

December 09, 2020

A regular monthly meeting of the Russell County Board of Supervisors was held on Wednesday, December 09, 2020 beginning with Executive (closed) Session at 5:00 pm, followed by the regular meeting at 6:00 pm in the Russell County Conference 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
Oris Christian
Rebecca Dye

Lonzo Lester, Clerk
Katie Patton, County Attorney

Absent:

None

EXECUTIVE (CLOSED) SESSION

Motion made by Steve Breeding, second David Eaton and duly approved by the Board of Supervisors to enter Executive (closed) Session to discuss legal matters pursuant to Section 2.2-3711(a) (1)(3)(7)(8) – Legal Discussions concerning Personnel Matters; Little League Property Lease; RC PSA Consolidation; Transfer of County Property to County IDA; County’s Opioid Litigation; and Northrop Grumman Litigation.

The vote was:

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

APPROVAL TO RETURN TO REGULAR SESSION

Motion made by Steve Breeding, second Tim Lovelace duly approved by the Board of Supervisors to return to regular session.

The vote was:

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

PUBLIC HEARING HELD ON THE BELFAST WATERLINE EXTENSION, PHASE III

Pursuant to being advertised in a local newspaper for two (2) consecutive weeks, a public hearing was held on the Belfast Waterline Extension, Phase III. The Chair opened to the public hearing to comments.

Debbie Melton, Cumberland Plateau Planning District Commission gave an overview (by phone) of the project and funding sources for the Belfast Waterline Extension, Phase III.

The Chair closed the public hearing.

PUBLIC HEARING HELD ON THE RUSSELL COUNTY EROSION AND SEDIMENT ORDINANCE

Pursuant to being advertised in a local newspaper for two (2) consecutive weeks, a public hearing was held on the Russell County Erosion and Sediment Ordinance.

The County Administrator explained that the new ordinance will replace the old one that no longer meets the requirements of the Virginia Department of Environmental Quality.

The Chair opened the public hearing to comments. Hearing none the public hearing was closed.

PUBLIC HEARING HELD ON IDA PROPERTY TRANSFER TO RUSSELL COUNTY

Pursuant to being advertised in a local newspaper for two (2) consecutive weeks, a public hearing was held on property that had been previously transferred to the Russell County Industrial Development Authority be given back to the County. Chairman of the Russell County IDA Ernie McFadden commented that the property was not being used.

The Chair opened the public hearing to comments. Hearing none the public hearing was closed.

PRESENTATIONS

D. Gregory Brown, Superintendent of Russell County Schools gave a presentation concerning the revitalization of skilled labor programs and courses offered by the school system. He stated that the revitalization of the horticulture and beef management programs have been a success. He asked the Board to consider erecting a shell building at Lebanon High School that would enable them to offer skilled labor programs to Russell County students. He stated that the school system has several pieces of equipment that are ready to be used.

Jess Powers, Emergency Management Coordinator gave a detailed overview of external funding for emergency management.

APPROVAL OF THE NOVEMBER 02, 2020 MINUTES

Motion made by Steve Breeding, second Tim Lovelace and duly approved by the Board of Supervisors to approve the November 02, 2020 minutes and dispense with the reading thereof.

The vote was:

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

APPROVAL OF GENERAL COUNTY INVOICES

Motion made by David Eaton, second Carl Rhea and duly approved by the Board of Supervisors to approve general county invoices in the amount of \$587,866.90, including reoccurring and withholdings.

The vote was:

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

Committee Appointments

DRILL COMMUNITY CENTER BOARD RE-APPOINTED

Motion made by David Eaton, second Tim Lovelace and duly approved by the Board of Supervisors to re-appoint Charlene Blankenship, Rachel Helton, Doug Lester, Harold D. Thomas, and Betty Sue Hess to the Drill Community Center Board for two (2) year terms, said terms ending December 31, 2022.

The vote was:

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

Citizens Comment

The Chair opened citizen's comment.

Jim Lyttle, Tourism Advisory Committee Chairman stated that a course is being offered for an Eco Tour Guide certification. He asked that anyone interested should enroll.

Gary Conner, Castlewood commented that small business' in Russell County are hurting with all the restrictions that have come down from the state. He asked what the County could do for them.

Kyle Lamb, Coeburn commented that Kelsey King would be a good appointment to the Spearhead Trails Board.

Citizens Comment was closed.

County Attorney Reports and Requests

Katie Patton, County Attorney asked the Board to take action on the public hearing concerning the transfer of property from the IDA back to the County and approve a Resolution to enter into an interim agreement with JA Street and Associates for the courthouse project. She also asked that action be taken on the Russell County PSA Lenders' Agreements and Key Western Property Easement. She advised that the Clinch River Little League lease be honored.

APPROVAL TO AMEND THE AGENDA

Motion made by David Eaton, second Lou Wallace and duly approved by the Board of Supervisors to amend the agenda to include action on the property transfer from the IDA back to the County.

The vote was:

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

APPROVAL OF A RESOLUTION FOR AN INTERIM AGREEMENT WITH JA STREET AND ASSOCIATES FOR THE COURTHOUSE PROJECT

Motion made by Steve Breeding, second Lou Wallace and duly approved by the Board of Supervisors to approve a Resolution for an Interim Agreement with J. A. Street and Associates for the Courthouse Project.

The vote was:

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

PUBLIC HEARING TO BE HELD ON THE INTERIUM AGREEMENT WITH JA STREET AND ASSOCIATES

Motion made by Oris Christian, second Carl Rhea and duly approved by the Board of Supervisors to have a continued meeting of the January 04, 2020 Board of Supervisors meeting for the purpose of having a public hearing on the Interim Agreement with J. A. Street and Associates for the Courthouse Project on Wednesday, January 13, 2020 at 5:00 PM at the Russell County Conference Center in Lebanon, Virginia.

The vote was:

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

APPROVAL OF THE RUSSELL COUNTY EROSION AND SEDIMENT ORDINANCE

Motion made by Lou Wallace, second Carl Rhea and duly approved by the Board of Supervisors to approve the Russell County Erosion and Sediment Ordinance.

The vote was:

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

APPROVAL OF THE VIRGINIA RESOURCE AUTHORITY AND THE RUSSELL COUNTY PSA LENDERS AGREEMENTS

Motion made by Steve Breeding, second David Eaton and duly approved by the Board of Supervisors to approve the VRA and Russell County PSA lenders agreements pending legal counsel review.

The vote was:

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

APPROVAL OF AN EASEMENT WITH KEY WESTERN PROPERTY

Motion made by Steve Breeding, second Carl Rhea and duly approved by the Board of Supervisors to approve a right of way Easement with Key Western Property.

The vote was:

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

Nay: None

APPROVAL OF A SHORT-TERM LOAN FOR THE RUSSELL COUNTY PSA

Motion made by Steve Breeding, second David Eaton and duly approved by the Board of Supervisors to authorize the Chair to sign a short-term loan for The Russell County Public Service Authority in order to pay vendors upon finalization by legal counsel.

The vote was:

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

Nay: None

APPROVAL OF A TRANSFER OF PROPERTY FROM THE RUSSELL COUNTY IDA TO THE COUNTY

Motion made by David Eaton, second Steve Breeding and duly approved by the Board of Supervisors to approve the transfer of property from the Russell County IDA to the County.

The vote was:

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

Nay: None

County Administrator Reports and Requests

The VDOT Six (6) Year Plan was discussed by Jeff Buchanan, Resident Engineer with VDOT.

The County Administrator commented that the canneries would be closing on January 14, 2020.

APPROVAL TO SUSPEND APPLICATIONS FOR RUSSELL COUNTY CARES BUSINESS GRANTS

Motion made by Steve Breeding, second David Eaton and duly approved by the Board of Supervisors to suspend the acceptance of applications for the Russell County Cares Business Grants.

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

Nay: None

APPROVAL OF THE RUSSELL COUNTY CARES BUSINESS GRANTS

Motion made by Tim Lovelace, second Carl Rhea and duly approved by the Board of Supervisors to approve the Russell County Cares Business Grants.

The vote was:

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

Nay: None

Abstain: David Eaton

APPROVAL OF THE RUSSELL COUNTY PANDEMIC/HAZARD PAY FOR RUSSELL COUNTY EMPLOYEES

Motion made by David Eaton, second Steve Breeding and duly approved by the Board of Supervisors to approve hazard pay of \$500 per employee (full and part time) unless the employee has previously received additional pay from other funding sources.

The vote was:

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

Nay: None

APPROVAL OF A RESOLUTION OF NON-SUPPORT FOR THE DISCONTINUANCE OF RTE. 671 AND RTE. 678

Motion made by Tim Lovelace, second Steve Breeding and duly approved by the Board of Supervisors to approve a Resolution of Non-Support for the discontinuance of Rte. 671 and Rte. 678 as requested by VDOT.

The vote was:

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

Nay: None

APPROVAL OF FAST TRACK TO BROADBAND PROJECTS GRANT

Motion made by Steve Breeding, second Lou Wallace and duly approved by the Board of Supervisors to approve a Fast-Track Broadband Projects Grant in the amount of \$155,000 for the Flats Circle Project.

The vote was:

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

Nay: None

APPROVAL OF A RUSSELL COUNTY LITTER PREVENTION AND RECYCLING GRANT

Motion made by David Eaton, second Lou Wallace and duly approved by the Board of Supervisors to accept and appropriate a Litter Prevention and Recycling Grant.

The grant will be distributed as follows:

Russell County \$7910

Town of Lebanon \$1663

Town of Honaker \$1032

Town of Cleveland \$1663

The vote was:

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

Nay: None

APPROVAL OF THE RUSSELL COUNTY EMERGENCY OPERATIONS CENTER GENERATOR GRANT

Motion made by Steve Breeding, second Tim Lovelace and duly approved by the Board of Supervisors to approve the Russell County Emergency Operations Center Generator Grant through the Hazard Migration Grant Program.

The vote was:

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

Nay: None

APPROVAL OF PAYMENT IN LIEU OF TAXES FOR PITTSTON PLACE AND HUD DEVELOPMENT

Motion made by Steve Breeding, second David Eaton and duly approved by the Board of Supervisors to approve a payment in lieu of taxes for Pittston Place (\$2808.75) and HUD Development (\$4161.29) as requested by the Cumberland Plateau Regional Housing Authority.

The vote was:

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

Nay: None

APPROVAL OF THE ANNUAL EMPLOYEE TURKEY/HAM GIFT CERTICATES

Motion made by David Eaton, second Steve Breeding and duly approved by the Board of Supervisors to approve the annual \$20 gift certificate for a turkey/ham for county employees.

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

Nay: None

APPROVAL OF ADDITIONAL HOLIDAY LEAVE FOR COUNTY EMPLOYEES

Motion made by David Eaton, second Carl Rhea and duly approved by the Board of Supervisors to give additional holiday leave to county employees that will include December 23 – 4 hours and December 31, 2020 – 8 hours.

The vote was:

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

Nay: None

APPROVAL OF A PLAT FOR THE RUSSELL COUNTY PLANNING COMMISSION

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.

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

Nay: None

The Chair appointed Tim Lovelace and Rebecca Dye to meet with two board members from the Russell County PSA.

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, Carl Rhea, Steve Breeding, Lou Wallace, Rebecca Dye and Oris Christian

Nay: None

Clerk of the Board

Chairperson