

December 06, 2021

A regular monthly meeting of the Russell County Board of Supervisors was held on Monday, December 06, 2021, beginning at 3:00 pm with Executive (closed) Session followed by the regular meeting at 4:00 pm at the Russell County Government Center in Lebanon, Virginia.

The Clerk called the meeting to order.

Roll all by the Clerk:

Present:

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

Lonzo Lester, Clerk
Katie Patton, County Attorney
Loretta Vance, Secretary

Absent:

Oris Christian

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)(7)(8) concerning Opioid and Northrop Grumman Legal Matters.

The vote was:

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

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

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

Invocation by Caleb Johnson, followed by the Pledge of Allegiance to the Flag.

APPROVAL OF THE AGENDA

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

The vote was:

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

Nay: None

PUBLIC HEARING HELD ON THE BELFAST WATERLINE EXTENSION PHASE III GRANT

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 – DHCD Grant. Debbie Milton- representing the Cumberland Plateau Planning District Commission gave an overview of the grant award in this amount. The Chair opened the public hearing to comments. Hearing none, the public hearing was closed.

APPROVAL OF THE BELFAST WATERLINE EXTENSION PHASE III GRANT

Motion made by Steve Breeding, second David Eaton and duly approved by the Board of Supervisors to approve a DHCD Grant for the Belfast Waterline Extension Phase III and authorize the Chair to sign all documents related to the grant.

The vote was:

Aye: Steve Breeding, David Eaton, Carl Rhea, Tim Lovelace, LouWallaceand Rebecca Dye

Nay: None

New Business

APPROVAL OF THE NOVEMEBER 01, 2021 MINUTES

Motion made by Steve Breeding, second Lou Wallace and duly approved by the Board of Supervisors to approve the November 01, 2021, minutes and dispense with the reading thereof.

The vote was:

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

Nay: None

APPROVAL OF GENERAL COUNTY INVOICES

Motion made by Carl Rhea, second David Eaton and duly approved by the Board of Supervisors to approve the November 01, 2021 minutes and dispense with the reading thereof.

The vote was:

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

Nay: None

Committee Appointments

VICKI PORTER RE-APPOINTED TO THE APPLACHIAN JUVENILE COMMISSION

Motion made by Steve Breeding, second Lou Wallace and duly approved by the Board of Supervisors to re-appoint Vicki Porter to the Appalachian Juvenile Commission for a four (4) year term, said ending December 06, 2025.

The vote was:

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

Nay: None

DAVID EATON AND JAMES MOUNTS RE-APPOINTED TO THE CMCSB

Motion made by Lou Wallace, second Tim Lovelace and duly approved by the Board of Supervisors to re-appoint David Eaton and James Mounts to the Cumberland Mountain Community Services Board for three (3) year terms, said terms ending December 31, 2024.

The vote was:

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

Nay: None

LINDA CROSS RE-APPOINTED TO THE HIGHWAY AND SAFETY COMMITTEE

Motion made by Tim Lovelace, second David Eaton and duly approved by the Board of Supervisors to re-appoint Linda Cross to the Highway and Safety Committee for a two (2) year term, said term ending December 31, 2023.

The vote was:

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

Nay: None

ALICIA MCGLOTHLIN RE-APPOINTED TO THE PEOPLE INCORPORATED FINANCIAL BOARD

Motion made by David Eaton, second Steve Breeding and duly approved by the Board of Supervisors to re-appoint Alicia McGlothlin to the People Incorporated Financial Board for a two (2) year term, said term ending December 31, 2023.

The vote was:

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

Nay: None

SCOTT MCGLOTHLIN APPOINTED TO THE RUSSELL COUNTY PLANNING COMMISSION

Motion made by David Eaton, second LouWallace and duly approved by the Board of Supervisors to appoint Scott McGlothlin to the Russell County Planning Commission to fill the unexpired term of Kirby Meadows, said term ending March 05, 2022.

The vote was:

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

Nay: None

CHARLES EDMONDS APPOINTED TO THE RUSSELL COUNTY PLANNING COMMISSION

Motion made by Tim Lovelace, second David Eaton and duly approved by the Board of Supervisors to appoint Charles Edmonds to the Russell County Planning Commission to fill the unexpired term of Wayne Young, said term ending December 07, 2023.

The vote was:

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

Nay: None

STEVE PERKINS APPOINTED TO THE RUSSELL COUNTY PUBLIC SERVICE AUTHORITY

Motion made by David Eaton, second Tim Lovelace and duly approved by the Board of Supervisors to appoint Charles Edmonds to The Russell County Public Service Authority to fill the unexpired term of Chris Dye, said term ending June 24, 2025.

The vote was:

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

Nay: None

KIRBY MEADOWS RESIGNATION ACCEPTED

Motion made by Steve Breeding, second David Eaton and duly approved by the Board of Supervisors to accept the resignation of Kirby Meadows from the Russell County Planning Commission effective immediately.

The vote was:

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

Nay: None

Citizens Comment

The Chair opened citizens comment period.

Greg Hancock, Lebanon addressed the Board about Litter Ordinance and how it is to be enforced.

Phillip Roelof, Lebanon commented on the junk cars along Pioneer Avenue and the lack of enforcement of the litter ordinance.

Joseph Breeding, Lebanon stated that he is having problems with a neighbor's goats on his property. He would like the county to revisit the fencing ordinance.

The Chair closed citizens comment period.

County Attorney Reports and Requests

Katie Patton, County Attorney addressed the Board concerning the VRA Courthouse Financing Resolution, Opioid Litigation MOU, Project Jonah, and the Noise Ordinance.

APPROVAL OF A VRA COURTHOUSE FINANCING RESOLUTION

Motion made by Steve Breeding, second David Eaton and duly approved by the Board of Supervisors to approve a Resolution for a Virginia Resource Authority Courthouse Financing Resolution.

The vote was:

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

Nay: None

APPROVAL OF AN OPIOID LITIGATION MEMORANDUM OF UNDERSTANDING AND RESOLUTION

Motion made by David Eaton, second Steve Breeding and duly approved by the Board of Supervisors to approve an Opioid Litigation Memorandum of Understanding and Resolution and authorize the Chairperson and the County Administrator to sign all documents.

The vote was:

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

APPROVAL OF PROJECT JONAH INTERJURISDICTIONAL AGREEMENT- PUBLIC NOTICE

Motion made by Steve Breeding, second David Eaton and duly approved by the Board of Supervisors to approve the advertisement of a public notice for an Interjurisdictional Agreement for Project Jonah.

The vote was:

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

APPROVAL FOR THE COUNTY ATTORNEY TO DRAFT A NOISE ORDINANCE FOR THE BOARD'S CONSIDERATION

Motion made by Steve Breeding, second Lou Wallace and duly approved by the Board of Supervisors to draft a Noise Ordinance for the Board's consideration.

County Administrator Requests and Reports

ACCEPTANCE OF THE ABSTRACT OF VOTES FORM NOVEMBER 02, 2021 ELECTION

Motion made by David Eaton, second Steve Breeding and duly approved by the Board of Supervisorsto accept the Abstract of Votes for the November 02, 2021 election.

The vote was:

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

APPROVAL FOR THE BUILDING OFFICIAL'S OFFICE TO MANAGE LITTER CONTROL

Motion made by Steve Breeding, second Lou Wallace and duly approved by the Board of Supervisors to allow the Building Inspector's office to manage litter control for a period of six months at which time it will be re-evaluated.

The vote was:

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

ACCEPTANCE OF A LITTER PREVENTION AND RECYCLING PROGRAM GRANT

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

The vote was:

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

Nay: None

APPROVAL OF \$28,945.40 TO PURCHASE FIRE HYDRANTS FOR THE RC PSA

Motion made by David Eaton, second Steve Breeding to approve a request from the Russell County Public Service Authority requesting \$28,440.40 for the purchase of fire hydrants.

The vote was:

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

Nay: None

APPROVAL OF VDOT NOTICE OF INTENT TO DISCONTINUE RTE. 743(ROLLERCOASTER ROAD).

Motion made by David Eaton second Tim Lovelace and duly approved by the Board of Supervisors to approve a VDOT Notice of Intent to Discontinue Rte. 743 (Rollercoaster Road).

The vote was:

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

Nay: None

APPROVAL TO ADVERTISE FOR AN ANIMAL CONTROL ADMINISTRATIVE ASSISTANT

Motion made by David Eaton second Carl Rhea and duly approved by the Board of Supervisors to advertise for an animal control Administrative Assistant due to a resignation in that department.

The vote was:

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

Nay: None

APPROVAL OF AN EARLY PAYDATE FOR COUNTY EMPLOYEES

Motion made by David Eaton, second Lou Wallace and duly approved by the Board of Supervisors to set an early pay date for county employees due to the Christmas holiday.

The vote was:

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

Nay: None

APPROVAL OF THE RUSSELL COUNTY EMPLOYEE GIFT CERTICATES

Motion made by David Eaton, second Steve Breeding and duly approved by the Board of Supervisors to give Russell County Employees give certificates for a turkey/ham.

The vote was:

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

Nay: None

APPROVAL TO REFER THE CURTIS SALYER PROPERTY EASEMENT TO THE RC PLANNING COMMISSION

Motion made by David Eaton, second Carl Rhea and duly approved by the Board of Supervisors to refer the Curtis Salyer Property Easement to the Russell County Planning Commission for review.

The vote was:

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

Nay: None

APPROVAL TO ADJOURN

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

The vote was:

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

Nay: None

Clerk of the Board

Chairperson