

April 03, 2017

A regular monthly meeting of the Russell County Board of Supervisors was held on Monday, April 03, 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
Carl Rhea
David Eaton
Steve Breeding
Rebecca Dye
Mark Mitchell

Lonzo Lester, Clerk

Absent: 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, Carl Rhea, Steve Breeding and Rebecca Dye
Nay: None

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 Nate Kiser, Lebanon Baptist Church followed by the Pledge of Allegiance to the Flag.

APPROVAL OF THE AGENDA

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

The vote was:

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

PUBLIC HEARING HELD ON THE JUNKYARD ORDINANCE

Pursuant to being advertised for (2) two consecutive weeks, a public hearing was held on the Junkyard Ordinance. The Chairman explained that a County Agent will be sent out to the commercial establishments in the County to talk with and inspect each one. Comments and input will then be presented to the Board. The Chair opened the public hearing to comments.

Several citizens voiced opinions about how the definition of a junkyard is defined, how it will be enforced and who would make the decision on the classification of a business as a junkyard. After addressing some of the questions and concerns, the Chairman closed the public hearing.

Presentations

Jennifer Bourne, Clinch Valley Community Action asked that the Board proclaim April as Sexual Assault Awareness Month.

PROCLAMATION OF APRIL AS SEXUAL ASSAULT AWARENESS MONTH

Motion made by David Eaton, second Tim Lovelace and duly approved by the Board of Supervisors to proclaim the month of April as Sexual Assault Awareness Month.

The vote was:

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

Nay: None

GARY DOTSON AND JEFF LEWIS APPOINTED TO THE RUSSELL COUNTY WATER AND SEWAGE AUTHORITY

Carl Rhea nominated Billy Wayne Wampler

Tim Lovelace nominated Gary Dotson

Lou Wallace nominated Jeff Lewis

The vote was as follows:

Jeff Lewis – (6) votes: Lou Wallace, Mark Mitchell, Steve Breeding, Rebecca Dye, David Eaton and Tim Lovelace

Gary Dotson – (5) five votes: Rebecca Dye, Tim Lovelace, Carl Rhea, Steve Breeding and Lou Wallace

Billy Wayne Wampler – (2) two votes: Carl Rhea and David Eaton

Gary Dotson and Jeff Lewis were appointed to the Russell County Water and Sewage Authority for (3) three year terms, said terms ending April 03, 2020.

BOBBIE GULLET, ARTHUR PHILLIPS AND WANDA OSBORNE APPOINTED TO THE DANTE COMMUNITY CENTER BOARD

Motion made by Lou Wallace, second Tim Lovelace and duly approved by the Board of Supervisors to appoint Bobbie Gullet, Arthur Phillips and Wanda Osborne tot the Dante Community Center Board for (2) two year terms, said terms ending April 03, 2019.

The vote was:

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

Nay: None

CHARLES EDMONDS RE-APPOINTED TO THE RUSSELL COUNTY PLANNING COMMISSION

Motion made by Mark Mitchell, second Rebecca Dye and duly approved by the Board of Supervisors to re-appoint Charles Edmonds to the Russell County Planning Commission for a (4) four year term, said term ending April 03, 2021.

The vote was:

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

Nay: None

APPROVAL OF THE MARCH 13, 2017 MINUTES

Motion made by Carl Rhea, second Mark Mitchell and duly approved by the Board of Supervisors to approve the March 13, 2017 minutes as amended and dispense with the reading thereof.

The vote was:

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

Nay: None

APPROVAL OF GENERAL COUNTY INVOICES

Motion made by Tim Lovelace, second David Eaton and duly approved by the Board of Supervisors to approve general county invoices in the amount of \$520,828.12.

The vote was:

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

Nay: None

County Attorney Reports and Requests

Matt Crum addressed the Board concerning the Russell County Schools Energy Performance Contract financing. He stated that some technical issues have arisen and that prevents the County from entering into to a financing contract with the First Bank and Trust Co. and recommended that the Board rescind the motion authorizing this contract. He asked that they approve a contract with Bank of America.

APPROVAL TO RESCIND A MOTION APPROVING FIRST BANK AND TRUST CO. AGREEMENT TO FINANCE SCHOOL ENERGY PERFORMANCE CONTRACT

Motion made by Mark Mitchell, second David Eaton and duly approved by the Board of Supervisors to rescind the approval of First Bank and Trust Company financing of the Russell County Schools Energy Performance Contract.

The vote was:

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

Nay: None

APPROVAL OF RUSSELL COUNTY SCHOOLS ENERGY PERFORMANCE CONTRACT FINANCING WITH BANK OF AMERICA

Motion made by David Eaton, second Carl Rhea and duly approved by the Board of Supervisors to approve a financing agreement for Russell County Schools Energy Performance Contract with Bank of America.

The vote was:

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

Nay: None

County Administrator Reports and Requests

APPROVAL TO ESTABLISH A SOLID WASTE COMMERCIAL CONTRACTORS HAUL FEE OF \$500

Motion made by Mark Mitchell, second Lou Wallace and duly approved by the Board of Supervisors to establish a \$500.00 solid waste commercial contractor haul fee.

The vote was:

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

Nay: None

APPROVAL TO ADVERTISE AND HIRE A CASTLEWOOD CANNERY SUPERVISOR

Motion made by Lou Wallace, second David Eaton and duly approved by the Board of Supervisors to advertise and hire a Castlewood Cannery supervisor.

The vote was:

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

Nay: None

APPROVAL OF A DONATION OF \$1000 TO THE HONAKER REDBUD FESTIVAL

Motion made by David Eaton, second Mark Mitchell and duly approved by the Board of Supervisors to authorize a donation of \$1000.00 to the Honaker Redbud Festival.

The vote was:

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

Nay: None

APPROVAL OF A \$250 DONATION FOR HONAKER KIDS FISHING DAY

Motion made by David Eaton second Mark Mitchell to authorize a donation of \$250.00 for Honaker Kids Fishing Day.

The vote was:

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

Nay: None

APPROVAL OF A \$250.00 DONATION FOR 22ND ANNUAL RUSSELL COUNTY KIDS FISHING DAY

Motion made by Mark Mitchell, second Carl Rhea and duly approved by the Board of Supervisors to authorize a donation of \$250.00 for 22ND Annual Russell County Kids Fishing Day.

The vote was:

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

Nay: None

APPROVAL OF A TRAVEL REQUEST FOR THE COMMISSIONER OF THE REVENUE'S OFFICE

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

The vote was:

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

Nay: None

APPROVAL OF A TRAVEL REQUEST FOR THE EMERGENCY MANAGEMENT COORDINATOR

Motion made by Rebecca Dye, second David Eaton and duly approved by the Board of Supervisors to approve a travel request for the Emergency Management Coordinator.

The vote was:

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

Nay: None

APPROVAL TO ADJOURN

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

The vote was:

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

Nay: None

Clerk of the Board

Chairman