

July 09, 2018

A regular monthly meeting of the Russell County Board of Supervisors was held on Monday, July 09, 2018 beginning at 5:00 pm for Executive (Closed) session followed by the regular meeting at 6:00 pm at the Russell County Government Center in Lebanon, Virginia.

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

**Absent:**

Mark Mitchell

**EXECUTIVE SESSION**

Motion made by Steve Breeding, second David Eaton and duly approved by the Board of Supervisors to enter into Executive (closed) Session to discuss a litigation matter pursuant to Section 2.2-3712(7).

The vote was:

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

Nay: None

**CERTIFICATION OF EXECUTIVE (CLOSED SESSION)**

Motion made by Steve Breeding, second David Eaton and duly approved by the Board of Supervisors to return to regular 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.

The vote was:

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

Nay: None

Invocation by Timothy Brown, followed by the Pledge of Allegiance to the Flag.

## **APPROVAL OF THE AGENDA**

Motion made by Steve Breeding, second Carl Rhea and duly approved by the Board of Supervisors to approve the agenda as amended.

The vote was:

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

Nay: None

## **PUBLIC HEARING HELD ON BOUNDARY LINE CHANGES FOR THE CWSA AND RUSSELL COUNTY PSA**

Pursuant to being advertised in a local paper for (2) two consecutive weeks, a public hearing was held on the proposed boundary line changes for the Russell County Public Service authority and the Castlewood Water and Sewage Authority.

The Chairperson opened the public hearing.

**Donnie Christian**, Chairman of the Russell County PSA, commented that both groups agreed with the boundary line changes.

The public hearing was closed by the Chairperson.

## **Presentations**

**Mickey Rhea**, Building Official and **C. Hyder Hughes** with the Sheriff's Department presented a slide show to the Board about the litter and unsafe structures issues in the County.

**Josh Eaton and Harvey Hart**, Appalachian Gateway Horse and Trail Association presented their building plan for a horse ring in Cleveland.

## **APPROVAL TO AUTHORIZE THE USE OF LAND BESIDE THE CLEVELAND SCHOOL FOR CONSTRUCTION OF A HORSE RING**

Motion made by Steve Breeding, second Carl Rhea and duly approved by the Board of Supervisors to authorize the Appalachian Gateway Horse and Trail Association to start construction on a horse ring on the property beside the Old Cleveland School at no expense to the County.

The vote was:

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

Nay: None

**Kevin Blankenship and Woody Scott** explained the Mountain Movers organization and involvement within the community.

**APPROVAL TO AMEND THE ARTICLES OF INCORPORATION OF THE CASTLEWOOD WATER AND SEWAGE AUTHORITY AND THE RUSSELL COUNTY PUBLIC SERVICE AUTHORITY**

Motion made by Tim Lovelace, second Steve Breeding and duly approved by the Board of Supervisors to amend the Articles of Incorporation of the Castlewood Water and Sewage Authority and the Russell County Water Public Service Authority to reflect the boundary line changes.

The vote was:

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

Nay: None

**The Chairperson read a letter from Supervisor Mark Mitchell stating that he is resigning his seat on the Board of Supervisors effective August 06, 2018.**

**ACCEPTANCE OF MARK MITCHELL'S RESIGNATION FROM THE BOARD OF SUPERVISORS**

Motion made by Lou Wallace, second Tim Lovelace and duly approved by the Board of Supervisors to accept the resignation of Supervisor Mark Mitchell effective August 06, 2018.

The vote was:

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

Nay: None

**APPROVAL TO FILE A WRIT OF ELECTION WITH THE CIRCUIT COURT**

Motion made by Steve Breeding, second Lou Wallace and duly approved by the Board of Supervisors to direct the County Attorney to file a petition with Circuit Court for issuance of a writ of election to be held in November 2019 to fill the Supervisor At-Large seat vacated by the resignation of Mark Mitchell Supervisor At-Large.

The vote was:

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

Nay: None

**Board Appointments**

**Supervisor At-Large**

**MOTION TO TABLE THE SUPERVISOR AT- LARGE APPOINTMENT**

Motion made by Lou Wallace, second Tim Lovelace to table the Supervisor At-Large seat until the next meeting.

The vote was:

Aye: Lou Wallace and Tim Lovelace

Nay: Steve Breeding, David Eaton, Rebecca Dye and Carl Rhea

**MOTION FAILED**

**HARRY FERGUSON APPOINTED AS SUPERVISOR AT-LARGE**

Carl Rhea nominated Harry Ferguson  
Lou Wallace nominated Becki Joyce

Motion made by Steve Breeding, second Carl Rhea and duly approved by the Board of Supervisors that nominations cease and call for the vote.

The vote was:

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

Nay: None

Becki Joyce – (1) one vote: Lou Wallace

Harry Ferguson – (4) four votes: Steve Breeding, Carl Rhea, Rebecca Dye and David Eaton

Abstain (1) one - Tim Lovelace

Harry Ferguson was appointed to the Russell County Board of Supervisors to fill the unexpired term of Mark Mitchell as Supervisor At- Large, said term ending December 31, 2019.

**CLIFFORD HESS RE-APPOINTED TO THE RUSSELL COUNTY PSA**

Motion made by Steve Breeding, second Tim Lovelace and duly approved by the Board of Supervisors to re-appoint Clifford Hess to the Russell County Public Service Authority for a (3) three- year term, said term ending June 30, 2021.

The vote was:

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

Nay: None

**FRANK HORTON RE-APPOINTED TO THE CPEDC**

Motion made by Steve Breeding, second David Eaton and duly approved by the Board of Supervisors to re-appoint Frank Horton to the Cumberland Plateau Economic Development Commission for a (1) one-year term, said term ending June 30, 2019.

The vote was:

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

Nay: None

**RON BLANKENSHIP RE-APPOINTED TO THE CPEDC**

Motion made by Tim Lovelace, second Lou Wallace and duly approved by the Board of Supervisors to re-appoint Ron Blankenship to the Cumberland Plateau Economic Development Commission for a (1) one-year term, said term ending June 30, 2019.

The vote was:

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

Nay: None

### **JAMES EATON RE-APPOINTED TO THE CPEDC**

Motion made by Steve Breeding, second Lou Wallace and duly approved by the Board of Supervisors to re-appoint James Eaton to the Cumberland Plateau Economic Development Commission for a (1) one-year term, said term ending June 30, 2019.

The vote was:

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

Nay: None

Abstain: David Eaton

### **JUDY LOCKRIDGE APPOINTED TO THE RUSSELL COUNTY DEPARTMENT OF SOCIAL SERVICES BOARD**

Motion made by Steve Breeding, second Lou Wallace and duly approved by the Board of Supervisors to appoint Judy Lockridge to the Russell County Department of Social Services Board for a (4) four-year term, said term ending June 30, 2022.

The vote was:

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

Nay: None

### **TIE VOTE ON RUSSELL COUNTY DSS APPOINTMENTS**

Lou Wallace nominated Gail Gobble

David Eaton nominated Shelia Kiser

Shelia Kiser – (3) three votes- Steve Breeding, David Eaton and Carl Rhea

Gail Gobble – (3) three votes – Lou Wallace, Tim Lovelace and Rebecca Dye

**There was no appointment due to a tie vote, no further action taken.**

David Eaton nominated Rita McFaddin

Lou Wallace nominated Gail Gobble

Gail Gobble – (3) three votes- Lou Wallace, Tim Lovelace and Rebecca Dye

Rita McFaddin – (3) three votes – David Eaton, Steve Breeding and Carl Rhea

**There was no appointment due to a tie vote, no further action taken.**

**The Department of Social Services appointments were tabled until the August meeting.**

**ANGELA FARMER RE-APPOINTED TO THE CPMT**

Motion made by Tim Lovelace, second Carl Rhea and duly approved by the Board of Supervisors to re-appoint Angela Farmer to the Community Policy Management Team for a (3) three-year term, said term ending August 03, 2021.

The vote was:

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

Nay: None

**LOU WALLACE APPOINTED TO THE NINTH DISTRICT FINANCING BOARD**

Motion made by Tim Lovelace, second Steve Breeding and duly approved by the Board of Supervisors to appoint Lou Wallace to the Ninth District Financing Board of Directors for People, Inc. for a (4) four-year term, said term ending July 09, 2022.

The vote was:

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

Nay: None

**CATHERINE PRATT APPOINTED TO THE DANTE COMMUNITY CENTER BOARD**

Motion made by Lou Wallace, second David Eaton and duly approved by the Board of Supervisors to appoint Catherine Pratt to the Dante Community Center Board to fill the un-expired term of Earl Jenkins, said term ending June 19, 2019.

The vote was:

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

Nay: None

**New Business**

**APPROVAL OF THE JUNE 04, 2018 MINUTES**

Motion made by David Eaton, second Steve Breeding and duly approved by the Board of Supervisors to approve the June 04, 2018 minutes and dispense with the reading thereof.

The vote was:

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

Nay: None

**APPROVAL OF THE JUNE 25, 2018 MINUTES**

Motion made by David Eaton, second Steve Breeding and duly approved by the Board of Supervisors to approve the June 25, 2018 minutes and dispense with the reading thereof.

The vote was:

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

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

Motion made by Steve Breeding, second David Eaton and duly approved by the Board of Supervisors to approve general county invoices in the amount of \$2,349,296.21 including withholdings and reoccurring.

The vote was:

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

Nay: None

### **Citizens Comment**

**Helen Fields**, Lebanon commented that she was appalled at the way the Supervisor At-Large position was filled.

**Reggie Childers**, Lebanon addressed the Board concerning blueways.

The Chair closed citizens comment.

### **LAUREL BED LAKE AND THE CLINCH RIVER DESIGNATED AS BLUEWAYS**

Motion made by Steve Breeding, second David Eaton and duly approved by the Board of Supervisors to declare Laurel Bed Lake and the Clinch River as blueways.

The vote was:

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

Nay: None

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

Matt Crum asked that the board approve the filing of a lawsuit involving the opioid crisis in Russell County.

### **APPROVAL TO AUTHORIZE THE FILING OF A LAWSUIT REGARDING OPIOIDS**

Motion made by Steve Breeding, second David Eaton and duly approved by the Board of Supervisors to authorize the filing of a lawsuit against manufacturers and distributors of opioids seeking the recovery of compensatory and punitive damages.

The vote was:

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

Nay: None

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

### **AUTHORIZATION OF A VDOT RESOLUTION FOR RT. 19 EB HORIZONTAL CURVE IMPROVEMENT PROJECT**

Motion made by David Eaton, second Steve Breeding and duly approved by the Board of Supervisors to authorize a VDOT Resolution for Rt. 19 EB Horizontal Curve Improvement Project.

The vote was:

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

Nay: None

**AUTHORIZATION OF A VDOT RESOLUTION FOR RT. 80 TRUCK CLIMBING LANE PROJECT**

Motion made by Steve Breeding, second David Eaton and duly approved by the Board of Supervisors to authorize a VDOT Resolution for Rt. 80 Truck Climbing Lane Project.

The vote was:

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

Nay: None

**AUTHORIZATION OF A VDOT RESOLUTION FOR ABANDONMENT OF THE BRIDGE OVER LITTLE CEDAR CREEK ON RT. 758**

Motion made by Steve Breeding, second David Eaton and duly approved by the Board of Supervisors to authorize a VDOT Resolution for Abandonment of the Bridge over Little Cedar Creek on Rt. 758, Willis Chapel Road.

The vote was:

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

Nay: None

**APPROVAL OF (2) TWO SCHOOL RESOURCE OFFICER GRANTS FROM DCJS**

Motion made by David Eaton, second Tim Lovelace and duly approved by the Board of Supervisors to accept and appropriate (2) two school resource officer grants from the Department of Criminal Justice in the amount of \$96,216.

The vote was:

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

Nay: None

**APPROVAL OF A TRAVEL REQUEST FROM THE COMMISSIONER OF THE REVENUE**

Motion made by Steve Breeding, second Lou Wallace and duly approved by the Board of Supervisors to approve a travel request from the Commissioner of Revenue.

The vote was:

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

Nay: None

**APPROVAL OF A TRAVEL REQUEST FROM THE DEPARTMENT OF EMERGENCY MANAGEMENT**



Motion made by Carl Rhea, second Lou Wallace and duly approved by the Board of Supervisors to approve a travel request from the Department of Emergency Management Coordinator.

The vote was:

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

Nay: None

**APPROVAL OF A TRAVEL REQUEST FROM THE DEPARTMENT OF EMERGENCY MANAGEMENT**

Motion made by David Eaton, second Steve Breeding and duly approved by the Board of Supervisors to approve a travel request from the Department of Emergency Management for staff training.

The vote was:

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

Nay: None

**APPROVAL OF A TRAVEL REQUEST FROM THE DEPARTMENT OF EMERGENCY MANAGEMENT  
COORDINATOR**

Motion made by David Eaton, second Lou Wallace and duly approved by the Board of Supervisors to approve a travel request from the Department of Emergency Management Coordinator which will be funded by a grant.

The vote was:

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

Nay: None

**APPROVAL OF A REQUEST FOR STAFF TO ATTEND A VADMO SEMINAR**

Motion made by Lou Wallace, second Steve Breeding and duly approved by the Board of Supervisors to approve request for staff to attend a Virginia Association of Destination Marketing Organizations seminar in St. Paul, Virginia.

The vote was:

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

Nay: None

**APPROVAL OF A RE-DIVISION OF A PLAT FROM MICHAEL E. HORNE**

Motion made by David Eaton, second Steve Breeding and duly approved by the Board of Supervisors to approve a re-division of existing plats for Michael E. Horne.

The vote was:

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

Nay: None

**APPROVAL TO AMEND THE AGENDA**

Motion made by Steve Breeding, second Lou Wallace and duly approved by the Board of Supervisors to amend the agenda to include an appointment to the Cumberland Plateau Regional Waste Management Authority due to the resignation of Frank Horton.

The vote was:

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

Nay: None

**TIM LOVELACE APPOINTED TO THE CUMBERLAND PLATEAU REGIONAL WASTE MANAGEMENT AUTHORITY**

Motion made by Steve breeding, second David Eaton and duly approved by the Board of Supervisors to appoint Tim Lovelace to fill the unexpired term of Frank Horton on the Cumberland Plateau Regional Waste Management Authority said term ending March 02, 2019.

The vote was:

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

Nay: None

**APPROVAL TO ADJOURN**

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

The vote was:

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

Nay: None

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Clerk of the Board

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Chairperson