

March 07, 2016

A regular monthly meeting of the Russell County Board of Supervisors was held on Monday, March 07, 2016 at 6:00 pm at the Russell County Government Center in Lebanon, Virginia.

The Chairman called the meeting to order.

Invocation by Rev. Jim Ensor, Honaker First Baptist Church followed by the Pledge of Allegiance to the Flag.

Roll Call by the Clerk:

Tim Lovelace
Lou Wallace
Carl Rhea
David Eaton
Steve Breeding
Rebecca Dye
Mark Mitchell

Lonzo Lester, Clerk

APPROVAL OF THE AGENDA

Motion made by Mark Mitchell, second David Eaton and duly approved by the Board of Supervisors to approve the agenda as presented.

The vote was:

Aye: Mark Mitchell, David Eaton, Tim Lovelace, Lou Wallace, Carl Rhea, Steve Breeding and Rebecca Dye

Nay: None

Awards and Recognitions

2016 Virginia Real World Challenge Winners:

The Board of Supervisors recognized members of the 2016 Virginia Real World Design Challenge with a plaque for winning state competition. The Lebanon High School students include: Azrael Collins, Matthew Looney, Morgan Chumbley, Ben Garrett, Alex Amos, Austin Blackson and Janie Purtee, Mentor.

Chris Suits, Russell County E-911 Dispatch and Dale Van De Ven, High School Educator were chosen by the Mountain Empire Chapter of the American Red Cross as Russell County Heroes 2016. The Board of Supervisors presented each of them with a certificate in recognition of their efforts.

Presentations

Joe Mitchell addressed the Board about proposed energy performance suggestions.

Dustin Keith and Lori Gates Addison asked the Board to consider passing a Resolution of Non-Support of Electronic Smoking Devices and asked for support on the We Care and Russell County Prevention Coalition Campaign against underage substance abuse.

The Chair tabled the request for a letter of Non-Support for Electronic Smoking Devices until more information is available.

APPROVAL OF SUPPORT FOR WE CARE AND RUSSELL COUNTY PREVENTION COALITION CAMPAIGN AGAINST UNDERAGE SUBSTANCE ABUSE

Motion made by Tim Lovelace, second David Eaton and duly approved by the Board of Supervisors to support the We Care and Russell County Prevention Coalition Campaign against under age substance abuse.

The vote was:

Aye: Tim Lovelace, David Eaton, Lou Wallace, Carl Rhea, Steve Breeding, Rebecca Dye and Mark Mitchell

Nay: None

The County Administrator and the County Attorney addressed the Board concerning the recent inspection reports at the Russell County Animal Shelter.

New Business

APPROVAL OF THE FEBRUARY 01, 2016 MINUTES

Motion made by Carl Rhea, second David Eaton and duly approved by the Board of Supervisors to approve the February 01, 2016 minutes and dispense with the reading thereof.

The vote was:

Aye: Carl Rhea, David Eaton, Tim Lovelace, Lou Wallace, Steve Breeding, Rebecca Dye and Mark Mitchell

Nay: None

APPROVAL OF GENERAL COUNTY INVOICES

Motion made by David Eaton, second Mark Mitchell and duly approved by the Board of Supervisors to approve general county invoices in the amount of \$1,369,518.26 including withholdings and reoccurring.

The vote was:

Aye: David Eaton, Mark Mitchell, Rebecca Dye, Tim Lovelace, Steve Breeding, Lou Wallace and Carl Rhea

Nay: None

Committee Appointments

KATHY RAY APPOINTED TO THE TOURISM COMMITTEE

Motion made by David Eaton, second Carl Rhea and duly approved by the Board of Supervisors appoint Kathy Ray to the Russell County Tourism Committee for a (4) four year term, said term ending March 07, 2020.

The vote was:

Aye: David Eaton, Carl Rhea, Lou Wallace, Tim Lovelace, Steve Breeding, Rebecca Dye and Mark Mitchell

Nay: None

JENNIFER CHUMLEY APPOINTED TO THE TOURISM COMMITTEE

Motion made by Carl Rhea, second David Eaton and duly approved by the Board of Supervisors to appoint Jennifer Chumley to the Russell County Tourism Committee, said term ending March 07, 2020.

The vote was:

Aye: Carl Rhea, David Eaton, Lou Wallace, Steve Breeding, Tim Lovelace, Rebecca Dye and Mark Mitchell

Nay: None

KATHY STEWART APPOINTED TO THE TOURISM COMMITTEE

Motion made by Lou Wallace, second David Eaton and duly approved by the Board of Supervisors to appoint Kathy Stewart to the Russell County Tourism Committee for a (4) four year term, said term ending March 07, 2020.

The vote was:

Aye: Lou Wallace,

Nay: None

Citizens Comment

Mike Rotowski, Castlewood addressed the Board concerning the electronic cigarette presentation and the possible dangers. He buys his from a reputable dealer with very few ingredients, more studies need to be done.

David Whited, Clarks Valley would like to have cable service and internet extended to the entire Clarks Valley area, he lives in the middle. This part of the road is not currently being serviced by anyone.

Camron Cook, Savannah Robertson and Treavor Gilbert thanked the Board for the use of the Castlewood Cannery last year. They presented each Board member with a bag of food to distribute to a needy family.

David Sutherland, Cleveland stated that he disagreed with the Tourism appointment for the Town of Cleveland. He claimed that the Town was not contacted about this and had no input.

David Wilson, Pound stated that his wife was the "disgruntled employee" from the Russell County Animal Shelter. He also stated that he sent a formal complaint to the state about the things he has seen at the shelter during his wife's five years as an employee. He is very upset about the things that have happened.

Marsha Pruner, Lebanon advocated for the fitness and wellness center as a replacement for the old YMCA.

Jerry Hall, Lebanon asked the Board to find a way to finish paving Scenic Elk Garden Estates. It only lacks two tenths of a mile to pave the entire length.

Stephanie White, Belfast requested that the animal shelter be open more hours. She stated that she would like to volunteer along with several others. In the past, they have not been allowed to do so and would like to know why.

Earl Thomas, Flat Rock would like to have a Salvation Army in his area.

Charlene Farthering, Rosedale says that she needs volunteers and welcomes any help she can get. She has a non-profit that transports animals to other parts of the state to be adopted. She stated that she is in the animal shelter almost daily and the animal shelter is taken care of very well.

Patty Skeen, Rosedale would like to know why her tax money is being used to euthanize a horse.

Diane Fuller, Honaker stated that the animal shelter was built in 1982, there are several problems before the animals even get to the shelter. Everyone worked together years ago, she says that is not happening now. The workers need to be better qualified and trained.

Connie Hale, Lebanon thinks that the animal shelter needs new faces. She feels that as a tax payer, she should not be responsible for any fees or fines. Every job have descriptions and rules, just do your job.

Reggie Childress, Lebanon congratulated the Board members for winning the election, he likes what he sees. He also introduced members of the Russell County Tourism Committee and asked for the Board's continued support.

Cindy McGlothlin Miller, Lebanon stated that the closing of the YMCA really hurt the County. She asked that they get something else in place to help the citizens, they need a place to work out.

Charles Edmonds, Lebanon said he supported a wellness center. It would help with issues such as diabetes and it is important to the seniors in the County.

Jess Powers, Chairman of the local Salvation Army stated that they are a very active organization. He also added that ninety cents of every dollar collected stays in Russell County.

The Chairman closed citizen comment period.

Constitutional Officer Reports and Requests

Treasurer Rick Thompson reminded the Board that 17 properties will be sold on March 12 due to delinquent taxes.

County Attorney Reports and Requests

Matthew Crum addressed the board about creating a Parks and Recreation authority. He asked that they set a public hearing.

APPROVAL TO HOLD A PUBLIC HEARING ON THE PARKS AND RECREATION AUTHORITY

Motion made by Mark Mitchell, second David Eaton and duly approved by the Board of Supervisors to set a public hearing on the Russell County Parks and Recreation Authority at the April, 2016 Board meeting.

The vote was:

Aye: Mark Mitchell, David Eaton, Tim Lovelace, Lou Wallace, Carl Rhea, Steve Breeding and Rebecca Dye

Nay: None

APPROVAL OF A MUTUAL AID AGREEMENT BETWEEN RUSSELL AND WASHINGTON COUNTY

Motion made by Mark Mitchell, second Rebecca Dye and duly approved by the Board of Supervisors to approve a mutual aid agreement between Russell and Washington County.

The vote was:

Aye: Mark Mitchell, Rebecca Dye, Steve Breeding, David Eaton, Carl Rhea, Lou Wallace and Tim Lovelace

Nay: None

County Administrator Reports and Requests

APPROVAL OF \$500.00 FOR THE SVCC FESTIVAL OF THE ARTS

Motion made by David Eaton, second Tim Lovelace and duly approved by the Board of Supervisors to appropriate \$500.00 to the SVCC Festival of the Arts.

The vote was:

Aye: David Eaton, Tim Lovelace, Lou Wallace, Carl Rhea, Steve Breeding, Rebecca Dye and Mark Mitchell

Nay: None

APPROVAL OF TAX WAIVER FOR THE TOWN OF CLEVELAND

Motion made by Carl Rhea, second Mark Mitchell and duly approved by the Board of Supervisors to approval the Town of Cleveland's tax waiver request for the Downtown Revitalization Project in the amount of \$1757.96.

The vote was:

Aye: Carl Rhea, Mark Mitchell, Lou Wallace, Tim Lovelace, Steve Breeding, Rebecca Dye and David Eaton

Nay: None

APPROVAL OF GENERAL REGISTRAR TRAVEL REQUEST

Motion made by David Eaton, second Mark Mitchell and duly approved by the Board of Supervisors to approve a travel request from the General Registrar's office.

The vote was:

Aye: David Eaton, Mark Mitchell, Lou Wallace, Tim Lovelace, Carl Rhea, Steve Breeding and Rebecca Dye

Nay: None

APPROVAL OF A TRAVEL REQUEST FROM MARK MITCHELL AND LONZO LESTER

Motion made by Tim Lovelace, second David Eaton and duly approved by the Board of Supervisors to approve a travel request for Mark Mitchell and Lonzo Lester for Virginia Planning Commission Program/Workshop in Richmond.

The vote was:

Aye: Tim Lovelace, David Eaton, Lou Wallace, Carl Rhea, Steve Breeding, and Rebecca Dye

Nay: None

Abstain: Mark Mitchell

APPROVAL OF A TRAVEL REQUEST FOR GENERAL DISTRICT COURT

Motion made by David Eaton, second Tim Lovelace and duly approved by the Board of Supervisors to approve a travel request from General District Court.

The vote was:

Aye: David Eaton, Tim Lovelace, Lou Wallace, Carl Rhea, Steve Breeding, Rebecca Dye and Mark Mitchell

Nay: None

APPROVAL OF A TRAVEL REQUEST FOR BRIAN FERGUSON

Motion made by Mark Mitchell, second David Eaton and duly approved by the Board of Supervisors to approve a travel request for Brian Ferguson.

The vote was:

Aye: Mark Mitchell, David Eaton, Tim Lovelace, Lou Wallace, Carl Rhea, Steve Breeding and Rebecca Dye

Nay: None

APPROVAL OF A RESOLUTION OF WATER METER SUPPORT

Motion made by Mark Mitchell, second Tim Lovelace and duly approved by the Board of Supervisors to approve a Resolution of Meter Support for the Castlewood Water and Sewage Authority.

The vote was:

Aye: Mark Mitchell, Tim Lovelace, Lou Wallace, Carl Rhea, David Eaton, Steve Breeding, Rebecca Dye

Nay: None

The Chairman appointed David Eaton and Tim Lovelace to review and selection of the County's Disposal Requests for Proposals.

APPROVAL EXTENSION OF THE SOLID WASTE DISPOSAL CONTRACT

Motion made by Lou Wallace, second Tim Lovelace and duly approved by the Board of Supervisors to approve an extension of the solid waste disposal contract to June 30, 2016 to ensure proper transfer of the transfer station and landfill to the County and award the disposal contract.

The vote was:

Aye: Lou Wallace, Tim Lovelace, Steve Breeding, David Eaton, Rebecca Dye and Mark Mitchell

Nay: None

Abstain: Carl Rhea

APPROVAL OF \$824.25 FOR GLADE HOLLOW BALL PARK

Motion made by David Eaton, second Carl Rhea and duly approved by the Board of Supervisors to approve a request from the Glade Hollow Ball Park to repair bleachers in the amount of \$824.25.

The vote was:

Aye: David Eaton, Carl Rhea, Lou Wallace, Tim Lovelace, Steve Breeding, Rebecca Dye and Mark Mitchell

Nay: None

APPROVAL OF A PLAT FROM LINDSEY STEELE FOR VALLEY VIEW ESTATES

Motion made by David Eaton, second Mark Mitchell and duly approved by the Board of Supervisors to approve and accept a plat from Lindsey Steele for Valley View Estates as recommended by the Russell County Planning Commission.

The vote was:

Aye: David Eaton, Mark Mitchell, Tim Lovelace, Lou Wallace, Carl Rhea, Steve Breeding and Rebecca Dye

APPROVAL OF A PLAT FROM TOM WESLEY AND BRITNEY L. CRABTREE

Motion made by Mark Mitchell, second David Eaton and duly approved by the Board of Supervisors to approve and accept a plat from Tom Wesley and Britney L. Crabtree as recommended by the Russell County Planning Commission.

The vote was:

Aye: Mark Mitchell, David Eaton, Tim Lovelace, Carl Rhea, Lou Wallace, Steve Breeding and Rebecca Dye

Nay: None

APPROVAL OF A LETTER OF SUPPORT CONCERNING SB-44

Motion made by David Eaton, second Carl Rhea and duly approved by the Board of Supervisors to authorize the County Administrator to draft a letter of support for SB-44 to extend the sunset date of the coalfield employment enhancement tax credits through 2021.

The vote was:

Aye: David Eaton, Carl Rhea, Lou Wallace, Tim Lovelace, Steve Breeding, Rebecca Dye and Mark Mitchell

Nay: None

APPROVAL OF A LOCAL EMERGENCY MANAGEMENT PERFORMANCE GRANT

Motion made by Mark Mitchell, second Rebecca Dye and duly approved by the Board of Supervisors to accept and appropriate \$7500 in Federal funds from the Virginia Department of Emergency Management Grant Award and \$7500 in local matching funds for a total award of \$15,000.

The vote was:

Aye: Mark Mitchell, Rebecca Dye, Steve Breeding, David Eaton, Carl Rhea, Lou Wallace and Tim Lovelace

Nay: None

CLOSED SESSION

Motion made by Mark Mitchell, second David Eaton and duly approved by the Board of Supervisors to enter in to Closed Session to discuss personnel matters pursuant to Section 2.2-3711(A)(5) of the code of Virginia, to discuss economic development matters pursuant to Section 2.2-371(A)(5), and to discuss a litigation matter pursuant to Section 2.2-3711(A)(7) of the Code of Virginia.

The vote was:

Aye: Mark Mitchell, David Eaton, Lou Wallace, Carl Rhea, Steve Breeding, Rebecca Dye and Tim Lovelace

Nay: None

CERTIFICATION OF CLOSED SESSION

Pursuant to § 2.2-3712(D) of the Code of Virginia 1950, as amended each member of the Board of Supervisors upon the Roll Call certifies that to the best of their knowledge (i) only public business matters lawfully exempted from the open meeting requirements under the Virginia Freedom of Information Act and (ii) only such public business matters that were identified in the motion(s) by which the closed meeting was convened were heard, discussed or considered in the meeting by the Board of Supervisors.

Any member of the Board of Supervisors who believes that there was a departure from the requirements of clauses (i) and (ii) above shall so state prior to the vote, indicating the substance of the departure that, in his or her judgment, has taken place.

Are there any who believe a departure has taken place? Seeing none, if you agree that the matters heard, discussed or considered during the closed meeting were pursuant only to the motion(s) by which the closed meeting was convened, please signify by saying aye or yes.

Tim Lovelace – AYE

Lou Wallace – AYE

Carl Rhea – AYE

David Eaton – AYE

Steve Breeding – AYE

Rebecca Dye – AYE

Mark Mitchell – AYE

APPROVAL TO RETURN TO OPEN SESSION

Motion made by Mark Mitchell, second Lou Wallace and duly approved by the Board of Supervisors to return to open session.

The vote was:

Aye: Mark Mitchell, Lou Wallace, Tim Lovelace, Carl Rhea, David Eaton, Steve Breeding and Rebecca Dye

Nay: None

APPROVAL OF IDA LEASE

Motion made by Mark Mitchell, second Tim Lovelace and duly approved by the Board of Supervisors to authorize a lease with the Industrial Development Authority for the space once occupied by the YMCA pending legal review.

The vote was:

Aye: Mark Mitchell, Tim Lovelace, Lou Wallace, Carl Rhea, David Eaton, Rebecca Dye and Steve Breeding

Nay: None

APPROVAL TO UTILIZE THE FORMER YMCA SPACE

Motion made by David Eaton, second Carl Rhea and duly approved by the Board of Supervisors to authorize the County Administrator to operate and maintain the space one occupied by the YMCA for fitness and wellness activities.

The vote was:

Aye: David Eaton, Carl Rhea, Lou Wallace, Tim Lovelace, Steve Breeding, Rebecca Dye and Rebecca Dye

Nay: None

APPROVAL TO APPROPRIATE \$70,000 FOR A FITNESS AND WELLNESS FACILITY

Motion made by David Eaton, second Mark Mitchell and duly approved by the Board of Supervisors to appropriate \$70,000 from the previous wellness center funding to purchase equipment and operate a fitness and wellness facility.

The vote was:

Aye: David Eaton, Mark Mitchell, Lou Wallace, Carl Rhea, Tim Lovelace, Steve Breeding and Rebecca Dye

Nay: None

APPROVAL TO ADVERTISE AND INTERVIEW FOR A PARKS AND RECREATION/TOURISM COORDINATOR

Motion made by David Eaton, second Mark Mitchell and duly approved by the Board of Supervisors to authorize the County Administrator to advertise and interview for the Parks and Recreation/Tourism Coordinator and make a recommendation to the full Board.

The vote was:

Aye: David Eaton, Mark Mitchell, Lou Wallace, Tim Lovelace, Carl Rhea, Steve Breeding and Rebecca Dye

Nay: None

APPROVAL TO HIRE A PART TIME EMPLOYEE FOR THE DIVERSION PROGRAM

Motion made by David Eaton, second Tim Lovelace and duly approved by the Board of Supervisors to authorize the Diversion Committee to hire a part time employee to oversee the program.

The vote was:

Aye: David Eaton, Tim Lovelace, Carl Rhea, Lou Wallace, Steve Breeding, Rebecca Dye and Mark Mitchell

Nay: None

APPROVAL TO ADJOURN TO RECONVENE

Motion made by David Eaton, second Carl Rhea and duly approved by the Board of Supervisors to adjourn to reconvene on March 23, 2016 at 10:00 am and to have a joint meeting with the Russell County Industrial Development Authority at 6:00 pm.

The vote was:

Aye: David Eaton, Carl Rhea, Lou Wallace, Tim Lovelace, Steve Breeding, Rebecca Dye and Mark Mitchell

Nay: None

Clerk of the Board

Chairman