

February 03, 2020

A regular monthly meeting of the Russell County Board of Supervisors was held on Monday, February 3, 2020 beginning at 5:00 pm with 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
Oris Christian

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

Absent:

None

EXECUTIVE (CLOSED) SESSION

Motion made by Steve Breeding, second Oris Christian and duly approved by the Board of Supervisors to enter into Executive (closed) Session pursuant to Section 2.2-3712(5) of the Code of Virginia to discuss legal matters pursuant to 2.2-3712(A), (3), (7) and (8).

The vote was:

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

APPROVAL TO RETURN TO REGULAR SESSION

Motion made by Oris Christian, second Lou Wallace 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 Oris Christian
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
Oris Christian – AYE

Invocation by Danny Breeding, Bradshaw Memorial Church followed by the Pledge of Allegiance to the Flag.

APPROVAL OF THE AGENDA

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

The vote was:

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

Nay: None

Acknowledgement

The Board of Supervisors recognized Phoenix Fleming, a student at Lebanon Middle School for her donation of food to the Russell County Animal Shelter.

Presentations

Josh Horner, Russell County Animal Control and Dr. Michelle Meister gave reports on the animal shelter.

Missy Carter, Russell County Community Work Program updated the board on the activities and projects. She also commented that the trash problem in the county is very concerning.

Rob Goldsmith, People Inc. gave a brief overview of the yearly report.

Toby Edwards, Cumberland Plateau Waste Authority updated the board on the waste authority and the proposed user agreement.

PUBLIC HEARING HELD ON THE NOISE ORDINANCE

Pursuant to being advertised in a local newspaper for (2) two consecutive weeks, a public hearing was held on the Noise Ordinance. The Chair opened the public hearing for comments.

Several citizens spoke concerning the ordinance:

Tommy Hess, Shawn Vance, Nathan Kiser, Daniel Meade, James Hamilton, Jim Lyttle, Michelle Vance, Jody Hicks, Mark Rose and Jay McConnell.

The main concerns were the lack of definition, too vague, overreaching government and the need for more specific language.

The Chair closed the public hearing.

PUBLIC HEARING HELD ON THE LITTER ORDINANCE

Pursuant to being advertised in a local newspaper for (2) two consecutive weeks, a public hearing was held on the Litter Ordinance. The Chair opened the public hearing for comments.

Several citizens spoke concerning the ordinance:

Doug Mays, Daniel Meade, Nathan Kiser, Jim Gwyn, Jim Lyttle and Charlie Hess.

The main concerns were the trash problem increasing, lack of enforcement, the need for a litter control officer, more communication between the board and citizens and transparency.

The Chair closed the public hearing.

APPROVAL TO TABLE THE NOISE ORDINANCE INDEFINITELY

Motion made by Steve Breeding, second David Eaton and duly approved by the Board of Supervisors to table the Noise Ordinance indefinitely and give the public ample notice before another public hearing is held.

The vote was:

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

APPROVAL OF THE LITTER ORDINANCE

Motion made by Steve Breeding, second Tim Lovelace and duly approved by the Board of Supervisors to approve the Litter Ordinance that was previously approved in 2011 with no changes.

The vote was:

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

New Business

APPROVAL OF THE JANUARY 13, 2020 MINUTES

Motion made by Oris Christian, second Tim Lovelace and duly approved by the Board of Supervisors to approve the January 13, 2020 minutes as presented and dispense with the reading thereof.

The vote was:

Aye: Oris Christian, David Eaton, Steve Breeding and Rebecca Dye

Nay: None

Abstain: Lou Wallace, Carl Rhea and Tim Lovelace

APPROVAL OF THE JANUARY 21, 2020 MINUTES

Motion made by David Eaton, second Steve Breeding and duly approved by the Board of Supervisors to approve the January 21, 2020 minutes as presented and dispense with the reading thereof.

The vote was:

Aye: Oris Christian, Rebecca Dye, Steve Breeding and David Eaton

Nay: None

Abstain: Tim Lovelace, Lou Wallace and Carl Rhea

APPROVAL OF GENERAL COUNTY INVOICES

Motion made by Steve Breeding, second Carl Rhea and duly approved by the Board of Supervisors to approve general county invoices in the amount of \$1,101,152.06 including reoccurring and withholdings.

Citizens Comment

Charlie Hess, Lebanon stated that we need strict enforcement for littering.

Kelly McBride Delph, RCPL announced that Friday, February 21, 2020 the Honaker Library will have a DEQ citizens water monitoring training session.

Shawn Vance, Drill has many questions about the recycling project.

Tommy Hess, Swords Creek asked that the County help the Friends of Honaker with projects for children in the Honaker area. The county needs more litter control enforcement.

Mark Rose, thanked the Board for being open-minded with regard to citizen concerns.

APPROVAL OF THE CPRWMA USER AGREEMENT

Motion made by Steve Breeding, second David Eaton and duly approved by the Board of Supervisors to approve the Cumberland Plateau Regional Waste Management Authority user agreement.

The vote was:

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

Nay: None

County Administrator Reports and Requests

The County Administrator introduced Heather Powers, our new Tourism Coordinator.

APPROVAL TO CONSIDER THE RUSSELL COUNTY PROJECT MANAGEMENT CONTRACT ON MARCH 02, 2020

Motion made by Lou Wallace, second Steve Breeding and duly approved by the Board of Supervisors to consider the approval of the Russell County Project Management Contract at the March 02, 2020 meeting.

The vote was:

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

APPROVAL OF VIRGINIA NEXT GENERATION 911 PROPOSAL ACCEPTANCE LETTER

Motion made by Steve Breeding, second Lou Wallace and duly approved by the Board of Supervisors to approve a Virginia Next Generation 911 Proposal Acceptance Letter (PAL).

The vote was:

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

APPROVAL OF MUTUAL AID AGREEMENTS WITH SCOTT, DICKENSON, SMYTH, TAZEWELL, WASHINGTON AND BUCHANAN COUNTY

Motion made by Steve Breeding, second David Eaton and duly approved by the Board of Supervisors to approve mutual aid agreements as corrected between the Russell County Sheriff's Department and the following counties: Scott, Dickenson, Smyth, Tazewell, Washington and Buchanan.

The vote was:

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

APPROVAL OF A RESOLUTION OF SUPPORT FOR THE G3 INITIATIVE

Motion made by Lou Wallace, second Oris Christian and duly approved by the Board of Supervisors to approve a Resolution of Support for the G3 Initiative ("Get a Skill, Get a Job, Give Back").

The vote was:

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

APPROVAL OF A TRAVEL REQUEST BY THE BUILDING OFFICIAL

Motion made by David Eaton, second Carl Rhea and duly approved by the Board of Supervisors to approve a travel request for the building official.

The vote was:

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

APPROVAL OF A DEQ CITIZENS WATER MONITORING GRANT

Motion made by David Eaton, second Carl Rhea and duly approved by the Board of Supervisors to approve and appropriate a Department of Environmental Quality Citizens Water Monitoring Grant for the Russell County Public Library in the amount of \$3056.852.

The vote was:

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

Nay: None

The Chair appointed Steve Breeding and Tim Lovelace to serve on the Insurance Committee.

APPROVAL TO ADJOURN

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

The vote was:

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

Nay: None

Clerk of the Board

Chairperson