

SEPTEMBER 3, 1985

A regular meeting of the Russell County Board of Supervisors was held on Tuesday, September 3, 1985, starting at 9:00 a. m., at the Courthouse in Lebanon, Virginia.

PRESENT: Dr. Roy R. Smith, Chairman & Member at Large  
R. L. Settle, Jr., Vice-Chairman  
Kenneth Mutter, Member  
Kelly Chafin, Member  
John Bryan, Member

James A. Gillespie, Clerk  
Randall Campbell, Attorney

ABSENT: Michael Ball, Member

Meeting called to order by Chairman.

Invocation given by County Administrator followed with Pledge of Allegiance.

AMENDMENT TO THE MOTOR VEHICLE AND  
TRAFFIC CODE ORDINANCE

A public hearing was held pursuant to law, having been advertised for two successive weeks in the Lebanon News, on the proposed amendment to the Motor Vehicle and Traffic Code Ordinance.

NOW, upon motion made by Richard L. Settle, seconded by Kelly Chafin and duly passed by the Board of Supervisors that the following ordinance, as amended, be adopted:

ORDINANCE

An Ordinance to adopt State laws regard motor vehicles and traffic:

Pursuant to the Authority of Section 46.1-188 of the Code of Virginia (as amended, 1985), all of the provisions and requirements of the laws of the State contained in Title 46.1 of the Code of Virginia (as amended, 1985), except those provisions and requirements the violation of which constitutes a felony, and except those provisions and requirements which by their very nature can have no application to or within the County; and the provisions of Article 2, of Chapter 7, of Title 18.2 of the Code of Virginia (as amended, 1985) are hereby adopted and incorporated in this Chapter by reference and made applicable within the County. References to "highways of the State" contained in such provisions and requirements hereby adopted shall be deemed to refer to the streets, highways and other public ways within the County. Such provisions and requirements are hereby adopted, mutatis mutandis, and made a part of the Chapter as fully as though set forth at length herein; and it shall be unlawful for any person within the County to violate or fail, neglect or refuse to comply with any provision of the Code of Virginia Title 46.1 (1985) or the Code of Virginia, Article 2, Chapter 7, of Title 18.2 (as amended, 1985) of the Code of Virginia, which is adopted by this section, provided, that in no event shall the penalty imposed for the violation of any provision or requirement hereby adopted exceed the penalty imposed for a similar offense under Code of Virginia Title 46.1 (as amended, 1985) or Code of Virginia, Article 2, Chapter 7, of Title 18.2 (as amended, 1985).

Passed this 3rd day of September, 1985

The Vote was:

August 8, 1984

EMERGENCY ORDINANCE  
PROHIBITING UNLAWFUL BURNING OF REFUSE

Motion made by John Bryan, seconded by Kenneth Mutter and unanimously approved by the Board of Supervisors that following emergency ordinance be approved:

O R D I N A N C E

WHEREAS, the Board of Supervisors of Russell County, Virginia, finds that an emergency exists with regard to the burning of garbage, rubbish, and refuse in County dumpsters and at County-approved refuse sites; and

WHEREAS, the Board desires to amend the Solid Waste Ordinance to deal with this emergency situation; now, therefore, it is RESOLVED that the following EMERGENCY ORDINANCE be adopted:

VI. D (1) It shall be unlawful for any person to set fire to any garbage, rubbish, or refuse in any County dumpster or at any County refuse site.

(2) Punishment for a violation of this section shall be as set forth in Section IX of the Solid Waste Ordinance of Russell County, as amended.

(3) An emergency having been found to exist, this ordinance shall be advertised and become effective on August 20, 1984, for a period of SIXTY (60) DAYS from the date of passage hereof.

The Vote was:

AYE: John Bryan  
 Kenneth Mutter  
 Kelly Chafin  
 R. L. Settle  
 Dr. Roy R. Smith  
 Mike Ball  
 NAY: None

EXECUTIVE SESSION

Motion was made by Kenneth Mutter to go into Executive Session to discuss legal matters pertaining to landfill, personnel matters, and legal matters related to tax collections.

Motion was seconded by Kelly Chafin and unanimously passed.

Meeting called back to order after Executive Session.

Chairman announced no action taken in executive session therefore no action to be taken in open session.

LANDFILL MATTERS

Kirby Hughes appeared before the Board relative to concerns of possible pollution from the landfill.

It was consensus of the Board that County Attorney notify State Water Control Board and State Regional and Local Health Departments and any other interested Agency to make a study of the landfill as to possible pollution of water and if present what needs to be done to correct any problems.