

June 12, 2019

A reconvened meeting of the Russell County Board of Supervisors was held on Wednesday, June 12, 2019 at 4:00 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
Harry Ferguson

Lonzo Lester, Clerk
Vicki Porter, Deputy Clerk
Katie Patton, County Attorney

Absent:

None

EXECUTIVE (CLOSED) SESSION

Motion made by Harry Ferguson, second Steve Breeding and duly approved by the Board of Supervisors to enter into Executive (closed) Session pursuant to Section 2.2-3711 (A) (1), (3), (7) and (8) of the Code of Virginia to discuss legal and personnel matters.

The vote was:

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

Nay: None

APPROVAL TO RETURN TO REGULAR SESSION

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

The vote was:

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

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
Harry Ferguson – AYE

Invocation by Chairperson Rebecca Dye, followed by the Pledge of Allegiance to the Flag.

APPROVAL OF THE AGENDA

Motion made by Harry Ferguson, second Steve Breeding and duly approved by the Board of Supervisors to approve the agenda.

The vote was:

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

Nay: None

APPROVAL TO MOVE \$323,416 FROM THE GENERAL FUND TO A CAPITAL IMPROVEMENT PROJECT FUND

Motion made by Steve Breeding, second David Eaton and duly approved by the Board of Supervisors to move \$323,416 from the General Fund to a Capital Improvement Project Fund.

The vote was:

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

Nay: None

APPROVAL TO APPROPRIATE \$250.00 EACH TO THE TOWN OF CLEVELAND, TOWN OF HONAKER AND TOWN OF LEBANON FOR INDEPENDENCE DAY CELEBRATIONS

Motion made by Carl Rhea, second Steve Breeding and duly approved by the Board of Supervisors to appropriate \$250.00 each to the Town of Cleveland, Town of Honaker and Town of Lebanon for Independence Day celebrations.

The vote was;

Aye: Carl Rhea, Steve Breeding, David Eaton, Rebecca Dye and Harry Ferguson

Nay: Lou Wallace and Tim Lovelace

APPROVAL OF THE FY 2019/2020 GENERAL OPERATING BUDGET AND TAX RATES

Motion made by Steve Breeding, second David Eaton and duly approved by the Board of Supervisors to approve the FY 2019/2020 General Operating Budget and Tax Rates.

The vote was:

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

Nay: None

A RESOLUTION TO APPROVE THE BUDGETS, AS AMENDED, AND APPROPRIATE FUNDS FOR THE COUNTY OF RUSSELL AND THE RUSSELL COUNTY SCHOOL DIVISION FOR THE FISCAL YEAR BEGINNING JULY 1, 2019, AND ENDING JUNE 30, 2020

WHEREAS, the Budget/Finance Committee has submitted to the Russell County Board of Supervisors a proposed annual budget for the County for the fiscal year beginning July 1, 2019, and ending June 30, 2020, which has been reviewed by the Board of Supervisors; and

WHEREAS, it is necessary to adopt said budget and appropriate sufficient funds to cover the requirements included therein; and

WHEREAS, the Board of Supervisors, in exercising its independent judgment and in concert with the Russell County School Board, has considered the school's annual operating budget; and

WHEREAS, after considering the availability of local funds, approval of the Russell county School Board's Fiscal Year 2019/2020 Educational Budget is based upon funding from the federal government in the amount of \$2,990,810; from the state government in the amount of \$24,845,341; from the local appropriations in the amount of \$9,101,317; and other local revenues in the amount of \$743,554;

BE IT FURTHER RESOLVED that the annual budget in the sum of \$1,786,065 for fiscal year 2019/2020 be, and is hereby, approved for the operation of food service programs authorized and approved by the Russell County School Board subject to and contingent upon the availability of funds;

BE IT STILL FURTHER RESOLVED that the \$9,101,317 appropriated above from the General Fund for Education, includes \$8,024,781 for the local contribution to the School Division for support of the School operation budget;

BE IT STILL FURTHER RESOLVED that an annual appropriation in the sum of \$1,076,536 for fiscal year 2019/2020 be, and is hereby, made for school debt service; for a total amount of \$9,101,317 appropriated for the Russell County School Division subject to and contingent upon the availability of funds.

NOW THEREFORE, BE IT RESOLVED by the Russell County Board of Supervisors this 12th day of June 2019, that the fiscal year 2019/2020 annual budget of the Russell County School Division for school operations in the amount of \$45,530,171 be, and is hereby, approved subject to and contingent upon the availability of funds as indicated in the preamble hereto.

BE IT STILL FURTHER RESOLVED that the following annual appropriations for fiscal year 2019/2020 be, and are hereby, made in the General Fund for the following functions:

<u>Function</u>	<u>Amount</u>
General Administration	\$ 1,898,214
Judicial Administration	2,311,748
Public Safety	6,068,472
Environmental Control	1,741,079
General Services	937,285
Health and Welfare	1,316,530
Education	9,268,266
Parks, Recreation & Cultural	571,410
Community Development	296,626
Non-Departmental	212,000
Capital Outlay & Transfers to Other Funds	611,052
Debt Service	<u>1,009,900</u>
Total General Fund	<u>\$ 26,242,583</u>

BE IT STILL FURTHER RESOLVED that the County Administrator be, and is hereby, authorized to transfer the appropriations in the General Fund Non-Departmental function to the related categories in the various General Fund functions.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$150,000 for fiscal year 2019/2020 be, and is hereby, made in the Coal Road Fund.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$197,052 for fiscal year 2019/2020 be, and is hereby, made in the Southwest Virginia ASAP Fund.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$5,210,980 for fiscal year 2019/2020, and is hereby, made in the Social Services Fund for the Russell County Department of Social Services and is hereby, approved subject to and contingent upon the availability of funds as indicated in the preamble hereto.

BE IT STILL FURTHER RESOLVED that the annual appropriation of the Social Services Fund be, and is hereby, increased if and when additional federal and/or state funds or local contributions

become available. The County Administrator shall advise the Board of Supervisors in writing of all such actions.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$1,386,403 for fiscal year 2019/2020 be, and is hereby, made in the Comprehensive Services Act Fund and is hereby, approved subject to and contingent upon the availability of funds as indicated in the preamble hereto.

BE IT STILL FURTHER RESOLVED that the County Treasurer, upon receipt of a written order from the County Administrator, is authorized to advance funds between the several County funds under his custody provided, however, that the total advanced to any particular fund, plus the amount of funds disbursed from that fund, does not exceed the annual appropriation of said fund.

BE IT STILL FURTHER RESOLVED that, the County Administrator shall be, and is hereby, authorized to do all things necessary to apply for federal and state library aid and in addition, the annual appropriation for library operations.

BE IT STILL FURTHER RESOLVED that, upon receiving notice of grant or program opportunities offered by various federal, state, local and other outside organizations, the County Administrator or her designee be, and is hereby designated as the agent to execute the necessary grant or program application and other documentation, unless the terms of the grant or program require specific actions by the Board, to give such assurances as may be required by the agreement subject to approval as to form by legal review and to provide such additional information as may be required by the awarding organization. Funding awarded shall be subject to appropriation by the Board of Supervisors prior to expenditure.

BE IT STILL FURTHER RESOLVED that interest earned on grant and program awards received from federal, state, local and other outside organizations be, and is hereby, appropriated to the appropriate functional area to be expended in accordance with guidelines as established by the organizations.

BE IT STILL FURTHER RESOLVED that additional funds received for various County programs, including contributions and donations, be, and are hereby, appropriated for the purpose established by each program.

BE IT STILL FURTHER RESOLVED that funds received for the off-duty employment by deputy sheriff's programs be, and hereby are, appropriated in the General Fund to cover the costs of the program.

BE IT STILL FURTHER RESOLVED that upon receipt of written notification from the State Compensation Board of additional funds for the Constitutional Officers (Commonwealth's Attorney, Sheriff, Clerk of Court, Treasurer and Commissioner of the Revenue) be, and are hereby, appropriated in the General Fund to be expended in accordance with guidelines as established by the state government.

BE IT STILL FURTHER RESOLVED that the annual contributions that are hereby appropriated shall be disbursed on a monthly basis with the amount disbursed not to exceed one-twelfth of the total appropriation, unless otherwise agreed upon. Contributions to the Russell County School Division and the Russell County Department of Social Services are exempt from this limitation. In addition, the County Administrator may require written reports on how previous allocation(s) was/were spent before any future disbursements are made.

BE IT STILL FURTHER RESOLVED that the funds be, and are hereby, appropriated for fiscal year 2019/2020 in the various funds for continuing capital and special projects and grants as of June 30,

2020 not to exceed the Restricted, Committed and Assigned Fund Balances as recorded in the County's audited accounting records. The County Administrator shall advise the Board of Supervisors in writing of all such actions.

BE IT STILL FURTHER RESOLVED that the County Administrator be, and is hereby, authorized to transfer funds within appropriation functions. These transfers may be made to allow the disbursement of funds for unanticipated costs incurred in daily County operations and any such transfer may not result in a change in the total appropriated within the function.

BE IT STILL FURTHER RESOLVED that the County Administrator is hereby the authorized signer for the County petty cash account available to allow for emergency purchases in daily County operations.

BE IT STILL FURTHER RESOLVED that the Board of Supervisors may amend this budget to adjust the aggregate amount to be appropriated during the current fiscal year as prescribed by § 15.2-2507 of the Code of Virginia of 1950, as amended, for all Russell County Departments, Russell County School Divisions, and Russell County Constitutional Offices.

RESOLVED this 12th day of June 2019, by the following vote:

Recorded Vote:

Moved by: Steve Breeding

Seconded by: David Eaton

Yeas: 7

Nays: 0

Rebecca Dye, Chairperson
County of Russell, Virginia

The Chairperson appointed Harry Ferguson and Steve Breeding to meet with the County Judges about Courthouse renovations and improvements. They will report back to the Board in July.

APPROVAL TO PURCHASE TWO (2) ACRES OF LAND FROM KEY WESTERN, LLC.

Motion made by Harry Ferguson, second David Eaton and duly approved by the Board of Supervisors to purchase two (2) acres of land from Key Western, LLC with a promissory note in the sum of \$95,000 and authorize the Chairperson to sign the note.

The vote was:

Aye: Harry Ferguson, David Eaton, Carl Rhea, Lou Wallace, Rebecca Dye and Steve Breeding

Nay: Tim Lovelace

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, Steve Breeding, Tim Lovelace, Lou Wallace, Carl Rhea, Rebecca Dye and Harry Ferguson

Nay: None

Clerk of the Board

Chairperson