

August 07, 2017

A regular monthly meeting of the Russell County Board of Supervisors was held on Monday, August 07, 2017 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:**

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

Lonzo Lester, Clerk

**Absent:** None

**APPROVAL OF THE AGENDA**

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

The vote was:

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

Invocation by Pastor Brad Cook, Rowe Pentecostal Church followed by the Pledge of Allegiance to the Flag.

**Public Hearing**

Pursuant to being advertised in a local newspaper for (2) two consecutive weeks a public hearing was held on the Courthouse Construction and Maintenance Fees Ordinance. The Chairman opened the public hearing to comments, hearing none, the public hearing was closed.

**APPROVAL OF THE COURTHOUSE CONSTRUCTION & MAINTENANCE FEE ORDINANCE**

Motion made by Mark Mitchell, second Lou Wallace and duly approved by the Board of Supervisors to adopt the Courthouse Construction and Maintenance Fee Ordinance.

The vote was:

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

## **Presentations**

Senator Ben Chafin and Delegate Todd Pillion gave the Board an overview of the Pumped Hydroelectric Storage Power facility that may be locating in an adjoining County. They asked that the Board pass a resolution of support for the project. There could be numerous new jobs as well as revenue sharing.

### **APPROVAL OF A RESOLUTION OF SUPPORT FOR A PUMPED HYDROELECTRIC STORAGE POWER FACILITY**

Motion made by Mark Mitchell, second David Eaton and duly approved by the Board of Supervisors to approve a Resolution of Support for a Pumped Hydroelectric Storage Power Facility to be located in Southwest Virginia.

The vote was:

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

Nay: None

**Shonda Mitchell**, Oaks Sub-Division voiced her concerns about the roads in her sub-division., specifically Lake Hill Road and Cloverhill Cul-de-sac. She stated that there are fifteen residents, all are interested in getting the roads paved.

**Reggie Childers**, Lebanon asked the Board to adopt a resolution designating blue ways. He also wanted to remind them that eliminating the supervisor-at-large seat to save money.

### **APPROVAL OF A RESOLUTION TO MAKE A REQUEST TO THE GENERAL ASSEMBLY TO DESIGNATE THE CLINCH RIVER AS A SCENIC RIVER**

Motion made by Lou Wallace, second David Eaton and duly approved by the Board of Supervisors to make a request to the General Assembly to designate 53.7 miles of the Clinch River as a Scenic River.

The vote was:

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

Nay: None

## **Appointments:**

### **GILBERT CLEVINGER APPOINTED TO SPEARHEAD TRAILS**

Lou Wallace nominated Gilbert Clevinger

Motion made by Tim Lovelace, second David Eaton that nominations cease and Gilbert Clevinger be appointed by acclamation for a (3) three-year term, said term ending August 07, 2020.

The vote was:

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

Nay: None

**PATRICK BRUNTY AND JONI LESTER APPOINTED TO CPMT**

Mark Mitchell nominated Joni Lester and Patrick Brunty

Motion made by David Eaton, second Lou Wallace that nominations cease and Joni Lester and Patrick Brunty be appointed by acclamation to the Community Policy Management Team for a (3) three-year terms, said terms ending August 07, 2020.

**FRANK HORTON, RON BLANKENSHIP, BEN PRICE AND JAMES EATON APPOINTED TO THE CPEDC**

Mark Mitchell nominated Frank Horton

Lou Wallace nominated Ben Price

Mark Mitchell nominated Ron Blankenship

Carl Rhea nominated James Eaton

Motion made by Mark Mitchell, second David Eaton that nominations cease and Frank Horton, Ron Blankenship, Ben Price and James Eaton be appointed by acclamation to the Cumberland Plateau Economic Development Commission for (1) one-year terms, said terms ending August 07, 2018.

The vote was:

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

Nay: None

**LYNN KEENE APPOINTED TO THE SVCC ADVISORY BOARD**

David Eaton nominated Lynn Keene

Motion made by Tim Lovelace, second Lou Wallace that nominations cease and Lynn Keene be appointed by acclamation for a (4) four-year term, said term ending August 07, 2021.

The vote was:

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

Nay: None

**DR. GREGORY BROWN APPOINTED TO THE SVCC ADVISORY BOARD**

David Eaton nominated Dr. Gregory Brown

Motion made by Mark Mitchell, second Lou Wallace that nominations cease and Mr. Brown be appointed by acclamation to the SVCC Advisory Board for a (4) four-year term, said term ending August 07, 2021.

The vote was:

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

Nay: None

**New Business**

**APPROVAL OF THE JULY 10, 2017 MINUTES**

Motion made by David Eaton, second Lou Wallace and duly approved by the Board of Supervisors to approve the July 10, 2017 minutes and dispense with the reading thereof.

The vote was:

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

Nay: None

Abstain: Mark Mitchell

**APPROVAL OF THE JULY 26, 2017 10:00 AM MEETING**

Motion made by Mark Mitchell, second David Eaton and duly approved by the Board of Supervisors to approve the July 26, 2017 at 10:00 am minutes and dispense with the reading thereof.

The vote was:

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

Nay: None

**APPROVAL OF THE JULY 26, 2017 6:00 PM MINUTES**

Motion made by Mark Mitchell, second Carl Rhea and duly approved by the Board of Supervisors to approve the July 26, 2017 at 6:00 pm minutes as amended and dispense with the reading thereof.

The vote was:

Aye: Carl Rhea, Mark Mitchell, Steve Breeding and David Eaton

Nay: None

Abstain: Lou Wallace and Tim Lovelace

**APPROVAL OF GENERAL COUNTY INVOICES**

Motion made by Tim Lovelace, second Mark Mitchell and duly approved by the Board of Supervisors to approve general county invoices in the amount of \$666,209.57 including reoccurring, withholdings and the addition of an invoice from the Castlewood Water and Sewage Authority.

The vote was:

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

Nay: None

**Citizens Comment**

The Chairman opened public comment period.

**Kent Osborne** stated that he had an eyesore near his home. It is a high wall being built, he is concerned that someone will fall off. Route 896 needs fixing.

**Debbie Musick**, Lebanon asked that cans be ordered for the cannery.

**Carter McGlothlin**, Hansonville voiced his concerns about some water projects that will cash flow, but were not approved by the Board last month.

**Donnie Christian**, RC PSA stated that he was also disappointed that the water project was not approved for moral obligation last month

**Roger Sword**, Lebanon commented that the Oaks Sub-division roads are a private road sub-division. He reminded the Board that there are 33 other sites in the County that are in need of paving.

The Chairman closed citizens comment period.

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

Matt Crum addressed the Board about the Regional Industrial Development Authority. He suggested that the Board hold a public hearing on the ordinance and by laws.

### **APPROVAL OF A RESOLUTION FOR THE ISSUANCE OF WATER REVENUE BONDS BY THE RUSSELL COUNTY PSA**

Motion made by Tim Lovelace, second David Eaton and duly approved by the Board of Supervisors to approve a Resolution to the Issuance of Water Revenue Bonds by the Russell County PSA and authorizing the Execution of Financing Agreement and Support Agreements providing for Russell County moral obligation to make certain appropriations with respect to bonds.

The vote was:

Aye: Tim Lovelace, Mark Mitchell, David Eaton, Carl Rhea, Steve Breeding, David Eaton and Rebecca Dye

Nay: Lou Wallace

### **County Administrator Reports and Requests**

#### **APPROVAL TO HOLD A PUBLIC HEARING ON THE REGIONAL IDA**

Motion made by Mark Mitchell, second Rebecca Dye and duly approved by the Board of Supervisors to set a public hearing on the Regional Industrial Development Authority and Bylaws at 6:05 pm at the September Board of Supervisors meeting.

The vote was:

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

Nay: None

#### **APPROVAL TO AUTHORIZE A CONTRACT FOR LEBANON HIGH SCHOOL ROOF REPLACEMENT**

Motion made by David Eaton, second Tim Lovelace and duly approved by the Board of Supervisors to authorize a contract for the Lebanon High School roof replacement.

The vote was:

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

**APPROVAL TO SET BOARD MEETING FOR TUESDAY, SEPTEMBER 5, 2017**

Motion made by Mark Mitchell, second David Eaton and duly approved by the Board of Supervisors to set the Board of Supervisors meeting for Tuesday, September 05, 2017 at 6:00 pm due to the Labor Day holiday.

The vote was:

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

**APPROVAL TO PROCEED WITH A VDOT COMMERCIAL ENTRANCE PERMIT FOR THE PROPOSED LEBANON SOLID WASTE SITE**

Motion made by Mark Mitchell, second Lou Wallace and duly approved by the Board of Supervisors to proceed with the VDOT commercial entrance permit for the proposed Lebanon solid waste site.

The vote was:

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

**APPROVAL TO ACCEPT A DEED FOR A PARCEL OF LAND FROM THE RUSSELL COUNTY SCHOOL BOARD**

Motion made by Mark Mitchell, second David Eaton and duly approved by the Board of Supervisors to accept a deed from Russell County School Board concerning a parcel of land in the Town of Lebanon.

The vote was:

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

**APPROVAL TO CONVEY A PARCEL OF LAND TO THE TOWN OF LEBANON**

Motion made by David Eaton, second Carl Rhea and duly approved by the Board of Supervisors to proceed to convey a parcel of land to the Town of Lebanon for recreational purposes.

The vote was:

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

A request for funding by Spearhead Trails was tabled by the Chairman.

**APPROVAL TO AUTHORIZE A LEASE AGREEMENT WITH THE NATURE CONSERVANCY**

Motion made by Lou Wallace, second Carl Rhea and duly approved by the Board of Supervisors to authorize a lease renewal agreement with the Nature Conservancy for the Artrip and Old Castlewood sites.

The vote was:

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

Nay: None

**APPROVAL TO ACCEPT AND APPROPRIATE A VICTIM WITNESS GRANT**

Motion made by Mark Mitchell, second Rebecca Dye and duly approved by the Board of Supervisors to accept and appropriate a Victim Witness grant from the Department of Criminal Justice Services in the amount of \$62,619.00.

The vote was;

Aye: Mark Mitchell, Rebecca Dye, Carl Rhea, David Eaton, Tim Lovelace, Rebecca Dye and Steve Breeding

Nay: None

**APPROVAL OF A TRAVEL REQUEST FOR THE EMERGENCY MANAGEMENT COORDINATOR**

Motion made by Rebecca Dye, second Mark Mitchell and duly approved by the Board of Supervisors to approve a travel request for the Emergency Management Coordinator.

The vote was:

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

Nay: None

**APPROVAL OF A TRAVEL REQUEST FROM THE OFFICE OF EMERGENCY MANAGEMENT**

Motion made by Mark Mitchell, second Rebecca Dye and duly approved by the Board of Supervisors to approve a travel request for Lance Campbell (Emergency Management office).

The vote was:

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

Nay: None

**APPROVAL OF A TRAVEL REQUEST FROM THE OFFICE OF THE COMMISSIONER OF THE REVENUE**

Motion made by Mark Mitchell, second Rebecca Dye and duly approved by the Board of Supervisors to approve a travel request from Freda Sweeney (Commissioner of Revenue office).

The vote was:

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

Nay: None

**APPROVAL OF A TRAVEL REQUEST FROM THE COMMISSIONER OF THE REVENUE**

Motion made by Mark Mitchell, second Tim Lovelace and duly approved by the Board of Supervisors to approve a request for the Commissioner of the Revenue.

The vote was:

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

#### **APPROVAL OF (2) TWO SCHOOL RESOURCE OFFICER GRANTS**

Motion made by Mark Mitchell, second David Eaton and duly approved by the Board of Supervisors to accept and appropriate (2) two school resource officer grants from the Department of Criminal Justice Services in the amount of \$47,523.00 each.

The vote was:

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

The Chairman called a (5) five-minute recess.  
The Chairman called the meeting back to order.

#### **APPROVAL OF \$16,099.00 SUPPLEMENT FOR CSA**

Motion made by Rebecca Dye, second Mark Mitchell and duly approved by the Board of Supervisors to approve a request for a \$16,066.00 supplement from the CSA.

The vote was:

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

#### **APPROVAL OF A \$500 DONATION TO THE CLEVELAND RESCUE SQUAD**

Motion made by Mark Mitchell, second Carl Rhea and duly approved by the Board of Supervisors to make a \$500.00 donation to the Cleveland Rescue Squad to assist with a fund raiser.

The vote was:

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

#### **EXECUTIVE SESSION**

Motion made by Mark Mitchell, second Carl Rhea and duly approved by the Board of Supervisors enter into executive session (closed) to discuss a prospective personnel matter pursuant to Virginia code 2.2-3711(A)(1) and to discuss a litigation matter pursuant to Section 2.2-3711(7).

The vote was:

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

#### **APPROVAL TO RETURN TO REGULAR SESSION**

Motion made by Mark Mitchell, second David Eaton and duly approved by the Board of Supervisors to return to regular session.

**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  
Mark Mitchell – AYE

**APPROVAL TO ADJOURN**

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

The vote was:

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

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Clerk of the Board

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Chairman

