

July 12, 2021

A regular monthly meeting of the Russell County Board of Supervisors was held on Monday, July 12, 2021, beginning Executive (closed) Session at 5:00 pm followed by the regular monthly 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:

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

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

Absent:

Carl Rhea

EXECUTIVE (CLOSED) SESSION

Motion made by Steve Breeding, second Oris Christian and duly approved by the Board of Supervisors to enter into Executive Session to discuss legal matters, contractual and personnel pursuant to Section 2.2-3711(A)(1)(3)(5)(7)(8).

The vote was:

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

Nay: None

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

APPROVAL TO RETURN TO REGULAR SESSION

Motion 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, Lou Wallace, Tim Lovelace, Rebecca Dye and Oris Christian

Nay: None

CERTIFICATE 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
David Eaton – AYE
Rebecca Dye - AYE
Steve Breeding – AYE
Oris Christian – AYE

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, David Eaton, Lou Wallace, Tim Lovelace, Rebecca Dye and Oris Christian
Nay: None

Presentations

Tim Prater, Clinch Independent Living Services gave an overview of what his organization does and how they assist the citizens of Russell County.

New Business

APPROVAL OF THE JUNE 07, 2021 MINUTES

Motion made by Lou Wallace, second David Eaton and duly approved by the Board of Supervisors to approve the June 07, 2021 minutes as presented and dispense with the reading thereof.

The vote was:

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

Nay: None

APPROVAL OF THE JUNE 17, 2021 MINUTES

Motion made by Steve Breeding, second David Eaton and duly approved by the Board of Supervisors to approve the June 17, 2021 minutes as presented and dispense with the reading thereof.

The vote was:

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

Nay: None

APPROVAL OF GENERAL COUNTY INVOICES

Motion made by Steve Breeding, second Lou Wallace and duly approved by the Board of Supervisors to approve general county invoices in the amount of \$749,313.29, including reoccurring and withholdings.

The vote was:

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

Nay: None

Committee Appointments

APPROVAL TO AMEND THE AGENDA

Motion made by Steve Breeding, second David Eaton and duly approved by the Board of Supervisors to amend the agenda to include discussion on board and committee appointments.

The vote was:

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

Nay: None

County Attorney Katie Patton discussed changes that would need to take place for the board members to have equal representation on county boards and committees.

APPROVAL TO SUSPEND THE BYLAWS UPON THE NOTICE OF THE REQUIREMENT ON THE AMENDMENT

Motion made by Steve Breeding, second Tim Lovelace to suspend the county bylaws upon notification of the requirement on the amendment.

The vote was:

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

Nay: None

MOTION FOR EQUAL REPRESENTATION ON COUNTY BOARDS AND COMMITTEES

Motion made by Steve Breeding, second Tim Lovelace and duly approved by the Board of Supervisors concerning all Russell County committees, authorities, or boards where the applicable Articles and/or By-Laws (of that board, authority, or committee) does not specify a number of members, that the number of members on those boards, authorities, or committees be set at the number of elected members of the Russell County Board of Supervisors. And, that one appointment to each respective board, authority, or committee be made by each Supervisor from the citizens residing in the Voting District that the Supervisor represents. And, in the case of the Supervisor At Large, said Supervisor At Large may make appointments from any citizen of Russell County. And, that on any boards, authorities, or committees where the number of members required is larger than the number of members of the Russell County Board of Supervisors, that each Board of Supervisor will have one appointment to that board, authority, or committee from the voting district that each Supervisor represents and the remaining number of required members of the board, authority, or committee will be appointed as specified in their Articles or By-Laws, or by any applicable legislation associated with that board, committee, or authority or by general nomination and election by the entire Board of Supervisors from any citizen of Russell County. And that on any boards, authorities, or committees where the number of members required is smaller than the number of members of the Russell County Board of Supervisors, that those members will be appointed by general nomination and election by the entire Board of Supervisors from any citizen of Russell County pending approval by legal counsel.

The vote was:

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

Nay: None

APPROVAL TO TABLE COMMITTEE AND BOARD APPOINTMENTS

Motion made by Steve Breeding, second David Eaton and duly approved by the Board of Supervisors to table all the appointments listed on the July 12, 2021 agenda.

The vote was:

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

Nay: None

Citizens Comment

The Chair opened citizens comment period.

Kelly M. Delph, RCPL presented the quarterly report for the library.

Amanda Thomas, representing Star Ministries outlined what services the non-profit provides for Russell County

Michelle Vance, Castlewood commented that Star Ministries provides a lot of assistance to the county citizens.

The Chair closed citizens comment period.

County Attorney Reports and Requests

Katie Patton, County Attorney discussed several issues which included Continuity of Government Ordinance, Project Jonah, Sun Disposal Site, Cleveland School, Givens School, and the opioid litigation.

CANCELLATION OF THE EMERGENCY CONTINUITY OF GOVERNMENT ORDINANCE

Motion made by David Eaton, second Steve Breeding and duly approved by the Board of Supervisors to cancel the Emergency Continuity of Government Services Ordinance effective immediately.

The vote was:

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

Nay: None

The Chairperson appointed Rebecca Dye and Tim Lovelace to a committee to review Project Jonah requests for qualifications.

APPROVAL OF SUN DISPOSAL SITE PURCHASE

Motion made by Lou Wallace, second Oris Christian and duly approved by the Board of Supervisors to approve the Sun Disposal Site Purchase with modifications.

The vote was:

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

Nay: None

PUBLIC HEARING TO BE HELD ON AUGUST 02, 2021 ON THE CLEVELAND SCHOOL PROPERTY

Motion made by Steve Breeding, second Oris Christian and duly approved by the Board of Supervisors to hold a public hearing on the Cleveland School Property Monday, August 02, 2021 at 6:00 pm.

The vote was:

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

Nay: None

PUBLIC HEARING TO BE HELD ON AUGUST 02, 2021 ON THE GIVENS SCHOOL LEASE

Motion made by David Eaton, second Steve Breeding and duly approved by the Board of Supervisors to hold a public hearing on the Givens School Lease on Monday, August 02, 2021, at 6:00 pm.

The vote was:

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

Nay: None

County Administrator Reports & Requests

APPROVAL TO MOVE FORWARD WITH OPIOID LITIGATION

Motion made by Lou Wallace, second David Eaton and duly approved by the Board of Supervisors to allow counsel to vote “yes” and move forward with the opioid litigation.

The vote was:

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

Nay: None

APPROVAL OF A RESOLUTION TO NAME A RTE. 58 LOCATION THE SFC FRED TAYLOR HIGHWAY

Motion made by Lou Wallace, second Oris Christian and duly approved by the Board of Supervisors to approve a Resolution supporting Sergeant First Class Fred Taylor, U.S. Army Special Forces (Green Berets) – Naming of Rte. 58 Location at the Castlewood U.S. Post Office as the “SFC Fred Taylor Memorial Highway”.

The vote was:

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

Nay: None

APPROVAL OF A CDBG GRANT FOR THE BELFAST WATERLINE EXTENSION PROJECT, PHASE 3

Motion made by David Eaton, second Steve Breeding and duly approved by the Board of Supervisors to approve a Virginia CDBG Grant for the Belfast Waterline Extension Project, Phase 3.

The vote was:

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

Nay: None

MOTION TO APPROVE THE INNOVATION STARLINK BROADBAND CONTRACT

Motion made by Lou Wallace, second Oris Christian to approve the Innovation Starlink broadband contract.

The vote was:

Aye: Lou Wallace and Oris Christian

Nay: Steve Breeding, David Eaton, Rebekah Dye and Tim Lovelace

MOTION FAILED.

APPROVAL TO EXPEND AMERICAN RESCUE ACT FUNDS

Motion made by David Eaton, second Steve Breeding and duly approved by the Board of Supervisors to approve American Rescue Plan Act funds for fire departments, rescue squads, fire hydrants, food pantries, library, and sheriff’s department.

The vote was:

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

Nay: None

PUBLIC HEARING TO BE HELD ON VDOT RTE.637 DISCONTINUED BRIDGE

Motion made by David Eaton, second Steve Breeding to hold a public hearing on Monday, August 02, 2021, on a VDOT Rte. 637 Discontinued bridge- prescriptive easement right of way – 30-foot width & 0.02- mile length.

The vote was:

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

Nay: None

AUTHORIZATION TO HIRE A PART TIME EMERGENCY SERVICES COORDIANTOR

Motion made by Steve Breeding, second David Eaton and duly approved by the Board of Supervisors to authorize the County Administrator to hire a part time emergency management coordinator.

The vote was:

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

Nay: Oris Christian

RUSSELL COUNTY TOURISM COORDINATOR RESIGNATION ACCEPTED

Motion made by David Eaton, second Lou Wallace and duly approved by the Board of Supervisors to accept the resignation of Heather Powers as the Russell County Tourism Director effective July 06, 2021.

The vote was:

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

Nay: None

APPROVAL OF A TRAVEL REQUESEST FOR THE COMMISSIONER OF THE REVENUE DEPARTMENT

Motion made by David Eaton, second Lou Wallace and duly approved by the Board of Supervisors a travel request from the Commissioner of the Revenue Department.

The vote was:

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

Nay: None

APPROVAL OF A VCEDA ECONOMIC DEVELOPMENT AUTHORITY RESOLUTION

Motion made by David Eaton, second Steve Breeding and duly approved by the Board of Supervisors approve a Virginia Coalfield Economic Development Authority Resolution concerning Virginia's General Assembly 2021 Commission.

The vote was:

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

Nay: None

Abstain: Oris Christian

APPROVAL TO HIRE A FULL TIME SOLID WASTE TRUCK DRIVER

Motion made by David Eaton, Lou Wallace and duly approved by the Board of Supervisors to hire a full-time solid waste truck driver.

The vote was:

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

Nay: None

APPROVAL TO REQUIRE MONTHLY REPORTS FROM THE RUSSELL COUNTY SCHOOL SYSTEM AND THE DEPARTMENT OF SOCIAL SERVICES

Motion made by Steve Breeding, second David Eaton and duly approved by the Board of Supervisors to instruct the County Administrator to require detailed written monthly reports of expenditures of the previous month from the Russell County School System and the Russell County Department of Social Services. This is not intended to hold up disbursements of the already allocated funds, but to have a better understanding of how and when those allocated funds are spent throughout the budget year. As allowed in last paragraph on page 3 of the recently passed Russell County Budget Resolution for the budget year beginning July 1, 2021, and ending June 30, 2022, which states; "In addition, the County Administrator may require written reports on how previous allocation(s) was/were spent before any further disbursements are made".

The vote was:

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

Nay: None

Abstain: Rebecca Dye

MOTION TO ADJOURN

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

The vote was:

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

Nay: None

Clerk of the Board

Chairperson