

February 06, 2023

A regular monthly meeting of the Russell County Board of Supervisors was held on Monday, February 06, 2023 beginning with Executive(closed) Session at 5:00 pm followed by the regular meeting at 6:00 pm at the Russell County Conference Center in Lebanon, Virginia.

The Clerk called the meeting to order.

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)(5)(7)(8) concerning the Russell County PSA.

The vote was:

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

PUBLIC HEARING HELD ON PROHIBITING THE LOCATION AND OPERATION OF ABORTION CLINICS IN RUSSELL COUNTY

Pursuant to being advertised in a local newspaper for two (2) consecutive weeks a public hearing was held on an Ordinance Prohibiting the Location and Operation of Abortion Clinics within The Boundaries of Russell County, Virginia. The Chair opened the Public Hearing to comments.

The following citizens spoke in favor of the Ordinance:

Chris Hess, Bristol, VA
Jacquelyn Early, Abingdon, VA
Jony Baker, Lebanon, VA
Eileen Panaszewicz, Washington County
Bobby Gross
James Nunley, Lebanon, VA
Tara Null, Cleveland, VA
Isha Youhas, Washington County
Dayton Ownes, Washington County
Dr. Mhroos Peters, Abingdon, VA
Cynthia Thop, Lebanon, VA
Dr. Andrew Brockmyre, Washington County
Dr. Don Zampogna, Lebanon, VA
Charles Humphey, Washington County
Cody Jackson, Cleveland, VA
Nate Kiser, Lebanon, VA
Lynn Hess, Swords Creek, VA

Brandi Hurley, Cedar Bluff, VA spoke in opposition to the Ordinance.

Citizens commenting on other matters:

Eric Bryant, Gravel Lick, VA stated that all the Board of Supervisors members should resign, he commented that government is failing.

Roy Castle, Castlewood, VA thanked Lou Wallace and the Russell County PSA for quick resolution to an issue in his sub-division.

Wanda Burke, Lebanon, VA asked that the Board consider supporting the Mending Women's Home in Abingdon with the Opioid settlement funds. She also asked that they support Mark Mero when he returns to Russell County this year.

The Chair closed the public hearing to comments.

Presentation

Kim Smith, Heart of Appalachia gave a short presentation the organization's activities.

ORGANIZATIONAL MEETING

The Chair relinquished the Chair to the Clerk.

LOU WALLACE ELECTED CHAIRPERSON

David Eaton nominated Steve Breeding
Rebecca Dye nominated Lou Wallace

Steve Breeding - three votes: David Eaton, Steve Breeding and Carl Rhea
Lou Wallace – four votes: Rebecca Dye, Tim Lovelace, Oris Christian and Lou Wallace

Lou Wallace was elected Chairperson for the calendar year 2023. The Clerk relinquished the Chair to Chairperson Wallace.

ORIS CHRISTIAN ELECTED VICE CHAIRMAN

Carl Rhea nominated David Eaton
Tim Lovelace nominated Oris Christian

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

Oris Christian was elected Vice-Chairman for the 2023 calendar year.

New Business

APPROVAL OF THE JANUARY 03, 2023 MINUTES

Motion made by Steve Breeding, second David Eaton and duly approved by the Board of Supervisors to approve the January 03, 2023 minutes and dispense with the reading thereof.

The vote was:

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

Nay: None

Abstain: Rebecca Dye

APPROVAL OF THE JANUARY 20, 2023 MINUTES

Motion made by Steve Breeding, second David Eaton and duly approved by the Board of Supervisors to approve the January 20, 2023 minutes and dispense with the reading thereof.

The vote was:

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

Nay: None

Abstain: Carl Rhea and Tim Lovelace

APPROVAL OF GENERAL COUNTY INVOICES

Motion made by Steve Breeding, second Tim Lovelace and duly approved by the Board of Supervisors to approve general county invoices in the amount of \$1,251,453.04.

The vote was:

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

Nay: None

Committee Appointments

LYNN HESS, ALESHIA PLASTER, JERRY HESS, TRECA RAY AND CINDY DYE APPOINTED TO THE SWORDS CREEK COMMUNITY CENTER COMMITTEE

Motion made by David Eaton, second Oris Christian and duly approved by the Board of Supervisors to appoint Lynn Hess, Aleshia Plaster, Jerry Hess, Treca Ray and Cindy Dye to the Swords Creek Community Center Committee for two (2) year terms, said terms ending February 06, 2025.

The vote was:

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

Nay: None

CARL RHEA RE-APPOINTED TO THE CPRWMA

Motion made by David Eaton, second Steve Breeding and duly approved by the Board of Supervisors to re-appoint Carl Rhea to the Cumberland Plateau Regional Waste Management Authority for a four (4) term, said term ending March 01, 2027.

The vote was:

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

Nay: None

SPEARHEAD TRAILS APPOINTMENT TABLED

Motion made by David Eaton, second Steve Breeding and duly approved by the Board of Supervisors to table the Spearhead Trails Board of Directors appointment.

The vote was:

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

Nay: None

County Attorney Reports and Requests

Katie Patton, County Attorney read the proposed Ordinance Prohibiting the Location and Operation of Abortion Clinics Within the Boundaries of Russell County, Virginia.

APPROVAL OF AN ORDINANCE PROHIBITING THE LOCATION AND OPERATION OF ABORTION CLINICS IN RUSSELL COUNTY

Motion made by Steve Breeding, second David Eaton and duly approved by the Board of Supervisors to approve a Resolution and Ordinance Prohibiting the Location and Operation of Abortion Clinics Within the Boundaries of Russell County, Virginia.

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 OPPOSING RATE INCREASES FROM AEP AND KENTUCKY UTILITIES

Motion made by David Eaton, second Steve Breeding and duly approved by the Board of Supervisors to approve a Resolution opposing a rate increase from American Electric Power and Kentucky Utilities.

The vote was:

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

Nay: None

APPROVAL OF A VDOT NOTICE OF RTE. 19 & RTE. 58 PROPERTY ABANDONMENT REQUEST

Motion made by Oris Christian, second Tim Lovelace and duly approved by the Board of Supervisors to approve a VDOT Notice of Rte. 19 & Rte. 58 Property Abandonment Request.

The vote was:

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

Nay: None

APPROVAL OF A DOF FOREST SUSTAINABILITY FUND GRANT IN THE AMOUNT OF \$5240.27

Motion made by David Eaton, second Steve Breeding and duly approved by the Board of Supervisors to approve a DOF Forest Sustainability Fund (FSF) Grant in the amount of \$5240.27.

The vote was:

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

Nay: None

APPROVAL OF A VCJS VSOP GRANT IN THE AMOUNT OF \$62,009

Motion made by David Eaton, second Steve Breeding and duly approved by the Board of Supervisors to approve a DCJS VSTOP Grant in the amount of \$62,009.

The vote was:

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

Nay: None

APPROVAL OF A VIRGINIA FEDERATION OF HUMANE SOCIETIES ANIMAL AWARD 2023 IN THE AMOUNT OF \$10,000

Motion made by Steve Breeding, second Carl Rhea and duly approved by the Board of Supervisors to approve a Virginia Federation of Humane Societies Animal Award in the amount of \$10,000.

The vote was:

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

Nay: None

APPROVAL OF A GENERAL DISTRICT COURT TRAVEL REQUEST

Motion made by David Eaton, second Oris Christian and duly approved by the Board of Supervisors to approve a travel request for General District Court.

The vote was:

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

Nay: None

The Chair adjourned the meeting.

Clerk of the Board

Chairperson