

**March 13, 2017**

A regular monthly meeting of the Russell County Board of Supervisors was held on Monday, March 13, 2017 at 6:00 pm at the Russell County Conference Center in Lebanon, Virginia. A closed session was held prior to the meeting at 5:00 pm.

The Clerk called the meeting to order.

**Roll Call by the Clerk:**

**Present:**

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

Lonzo Lester, Clerk

**Absent:** Carl Rhea

**APPROVAL OF THE AGENDA**

Motion made by Mark Mitchell, second Lou Wallace and duly approved by the Board of Supervisors to amend the agenda as presented.

The vote was:

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

Nay: None

**CLOSED SESSION**

Motion made by Mark Mitchell, second David Eaton and duly approved by the Board of Supervisors enter into closed session pursuant to Virginia code 2.2-3711 for discussion concerning a prospective business or industry, land acquisition, actual or probable litigation and personnel matters.

The vote was:

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

Nay: None

**Supervisor Carl Rhea joined the closed session meeting at 5:15 pm.**

**APPROVAL TO RETURN TO REGULAR SESSION**

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

The vote was:

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

Rebecca Dye - AYE

Steve Breeding – AYE

Mark Mitchell – AYE

Invocation by Chairman Steve Breeding, followed by the Pledge of Allegiance to the Flag.

### **PUBLIC HEARING HELD ON THE RUSSELL COUNTY JUNKYARD ORDINANCE**

Pursuant to being advertised in a local newspaper for four (4) consecutive weeks, a public hearing was held on the Junkyard Ordinance. The Chairman opened the public hearing for citizen comments.

Several citizens gave opinions, concerns and comments on the ordinance.

The Chairman closed the public hearing.

### **PUBLIC HEARING HELD ON THE SOLID WASTE MANAGEMENT ORDINANCE**

Pursuant to being advertised in a local newspaper for four (4) consecutive weeks, a public hearing was held on the Russell County Solid Waste Management Ordinance. The Chairman opened the public hearing to citizen comments. The County Administrator outlined and explained the ordinance. The Board listened to several comments and the public hearing was closed by Chairman Breeding.

## **PUBLIC HEARING HELD ON REGIONAL INDUSTRIAL DEVELOPMENT AUTHORITY FACILITIES ORDINANCE**

Pursuant to being advertised in a local newspaper for four (4) consecutive weeks, a public hearing was held on the Regional Industrial Development Authority Facilities Ordinance. The Chairman opened the public hearing to citizen comments. One citizen gave his comments on the issue. The Chairman closed the public hearing.

## **APPROVAL OF THE SOLID WASTE MANAGEMENT ORDINANCE**

Motion made by Mark Mitchell. Second Tim Lovelace and duly approved by the Board of Supervisors to approve the Russell County Solid Waste Management Ordinance.

The vote was:

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

Nay: None

## **APPROVAL OF THE REGIONAL INDUSTRIAL DEVELOPMENT AUTHORITY FACILITIES ORDINANCE**

Motion made by David Eaton, second Carl Rhea and duly approved by the Board of Supervisors to approve an ordinance that would create a Regional Industrial Development Facilities Authority.

The vote was:

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

Nay: Rebecca Dye

## **Presentations**

**Dr. Greg Brown**, Superintendent Russell County Schools gave a power point presentation on how Russell County teacher salaries compare to other surrounding counties.

**Lonzo Lester and Dr. Michelle Meister** addressed the Board concerning the Russell County Animal Shelter with a power point presentation.

**Shawn Lindsey**, Executive Director of Spearhead Trails updated the Board concerning the Dante Trail System and the possibility of establishing other trails in the Honaker and Cleveland areas. He stated that they are requesting a commitment of \$25,000 from each of the surrounding seven counties.

The Chairman declared a ten (10) minutes recess.

The Chairman called the meeting back to order.

**Mickey Rhea**, Russell County Building Official presented a list of properties that he has received complaints about that could be considered a safety or health hazard to the public, may be unusable or unoccupied.

## **AUTHORIZATION TO REMOVE, REPAIR OR SECURE UNSAFE, UNUSABLE OR UNOCCUPIED STRUCTURES**

Motion made by Lou Wallace, second Mark Mitchell and duly approved by the Board of Supervisors to direct the Building Official to give notice to the owners of those properties/structures that he identified as a safety hazard to the public giving the owner the opportunity to remove, repair or secure each structure to alleviate the hazard. If after 30 days of notification, and pursuant to the Ordinance, the owner has failed to completely address and remove the hazard to public health or safety the Building Official is authorized to remove, repair or secure such buildings/structures.

The vote was:

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

**Susan White**, Clinch Valley Community Action gave a brief update on the Retired and Senior Volunteer Program and their plans to expand the program into areas of Russell County that are not currently being served.

**Christina Trail** presented a petition to the Board concerning the county's animal control department. She was accompanied by several individuals that also voiced their complaints and concerns.

**Tony Powers**, a resident of Glade Hill Sub-Division stated that his road is in desperate need of repair and asked the County for any guidance or assistance. He explained that in the winter residents have to park and walk up the road to get to their homes. The sub-division has 31 residents.

**Charlene Farthing**, Friends of the Russell County Animal Shelter requested that the Board approve an adoption fee of \$85.00 for dogs, \$50.00 of which would be refunded once they have been spayed or neutered. A fee of \$35.00 would be charged for dogs that have already been spayed and neutered. She also asked that anyone wishing to adopt a dog be at least 18 years old and have no animal cruelty convictions.

## **APPROVAL OF DOG ADOPTION FEES AT THE RUSSELL COUNTY ANIMAL SHELTER**

Motion made by David Eaton, second Mark Mitchell and duly approved by the Board of Supervisors to approve an adoption fee of \$85.00 for dogs, \$50.00 of which would be refunded if the dog is spayed or neutered. A fee of \$35.00 would be accessed for dogs that have already been spayed or neutered.

The vote was:

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

## **Presentations, continued:**

**Tim Long**, Sunset Digital stated that they are looking for a buildings and land in Russell County to house their trucks, he added that they will be hiring several people over the next five (50) years.

## **Board Appointments**

The Chairman tabled the appointments to the Russell County Water and Sewage Authority and the Dante Community Center.

### **LIBRARY BOARD OF TRUSTEES REMOVED FOR NON-ATTENDANCE**

Motion made by David Eaton, second Carl Rhea and duly approved by the Board of Supervisors to remove Harry Steffey, Kirby Meadows and Debbie Gibson from the Library Board of Trustees for non-attendance.

The vote was:

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

Nay: Mark Mitchell

### **RANDALL HILLMAN APPOINTED TO THE SWCC LOCAL COLLEGE ADVISORY BOARD**

David Eaton nominated Randall Hillman.

Motion made by Mark Mitchell second Carl Rhea that nominations cease and Randall Hillman be appointed to the Southwest Virginia Community College Local Advisory Board by acclamation to fill the unexpired term of Robert Taylor, said term ending June 30, 2019.

The vote was:

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

Nay: None

### **APPROVAL OF THE FEBRUARY 06, 2017 MINUTES**

Motion made by Mark Mitchell, second Tim Lovelace and duly approved by the Board of Supervisors to approve the February 06, 2017 minutes and dispense with the reading thereof.

The vote was:

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

Nay: None

### **APPROVAL OF THE FEBRUARY 17, 2017 MINUTES**

Motion made by David Eaton second Lou Wallace and duly approved by the Board of Supervisors to approve the February 17, 2017 minutes and dispense with the reading thereof.

The vote was:

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

Nay: Rebecca Dye and Mark Mitchell

### **APPROVAL OF THE FEBRUARY 27, 2017 MINUTES**

Motion made by David Eaton second Tim Lovelace and duly approved by the Board of Supervisors to approve the February 27, 2017 minutes and dispense with the reading thereof.

The vote was:

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

Nay: Lou Wallace and Mark Mitchell

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

Motion made by Mark Mitchell, second David Eaton and duly approved by the Board of Supervisors to approve general county invoices in the amount of \$615,610.24 including withholdings and reoccurring.

The vote was:

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

Nay: None

#### **APPROVAL TO PURCHASE SOLID WASTE DISPOSAL EQUIPMENT**

Motion made by Mark Mitchell, second David Eaton and duly approved by the Board of Supervisors to approve the purchase of solid waste disposal equipment.

The vote was:

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

Nay: None

#### **APPROVAL TO PURCHASE A VEHICLE FOR THE COMMUNITY WORK PROGRAM**

Motion made by Mark Mitchell, second Mark Mitchell and duly approved by the Board of Supervisors to approve the purchase of a community work program vehicle.

The vote was:

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

Nay: None

#### **APPROVAL OF A TRAVEL REQUEST FOR GENERAL DISTRICT COURT**

Motion made by David Eaton, second Carl Rhea and duly approved by the Board of Supervisors to approve a travel request for Kathy Vance, General District Court Clerk.

The vote was:

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

Nay: None

#### **APPROVAL OF A TRAVEL REQUEST FROM THE BUILDING OFFICIAL AND ASSESSOR**

Motion made by Mark Mitchell, second Rebecca Dye and duly approved by the Board of Supervisors to approve a travel request from the Building Official and the Assessor's office for training.

The vote was:

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

Nay: None

**APPROVAL TO ADJOURN**

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

The vote was:

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

Nay: None

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Clerk of the Board

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Chairman