

May 03, 2021

A regular monthly meeting of the Russell County Board of Supervisors was held on Monday, May 03, 2021 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:**

Rebecca Dye  
Tim Lovelace  
Lou Wallace  
David Eaton  
Carl Rhea  
Steve Breeding  
Oris Christian

Lonzo Lester, Clerk  
Vicki Porter, Deputy 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 into Executive (closed) Session to discuss Legal Matters pursuant to Section 2.2-3711(A)(3)(7)(8) – Legal Discussions concerning Northrop Grumman Corporation.

The vote was:

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

**APPROVAL TO RETURN TO REGULAR SESSION**

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

The vote was:

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

### **CERTIFICATION OF 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 Carl Rhea, second Steve Breeding and duly approved by the Board of Supervisors to approve the agenda.

The vote was:

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

### **APPROVAL OF THE AGENDA**

Motion made by Lou Wallace, second Oris Christian and duly approved by the Board of Supervisors to amend the agenda.

The vote was:

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

**PUBLIC HEARING HELD ON THE VDOT SECONDARY SIX (6) YEAR PLAN FOR FY 2021/22 – 2026/27**

Pursuant to being advertised in a local newspaper for two (2) consecutive weeks, a public hearing was held on the VDOT Secondary Six (6) Year Plan. The Chair opened the public hearing to comments. Hearing none, the public hearing was closed.

**PUBLIC HEARING HELD ON THE CIGARETTE TAX ORDINANCE**

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

Several citizens voiced opinions including Shawn Vance, Jennifer Chumbley and Dustin Keith.

The public hearing was closed.

**PUBLIC HEARING HELD ON THE FOOD AND BEVERAGE TAX ORDINANCE**

Pursuant to being advertised in a local newspaper for two (2) consecutive weeks, a public hearing was held on the Food and Beverage Ordinance. The Chair opened the public hearing to comments, hearing none, the public hearing was closed.

**Presentations**

Donald Purdie, President of the Appalachian Council for Innovation gave a presentation on the Space X Star Link project. This project could provide internet access for homes that currently have no access through satellites.

**New Business**

**APPROVAL OF THE APRIL 05, 2021 MINUTES**

Motion made by Tim Lovelace, second David Eaton and duly approved by the Board of Supervisors to approve the April 05, 2021 minutes as presented and dispense with the reading thereof.

The vote was:

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

Nay: None

**APPROVAL OF THE APRIL 12, 2021 MINUTES**

Motion made by Lou Wallace, second Steve Breeding and duly approved by the Board of Supervisors to approve the April 12, 2021 minutes as presented and dispense with the reading thereof.

The vote was:

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

Nay: None

### **APPROVAL OF GENERAL COUNTY INVOICES**

Motion made by Lou Wallace, second Steve Breeding and duly approved by the Board of Supervisors to approve general county invoices in the amount of \$1,276,608.82 including withholdings and reoccurring.

The vote was:

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

### **PLANNING COMMISSION APPOINTMENT TABLED**

Motion made by Oris Christian, second David Eaton and duly approved by the Board of Supervisors to table the Planning Commission appointment.

The vote was:

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

### **Citizens Comment**

The Chair opened citizens comment period.

**Michelle Vance, Lebanon** commented that a Star Project request to rent the Givens School building was not handled appropriately. She stated that they deserved an apology from the county administrator.

**Michael Hale, Lebanon** commented that his road is being used more and more by the Russell County PSA. He thinks that they need to help maintain it.

**Jerry Connor, Castlewood** asked that the county do something about the illegal businesses that all around the county instead of taxing the existing ones.

**Gose Dickenson, Castlewood** asked if there was anything the Board could do to help him with a piece of property that he shares ownership of mineral rights. He says the property needs to be sold due to delinquent taxes.

The Chair closed citizens' comment.

### **County Attorney Reports and Requests**

### **APPROVAL OF THE CIGARETTE TAX ORDINANCE**

Motion made Lou Wallace, second Steve Breeding and duly approved by the Board of Supervisors to accept the Cigarette Tax Ordinance subject to some minor changes by the County Attorney.

The vote was:

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

**APPROVAL OF THE FOOD AND BEVERAGE TAX ORDINANCE**

Motion made Lou Wallace, second Steve Breeding and duly approved by the Board of Supervisors to accept the Food and Beverage Tax Ordinance subject to minor changes by the County Attorney.

The vote was:

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

Nay: None

**APPROVAL FOR A RFQ FOR THE PROJECT JONAH BUILDING CONSTRUCTION & ENVIRONMENTAL INSPECTION SERVICE**

Motion made by David Eaton, second Steve Breeding and duly approved by the Board of Supervisors to approve a Request for Qualifications for the Project Jonah Building Construction and Environmental Inspection Service.

The vote was:

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

Nay: None

**County Administrator Reports and Requests**

**APPROVAL OF THE ARTY LEE CAMPGROUND APPLICATION**

Motion made by Lou Wallace, second Oris Christian and duly approved by the Board of Supervisors to accept the Arty Lee Campground (VDH) Application.

The vote was:

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

Nay: None

**APPROVAL OF THE VDOT SECONDARY SIX (6) YEAR PLAN FOR FY 2021/2022 TO FY 2026/2027**

Motion made by Tim Lovelace, second Carl Rhea and duly approved by the Board of Supervisors to approve accept the Virginia Department of Transportation Secondary Six (6) Year Plan for FY 2021-22 to 2026-27.

The vote was:

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

Nay: None

**APPROVAL OF THE OLDER AMERICANS' PROCLAMATION FOR MAY 2021**

Motion made by David Eaton, second Oris Christian and duly approved by the Board of Supervisors to approve the Older Americans Proclamation for the month of May 2021.

The vote was:

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

Nay: None

**PUBLIC HEARING TO BE HELD ON THE FY 2021/2022 BUDGET AND CY 2022 TAX RATES**

Motion made by David Eaton, second Lou Wallace and duly approved by the Board of Supervisors to hold a public hearing on the FY 2021-2022 Budget and CY 2022 Tax Rates on Wednesday, May 19, 2021 at 5:00 pm.

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

**EMERGENCY MANAGEMENT DEPUTY POSITION CHANGED TO PART-TIME**

Motion made by David Eaton, second Steve Breeding and duly approved by the Board of Supervisors to change the status of the Emergency Management deputy position to part-time.

The vote was:

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

**APPROVAL TO HIRE A PART- TIME EMERGENCY MANAGEMENT DEPUTY**

Motion made by David Eaton, second Steve Breeding and duly approved by the Board of Supervisors to hire a part-time Deputy Emergency Management Coordinator.

The vote was:

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

**APPROVAL OF A FULL TIME ASSISTANT REGISTRAR AT A SALARY OF \$24,960**

Motion made by Oris Christian, second Tim Lovelace and duly approved by the Board of Supervisors to hire a full- time Assistant Registrar at a salary of \$24,960.00.

The vote was:

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

**APPROVAL TO ADVERTISE FOR A FULL-TIME CUSTODIAN**

Motion made by David Eaton, second Steve Breeding and duly approved by the Board of Supervisors to advertise for a full-time custodian for the Russell County Courthouse.

The vote was:

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

**\$500 APPROPRIATED FOR EACH TOWN FOR INDEPENDENCE DAY CELEBRATIONS**

Motion made by David Eaton, second Carl Rhea and duly approved by the Board of Supervisors to appropriate \$500.00 each to the Town of Lebanon, the Town of Honaker, and the Town of Cleveland for Independence Day celebration expenses.

The vote was:

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

Nay: None

#### **APPROVAL OF A RESOLUTION OF SUPPORT FOR C-PROP**

Motion made by Lou Wallace, second David Eaton and duly approved by the Board of Supervisors to draft a resolution of support to the Cumberland Plateau Planning District for the Cumberland Plateau Regional Opportunity Program.

The vote was:

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

Nay: None

Abstain: Steve Breeding

#### **APPROVAL TO EVALUATE THE CONDITION OF THE BALLPARKS IN THE COUNTY**

Motion made by David Eaton, second Steve Breeding and duly approved by the Board of Supervisors to evaluate the condition of the ballparks in the county.

The vote was:

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

Nay: None

#### **THE CLEVELAND AMPHITHEATER NAMED FOR THE RABBIT RIDGE PEA PICKERS**

Motion made by David Eaton, second Steve Breeding and duly approved by the Board of Supervisors to name the Cleveland Amphitheater after the Rabbit Ridge Pea Pickers.

The vote was:

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

Nay: None

Abstain: Carl Rhea

#### **APPROVAL TO ADJOURN TO RECONVENE**

Motion made by David Eaton, second Steve Breeding and duly approved by the Board of Supervisors to adjourn to reconvene on Wednesday, May 19, 2021 at 5:00 pm.

The vote was:

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

Nay: None

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Clerk of the Board

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Chairperson