

VIRGINIA: County of Lee, to-wit:

At the Recessed Meeting of the Lee County Board of Supervisors in the Conference Room of the Lee County Courthouse on June 30, 2022 at 5:00 p.m. thereof.

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

MEMBERS ABSENT: Charles Slemp

OTHERS PRESENT: Dane Poe, County Administrator

OTHERS ABSENT: Stacy Munsey, County Attorney

The Chairman called the meeting to order at 5:19 p.m.

ADOPTION OF TAX LEVIES

REAL PROPERTY TAX LEVY

It was moved by Mr. Leonard, seconded by Mr. Smith, to adopt a Real Property tax levy of \$.6187 per \$100 of assess value for 2022. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Leonard, Mr. Smith

VOTING NO: Mr. Kolb, Mr. Mosley

MERCHANTS CAPITAL TAX LEVY

It was moved by Mr. Kolb, seconded by Mr. Mosley, to adopt a Merchants Capital tax levy of \$1.41 per \$100 of assessed value for 2022. Upon the question being put the vote was as follows.

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

MACHINERY AND TOOLS TAX LEVY

It was moved by Mr. Kolb, seconded by Mr. Mosley, to adopt a Machinery and Tools tax levy of \$2.00 per \$100 of assessed value for 2022. Upon the question being put the vote was as follows.

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

PERSONAL PROPERTY TAX LEVY

It was moved by Mr. Kolb, seconded by Mr. Mosley, to adopt a Personal Property tax levy of \$2.00 per \$100 of assessed value. Upon the question being put the vote was as follows.

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

FINANCE

FISCAL YEAR 2022-2023 BUDGET ADOPTION

It was moved by Mr. Leonard, seconded by Mr. Smith, to adopt the Fiscal Year 2022-2023 budget with total projected revenues of \$81,913,151 and total projected expenditures of \$83,648,201 resulting in a transfer from reserves of \$1,735,05 and to adopt Appropriations Resolution 22-013. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Leonard, Mr. Smith

VOTING NO: Mr. Kolb, Mr. Mosley

SUPPLEMENTAL APPROPRIATIONS AND BUDGET TRANSFERS

BOARD OF SUPERVISORS

It was moved by Mr. Mosley, seconded by Mr. Leonard, to approve the following supplemental appropriation in the amount of \$153,121.30. Upon the question being put the vote was as follows.

Revenue Source:

3-001-41050-0099	Budget Supplement from Reserve	\$153,121.30
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Expenditure:

Expenditure:		
4-001-71360-1711	Pool Salaries	\$ 1,896.06
4-001-71360-2100	FICA	\$ 145.04
4-001-71360-3310	Repair and Maintenance	\$ 1,063.95
4-001-71360-5110	Electric	\$ 581.04
4-001-71360-6002	Concession Supplies	\$ 195.35
4-001-71360-6005	Janitorial Supplies	\$ 644.70
4-001-71360-6014	Operating Supplies	\$ 6,767.45

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

DSS CONTRIBUTIONS-VRS/SGL

It was moved by Mr. Mosley, seconded by Mr. Leonard, to approve the following supplemental appropriation in the amount of \$15,236.91. Upon the question being put the vote was as follows.

Revenue Source:		
3-001-19020-0002	VRS-Social Services Contributions	\$15,236.91

Expenditure:		
4-001-91100-2210	DSS-VRS Contributions	\$15,236.91

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

FINES AND FORFEITURE PROCEEDS

It was moved by Mr. Mosley, seconded by Mr. Leonard, to approve the following supplemental appropriation in the amount of \$3,345.92. Upon the question being put the vote was as follows.

Revenue Source:		
3-007-14010-0005	LCSO Federal Forfeiture Proceeds	\$3,345.92

Expenditure:		
4-007-94100-5860	LCSO Federal Forfeiture Proceeds	\$3,345.92

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

FINES AND FORFEITURE PROCEEDS

It was moved by Mr. Mosley, seconded by Mr. Leonard, to approve the following supplemental appropriation in the amount of \$39.60. Upon the question being put the vote was as follows.

Revenue Source:
3-007-14010-0004 LCSO State Forfeiture Proceeds \$ 39.60

Expenditure:
4-007-94100-5850 CWA State Forfeiture Proceeds \$ 39.60

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

LANDFILL EXPENSES

It was moved by Mr. Mosley, seconded by Mr. Leonard, to approve the following supplemental appropriation in the amount of \$8,874.43. Upon the question being put the vote was as follows.

Revenue Source:
3-001-41050-0099 Budget Supplement from Reserve \$8,874.43

Expenditure:
4-056-94100-5860 Landfill Expenses \$8,874.43

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

EDA EXPENSES

It was moved by Mr. Mosley, seconded by Mr. Leonard, to approve the following supplemental appropriation in the amount of \$33,500.00. Upon the question being put the vote was as follows.

Revenue Source:
3-061-15020-0001 Economic Development Revenue \$33,500.00

Expenditure:
4-061-94100-5899 EDA Expenses \$33,500.00

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

BUDGET TRANSFERS

It was moved by Mr. Mosley, seconded by Mr. Leonard, to approve the following budget transfers in the amount of \$15,187.92. Upon the question being put the vote was as follows.

From: Miscellaneous Contingency
4-001-91400-5840 Miscellaneous Expenses \$15,187.92

To: Fund 001

Building Official

4-001-34100-1154 Salaries (Field Inspector) \$ 2,619.97
4-001-34100-2300 Health Insurance \$ 2,796.85

Animal Control

4-001-35100-1190 Salaries \$ 6,846.71
4-001-35100-1390 Part-Time Warden \$ 1,821.63
4-001-35100-2100 FICA (Employer's Share) \$ 625.43
4-001-35100-2210 VRS (Employer's Share)

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

REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR

REQUEST FOR CLOSED SESSION

Mr. Poe requested the Board convene in Closed Session for matters related to Personnel, Acquisition of Property, and Contracts.

REPORTS AND RECOMMENDATIONS OF THE BOARD

**BOARD APPOINTMENTS
MOUNTAIN EMPIRE COMMUNITY COLLEGE**

The County Administrator provided recommendations from the college regarding appointments to their Advisory Board.

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

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

It was moved by Mr. Kolb, seconded by Mr. Mosley, to enter Closed Session pursuant to 2.2-3711, A.1., Discussion, consideration or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees or employees of any public body; 2.2-3711 A.3., discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiation strategy of the public body; and 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. Kolb, Mr. Leonard, Mr. Mosley, Mr. Smith

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

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

CERTIFICATE OF CLOSED SESSION

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.

AUCTION SERVICES

It was moved by Mr. Kolb, seconded by Mr. Mosley, to contract with Lee Auction Company for the sale of surplus property on a 5% buyer/5% seller commission basis. Upon the question being put the vote was as follows.

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

PARKING LOT PROJECT BID AWARD

It was moved by Mr. Mosley, seconded by Mr. Smith to award a design/build contract for construction of the Sheriff's Department parking lot to Diamond Consulting Service, LLC at a cost of \$272,290.80. Upon the question being put the vote was as follows.

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

FY2022-2023 BUDGET ADOPTION

It was moved by Mr. Leonard, seconded by Mr. Smith, to adopt the budget for Fiscal Year 2022-2023 as presented with expected revenues of \$81,913,151 and expected expenditures of \$83,648,201. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Leonard, Mr. Mosley, Mr. Smith
VOTING NO: Mr. Kolb

FISCAL YEAR 2022-2023 BUDGET APPROPRIATIONS

It was moved by Mr. Leonard, seconded by Mr. Smith, to adopt the following Appropriations Resolution for the Fiscal Year ending June 30, 2023. Upon the question being put the vote was as follows.

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

VOTING NO: Mr. Kolb

**LEE COUNTY BOARD OF SUPERVISORS
APPROPRIATIONS RESOLUTION
FISCAL YEAR ENDING JUNE 30, 2023
22-013**

WHEREAS, the Lee County Board of Supervisors has heretofore prepared a budget for information and fiscal planning purposes only; and

WHEREAS, the preparation, publication, and approval of the budget is not deemed to be appropriations (§15.2-2506);

NOW, THEREFORE, BE IT RESOLVED, by the Lee County Board of Supervisors that the Budget for Fiscal Year 2022-23 has been approved by separate action and by this Resolution appropriations for the General Fund be made as follows;

Board of Supervisors	136,529
American Rescue Plan Funds	2,274,821
Housing Authority	3,000
Public Service Authority	3,234
Appalachian Community Action	1,941
County Administrator	156,981
Legal Services	23,340
Delinquent Tax Collection	37,000
Independent Auditor	83,350
Commissioner of the Revenue	393,174
Property Reassessment	240,000
Treasurer's Office	329,501
Central Accounting	69,259
Data Processing	53,400
Central Garage	151,758
Central Purchasing	46,228
Electoral Board	78,729
Registrar	185,299
Circuit Court	68,391
General District CourtClerk	2,650
Special Magistrates	1,575
Juvenile Court Services	230,028
Circuit Court Clerk	553,226
Juvenile & Domestic Relations Court Clerk	1,925
Victim/Witness Assistance	102,036
Commonwealth's Attorney	686,926
Sheriff	2,538,854

Domestic Violence	43,274
School Resource Officers	60,668
Courtroom Security	22,439
Courthouse Security	44,858
Sheriff-Vehicle Expense	363,000
Fire Prevention	329,206
Emergency Medical Services	115,350
Emergency Services	70,007
Jail Operation	2,007,593
Works Program	96,912
Building Official	226,633
Animal Control	214,916
Medical Examiner	500
Litter Enforcement	11,750
Road Viewers	500
Maintenance of Buildings & Grounds	275,090
Local Health Department	255,916
The Health Wagon	5,000
Community Services Board	180,148
Brain Injury Services of SW Virginia	1,500
Southwest VA Food Bank	5,500
Lonesome Pine Office on Youth	4,500
Children's Advocacy Center	5,000
Senior Citizens Program	31,400
Junction Center For Independent Living	5,000
Mountain Empire Community College	22,192
Thomas Walker Pool	48,619
Tourism	18,100
Spearhead Trails	35,000
Heart of Appalachia Tourism Authority	5,000
SW VA Cultural Heritage Foundation	10,000
Pro-Art Association	6,000
Lonesome Pine Regional Library	222,082
Lenowisco PDC	41,878
Lonesome Pine Regional Industrial Authority	5,500
Economic Development Authority	31,791
Board of Zoning Appeals	2,617
Planning Commission	3,735
Community Development	103,465
Lee County Airport	65,640
Soil & Water Conservation	45,968
Black Diamond Resource Conservation & Dev.	1,000
VPI Extension Service	84,969
DSS Contributions to VRS/SGL	322,500
Courthouse Renovations/Maintenance	30,000
School Board Building Demolition	10,000

Parking Lot Site Prep & Paving	135,000
Miscellaneous & Contingency	25,000
E-911 Operations	540,971
Debt Service	315,569
Landfill Monitoring	50,000
Solid Waste	1,735,607
Capital Project-Giles Hollow CDBG	369,887
Capital Project-Giles Hollow ARC	497,500
Capital Project-St. Charles Water Phase III CDBG	988,750
Capital Project-St. Charles Water Phase III ARC	500,000
Capital Project-The Fields Waterline ARC	218,027
Capital Projects- Airport	360,000

GENERAL FUND TOTAL **\$19,682,182**

1. Appropriations are payable in the amounts named herein, provided the aggregate revenues collected and other resources available during the year ending June 30, 2023, from which the appropriations are made, are sufficient to pay all of the appropriations in full; otherwise, the said appropriations shall be deemed to be payable in such proportions as the sum of all realized revenue is to the total amount of revenues estimated by the Board of Supervisors to be available for appropriations in the year ending June 30, 2023.
2. No department, agency, or individual receiving appropriations under the provision of this Resolution shall exceed the sum approved for that department, agency or individual by the Lee County Board of Supervisors.
3. The Board of Supervisors for Lee County reserves the right to change at any time during the Fiscal Year ending June 30, 2023, compensation provided to any officer or employee and to establish or abolish any office or position excepting such office or position as may be prohibited by law from abolishing.
4. The purchase of machinery, equipment, or motor vehicles (capital outlay items) in the Budget not exceeding \$2,500.00 per item, may be approved by justifying said items to the County Administrator on an as needed basis. A purchase order will be issued and must be signed by the County Administrator or his designee; all requests for items exceeding \$2,500.00 must be justified and approved by the Board of Supervisors.

WHEREAS, the Lee County Board of Supervisors has approved the Headstart Budget, Lee County Public School Budget and Virginia Public Assistance Budget for FY2022-23; 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 September 30, 2022

HEADSTART

Federal Funds	\$ 1,572,303
TOTAL HEADSTART	\$ 1,572,303

VIRGINIA PUBLIC ASSISTANCE

Federal/State Funds	\$ 9,428,812
Local Funds	<u>1,460,549</u>
TOTAL VIRGINIA PUBLIC ASSISTANCE	\$ 10,889,361

LEE COUNTY PUBLIC SCHOOLS

Federal, State & Other Funds	\$46,057,790
Local Funds	<u>5,446,565</u>
TOTAL LEE COUNTY PUBLIC SCHOOLS	\$51,504,355

1. The Lee County Treasurer is hereby authorized and directed to transfer sums as needed to meet expenses already incurred. The transfer will be from the General Fund to the Headstart, Public School and Virginia Public Assistance funds and will not exceed the foregoing one and three months appropriations.

The Lee County Treasurer is also directed to revert all unexpended balances of the Headstart, Public School and Virginia Public Assistance Funds to the General Fund as of the beginning and ending of Fiscal Year 2022-2023.

TOTAL FY 2022-23 BUDGET \$83,648,201

PURCHASE OPTION AGREEMENT APPROVAL

It was moved by Mr. Kolb, seconded by Mr. Leonard, to approve a Purchase Option Agreement on an undisclosed property. Upon the question being put the vote was follows.

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

COUNTY ATTORNEY RETENTION

It was moved by Mr. Leonard, seconded by Mr. Smith, to retain Stacy Munsey as County Attorney. Upon the question being put the vote was as follows.

VOTING AYE: Mr. Leonard, Mr. Smith
VOTING NO: Mr. Kolb, Mr. Mosley

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

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

CHAIRMAN OF THE BOARD

CLERK OF THE BOARD