

June 05, 2017

A regular monthly meeting of the Russell County Board of Supervisors was held on Monday, June 05, 2017 at 6:00 p.m. at the Russell County Government 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

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 amended.

The vote was:

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

CLOSED SESSION

Motion made by Mark Mitchell, second David Eaton and duly approved by the Board of Supervisors enter into closed session to discuss a prospective personnel matter pursuant to Virginia code 2.2-3711(A)(1) of the Code of Virginia and to discuss economic development pursuant to Section 2.2-3711 (5) and to discuss a litigation matter pursuant to Section 2.2-3711(7).

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 Tim Lovelace and duly approved by the Board of Supervisors to return to regular session.

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 Roy Harrison, representing the Gideons followed by the Pledge of Allegiance to the Flag.

PUBLIC HEARING ON THE 2017/2018 BUDGET

Pursuant to being advertised in a local newspaper for (2) two consecutive weeks, a public hearing was held on the FY 2017/2018 Budget, Tax Rates and Tax Dates. The Chairman opened the public hearing to comments. There were no comments, the public hearing was closed.

Awards and Recognitions

The Board recognized members the FBLA Chapters from Castlewood, Honaker and Lebanon High Schools for their achievements.

Presentations

Judge Martha Ketron asked the Board to consider making repairs and updates to the Courthouse and to develop a plan to accomplish this task. She made some suggestions as to how to proceed and prioritized the items that were in need of immediate attention. Judge Ketron also thanked the Board for all they have done to make the courthouse more secure.

**APPROVAL TO PARTNER WITH THE IDA TO SECURE FUNDING FOR REPAIRS AND UPDATES TO THE
RUSSELL COUNTY COURTHOUSE**

Motion made by Mark Mitchell, second Tim Lovelace and duly approved by the Board of Supervisors to approve a request from Judge Michael Bush, Judge Martha Ketron and Judge Michael Moore to partner with the Russell County Industrial Development Authority to aid in securing financing for updates and repairs to the Russell County Courthouse.

The vote was:

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

Sheriff Steve Dye gave a detailed report on the operations of the Sheriff's Department.

Mike Collins, Executive Director of the Center for Natural Capital addressed the Board on Stream Sweepers Clean the Clinch 2017. He stated that meetings have been initiated with local elected officials, local government staff and members of the community about cleaning up the Clinch River.

**APPROVAL TO ENTER INTO AN AGREEMENT WITH THE CENTER FOR NATURAL CAPITAL TO CLEAN UP
THE CLINCH RIVER USING STREAMSWEEPERS**

Motion made by Mark Mitchell, second Lou Wallace and duly approved by the Board of Supervisors to authorize the County Administrator to enter into an agreement with the Center for Natural Capital to aid in the cleanup of the Clinch River using an employment program by the name of Stream Sweepers.

The vote was:

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

Dick Collins and Elaine Rock, Boys and Girls Club of the Mountain Empire made a presentation to the Board concerning the possibility of locating a boys and girls club in Russell County.

The Board recognized Castlewood High School for various accomplishments by the students and teachers which included State History Day, Virginia History Day Teacher of the Year Award, Appalachian FFA Awards, Barter Theater Young Playwrights Festival Contest, 41st Annual John Fox Jr. Literary Festival Contest and State Forensics.

New Business

APPROVAL OF THE MAY 01, 2017 MINUTES

Motion made by David Eaton, second Lou Wallace and duly approved by the Board of Supervisors to approve the May 01, 2017 minutes and dispense with the reading thereof.

The vote was:

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

APPROVAL OF GENERAL COUNTY INVOICES

Motion made by David Eaton, second Carl Rhea and duly approved by the Board of Supervisors to approve general county invoices in the amount of \$453,699.05 including reoccurring and withholdings.

The vote was;

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

Nay: None

Board Appointments

DAVID EATON AND ERNIE MCFADDEN APPOINTED TO THE REGIONAL INDUSTRIAL DEVELOPMENT AUTHORITY

David Eaton nominated Ernie McFadden

Hearing no other nominations, the Chairman appointed Ernie McFadden by acclamation to the Regional Industrial Development Authority.

Carl Rhea nominated David Eaton

Hearing no other nominations, the Chairman appointed David Eaton by acclamation to the Regional Industrial Development Authority.

Citizens Comment

The Chairman opened citizen comment period.

Kelly McBride Delph, RCPL asked the Board to spread the word about their Summer Reading Program

The Chairman closed public comment period.

Constitutional Officer Reports and Requests

Rick Thompson, Treasurer updated the Board on the status of tax collection and the employee health insurance balance.

County Administrator Reports and Requests

APPROVAL OF A RESOLUTION TO DESIGNATE RT. 82 AS TERRY ALSUP MEMORIAL HWY

Motion made by Mark Mitchell, second Tim Lovelace and duly approved by the Board of Supervisors to approve a resolution to designate Rt. 82 as Terry Alsup Memorial Highway.

The vote was

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

Nay: None

APPROVAL OF A RFP FOR PICTOMETRY SERVICES

Motion made by Mark Mitchell, second Lou Wallace and duly approved by the Board of Supervisors to authorize the County Administrator to advertise for a request for proposals of Pictometry Services.

The vote was:

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

Nay: None

APPROVAL TO NEGOTIATE A RECYCLE CENTER LAND LEASE

Motion made by David Eaton, second Lou Wallace and duly approved by the Board of Supervisors to authorize the County Administrator to begin negotiations on a Recycle Center Land Lease.

The vote was:

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

Nay: None

APPROVAL OF A \$60.00 PER TON FEE FOR RUSSELL COUNTY LANDFILL TREE AND BUSH TONAGE

Motion made by Mark Mitchell, second Lou Wallace and duly approved by the Board of Supervisors to approve a fee of \$60.00 per ton for Russell County Landfill Tree & Brush tonnage price.

The vote was:

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

Nay: None

APPROVAL OF AN AGREEMENT BETWEEN SW VA CLEO AND WDB

Motion made by Lou Wallace, second David Eaton and duly approved by the Board of Supervisors to authorize the SW Virginia Local Elected Officials Consortium Agreement with Workforce Development Board.

The vote was:

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

Nay: None

APPROVAL OF A LETTER OF ENGAGEMENT WITH ROBINSON, FARMER AND COX

Motion made by David Eaton, second Lou Wallace and duly approved by the Board of Supervisors to approve a Letter of Engagement with Robinson, Farmer and Cox Associates of the 2017 County Wide Audit.

The vote was:

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

Nay: None

APPROVAL OF AN AGREEMENT WITH PEOPLE, INC FOR A CHILD DEVELOPMENT CTR AT THE SWORDS CREEK COMMUNITY CENTER

Motion made by David, second Carl Rhea and duly approved by the Board of Supervisors to approve an agreement with People, Inc. and Russell County for the Child Development Center in the Swords Creek Community Center.

The vote was:

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

Nay: None

APPROVAL TO DONATE \$150.00 PER STUDENT FOR COUNTY FBLA CHAPTERS TO TRAVEL TO NATIONAL COMPETITION

Motion made by David Eaton, second Tim Lovelace and duly approved by the Board of Supervisors to authorize a donation of \$150.00 per student for Castlewood, Lebanon and Honaker FBLA Chapters to attend national completion.

The vote was:

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

Nay: None

APPROVAL OF A \$150.00 PER STUDENT DONATION TO THE RUSSELL COUNTY CAREER AND TECHNOLOGY CENTER TO TRAVEL TO NATIONAL COMPETITION

Motion made by David Eaton, second Carl Rhea and duly approved by the Board of Supervisors to authorize a \$150.00 per student donation to the Russell County Career and Technology Center for the Skills USA National Championship.

The vote was:

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

Nay: None

APPROVAL OF A \$500.00 DONATION TO THE GUITARS AND GOOD TIMES EVENT

Motion made by David Eaton, second Rebecca Dye and duly approved by the Board of Supervisors to authorize a \$500.00 donation to the Guitars and Good Times event hosted by the Russell County Medical Center Foundation.

The vote was:

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

Nay: None

APPROVAL OF A \$250.00 DONATION TO THE RUSSELL COUNTY PREVENTION COALITION

Motion made by Mark Mitchell. Second by Carl Rhea and duly approved by the Board of Supervisors to authorize a donation of \$250.00 to the Russell County Drug and Alcohol Free Throw down Graduation Party provided by the Russell County Prevention Coalition.

The vote was:

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

APPROVAL OF A \$500.00 DONATION TO THE TOWNS OF LEBANON, HONAKER AND CLEVELAND

Motion made by David Eaton, second Carl Rhea and duly approved by the Board of Supervisors to authorize a \$500.00 donation to the Town of Lebanon, Town of Honaker and Town of Cleveland to assist with the July 04 celebrations.

The vote was:

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

APPROVAL TO AUTHORIZE PREPAYMENT OF THE JULY EXPENDITURES AND MOVE THE JULY BOARD MEETING TO JULY 10, 2017 AT 3:00 PM

Motion made by David Eaton, second Carl Rhea and duly approved by the Board of Supervisors to approve pre-payment of the July 2017 county expenditures and move the July Board meeting to Monday, July 10, 2017 at 3:00 pm.

The vote was:

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

APPROVAL TO OPEN THE CANNERIES ON JULY 18, 2017

Motion made by David Eaton, second Tim Lovelace and duly approved by the Board of Supervisors to set Tuesday, July 18, 2017 as opening day for the canneries.

The vote was:

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

APPROVAL OF A TRAVEL REQUEST FOR THE BUILDING OFFICIAL

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

The vote was:

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

APPROVAL OF A PLAT FOR 135 SAMUEL RATCLIFF ROAD

Motion made by David Eaton, second Mark Mitchell and duly approved by the Board of Supervisors to approve a plat for 135 Samuel Ratcliff road as requested by the Russell County Planning Commission.

The vote was:

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

APPROVAL TO AUTHORIZE THE COUNTY ADMINISTRATOR TO SETTLE A FEDERAL LAWSUIT WITH REBECCA WILSON

Motion made by Mark Mitchell, second Lou Wallace and duly approved by the Board of Supervisors to authorize the County Administrator to negotiate a resolution of the federal lawsuit brought by Rebecca Wilson, who seeks hundreds of dollars from Russell County. The Board authorizes the County Administrator to resolve the case for nuisance value of no more than \$5000.00, a dismissal of any and all claims by Wilson against the County and its employees and an express statement that the County admits no fault or liability whatsoever.

The vote was:

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

APPROVAL TO COMMIT M & T AND REAL ESTATE TAXES IF NECESSARY TO AID IN FUNDING THE BELT PROJECT IF NECESSARY

Motion made by Mark Mitchell, second David Eaton and duly approved by the Board of Supervisors to approve the commitment of machinery and tools and real estate taxes for funding for the Belt Project if necessary.

The vote was:

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

APPROVAL TO ADJOURN TO RECONVENE ON MONDAY, JUNE 19, 2017 AT 3:00 PM

Motion made by Tim Lovelace, second Carl Rhea and duly approved by the Board of Supervisors to adjourn to reconvene on Monday, June 19, 2017 at 3:30 pm.

The vote was:

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

Clerk of the Board

Chairman