

September 09, 2019

A regular monthly meeting of the Russell County Board of Supervisors was held on Monday, September 09, 2019 at 6:00 pm at the Russell County Government Center in Lebanon, Virginia. An executive (closed) session was 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
Harry Ferguson
Rebecca Dye

Lonzo Lester, Clerk
Vicki Porter, Deputy Clerk
Katie Patton, County Attorney

Absent:

None

EXECUTIVE (CLOSED) SESSION

Motion made by Harry Ferguson, second Steve Breeding 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 Steve Breeding second David Eaton 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

Invocation by James Nunley, Cedar Pointe Baptist Church followed by the Pledge of Allegiance to the Flag.

APPROVAL OF THE AGENDA

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

The vote was:

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

Nay: None

Presentations

Pat Gray asked the Board to declare the week of September 17-23, 2019 as Constitution Week.

APPROVAL TO DECLARE THE WEEK OF SEPTEMBER 17-23, 2019 AS CONSTITUTION WEEK

Motion made by Steve Breeding, second Tim Lovelace and duly approved by the Board of Supervisors to declare the week of September 17-23, 2019 as Constitution Week.

The vote was:

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

Nay: None

Presentations continued:

John Watson, VDOT brought the Board up to date about secondary road requirements.

Dr. Cantrell, VDH, gave an update of the activities and services offered by the Russell County Health Department.

Board Appointments

SHARON VAN DYKE APPOINTED TO THE LIBRARY BOARD

Motion made by David Eaton, second Carl Rhea and duly approved by the Board of Supervisors to appoint Sharon Van Dyke to the Library Board of Trustees for a (3) three-year term, said term ending September 20, 2021.

The vote was:

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

Nay: None

KAREN DAVIS APPOINTED TO THE LIBRARY BOARD

Motion made by Steve Breeding, second David Eaton and duly approved by the Board of Supervisors to appoint Karen Davis to the Library Board of Trustees for a (3) three-year term, said term ending September 20, 2021.

The vote was:

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

Nay: None

SHARON SARGENT RE- APPOINTED TO THE LIBRARY BOARD

Lou Wallace nominated Sharon Sargent

Tim Lovelace nominated Sherry Little

Sherry Little – (2) two votes – Tim Lovelace and Lou Wallace

Sharon Sargent – (5) five votes – Harry Ferguson, Rebecca Dye, Steve Breeding, David Eaton and Carl Rhea

Sharon Sargent was re-appointed to the Library Board of Trustees for a (3) three-year term, said term ending September 20, 2021.

New Business

APPROVAL OF THE AUGUST 05, 2019 MINUTES

Motion made by Tim Lovelace, second Steve Breeding and duly approved by the Board of Supervisors to approve the August 05, 2019 minutes and dispense with the reading thereof.

The vote was:

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

Nay: None

APPROVAL OF GENERAL COUNTY INVOICES

Motion made by Harry Ferguson, second Tim Lovelace and duly approved by the Board of Supervisors to approve general county invoices in the amount of \$1,377,232.30, including reoccurring and withholdings.

The vote was:

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

Nay: None

Citizens Comment

The Chair opened Citizens Comment period.

Ronnie Sharp, Rosedale commented that the noise from his neighbor keeps his family up at night. He would like to see a noise ordinance in the county.

The Chair closed Citizens Comment period.

County Attorney Reports and Requests

Katie Patton advised the Board on the following issues:

RC Sheriff's Department vehicle surplus request – no action needed

RC Sheriff's Department Lease Agreement for Vehicles – advised to proceed

Dante Depot Purchase – advised to proceed

Dante Property Lease - advised to table

AUTHORIZATION OF A LEASE WITH ENTERPRISE FM TRUST

Motion made by Steve Breeding, second David Eaton and duly approved by the Board of Supervisors to approve a lease and trade in of the Sheriff's Department vehicles with Enterprise FM Trust and authorize the Chairperson to sign said lease.

The vote was:

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

Nay: None

APPROVAL TO PURCHASE THE DANTE DEPOT FROM CSX CORPORATION

Motion made by Lou Wallace, second Steve Breeding and duly approved by the Board of Supervisors to purchase the Dante Depot property from CSX Corporation, Inc. subject to final approval of the County Attorney.

The vote was:

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

Nay: None

The Chair tabled the Dante Depot lease with Contura until the October 06, 2019 meeting.

APPROVAL OF THE RUSSELL COUNTY PSA BY-LAWS

Motion made by Steve Breeding, second David Eaton to approve The Russell County Public Service Authority By-laws as presented subject to County Attorney review.

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

Nay: None

County Administrator Reports and Requests

MARKETTA HORTON'S TOURISM COMMITTEE RESIGNATION ACCEPTED

Motion made by David Eaton, second Steve Breeding and duly approved by the Board of Supervisors to accept the resignation of Marketta Horton from the Tourism Committee.

The vote was:

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

Nay: None

DANNY ALTIZER APPOINTED TO THE TOURISM COMMITTEE

Motion made by Rebecca Dye, second Harry Ferguson and duly approved by the Board of Supervisors to appoint Danny Altizer to the Tourism Committee to fill the unexpired term of Marketta Horton, said term ending June 30, 2023.

The vote was:

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

Nay: None

APPROVAL OF A VA. DRUG TREATMENT COURT DOCKET GRANT

Motion made by David Eaton, second Steve Breeding and duly approved by the Board of Supervisors to approve a Supreme Court of Virginia Drug Treatment Court Docket Grant in the amount of \$90,000.

The vote was:

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

Nay: None

APPROVAL OF A TOBACCO COMMISSION GRANT FOR RUSSELL COUNTY CANNERIES

Motion made by David Eaton, second Lou Wallace and duly approved by the Board of Supervisors to approve a Tobacco Commission Grant for Honaker and Castlewood canneries in the amount of \$131,420.00.

The vote was:

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

Nay: None

APPROVAL OF A TOBACCO COMMISSION GRANT FOR THE RUSSELL COUNTY FAIR ASSOCIATION

Motion made by David Eaton, second Steve Breeding and duly approved by the Board of Supervisors to approve a Tobacco Commission Grant for the Russell County Fair Association in the amount of \$247,500.00.

The vote was:

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

Nay: None

APPROVAL OF A TOBACCO COMMISSION & VDACS MEAT PROCESSING FACILITY FEASIBILITY STUDY GRANT

Motion made by David Eaton, second Steve Breeding and duly approved by the Board of Supervisors to approve a Tobacco Commission and VDACS Meat Processing Facility Feasibility Study Grant in the amount of \$33,320.00.

The vote was:

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

Nay: None

AUTHORIZATION TO PURCHASE AND SELL A SOLID WASTE DISPOSAL TRUCK

Motion made by Carl Rhea, second David Eaton and duly approved by the Board of Supervisors to sell a solid waste disposal truck and authorize the purchase of another one.

The vote was:

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

APPROVAL OF PAYMENT IN LIEU OF TAXES AS REQUESTED BY THE CPRHA

Motion made by Steve Breeding, second Lou Wallace and duly approved by the Board of Supervisors to approve a payment in lieu of taxes for HUD Developments in the amount of \$6291.00 and Pittston Place in the amount of \$2756.00 as requested by the Cumberland Plateau Regional Housing Authority.

The vote was:

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

APPROVAL OF \$7119.17 ADDITIONAL FUNDING FOR THE RCPL

Motion made by Steve Breeding, second David Eaton and duly approved by the Board of Supervisors to approve the appropriation of additional funding in the amount of \$7119.17 from Friends of the Library and the Russell County Genealogy Group for the Russell County Public Library.

The vote was:

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

APPROVAL OF A CLARKS VALLEY PLAT

Motion made by David Eaton, second Steve Breeding and duly approved by the Board of Supervisors to approve a plat as requested by the Russell County Planning Commission for Reece Emory Ball and Stella Mae Ball.

The vote was:

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

APPROVAL OF TRAVEL REQUESTS

Motion made by David Eaton, second Harry Ferguson and duly approved by the Board of Supervisors to approve travel requests from the following departments:

Commissioner of the Revenue, Building Official, County Administrator, Library and Emergency Management

The vote was:

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

APPROVAL TO HONOR TERESA M. CHAFIN AS A MEMBER OF THE VIRGINIA SUPREME COURT

Motion made by David Eaton, second Steve Breeding and duly approved by the Board of Supervisors to place a photo in the Russell County Courthouse or Government Center and to purchase an engraved gavel for Teresa M. Chafin in honor of her appointment to the Virginia Supreme Court.

The vote was:

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

Clerk of the Board

Chairperson