

June 17, 2020

A reconvened meeting of the Russell County Board of Supervisors was held on Wednesday, June 17, 2020 beginning with an Executive (closed) Session at 5:00 pm followed by the regular meeting at 6:00 pm at the Russell County Government Center in Lebanon, Virginia.

The Clerk called the meeting back 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 personnel and legal matters pursuant to 2.2-3711(A), (1), (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 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 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 Chairperson Rebecca Dye followed by the Pledge of Allegiance to the Flag.

APPROVAL OF THE AGENDA

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

The vote was:

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

PUBLIC HEARING HELD ON THE FY 2020/2021 GENERAL OPERATING BUDGET

Pursuant to being advertised in a local newspaper for two (2) consecutive weeks, a public hearing was held on the FY2020/2021 General Operating Budget. The Chair opened the public hearing to comments, hearing none the public hearing was closed.

APPROVAL OF FY 2020/2021 GENERAL OPERATING BUDGET

Motion made by Tim Lovelace, second Lou Wallace and duly approved by the Board of Supervisors to approve the FY 2020/2021 General Operating Budget.

The vote was:

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

FOREWORD

THE COUNTY OPERATING BUDGET FOR FISCAL YEAR 2020-2021 (JULY 1, 2020 THROUGH JUNE 30, 2021) PRESENTED IN THIS DOCUMENT WAS ADOPTED AND APPROPRIATED BY RESOLUTION OF THE RUSSELL COUNTY BOARD OF SUPERVISORS ON JUNE 17, 2020. THE COUNTY OPERATING BUDGET IS PREPARED AND APPROVED PURSUANT TO §15.2-2503 OF THE 1950 CODE OF VIRGINIA. AMENDMENTS TO THE COUNTY OPERATING BUDGET AS MAY BE APPROVED BY THE RUSSELL COUNTY BOARD OF SUPERVISORS DURING THE COURSE OF FISCAL YEAR 2020-2021 WILL NOT BE SET OUT IN THIS DOCUMENT.

RUSSELL COUNTY BOARD OF SUPERVISORS

Rebecca Dye, Chairperson

Supervisor Election District 6

Steve Breeding, Vice-Chairman

Supervisor Election District 5

Tim Lovelace

Supervisor Election District 1

Lou Ann Wallace

Supervisor Election District 2

Carl Rhea

Supervisor Election District 3

David Eaton

Supervisor Election District 4

Oris Christian

Supervisor Election At-Large

Lonzo Lester

County Administrator

Katie Patton

County Attorney

A RESOLUTION TO APPROVE THE BUDGETS, AS AMENDED, AND APPROPRIATE FUNDS FOR THE COUNTY OF RUSSELL AND THE RUSSELL

COUNTY SCHOOL DIVISION FOR THE FISCAL YEAR BEGINNING JULY 1, 2020, AND ENDING JUNE 30, 2021

WHEREAS, the Budget/Finance Committee has submitted to the Russell County Board of Supervisors a proposed annual budget for the County for the fiscal year beginning July 1, 2020, and ending June 30, 2021, which has been reviewed by the Board of Supervisors; and

WHEREAS, it is necessary to adopt said budget and appropriate sufficient funds to cover the requirements included therein; and

WHEREAS, the Board of Supervisors, in exercising its independent judgment and in concert with the Russell County School Board, has considered the school's annual operating budget; and

WHEREAS, after considering the availability of local funds, approval of the Russell County School Board's Fiscal Year 2020/2021 Educational Budget is based upon funding from the federal government in the amount of \$5,156,575; from the state government in the amount of \$30,101,103; from the local appropriations in the amount of \$9,101,317; and other local revenues in the amount of \$753,554;

BE IT FURTHER RESOLVED that the annual budget in the sum of \$1,896,428 for fiscal year 2020/2021 be, and is hereby, approved for the operation of food service programs authorized and approved by the Russell County School Board subject to and contingent upon the availability of funds;

BE IT STILL FURTHER RESOLVED that the \$9,101,317 appropriated above from the General Fund for Education, includes \$8,024,781 for the local contribution to the School Division for support of the School operation budget;

BE IT STILL FURTHER RESOLVED that an annual appropriation in the sum of \$1,076,536 for fiscal year 2020/2021 be, and is hereby, made for school debt service; for a total amount of \$9,101,317 appropriated for the Russell County School Division subject to and contingent upon the availability of funds;

NOW THEREFORE, BE IT RESOLVED by the Russell County Board of Supervisors this 17th day of June 2020, that the fiscal year 2020/2021 annual budget of the Russell County School Division for school operations in the amount of \$47,008,977 be, and is hereby, approved subject to and contingent upon the availability of funds as indicated in the preamble hereto;

BE IT STILL FURTHER RESOLVED that the following annual appropriations for fiscal year 2020/2021 be, and are hereby, made in the General Fund for the following functions:

<u>Function</u>	<u>Amount</u>
General Administration	\$ 1,873,546
Judicial Administration	2,376,631
Public Safety	5,978,870
Environmental Control	1,777,064
General Services	909,379

Health and Welfare	1,311,530
Education	9,268,266
Parks, Recreation & Cultural	535,282
Community Development	302,626
Non-Departmental	211,250
Capital Outlay & Transfers to Other Funds	266,614
Debt Service	<u>981,900</u>
Total General Fund	<u>\$ 25,792,958</u>

BE IT STILL FURTHER RESOLVED that the County Administrator be, and is hereby, authorized to transfer the appropriations in the General Fund Non-Departmental function to the related categories in the various General Fund functions.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$150,000 for fiscal year 2020/2021 be, and is hereby, made in the Coal Road Fund.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$197,052 for fiscal year 2020/2021 be, and is hereby, made in the Southwest Virginia ASAP Fund.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$5,210,980 for fiscal year 2020/2021, and is hereby, made in the Social Services Fund for the Russell County Department of Social Services and is hereby, approved subject to and contingent upon the availability of funds as indicated in the preamble hereto.

BE IT STILL FURTHER RESOLVED that the annual appropriation of the Social Services Fund be, and is hereby, increased if and when additional federal and/or state funds or local contributions become available. The County Administrator shall advise the Board of Supervisors in writing of all such actions.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$1,720,700 for fiscal year 2020/2021 be, and is hereby, made in the Comprehensive Services Act Fund and is hereby, approved subject to and contingent upon the availability of funds as indicated in the preamble hereto.

BE IT STILL FURTHER RESOLVED that the County Treasurer, upon receipt of a written order from the County Administrator, is authorized to advance funds between the several County funds under his custody provided, however, that the total advanced to any particular fund, plus the amount of funds disbursed from that fund, does not exceed the annual appropriation of said fund.

BE IT STILL FURTHER RESOLVED that, the County Administrator shall be, and is hereby, authorized to do all things necessary to apply for federal and state library aid and in addition, the annual appropriation for library operations.

BE IT STILL FURTHER RESOLVED that, the County Treasurer shall be, and is hereby, authorized to implement of service fee for credit and debit card payments.

BE IT STILL FURTHER RESOLVED that, upon receiving notice of grant or program opportunities offered by various federal, state, local and other outside organizations, the County Administrator or her designee be, and is hereby designated as the agent to execute the necessary

grant or program application and other documentation, unless the terms of the grant or program require specific actions by the Board, to give such assurances as may be required by the agreement subject to approval as to form by legal review and to provide such additional information as may be required by the awarding organization. Funding awarded shall be subject to appropriation by the Board of Supervisors prior to expenditure.

BE IT STILL FURTHER RESOLVED that interest earned on grant and program awards received from federal, state, local and other outside organizations be, and is hereby, appropriated to the appropriate functional area to be expended in accordance with guidelines as established by the organizations.

BE IT STILL FURTHER RESOLVED that additional funds received for various County programs, including contributions and donations, be, and are hereby, appropriated for the purpose established by each program.

BE IT STILL FURTHER RESOLVED that funds received for the off-duty employment by deputy sheriff's programs be, and hereby are, appropriated in the General Fund to cover the costs of the program.

BE IT STILL FURTHER RESOLVED that upon receipt of written notification from the State Compensation Board of additional funds for the Constitutional Officers (Commonwealth's Attorney, Sheriff, Clerk of Court, Treasurer and Commissioner of the Revenue) be, and are hereby, appropriated in the General Fund to be expended in accordance with guidelines as established by the state government.

BE IT STILL FURTHER RESOLVED that the annual contributions that are hereby appropriated shall be disbursed on a monthly basis with the amount disbursed not to exceed one-twelfth of the total appropriation, unless otherwise agreed upon. Contributions to the Russell County School Division and the Russell County Department of Social Services are exempt from this limitation. In addition, the County Administrator may require written reports on how previous allocation(s) was/were spent before any future disbursements are made.

BE IT STILL FURTHER RESOLVED that the funds be, and are hereby, appropriated for fiscal year 2020/2021 in the various funds for continuing capital and special projects and grants as of June 30, 2021 not to exceed the Restricted, Committed and Assigned Fund Balances as recorded in the County's audited accounting records. The County Administrator shall advise the Board of Supervisors in writing of all such actions.

BE IT STILL FURTHER RESOLVED that the County Administrator be, and is hereby, authorized to transfer funds within appropriation functions. These transfers may be made to allow the disbursement of funds for unanticipated costs incurred in daily County operations and any such transfer may not result in a change in the total appropriated within the function.

BE IT STILL FURTHER RESOLVED that the County Administrator is hereby the authorized signer for the County petty cash account available to allow for emergency purchases in daily County operations.

BE IT STILL FURTHER RESOLVED that the Board of Supervisors may amend this budget to adjust the aggregate amount to be appropriated during the current fiscal year as prescribed by § 15.2-2507 of the Code of Virginia of 1950, as amended, for all Russell County Departments, Russell County School Divisions, and Russell County Constitutional Offices.

New Business

APPROVAL TO DRAFT A LETTER TO CONGRESSMAN GRIFFITH CONCERNING FEMA FUNDING LIMITS

Motion made by David Eaton, second Carl Rhea and duly approved by the Board of Supervisors to draft a letter to Congressman Morgan Griffith to request that FEMA funding levels be more favorable for localities in Southwest Virginia.

The vote was:

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

Nay: None

APPROVAL OF THE RC EMERGENCY OPERATIONS PLAN

Motion made by Carl Rhea, second Oris Christian and duly approved by the Board of Supervisors to approve the Russell County Emergency Management Emergency Operations Plan.

The vote was:

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

Nay: None

Citizens Comment

The Chair opened citizens comment period. Hearing none, citizens comment was closed.

APPROVAL OF A PRE-APPLICATION FOR AN ECONOMIC DEVELOPMENT ACCESS ROAD

Motion made by Steve Breeding, second Tim Lovelace and duly approved by the Board of Supervisors to authorize a pre-application for an economic development access road for Southwest Livestock LLC with no county funds utilized.

The vote was:

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

Nay: Rebecca Dye

REBECCA DYE APPOINTED TO THE CIFA BOARD

Lou Wallace nominated Rebecca Dye

Steve Breeding nominated David Eaton

David Eaton: three (3) votes: Steve Breeding, Carl Rhea and David Eaton

Rebecca Dye – four (4) votes: Lou Wallace, Oris Christian, Tim Lovelace and Rebecca Dye

Rebecca Dye was appointed to the Cumberland Industrial Facilities Authority for a four (4) year term, said term ending June 17, 2024.

TONY DODI APPOINTED TO THE CIFA BOARD

David Eaton nominated Ernie McFadden

Tim Lovelace nominated Tony Dodi

Tony Dodi- Four (4) votes: Tim Lovelace, Rebecca Dye, Oris Christian and Lou Wallace
Ernie McFaddin – three (3) votes: David Eaton, Steve Breeding and Carl Rhea

Tony Dodi was appointed to the Cumberland Industrial Facilities Authority for a four (4) year term, said terms ending June 17, 2024.

VICTORIA GENT APPOINTED TO THE TOURISM ADVISORY COMMITTEE

Steve Breeding nominated Victoria Gent, hearing no other nominations Mrs. Gent was appointed to the Tourism Advisory Board by acclamation to fill the unexpired term of Brandon Blevins, said term ending June 30, 2023.

The vote was:

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

ACCEPTANCE OF JEFF HESS' RESIGNATION FROM THE TOURISM ADVISORY COMMITTEE

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

The vote was:

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

JAMIE BALL APPOINTED TO THE TOURISM ADVISORY COMMITTEE

David Eaton nominated Jamie Ball

Motion made by Tim Lovelace, second Steve Breeding that nominations cease and appoint Jamie Ball to the Tourism Advisory Committee by acclamation to fill the unexpired term of Jeff Hess, said term ending August 30, 2022.

The vote was:

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

County Administrator Reports and Requests

APPROVAL OF A CDGB GRANT AGREEMENT FOR THE CLEVELAND SEWER PLANT

Motion made by Carl Rhea, second Steve Breeding and duly approved by the Board of Supervisors to approve a CDGB Planning Grant Agreement for the Cleveland Sewer Treatment Plant.

The vote was:

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

Nay: None

APPROVAL OF LETTER OF ENGAGEMENT WITH ROBINSON, FARMER AND COX AUDIT FIRM

Motion made by Steve Breeding, second Lou Wallace and duly approved by the Board of Supervisors to authorize the Chair to sign an engagement letter with Robinson, Farmer and Cox for the FY 2020/2021 county audit.

The vote was:

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

Nay: None

APPROVAL OF A \$1,000,000 LOAN FROM FIRST BANK AND TRUST FOR THE RUSSELL COUNTY IDA

Motion made by Steve Breeding, second David Eaton and duly approved by the Board of Supervisors to approve a loan from First Bank and Trust not to exceed \$1,000,000 to the Russell County Industrial Development Authority to make the necessary renovations to the Government Center and the Russell County Sheriff's Office.

The vote was:

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

Nay: None

APPROVAL TO ADJOURN

Motion made by Steve Breeding, second David Eaton and duly approved by the Board of Supervisors to adjourn and move the July 6, 2020 meeting to the Russell County Conference Center.

The vote was:

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

Nay: None

Clerk of the Board

Chairman