

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 May 16, 2023 at 5:30 p.m. thereof.

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

MEMBERS ABSENT: None

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

OTHERS ABSENT: None

INVOCATION

Tim Varnadore, Pastor of Silver Leaf Baptist Church of Rose Hill, led the invocation.

PLEDGE TO THE FLAG

Mr. Jessee led the Pledge to the Flag.

MEETING CALLED TO ORDER

The meeting was called to order at 6:12 p.m.

DEPARTMENTAL REPORTS

Departmental Reports were submitted by Litter Control, Animal Control and Works Program.

Mr. Kolb asked if the properties that judgments are being taken out on for litter are being recorded in the land records.

Mr. Poe stated he doesn't have an update but will follow up on the request.

PUBLIC EXPRESSION

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

Michelle Brooks, Social Services Director, stated the Social Services Board has approved a request for a bonus for Social Services employees and is asking the Board of Supervisors to approve the bonus request as well. She stated they have a budget surplus and rather than send the money back to the state they would like to give the employees a bonus and added that Social Services employees are under paid by about 10%.

Mr. Leonard asked how many employees are at Social Services.

Ms. Brooks stated fifty-six.

Mr. Jessee asked when the last salary increase for Social Services was.

Ms. Brooks stated there was a 5% increase from the state in August of 2022 and they will receive a 5% raise in July 2023.

Mr. Poe asked if the bonuses would be paid in equal amounts to employees.

Ms. Brooks advised it would be based on the number of years employed.

Mr. Kolb asked Ms. Brooks to speak to the Board about other things the money is spent on such as vehicles.

Ms. Brooks stated they are in the process of going through procurement for two additional vehicles.

Mr. Kolb stated the county owns the Social Services Building.

Ms. Brooks stated Social Services rents the building from the county and added they are out of room.

Mr. Kolb asked Ms. Brooks to describe what the Department of Social Services has done to the County's building with their own funds.

Ms. Brooks stated they have repainted all surfaces, sanitized the building, purchased new furniture for the lobby, put in an automatic door, along with other improvements. She invited the Board to come to Social Services Building.

It was moved by Mr. Smith, seconded by Mr. Leonard, to approve Social Services request in the amount of \$180,000.00 for employee bonuses.

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

ABSTAINING: Mr. Kolb

Jerry Cox, Stickleyville, stated he was able to get the County Reserve account information for January of 2021, 2022 and 2023. He stated in January 2021 we had

\$14,588,000.00 and in 2022 jumped to \$18,400,000.00 and in 2023 was over \$19,000,000.00. He stated the majority of the County's money is invested. He stated with the cash flow so fluid the citizens are wondering why we aren't due for a tax break. He stated the County charges the largest license fee at forty dollars and the largest personal property tax. He requested the Board consider reducing the personal property tax.

Mr. Mosley asked what the projected deficit is for this year.

Mr. Poe stated the budgeted deficit is about \$1.7 million but doesn't know what we will actually incur.

Mr. Mosley stated he has not seen a Treasurers' report with that much money on it and asked if Mr. Cox owns property.

Mr. Cox replied yes.

Mr. Mosley stated when faced with deficits we don't have a lot of options and advised property tax could have been raised and added everything is going up.

The Chairman closed the floor for public comment.

APPROVAL OF MINUTES

It was moved by Mr. Kolb, seconded by Mr. Leonard, to approve the April 18, 2023 Regular Meeting and May 1, 2023 Recessed Meeting minutes. Upon the question being put the vote was as follows.

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

APPROVAL OF REFUNDS

It was moved by Mr. Kolb, seconded by Mr. Leonard, to approve the refund request for Jannie Grizzle in the amount of \$22.26. Upon the question being put the vote was as follows.

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

PAYROLL

The County Administrator reports that payroll warrants have been issued.

APPROVAL OF DISBURSEMENTS

It was moved by Mr. Leonard, seconded by Mr. Smith, to approve the disbursements for the month of May in the amount of \$200,876.17. Upon the question being put the vote was as follows.

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

VOTING NO: Mr. Kolb

DELEGATIONS

**REVIDA RECOVERY
COURTNIE LAWSON, PROGRAM DIRECTOR**

Not Present.

SUPPLEMENTAL APPROPRIATIONS

DRUG COURT

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

Revenue Source:

3-001-18990-0051	Drug Court Donations and Fees	\$ 5,000.00
Expenditure:		
4-001-21120-5899	Drug Court Expense	\$ 5,000.00

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

CIRCUIT COURT CLEARK

It was moved by Mr. Kolb, seconded by Mr. Leonard, to approve the following Supplemental Appropriation in the amount of \$ 23,872.00. Upon the question being put the vote was as follows.

Revenue Source:		
3-001-23070-0005	Grants Circuit Court	\$ 23,872.00
Expenditure:		
4-001-21600-5866	Clerks Misc. grants	\$ 23,872.00

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

COMMONWEALTH ATTORNEY

It was moved by Mr. Kolb, seconded by Mr. Leonard, to approve the following Supplemental Appropriation in the amount of \$19,553.44. Upon the question being put the vote was as follows.

Revenue Source:		
3-001-23010-0002	Commonwealth Attorney Ceasefire Grant	\$ 19,553.44
Expenditure:		
4-001-22100-3180	Ceasefire Grant	\$ 19,553.44

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

LITTER CONTROL

It was moved by Mr. Kolb, seconded by Mr. Leonard, to approve the following Supplemental Appropriation in the amount of \$3,640.00. Upon the question being put the vote was as follows.

Revenue Source:		
3-001-24040-0007	Litter Control	\$ 3,640.00
Expenditure:		
4-001-35600-5890	Litter Control Grant	\$ 3,640.00

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

BLACKWATER WATER PROJECT

It was moved by Mr. Kolb, seconded by Mr. Leonard, to approve the following Supplemental Appropriation in the amount of \$76,950.23. Upon the question being put the vote was as follows.

Revenue Source:		
3-055-17050-0002	Blackwater Water Project ARC	\$ 76,950.23
Expenditure:		
4-055-94950-8213	Blackwater Water Project ARC	\$ 76,950.23

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

BLACKWATER WATER PROJECT

It was moved by Mr. Kolb, seconded by Mr. Leonard, to approve the following Supplemental Appropriation in the amount of \$76,950.22. Upon the question being put the vote was as follows.

Revenue Source:		
3-055-17050-0001	Blackwater Water Project CDBG	\$ 76,950.22
Expenditure:		
4-055-94950-8212	Blackwater Water Project CDBG	\$ 76,950.22

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

OLD BUSINESS

COUNTY CODE RECODIFICATION

Mr. Poe advised he will try to get with Ms. Munsey within the next week.

FIRE ALARMS AT COURTHOUSE

Mr. Poe stated he will try to coordinate with the fire department and dispatch this Saturday.

AT&T MBO'S

Mr. Poe stated Mr. Leonard was present for a conference call with AT&T regarding the MBO's.

Mr. Leonard stated that AT&T will bill out for two MBO's and is waiting on approval on the third location. He stated they looked at locations in Saint Charles and Sticklelyville and added Saint Charles has no service while Sticklelyville has Verizon service. He advised they would like to have a decision on a location for the third in order to bill out and added prices have gone up but they will honor the original price.

Mr. Mosley stated a location needs to be approved.

Mr. Leonard stated that Sticklelyville has a limited coverage area.

Mr. Poe advised the projected coverage area is limited at both locations.

Mr. Leonard stated the towers have a First Net Tower attached so responding officers and first responders have coverage if the power is out.

Mr. Jessee asked if any input has been given from potential customers.

Mr. Poe stated we have no knowledge of who has which service. He added Sticklelyville has Verizon coverage but no AT&T coverage and Saint Charles has no coverage other than a MBO near the school with limited distance of coverage.

Mr. Jessee stated the terrain is different in Saint Charles.

Mr. Poe stated it is hard to cover that area and added in Stone Creek they looked at adding a second MBO to boost coverage but did not offer much more coverage.

Mr. Kolb stated the benefit of putting the MBO in Sticklelyville is that people gather at the Community Center and Brookside Market.

Mr. Leonard stated people should be able to use Wifi calling at the Community Center.

Mr. Kolb asked if the Community Center has Wifi.

Mr. Leonard stated he assumes they do.

Mr. Mosley asked if the fiber stops at Saint Charles.

Mr. Leonard stated it stops somewhere around the clinic and added it is in the grant cycle.

Mr. Poe stated he received a letter from DHCD stating the most recent VATI grant application through LENOWISCO for Lee, Wise and Scott Counties did not get funded. He stated he is sure it will be resubmitted but does not know the next funding cycle deadline.

Mr. Leonard stated a decision is needed on the third MBO location.

Mr. Kolb agrees.

There was an amendment to Old Business.

ARPA FUNDING

Mr. Leonard asked Mr. Poe to check on ARPA funds that would have gone to the Town of St. Charles.

It was moved by Mr. Leonard, seconded by Mr. Kolb, to put the third MBO at Turner Siding. Upon the question being put the vote was as follows.

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

ST. CHARLES-MONARCH WATERLINE REPLACEMENT PROJECT RESOLUTION

Thomas Lawson, Regional Planner, LENOWISCO Planning Commission, stated the County is seeking to apply for \$984,991 in Virginia Community Development Block Grant funds for the St. Charles-Monarch Waterline project. He stated the project will replace 9,970 feet of waterline and will include thirty-eight reconnections. He advised the

total project will cost \$1,684,991. He stated the waterlines are old and need to be replaced for public health reasons and maintenance costs.

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

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

**RESOLUTION IN SUPPORT OF
COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION
ST. CHARLES-MONARCH WATERLINE REPLACEMENT PROJECT
23-004**

WHEREAS, the County of Lee, Virginia, wishes to apply for up to \$984,991 in Virginia Community Development Block Grant (VCDBG) funds for the "St. Charles – Monarch Waterline Replacement" project; and

WHEREAS, any additional funding secured will be noted within the application to provide any balance above the anticipated total project cost of \$1,684,991; and

WHEREAS, citizen participation requirements have been met through two duly advertised public hearings; and

WHEREAS, the project will meet the VCDBG National Objective of providing benefit to low- or moderate-income (LMI) persons by providing improved public water service to the County's existing customer base, documented to be in excess of the required 51 percent LMI.

NOW, THEREFORE BE IT RESOLVED by the Board of Supervisors of Lee County, Virginia, that the County Administrator of Lee County is hereby authorized to sign and submit any and all appropriate documents relevant to this Virginia Community Development Block Grant proposal.

NEW BUSINESS

BOARD APPOINTMENTS

BUILDING CODE APPEALS

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

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

BLACK DIAMOND RESOURCE CONSERVATION & DEVELOPMENT

It was moved by Mr. Kolb, seconded by Mr. Leonard, to re-appoint Jeffery Woodard to a four-year term as an alternate on Black Diamond Resource Conservation & Development. Mr. Woodard's term will expire on February 28, 2027. Upon the question being put the vote was as follows.

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

SOCIAL SERVICES

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

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

ECONOMIC DEVELOPMENT AUTHORITY

It was moved by Mr. Mosley, seconded by Mr. Smith, to re-appoint Chad Hines to a four-year term on the Economic Development Authority. Mr. Hines's term will expire on May 31, 2027. Upon the question being put the vote was as follows.

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

ABSTAINING: Mr. Kolb

EMERGENCY MANAGEMENT COORDINATOR

It was moved by Mr. Mosley, seconded by Mr. Leonard, to re-appoint Billie Kay Coleman to a two-year term as Emergency Management Coordinator. Ms. Coleman's term will expire on May 31, 2025. Upon the question being put the vote was as follows.

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

COMMONWEALTH ATTORNEY FUNDING PROPOSAL

Mr. Poe stated this is the Commonwealth Attorney’s annual request that comes as a result of legislation for localities that use body worn cameras in the Sheriff’s Department. He stated that it requires localities to provide an extra entry level Assistant Commonwealth Attorney position at a salary no less than that established by the Comp Board plus benefits or negotiate an agreement with the Commonwealth Attorney. He stated Mr. Cridlin has prepared a proposal of \$52,500.00 which is less than the amount of \$85,000.00 that it would cost to provide an Assistant Commonwealth Attorney.

It was moved by Mr. Kolb, seconded by Mr. Leonard, to approve the Commonwealth Attorney’s Proposal in the amount of \$52,500.00. Upon the question being put the vote was as follows.

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

TOWN OF PENNINGTON GAP FUNDING REQUEST

It was moved by Mr. Mosley, seconded by Mr. Leonard, to discuss this matter in closed session. Upon the question being put the vote was as follows.

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

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

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

**RESOLUTION
SUPPORTING ESTABLISHMENT OF DATA CENTERS
23-005**

WHEREAS, the growth and development of technology is essential to the continued economic prosperity of our region; and

WHEREAS, data centers have been proven to be a key component of the technology industry, providing significant job creation and economic benefits; and

WHEREAS, Southwest Virginia is an ideal location for data centers due to its access to reliable and affordable energy and fiber-optic broadband infrastructure; and

WHEREAS, the establishment of data centers in Southwest Virginia would provide significant benefits to our local economy, including increased tax revenue, job creation, and infrastructure improvements; and

NOW, THEREFORE, BE IT RESOLVED, that the County of Lee does enthusiastically support the establishment of data centers in our area and welcomes companies that seek to invest in our community;

BE IT FURTHER RESOLVED, that the County of Lee, as a member of the Lonesome Pine Regional Industrial Facilities Authority (RIFA), pledges to work collaboratively with companies seeking to establish data centers in our area to identify and address any concerns or issues that may arise during the development process;

BE IT STILL FURTHER RESOLVED, that the Lonesome Pine RIFA member localities, including the County of Lee, has adopted a unified data center tax rate as a recruitment incentive to companies seeking to establish data centers in our area, in order to further promote economic growth and development.

HAY MOWING BIDS

Mr. Poe stated the deadline for Landfill mowing bids was 2:00p.m. today and no bids were submitted. He recommended it be bush hogged and re-advertise for bids later in the season.

Mr. Kolb stated if re-advertised the advertisement should state the bid would be open to include multiple years of mowing.

TRANSIENT OCCUPANCY TAX INFORMATION

Mr. Poe stated the Commissioner of the Revenue has provided information on the County's Transient Occupancy Tax. He stated the County's Transient Occupancy Tax has always been set at 2% and added the ordinance applies only to hotels and motels but much of today's overnight lodging rentals are AirBnb, Vrbo and similar lodging facilities

which are not covered by our ordinance. He stated that Mr. Jones is proposing a change in the ordinance to incorporate all forms of overnight lodging. He suggested increasing the rate to 5% which is what most other localities currently charge and allowing the rental agency to collect a small collection fee. He advised that a public hearing will be required.

Mr. Mosley stated it is not fair to tax hotels and motels and others not pay anything.

It was moved by Mr. Mosley, seconded by Mr. Jessee, to hold a public hearing on the proposed model ordinance with a 5% tax rate and allow the rental agency to retain 2.5% of the tax collected. Upon the question being put the vote was as follows.

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

REPORTS AND RECOMMENDATIONS OF THE COUNTY ATTORNEY

None.

REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR

2023-24 BUDGET UPDATE

Mr. Poe stated he has new budget print outs with several changes and added that last year's Constitutional Officers salary increase was at 5%. He stated he has printouts with local employee and Constitutional Officers salaries. He advised at the last budget meeting the projected deficit was about \$4.4 million dollars and stated the new budget print out is down to around \$3.5 million dollars. He stated the jail cost is going up \$560,000.00 and a True-Up charge of \$225,000.00. Mr. Poe stated the proposed School Board Budget is just over \$6 million dollars. He advised there are a couple of construction projects that will come out of next year's budget. He stated the proposed revenue from the Regional Improvement Commission is expected to receive \$750,000.00 in late August or early September. He advised the funds do carry a stipulation stating they have to be used for public safety, transportation or education. He stated the Sheriff's Office has submitted a letter requesting to pay Captain Taylor Scott's salary of \$40,000.00 per year. He added that a grant application was submitted for six new vehicles, laptops, bolo wraps and some spare equipment. He advised the grant application has been approved in the amount of \$480,000.00. He recommends setting another budget meeting.

It was the consensus of the Board to recess to May 23, 2023 at 5:30p.m. for the next Budget Meeting.

REPORTS AND RECOMMENDATIONS OF THE BOARD

WHISTLE PIG GROUNDBREAKING

Mr. Smith stated that Jan Brown has invited everyone to come by for the ground breaking for the Whistle Pig on Saturday May 20, 2023 at 4:00p.m.

BASKETBALL COURT AT THOMAS WALKER

Mr. Smith stated the basketball court is almost completed.

THOMAS WALKER POOL

Mr. Smith advised the pool is projected to open on Friday May 19, 2023.

HANGER PROJECT

Mr. Kolb asked where we were at with the Hanger Project.

Mr. Poe stated the Project Scope deadline was extended to June 1st due to a miscommunication problem.

Mr. Kolb asked about the situation with an individual trying to get an address to get electrical hook-up and what policy is in place for people getting addresses for non-residences.

Mr. Poe advised he has informed them to assign an address for people who need it for insurance purposes.

REGIONAL JAIL BOARD

Mr. Kolb stated he doesn't feel he has been effective on the Regional Jail Board and wishes to resign and asked the Board to consider replacing him with Mr. Leonard.

It was moved by Mr. Kolb, seconded by Mr. Mosley, to appoint Mr. Leonard to the Regional Jail Board. Mr. Leonard's term will expire on December 31, 2023. Upon the question being put the vote was as follows.

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

TIPPING FEE INCREASE

Mr. Kolb stated the tipping fee needs to be increased effective July 1st and a notice needs to be sent out.

Mr. Poe stated the customer's cost is \$37.50 and the County is currently paying \$57.71.

Mr. Kolb asked the Board's thoughts about raising the Tipping Fees.

Mr. Mosley agrees it needs to be raised to offset the County's cost.

Mr. Kolb suggested setting the cost at \$45.00.

It was moved by Mr. Kolb, seconded by Mr. Smith, to increase the Tipping fee to \$47.50 effective July 1st and immediately give notice to the public and business that use the service. Upon the question being put the vote was as follows.

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

BASKETBALL COURT AT ST. CHARLES

Mr. Leonard stated the basketball court at St. Charles needs to be addressed.

Mr. Poe stated he will check with Mr. Collingsworth and see when he can start on that project.

Mr. Leonard stated if the project had been done when it was first discussed it would have been much cheaper to complete.

Mr. Mosley stated that Mr. Collingsworth has been covered up and has been two employees short.

Mr. Mosley advised he needs to get a cost from Mr. Collingsworth.

NO LITTERING SIGNS

Mr. Mosley stated we need no littering signs put up in the County.

Mr. Poe stated the last time he asked VDOT they stated they could put one or two up in the County and added he can go back and ask again.

Mr. Mosley stated on his way to Lebanon he saw VDOT signs stating littering is illegal. He advised the County needs billboards put up concerning littering.

Mr. Leonard suggested putting one up at each entrance into the county.

CLOSED SESSION

It was moved by Mr. Kolb, seconded by Mr. Leonard, to enter Closed Session pursuant to Code Section 2.2-3711 A.1. Discussion, consideration or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees or employees of any public body, 2.2-3711 A.6. The investing of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected, and 2.2-3711 A.8 Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel; 2.2-3711 A.29., Discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body. Upon the question being put the vote was as follows.

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

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

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

CERTIFICATE OF CLOSED SESSION

It was unanimously agreed as follows.

WHEREAS, the Lee County Board of Supervisors has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provision of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a Certification by this Lee County Board of Supervisors that such Closed Meeting was conducted within Virginia law;

NOW, THEREFORE, BE IT RESOLVED, that the Lee County Board of Supervisors hereby certified that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from Closed Meeting in which this Certification Resolution applies and (ii) only such public business matters as were identified in the Motion convening the Closed Meeting were heard, discussed or considered by the Lee County Board of Supervisors.

It was moved by Mr. Kolb, seconded by Mr. Mosley, to recess to May 23, 2023 at 5:30p.m. Upon the question being put the vote was as follows.

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

CHAIRMAN OF THE BOARD

CLERK OF THE BOARD