

May 06, 2019

The regular monthly meeting of the Russell County Board of Supervisors was held on Monday, May 06, 2019 at 6:00 pm. at the Russell County Government Center in Lebanon, Virginia. An Executive (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 (joined the meeting at 5:15 pm)
Harry Ferguson

Lonzo Lester, Clerk
Vicki Porter, Deputy Clerk
Senator Ben Chafin, County Attorney
Katie Patton, County Attorney

Absent:

None

EXECUTIVE (CLOSED) SESSION

Motion made by Harry Ferguson, second Carl Rhea and duly approved by the Board of Supervisors to enter into (closed) executive session pursuant to Section 2.2-3712(5) of the Code of Virginia to discuss legal and personnel matters pursuant to 2.2-3712(A), (1), (3), (7) and (8).

The vote was:

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

Nay: None

APPROVAL TO RETURN TO REGULAR SESSION

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

The vote was:

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

Nay: None

CERTIFICATION OF EXECUTIVE (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
Harry Ferguson – AYE

APPROVAL OF THE AGENDA

Motion made by Harry Ferguson, second David Eaton and duly approved by the Board of Supervisors to approve the agenda as amended with the addition of the County Administrator's contract.

The vote was:

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

Nay: None

Acknowledgements

The Board acknowledged the accomplishments of students from Castlewood, Lebanon and Honaker High Schools on the state and national level in academics and sports.

PUBLIC HEARING HELD ON THE VDOT SIX (6) YEAR SECONDARY CONSTRUCTION PLAN

Pursuant to being advertised in a local newspaper for two (2) consecutive weeks, a public hearing was held on the VDOT Six (6) Year Secondary Construction Plan.

The Chairperson opened the public hearing.

Glenda Osborne, Sandy Ridge Road in Cleveland would like Rt. 621 to be put on the six (6) year plan.

Maxine Kelly, Sandy Ridge Road in Cleveland also asked that Rt. 621 be put on the six (6) year plan.

The Chair closed the public hearing.

PUBLIC HEARING HELD ON THE RUSSELL COUNTY PUBLIC SERVICE AUTHORITY AND THE CASTLEWOOD WATER AND SEWAGE AUTHORITY JOINDER AGREEMENT AND ARTICLES OF INCORPORATION

Pursuant to being advertised in a local newspaper for two (2) consecutive weeks, a public hearing was held on the Russell County PSA and Castlewood Water and Sewage Authority Joinder Agreement and the Articles of Incorporation.

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

APPROVAL OF THE ARTICLES OF INCORPORATION FOR THE RUSSELL COUNTY PSA AND THE CWSA

Motion made by Steve Breeding, second David Eaton and duly approved by the Board of Supervisors to approve the Articles of Incorporation for the Russell County PSA and the Castlewood Water and Sewage Authority.

The vote was:

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

Nay: None

PUBLIC HEARING HELD ON THE ARTICLES OF INCORPORATION FOR THE CPRWMA

Pursuant to being advertised in a local newspaper for two (2) consecutive weeks, a public hearing was held on the Articles of Incorporation for the Cumberland Plateau Regional Waste Management Authority. The Chairperson opened the public hearing. Hearing no comments, the public hearing was closed.

CPRWMA ARTICLES OF INCORPORATION TABLED

Motion made by Lou Wallace, second Harry Ferguson and duly approved by the Board of Supervisors to table the Cumberland Plateau Regional Waste Management Authority Articles of Incorporation upon recommendation by legal counsel.

The vote was:

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

Nay: None

Presentations

Jack Hinshelwood with the Crooked Road gave a power point presentation on the Crooked Road Waysides.

Board Appointments

JUDY LOCKRIDGE RESIGNATION

Motion made by Steve Breeding, second Lou Wallace and duly approved by the Board of Supervisors to accept the resignation of Judy Lockridge from the Russell County Department of Social Services Board effective immediately.

The vote was:

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

Nay: None

The Russell County DSS appointment was tabled by the Chairperson.

New Business

APPROVAL OF THE APRIL 01, 2019 MINUTES

Motion made by David Eaton, second Steve Breeding and duly approved by the Board of Supervisors to approve the April 01, 2019 minutes and dispense with the reading thereof.

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

Nay: None

APPROVAL OF THE APRIL 24, 2019 MINUTES

Motion made by Lou Wallace, second Carl Rhea and duly approved by the Board of Supervisors to approve the April 24, 2019 minutes and dispense with the reading thereof.

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

Nay: None

APPROVAL OF THE APRIL 29, 2019 MINUTES

Motion made by Harry Ferguson, second Steve Breeding and duly approved by the Board of Supervisors to approve the April 29, 2019 minutes and dispense with the reading thereof.

Aye: Harry Ferguson, Steve Breeding, Tim Lovelace, Carl Rhea and Rebecca Dye

Nay: None

Abstain: Lou Wallace and David Eaton

APPROVAL OF GENERAL COUNTY INVOICES

Motion made by Tim Lovelace, second Lou Wallace and duly approved by the Board of Supervisors to approve general county invoices in the amount of \$1,496,495.83 including reoccurring and withholdings.

The vote was:

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

Nay: None

AUTHORIZATION FOR THE COUNTY ATTORNEY TO DRAFT A CONTRACT FOR THE COUNTY ADMINISTRATOR

Motion made by David Eaton, second Steve Breeding and duly approved by the Board of Supervisors to authorize the County Attorney to draft a contract for the County Administrator.

The vote was:

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

Nay: None

Citizens Comment

The Chair opened citizens comment period.

Eric Bryant, Castlewood, asked that the Board consider adopting a noise ordinance for the County.

Jerry Jackson, Honaker, commented that they have no town directory in Honaker. He would like to know who to contact to get one.

Glenda Osborne asked about the fence law in the County.

J.J. Eaton, Honaker, spoke on behalf of the Appalachian Gateway Horse and Trail Association. They will be having their first horse show this coming weekend and wanted the County to consider sponsoring the event for insurance purposes.

Bob Gibson, Castlewood, commented that the proposed football/soccer stadium would be very unfair to the citizens and students in Castlewood.

Linda Couch, Cleveland, asked the Board to contribute to the "Fun Day" event.

Stanley King, Swords Creek, commented that Rt. 632 has a problem with people speeding. He wants to know what he can do to get it reduced.

Kip Parsons, Castlewood, stated that he feels that any funds allotted to the school system for a new stadium should be divided equally to Castlewood, Lebanon and Honaker.

The Chair closed citizens comment period.

County Attorney Reports and Requests

APPROVAL TO RESCIND THE CLOSING OF THE PUBLIC HEARING ON THE ARTICLES OF INCORPORATION FOR THE RUSSELL COUNTY PSA AND THE CWSA

Motion made by Steve Breeding, second David Eaton to rescind the closing of the public hearing on the Articles of Incorporation for the Russell County PSA and the Castlewood Water and Sewage Authority.

The vote was:

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

Nay: None

CARTER MCGLOTHLIN, DAVID EDMONDS, CLIFFORD HESS, CHRIS DYE, JOE HUFF, TERRY POWERS AND CUBA PORTER APPOINTED TO THE RUSSELL COUNTY PSA

Tim Lovelace nominated Carter McGlothlin

Carter McGlothlin was appointed by acclamation to the Russell County PSA for a four (4) year term.

Lou Wallace nominated David Edmonds

David Edmonds was appointed by acclamation to the Russell County PSA for a four (1) year term.

Carl Rhea nominated Clifford Hess

Clifford Hess was appointed by acclamation to the Russell County PSA for a two (2) year term.

David Eaton nominated Chris Dye

Chris Dye was appointed by acclamation to the Russell County PSA for a two (2) year term.

Steve Breeding nominated Joe Huff

Joe Huff was appointed by acclamation to the Russell County PSA for a three (3) year term.

Rebecca Dye nominated Terry Powers

Terry Powers was appointed by acclamation to the Russell County PSA for a three (3) year term.

Harry Ferguson nominated Cuba Porter

Cuba Porter was appointed by acclamation to the Russell County PSA for a one (1) year term.

The terms of The Russell County Public Service Authority will commence once approved by the State Corporation Commission.

APPROVAL OF THE ARTICLES OF INCORPORATION AND JOINDER AGREEMENT FOR THE RUSSELL COUNTY PSA AND THE CASTLEWOOD WATER AND SEWAGE AUTHORITY TO INCLUDE THE (7) SEVEN BOARD MEMBERS FOR THE NEW AUTHORITY

Motion made by Steve Breeding, second David Eaton and duly approved by the Board of Supervisors to approve the Articles of Incorporation and Joinder Agreement to include the (7) seven Board members for the Russell County PSA and the Castlewood Water and Sewage Authority.

The vote was:

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

Nay: None

County Administrator Reports and Requests

APPROVAL OF A TRAVEL REQUEST FOR THE SOLID WASTE DEPARTMENT

Motion made by David Eaton, second Steve Breeding and duly approved by the Board of Supervisors to approve a travel request from the Solid Waste Department.

The vote was:

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

Nay: None

APPROVAL OF A TRAVEL REQUEST FROM THE VICTIM WITNESS DIRECTOR

Motion made by David Eaton, second Steve Breeding and duly approved by the Board of Supervisors to approve a travel request from the Victim Witness Director.

The vote was:

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

Nay: None

APPROVAL OF A TRAVEL REQUEST FROM THE TOURISM DEPARTMENT

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

The vote was:

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

Nay: None

APPROVAL OF A TRAVEL REQUEST FROM THE VOTER REGISTRAR

Motion made by David Eaton, second Lou Wallace and duly approved by the Board of Supervisors to approve a travel request from the Voter Registrar.

The vote was:

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

Nay: None

APPROVAL OF A TRAVEL REQUEST FROM THE VOTER REGISTRAR'S OFFICE

Motion made by David Eaton, second Lou Wallace and duly approved by the Board of Supervisors to approve a travel request from the Voter Registrar's Office.

The vote was:

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

Nay: None

Matters Presented by the Board

APPROVAL TO RECESS THE PUBLIC HEARING FOR THE ARTICLES OF INCORPORATION FOR THE RUSSELL COUNTY PSA AND THE CASTLEWOOD WATER AND SEWAGE AUTHORITY AND ADJOURN TO RECONVENE ON MONDAY, MAY 13, 2019 AT 6:00 PM.

Motion made by Steve Breeding, second David Eaton and duly approved by the Board of Supervisors to approve a recess of the public hearing on the Articles of Incorporation for the Russell County PSA and the Castlewood Water and Sewage Authority and adjourn to reconvene on Monday, May 13, 2019 at 1:00 pm.

The vote was:

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

Nay: None

Clerk of the Board

Chairperson