

June 06, 2016

A regular monthly meeting of the Russell County Board of Supervisors was held on Monday, June 06, 2016 at 5:15 pm at the Russell County Government Center in Lebanon, Virginia.

The Clerk called the meeting to order.

**CLOSED SESSION**

Motion made by Mark Mitchell, second Tim Lovelace and duly approved by the Board of Supervisors to enter into closed session to discuss contractual matters pursuant to Section 2.2-3711(A)(6) and personnel matters pursuant to Section 2.2-3711 (A)(1) of the Code of Virginia.

The vote was:

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

Nay: None

**RETURN TO REGULAR SESSION**

Motion made by Mark Mitchell, second Tim Lovelace and duly approved by the Board of Supervisors to return to regular session.

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

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

Mark Mitchell – AYE

Invocation by Rick Thompson, Treasurer followed by the Pledge of Allegiance to the Flag.

**APPROVAL OF THE AGENDA**

Motion made by David Eaton, second Lou Wallace and duly approved by the Board of Supervisors to approve the agenda as amended.

The vote was:

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

Nay: None

**PUBLIC HEARING ON THE RELOCATION OF THE CLEVELAND AND BELFAST VOTING PRECINCTS**

Pursuant to being advertised in a local newspaper for two (2) consecutive weeks, a public hearing was held on the relocation of the Cleveland and Belfast voting precincts.

The Chair opened the public hearing to comments. Hearing none, the public hearing was closed.

**Presentations**

**Rob Goldsmith**, People Incorporated gave a brief overview of the People Inc. annual report.

**Donna Meade and K.D. Cook** and Richard Moyer gave a presentation from Russell County Cannery Committee. The committee finished their report on the two local canneries and had 23 items that need attention in the areas of food safety, cannery operating efficiency, and employee safety.

**Jennifer Chumbley**, Cleveland asked the Board to consider making a donation to help out with their Independence Day festivities.

**APPROVAL TO MAKE A \$500 DONATION TO THE TOWNS OF CLEVELAND, LEBANON AND HONAKER**

Motion made by David Eaton, second Mark Mitchell and duly approved by the Board of Supervisors to make donations to the Town of Cleveland, Town of Lebanon and the Town of Honaker for their Independence Day festivities.

The vote was:

Aye: David Eaton, Tim Lovelace, Lou Wallace, Carl Rhea, Steve Breeding, Rebecca Dye and Mark Mitchell  
Nay: None

#### **APPROVAL OF THE MAY 02, 2016 MINUTES**

Motion made by Mark Mitchell, second Tim Lovelace and duly approved by the Board of Supervisors to approve the May 02, 2016 minutes and dispense with the reading thereof.

The vote was:

Aye: Mark Mitchell, Tim Lovelace, Lou Wallace, Carl Rhea, David Eaton and Steve Breeding  
Nay: None  
Abstain: Rebecca Dye

#### **APPROVAL OF THE MAY 18, 2016 MINUTES**

Motion made by David Eaton, second Carl Rhea and duly approved by the Board of Supervisors to approve the May 18, 2016 minutes and dispense with the reading thereof.

The vote was:

Aye: David Eaton, Carl Rhea, Tim Lovelace, Lou Wallace, Steve Breeding, Rebecca Dye and Mark Mitchell  
Nay: None

#### **APPROVAL OF GENERAL COUNTY INVOICES**

Motion made by Mark Mitchell, second Tim Lovelace and duly approved by the Board of Supervisors to approve general county invoices in the amount of \$536,100.45 including withholdings and reoccurring.

The vote was:

Aye: Mark Mitchell, Tim Lovelace, Lou Wallace, Carl Rhea, David Eaton, Steve Breeding and Rebecca Dye  
Nay: None

#### **Committee Appointments**

The Chairman tabled all committee appointments until the July 11, 2016 board meeting due to the new requirement that appointments to boards and committees require an application to be completed.

#### **Citizens Comment**

**Maxie Skeen**, Cleveland asked that the Board purchase an oxygen generator. She stated that RCMC has agreed to maintain and house the unit for the rescue squads at no charge.

**Darrell Johnson**, Copper Creek asked if someone with FEMA could come to his property and survey due to the fact that he is now in the flood zone. Two years ago he was not, he added that the additional expense is around \$1000 per year.

**Roger Sword**, Lebanon stated that he was encouraged by the new cannery committee and the report that was given tonight. He also felt the commercial use for non- county residents should not be on the backs of the tax payers.

**Kelly McBride Delph**, RCPL was concerned that the library board terms seemed to be incorrect. She introduced **Troy Moore**, a student at Liberty University and a resident of Russell County. He explained that he had created Russell County: The Board Game and had produced several.

**Kim Short** announced that there will be a hike to the Channels on June 26, 2016. She introduced **Mark Simcox** who has used a drone to create a video of the Channels. DCR wanted to post it to be viewed but can't because it was not legal to fly the drone inside of a state park. They were seeking the board's support in helping obtain a special permit to do this.

**Richard Hess**, RCEA thanked the Board for all their work on the budget. He asked that they consider a step increase for the teachers and also asked that a salary study committee be formed.

**Jerry Hall**, Scenic Elk Garden estates requested that the last two tenths of a mile be paved. He is willing to donate the land if needed to get this completed.

**Donna Meade**, VPI Extension Office invited everyone to attend the Bees, Blooms and Bluegrass Festival at the Old Courthouse the weekend of June 11, 2016 beginning at 9:00 am.

**Reginald Childers**, Lebanon asked that the BOS designate parts of the Clinch River as "blue ways".

#### **County Attorney Reports and Requests**

Matt Crum gave an overview of the Virginia Tax Code concerning county tax programs.

#### **County Administrator Reports and Requests**

#### **APPROVAL TO RELOCATE THE CLEVELAND AND BELFAST VOTING PRECINCTS**

Motion made by Carl Rhea, second Rebecca Dye and duly approved by the Board of Supervisors to approve the relocation of the Cleveland voting precinct to the Cleveland Community Center and the Belfast voting precinct to the Belfast Fire Department Auxiliary Building.

The vote was:

Aye: Carl Rhea, Rebecca Dye, Tim Lovelace, Lou Wallace, David Eaton, Steve Breeding and Mark Mitchell  
Nay: None

**APPROVAL TO EXTEND THE DISPOSAL CONTRACT WITH SOUTHWEST DISPOSAL UNTIL OCTOBER 31, 2016**

Motion made by David Eaton, second Tim Lovelace and duly approved by the Board of Supervisors to extend the disposal contract with Southwest Disposal until October 31, 2016.

The vote was:

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

Nay: None

**APPROVAL TO AUTHORIZE THE PROCUREMENT OF DISPOSAL EQUIPMENT**

Motion made by David Eaton, second Tim Lovelace and duly approved by the Board of Supervisors to authorize the procurement of equipment for disposal operations.

The vote was:

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

Nay: None

**APPROVAL TO ADVERTISE FOR PERSONNEL FOR WASTE DISPOSAL OPERATIONS**

Motion made by David Eaton, second Tim Lovelace and duly approved by the Board of Supervisors to authorize the County Administrator to advertise for personnel for the waste disposal operations.

The vote was:

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

Nay: None

**APPROVAL TO ADVERTISE FOR A RFP FOR THE DISPOSAL EQUIPMENT FINANCING**

Motion made by David Eaton, second Tim Lovelace and duly approved by the Board of Supervisors to advertise for a request for proposals for the disposal equipment financing.

The vote was:

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

Nay: None

**APPROVAL AN ORDINANCE TO CHANGE THE TAX DUE DATES, ELIMINATE THE DECAL TAX AND SET THE TAX RATES FOR FY2016/2017**

Motion made by Mark Mitchell, second David Eaton and duly approved by the Board of Supervisors to approve an Ordinance to move the tax due dates for 2016 and years thereafter from December 13 for Real Estate, Mobile Homes, Personal Property and Machinery and Tools to November 23 and to move the mineral tax reporting date from May 01 to February 01, eliminate the decal tax, increase personal property tax rate and set the tax rates as follows for FY 2016-2017:

Real Estate tax - .63

Mobile Homes - .63

Personal Property tax - \$1.95

Machinery and Tools - 1.65

Merchants Capital - \$.65

The vote was:

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

Nay: Rebecca Dye

**APPROVAL OF THE FY 2016/2017 BUDGET**

Motion made by Mark Mitchell, second Tim Lovelace and duly approved by the Board of Supervisors to approve the FY 2016/2017 general operating budget resolution and appropriations.

The vote was:

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

Nay: None

**A RESOLUTION TO APPROVE THE BUDGETS, AS AMENDED, AND APPROPRIATE FUNDS FOR THE COUNTY OF RUSSELL AND THE RUSSELL COUNTY SCHOOL DIVISION FOR THE FISCAL YEAR BEGINNING JULY 1, 2016, AND ENDING JUNE 30, 2017**

**WHEREAS**, the Budget/Finance Committee has submitted to the Russell County Board of Supervisors a proposed annual budget for the County for the fiscal year beginning July 1, 2016, and ending June 30, 2017, which has been reviewed by the Board of Supervisors; and

**WHEREAS**, it is necessary to adopt said budget and appropriate sufficient funds to cover the requirements included therein; and

**WHEREAS**, the Board of Supervisors, in exercising its independent judgment and in concert with the Russell County School Board, has considered the school's annual operating budget; and

**WHEREAS**, after considering the availability of local funds, approval of the Russell county School Board's fiscal year 2017 educational budget is based upon funding from the federal government in the amount of \$5,754,438; from the state government in the amount of \$27,795,357; from the local appropriations in the amount of \$8,949,733; and other local revenues in the amount of \$1,165,554;

**BE IT FURTHER RESOLVED** that the annual budget in the sum of \$1,620,137 for fiscal year 2017 be, and is hereby, approved for the operation of food service programs authorized and approved by the Russell County School Board subject to and contingent upon the availability of funds;

**BE IT STILL FURTHER RESOLVED** that the \$8,949,733 appropriated above from the General Fund for Education, includes \$7,549,781 for the local contribution to the School Division for support of the School operation budget;

**BE IT STILL FURTHER RESOLVED** that an annual appropriation in the sum of \$1,399,952 for fiscal year 2017 be, and is hereby, made for school debt service; for a total amount of \$43,665,082 appropriated for the Russell County School Division subject to and contingent upon the availability of funds.

**NOW THEREFORE, BE IT RESOLVED** by the Russell County Board of Supervisors this 6th day of June, 2016, that the fiscal year 2017 annual budget of the Russell County School Division for school operations in the amount of \$43,665,082 be, and is hereby, approved subject to and contingent upon the availability of funds as indicated in the preamble hereto.

**BE IT STILL FURTHER RESOLVED** that the following annual appropriations for fiscal year 2017 be, and are hereby, made in the General Fund for the following functions:

Function	Amount
General Administration	\$ 1,835,762
Judicial Administration	2,157,406
Public Safety	6,149,501
Environmental Control	1,925,174
General Services	952,401
Health and Welfare	1,285,743
Education	9,041,682
Parks, Recreation & Cultural	554,135
Community Development	398,066
Non-Departmental	213,347
Capital Outlay & Transfers to Other Funds	663,821
Debt Service	1,077,377
Total General Fund	\$ 26,254,415

and is hereby, approved subject to and contingent upon the availability of funds as indicated in the preamble hereto.

**BE IT STILL FURTHER RESOLVED** that the County Treasurer, upon receipt of a written order from the County Administrator, is authorized to advance funds between the several County funds under his custody provided, however, that the total advanced to any particular fund, plus the amount of funds disbursed from that fund, does not exceed the annual appropriation of said fund.

**BE IT STILL FURTHER RESOLVED** that, the County Administrator shall be, and is hereby, authorized to do all things necessary to apply for federal and state library aid and in addition, the annual appropriation for library operations be, and is hereby, increased for all funds received under this program in accordance with the Russell County Library Board.

**BE IT STILL FURTHER RESOLVED** that, upon receiving notice of grant or program opportunities offered by various federal, state, local and other outside organizations, the County Administrator or her designee be, and is hereby designated as the agent to execute the necessary grant or program application and other documentation, unless the terms of the grant or program require specific actions by the Board, to give such assurances as may be required by the agreement subject to approval as to form by legal review and to provide such additional information as may be required by the awarding organization. Funding awarded shall be subject to appropriation by the Board of Supervisors prior to expenditure.

**BE IT STILL FURTHER RESOLVED** that interest earned on grant and program awards received from federal, state, local and other outside organizations be, and is hereby, appropriated to the appropriate functional area to be expended in accordance with guidelines as established by the organizations.

**BE IT STILL FURTHER RESOLVED** that additional funds received for various County programs, including contributions and donations, be, and are hereby, appropriated for the purpose established by each program.

**BE IT STILL FURTHER RESOLVED** that funds received for the off-duty employment by deputy sheriff's programs be, and hereby are, appropriated in the General Fund to cover the costs of the program.

**BE IT STILL FURTHER RESOLVED** that upon receipt of written notification from the State Compensation Board of additional funds for the Constitutional Officers (Commonwealth's Attorney, Sheriff, Clerk of Court, Treasurer and Commissioner of the Revenue) be, and are hereby, appropriated in the General Fund to be expended in accordance with guidelines as established by the state government.

**BE IT STILL FURTHER RESOLVED** that the Board of Supervisors may amend this budget to adjust the aggregate amount to be appropriated during the current fiscal year as prescribed by § 15.2-2507 of the Code of Virginia of 1950, as amended, for all Russell County Departments, Russell County School Divisions, and Russell County Constitutional Offices.

#### **MOTION TO APPROVE A TRAVEL REQUEST FOR THE GENERAL REGISTRAR AND ELECTORAL BOARD**

Motion made by Mark Mitchell, second Rebecca Dye to approve a travel request from the General Registrar, Assistant Registrar and all members of the Electoral Board.

The vote was:

Aye: Mark Mitchell, Rebecca Dye and Tim Lovelace

Nay: Lou Wallace, Steve Breeding, Mark Mitchell and Carl Rhea

**Motion failed.**

#### **APPROVAL OF A TRAVEL REQUEST FOR THE GENERAL REGISTRAR AND ONE MEMBER OF THE ELECTORAL BOARD**

Motion made by David Eaton, second Lou Wallace and duly approved by the Board of Supervisors to approve a travel request for the General Registrar and one member of the Electoral Board.

The vote was:

Aye: David Eaton, Lou Wallace, Carl Rhea and Steve Breeding

Nay: Mark Mitchell, Tim Lovelace and Rebecca Dye

**APPROVAL OF AN ADDITIONAL APPROPRIATION OF \$48,786.62 FOR THE CSA PROGRAM**

Motion made by Rebecca Dye, second Mark Mitchell and duly approved by the Board of Supervisors to approve an additional appropriation of \$48,786.62 for the CSA program.

The vote was:

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

Nay: None

**PRE-APPROVAL OF THE JUNE 2016 INVOICES**

Motion made by Mark Mitchell, second Tim Lovelace and duly approved by the Board of Supervisors to pre-approve the June 2016 general county invoices due to the July 04 holiday.

The vote was:

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

Nay: None

**APPOVAL TO ADJOURN**

Motion made by David Eaton, second Lou Wallace and duly approved by the Board of Supervisors to adjourn.

The vote was:

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

Nay: None

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Clerk of the Board

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Chairman