to income, financial worth, ownership of property or other factors occurring during the tax year for which the affidavit is filed and having the effect of exceeding or violating the limitations and conditions provided in this article shall nullify any relief of real estate liability for the then current taxable year and the taxable year immediately following.

Sec. 15-24. False claims.

Any person falsely claiming an exemption shall be guilty of a class 3 misdemeanor.

Sec. 15-25 – 15-34. Reserved.

This Ordinance shall be effective immediately upon adoption.

GREEN THUMB SEEDING SPECIAL USE PERMIT REQUEST

The Lee County Board of Supervisors held a Public Hearing on March 20, 2012 at 5:00 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. Green Thumb Seeding of Virginia has applied for a Special Use Permit to allow a retail store not exceeding 5,000 square feet in a Village Commercial (V-C) District. The property is

located on the North side of U.S. Route 58A approximately three miles west of the Lee/Wise Line in the Seminary community. The property consists of 4.24 acres.

The Chairman opened the floor for public comment.

Michael James, Community Development Director, advised that the Planning Commission voted to recommend approval of the Special Use Permit. He reported there had been no objections received to date.

Mr. Slemph asked where the proposed site is located.

Mr. James advised that it would be just west of the Country Porch location.

There was no other public comment.

The Chairman closed the floor for public comment.

GREEN THUMB SEEDING OF VIRGINIA SPECIAL USE PERMIT

It was moved by Mr. Crabtree, seconded by Mr. Mosley, to approve the Green Thumb Seeding of Virginia Special Use Permit to allow a retail store not exceeding 5,000 square feet in a Village Commercial District at the proposed location. Upon the question being put the vote was as follows.

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

CONSTITUTIONAL OFFICERS

TREASURER'S REPORT

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

Revenues	\$ 4,666,426.82
Expenditures	\$ 4,494,101.17
General Fund	\$10,833,242.06
Total Assets and Liabilities	\$16,488,448.32

Mr. Crabtree asked about the increase in total assets since last year.

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

It was moved by Mr. Bailey, seconded by Mr. Mosley, to approve the minutes of the February 21, 2012 Regular Meeting and the March 1, 2012 Recessed Meeting, as amended. Upon the question being put the vote was as follows.

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

Prior to the vote, Ms. Rowe requested the discussions about the Route 606 traffic signal and the county ordinance codification be included in the minutes.

APPROVAL OF REFUNDS

It was moved by Mr. Mosley, seconded by Mr. Bailey, to approve the following refunds. Upon the question being put the vote was as follows.

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

Thomas Glenn Terry & Raquel Terry	\$793.18
Joseph L. Schauer	\$935.49

PAYROLL

The County Administrator reports that payroll warrants have been issued.

APPROVAL OF DISBURSEMENTS

It was moved by Mr. Bailey, seconded by Mr. Slemp, to approve the disbursements for the month of March in the amount of \$172,367.46. Upon the question being put the vote was as follows.

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

FINANCE

MONTHLY AND QUARTERLY APPROPRIATIONS

It was moved by Mr. Mosley, seconded by Mr. Bailey, 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

**RESOLUTION
MONTHLY AND QUARTERLY APPROPRIATIONS
12-009**

WHEREAS, the Lee County Board of Supervisors has approved the Headstart Budget, 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 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, 2012

HEADSTART

Federal Funds	\$ 1,278,188
TOTAL HEADSTART	\$ 1,278,188

BE IT FURTHER RESOLVED, that the following activities, 1/12 of the amount shown is appropriated for a 1-month period ending April 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 Headstart, Public School and Virginia Public Assistance funds and will not exceed the foregoing one and three months appropriations.

SUPPLEMENTAL APPROPRIATIONS

DELINQUENT TAX COLLECTION

It was moved by Mr. Mosley, seconded by Mr. Bailey, to supplementally appropriate \$1,260.00 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. Slemp

DELINQUENT TAX COLLECTION

It was moved by Mr. Mosley, seconded by Mr. Bailey, to supplementally appropriate \$4,566.76 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. Slemp

RETIREE HEALTH INSURANCE

It was moved by Mr. Mosley, seconded by Mr. Bailey, to supplementally appropriate \$4,851.20 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. Slemp

COAL ROAD EXPENDITURES

It was moved by Mr. Mosley, seconded by Mr. Bailey, to supplementally appropriate \$15,119.72 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. Bailey, to supplementally appropriate \$41.38 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

NINTH DISTRICT DEVELOPMENT FINANCING

It was moved by Mr. Crabtree, seconded by Mr. Bailey, 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

ELECTORAL BOARD VOTING PRECINCT RECOMMENDATIONS

Mr. Poe presented a list of proposed changes to voting sites provided by the Electoral Board. He advised that any changes in voting precincts would require a public hearing to amend the ordinance as well as Department of Justice approval. The proposed changes include consolidation of twelve precincts into six prioritized as follows:

- #1 – Consolidate Stone Creek and St. Charles Precincts with St. Charles as the Polling Precinct
- #2 – Consolidate Seminary and Dryden with Dryden as the Polling Precinct
- #3 – Consolidate West Pennington and Ben Hur with Ben Hur as the Polling Precinct
- #4 – Consolidate North Jonesville and South Jonesville with South Jonesville as the Polling Precinct
- #5 – Consolidate Ewing and Elydale with Elydale as the Polling Precinct
- #6 – Consolidate Keokee and Robbins Chapel with Robbins Chapel as the Polling Precinct

The Electoral Board is presenting these recommendations as a cost savings for all future elections. Mr. Poe also advised of discussions regarding moving the Jasper Precinct voting site to the Fire Hall.

Ms. Rowe inquired about the distance from Keokee to Robbins Chapel.

Gary Williams, Electoral Board Member, stated it was probably about five miles.

Mr. Crabtree asked if the plan was to move additional machines to the polling sites or additional people.

Mr. Williams stated they would move additional machines but would not need additional people. He also discussed the fact that current machines are no longer manufactured, the difficulty in finding election workers and the poor conditions at some polling sites.

Mr. Crabtree asked what brought this proposed action about.

Mr. Williams stated that the cost of elections was a primary factor and the condition of the some of the polling sites and the difficulty of finding election workers were also factored in.

Mr. Slemp stated he believed moving the voting sites would result in fewer people going to vote if they are required to vote in a different location.

Mr. Bailey asked if we were trying to eliminate both workers and machines.

Mr. Williams stated that this would result in fewer workers and machines.

Mr. Mosley suggested the County Administrator check the election schedule for 2013 to determine if action on this proposal could be delayed until after the November election in order to eliminate confusion on polling sites for the upcoming election.

POLICE CRUISERS SUPPLEMENTAL FUNDING

It was moved by Mr. Bailey, seconded by Mr. Mosley, to approve a supplemental appropriation in the amount of \$6,000.00 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. Slemp

VICTIM WITNESS ADVOCATE GRANT SUBMISSION APPROVAL

It was moved by Mr. Mosley, seconded by Ms. Rowe, to authorize submittal of the Victim Witness Advocate grant renewal application. Upon the question being put the vote was as follows.

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

PROPOSED ZONING FEE CHANGES

Michael James, Community Development Director, presented proposed increases for zoning related fees primarily due to increased advertising costs. He provided zoning costs in adjacent counties for comparison and the typical cost of advertising.

There was a general discussion about the proposed rates.

Mr. Rowe commented that she did not feel the standard permit fee should increase since no advertisement was required.

PROCEED WITH PROPOSED ZONING FEE INCREASES

It was moved by Mr. Slemph, seconded by Mr. Mosley, to prepare a Resolution for adoption of the proposed zoning fee increases with an effective date of July 1, 2012. Upon the question being put the vote was as follows.

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

Prior to the vote, Ms. Rowe stated that she was opposed to the \$20.00 fee for a standard zoning permit.

RABIES CLINIC APPROVAL

It was moved by Mr. Mosley, seconded by Mr. Crabtree, to approve the proposed dates of April 14, 21 and May 5, 2012 for rabies clinics in Lee County. Upon the question being put the vote was as follows.

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

STREET ABANDONMENT REQUEST

It was moved by Mr. Mosley, seconded by Mr. Slemph, to schedule a public hearing on May 15, 2012 for the proposed abandonment of a street near Friendship Baptist Church west of Jonesville. Upon the question being put the vote was as follows.

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

RECYCLING COMMITTEE VACANCY

Mr. Poe advised of a Board Member vacancy on the Recycling Committee.

RECYCLING COMMITTEE APPOINTMENT

It was moved by Mr. Crabtree, seconded by Mr. Bailey, to appoint Tina Rowe to the Recycling Committee. Upon the question being put the vote was as follows.

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

REPORTS AND RECOMMENDATIONS OF THE COUNTY ATTORNEY

None

REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR

**REQUEST FOR CLOSED MEETING
PERSONNEL**

This item will be addressed at the end of the meeting.

AIRPORT FENCE PAY REQUEST NO. ONE (1)

It was moved by Ms. Rowe, seconded by Mr. Bailey, to approve Hurricane Fence Company's Pay Request No. One (1) in the amount of \$26,859.60 for work to date on the Airport Fence Project. Upon the question being put the vote was as follows.

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

Mr. Bailey asked Mr. Poe to provide the local cost of the airport fencing project.

Mr. Poe stated the local cost was approximately \$8,000.00.

EXTENSION OFFICE ROOF

Mr. Poe advised that the Extension Office roof has leaked on several occasions. He advised that bids were taken on replacement of the roof in 2007 with no responses. After soliciting bids directly, the Board decided not to proceed with the project at that time. There were also discussions about moving the Extension Office to another location. He stated that damage to ceilings and walls would not be feasible unless the roof leaks are stopped. He stated that the roof had been patched in the past but it continues to leak. He recommended the Board consider replacement of the roof.

Mr. Bailey inquired if any funds were available in Capital Outlay.

Mr. Poe advised that no funds were set aside since the project was deemed to be unnecessary.

Ms. Rowe stated this would be a good project for a Capital Improvements Plan.

Mr. Poe advised that the Board could begin that process during the current budget cycle.

ADVERTISE FOR ROOF REPLACEMENT FOR EXTENSION OFFICE BUILDING

It was moved by Mr. Crabtree, seconded by Mr. Slemp, to advertise for bids for a new roof for the Extension Office building. Upon the question being put the vote was as follows.

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

HEALTH DEPARTMENT DOOR REPLACEMENT

Mr. Poe advised that both side doors on the Health Department building were in bad shape and in need of replacement. He stated the old wooden doors were worn with cracks visible and recommended replacement with new steel doors. He stated the cost could be covered by costs recovered through savings in the Health Department budget.

REPLACEMENT OF HEALTH DEPARTMENT DOORS

It was moved by Mr. Mosley, seconded by Mr. Bailey, to authorize the County Administrator to replace both side doors on the Health Department building. 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

ONLINE POSTING OF PAYMENT RECORDS

Mr. Crabtree asked if the County had the ability to post all disbursements online similar to what the state does.

Mr. Poe advised that he would have to check on what would be required to do this.

Mr. Crabtree asked if the County had a consultant who provided recommendations on what was needed.

Mr. Poe advised that the County had used the services of the Virginia Association of Counties to review the IT system and make recommendations.

VDOT MAINTENANCE ITEM

Mr. Mosley advised of a deep ditch on the shoulder of Town Branch Road.

TECHNOLOGY ANNOUNCEMENT

Ms. Rowe asked Mr. Mosley to make a comment on a technology announcement.

Mr. Mosley advised that the Tobacco Commission had awarded a \$7.5 million grant to the Coalfield Coalition for the construction of 26 cell towers in Southwest Virginia. Lee County will get one tower in the Rose Hill area with 4G capability. The tower will be available for use by any interested cell phone provider.

Ms. Rowe reiterated her interest in the County's potential involvement in providing additional towers in underserved areas of Lee County. She requested the County Administrator discuss this with the Community Development Director to determine what role economic development could play in this endeavor.

DUMP TRUCK FOR TRANSFER STATION

Mr. Slemp asked if Mr. Collingsworth was looking for a new truck for the Transfer Station.

Mr. Collingsworth stated that he was looking for a truck.

MEETING SCHEDULED FOR ROUTE 421/606 INTERSECTION

Ms. Rowe advised that she had scheduled a meeting with representatives of the Planning District Commission and the Department of Transportation regarding a traffic signal at the intersection of U.S. 421 and Route 606.

DISTRICT MEETNGS

Ms. Rowe asked about holding constituent meetings in her district and have agency and County employees in attendance to answer questions. She asked if this had been done previously.

Mr. Poe advised that it had been done on a very limited basis and that attendance by County staff could result in compensatory time but could be done.

LOCAL ORDINANCE FOR BLIGHTED PROPERTY

Ms. Rowe asked that the Board consider an ordinance for blighted property. She also recommended the full County Code be placed online but to wait until it is updated.

CLOSED SESSION

It was moved by Ms. Rowe, seconded by Mr. Mosley, 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. Bailey, seconded by Mr. Mosley, 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.

PROPOSED VRS CHANGES

Mr. Crabtree asked how County employees would be affected by proposed Virginia Retirement System changes.

Mr. Poe advised that County employees would not be affected since they already pay their own 5% retirement contribution. The proposed change would impact the School Board since they will be required to give employees a salary increase to offset the amount their employees will now have to contribute from their salary. The amount of increase will depend on whether the School Board implements that change at 1% per year or the full 5% all at once.

Mr. Crabtree asked how the Victim Witness Advocate position would be impacted by this change.

Mr. Poe advised that it would not change her contribution but that other changes in benefit costs, including the County’s VRS contribution rate, could impact her grant as all costs are taken from the grant funds with no local funding for the position.

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. Bailey, Mr. Crabtree, Mr. Mosley, Ms. Rowe, Mr. Slemp

CHAIRMAN OF THE BOARD

CLERK OF THE BOARD