

October 05, 2020

A regular monthly meeting of the Russell County Board of Supervisors was held on Monday, October 5, 2020 beginning at 5:00 pm with Executive (closed) Session followed by the regular 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  
Carl Rhea  
David Eaton  
Steve Breeding  
Rebecca Dye  
Oris Christian

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

**Absent:**

None

**EXECUTIVE (CLOSED) SESSION**

Motion made by Steve Breeding, second David Eaton and duly approved by the Board of Supervisors to enter into Executive (closed) Session pursuant to Section 2.2-3712(5) of the Code of Virginia to discuss prospective business interests (Project Brown and Project Jonah) in locating their facilities in Russell County Virginia.

The vote was:

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

**APPROVAL TO RETURN TO REGULAR SESSION**

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

The vote was:

Aye: Steve Breeding, Tim Lovelace, David Eaton, Lou Wallace, Carl Rhea, 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 Chair Rebecca Dye, followed by the Pledge of Allegiance to the Flag.

**APPROVAL OF THE AGENDA WITH THE ADDITION OF AN EXECUTIVE (CLOSED) SESSION AT THE END OF THE MEETING**

Motion made by Steve Breeding, second David Eaton and duly approved by the Board of Supervisors to approve the agenda as amended to include an Executive (closed) session at the end of the Board meeting.

The vote was:

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

**APPROVAL OF THE SEPTEMBER 08, 2020 MINUTES**

Motion made by Tim Lovelace, second Carl Rhea and duly approved by the Board of Supervisors to approve the September 08, 2020 minutes and dispense with the reading thereof.

The vote was:

Aye: Tim Lovelace, Carl Rhea, Lou Wallace, Steve Breeding, David Eaton, 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 \$986,140.63, including withholdings and reoccurring.

The vote was:

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

Nay: None

**TIM LOVELACE RE-APPOINTED TO THE HIGHWAY AND SAFETY COMMITTEE**

Motion made by Oris Christian, second Lou Wallace and duly approved by the Board of Supervisors to re-appoint Tim Lovelace to the Russell County Highway and Safety Committee for a two (2) year term, said term ending October 05, 2022.

The vote was:

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

Nay: None

**JARRED GLASS RE-APPOINTED TO THE RUSSELL COUNTY IDA**

Lou Wallace nominated Jarred Glass

Steve Breeding nominated Nate Kiser

Nate Kiser: Three (3) votes - Steve Breeding, David Eaton, and Carl Rhea

Jarred Glass: Four (4) votes – Lou Wallace, Tim Lovelace, Oris Christian and Rebecca Dye

Jarred Glass was re-appointed to the Russell County Industrial Development Authority for a four (4) year term, said term ending October 05, 2024.

**County Attorney Reports and Requests**

**Katie Patton, County Attorney** advised the Board to approve the CPRWMA manpower and user agreement, VDH project bond resolution and a revised Project Grow revenue sharing agreement.

**APPROVAL OF THE CPRWMA MANPOWER AND USER AGREEMENT**

Motion made by Tim Lovelace, second Steve Breeding and duly approved by the Board of Supervisors to Cumberland Plateau Regional Waste Management Authority Manpower and User Agreement as presented.

The vote was:

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

Nay: None

**APPROVAL OF THE RUSSELL COUNTY IDA REVENUE BOND RESOLUTION – VDH PROJECT**

Motion made by David Eaton, second Steve Breeding and duly approved by the Board of Supervisors to approve a Russell County Industrial Development Authority Bond Resolution for the Virginia Department of Health Project.

The vote was:

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

Nay: None

**APPROVAL OF A REVISED PROJECT GROW REVENUE SHARING AGREEMENT**

Motion made by David Eaton, second Steve Breeding and duly approved by the Board of Supervisors to approve a revised Project Grow Revenue Sharing Agreement with the addition of certain wording.

The vote was:

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

**County Administrator Reports and Requests**

**APPROVAL OF RUSSELL COUNTY "CARES" BUSINESS GRANTS**

Motion made by Steve Breeding, second David Eaton and duly approved by the Board of Supervisors to approve the Russell County "Cares" Business Grants subject to the criteria in the application.

The vote was:

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

**APPROVAL OF POLYCAP, LLC COMMUNITY OPPORTUNITY FUND PERFORMANCE AGREEMENT**

Motion made by David Eaton, second Carl Rhea and duly approved by the Board of Supervisors to approve a Commonwealth's Development Opportunity Fund Performance Agreement through the Virginia Economic Development Partnership Authority for Polycap, LLC.

The vote was:

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

**APPROVAL OF A RESOLUTION OF SUPPORT FOR VDOT CLOSING OF RTE. 601 FOR LANDSLIDE REPAIRS**

Motion made by Lou Wallace, second Tim Lovelace and duly approved by the Board of Supervisors to approve a Resolution of Support for VDOT Closing of Rte. 601 for landslide repairs.

The vote was:

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

**APPROVAL OF A RESOLUTION OF SUPPORT FOR VDOT ROANOKE HILL RD PROJECT**

Motion made by Carl Rhea, second Steve Breeding and duly approved by the Board of Supervisors to approve a Resolution of Support for VDOT Project - Roanoke Hill Rd, Rte. 687 single land bridge construction.

The vote was:

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

**CRYSTAL WHITE RESIGNATION TABLED**

Motion made by Lou Wallace, second David Eaton and duly approved by the Board of Supervisors to table the resignation of Crystal White from the Russell County Planning Commission.

The vote was:

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

Nay: None

**APPROVAL OF A \$5000 DISCRETIONARY FUND FOR EACH SUPERVISOR**

Motion made by Tim Lovelace, second Oris Christian and duly approved by the Board of Supervisors to approve a discretionary fund in the amount of \$5000 per Supervisor.

The vote was:

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

Nay: None

**EXECUTIVE (CLOSED) SESSION**

Motion made by Steve Breeding, second David Eaton and duly approved by the Board of Supervisors to enter into Executive (closed) Session pursuant to Section 2.2-3712(5) and (8) of the Code of Virginia to discuss prospective business interests and legal matters (Project Brown and Project Jonah) in locating their facilities in Russell County.

The vote was:

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

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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

**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 with the additions of Project Brown and an Unnamed Project.

The vote was:

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

**APPROVAL OF A MORAL OBLIGATION AGREEMENT FOR PROJECT BROWN**

Motion made by Steve Breeding, second David Eaton and duly approved by the Board of Supervisors to approve a moral obligation for Project Brown.

The vote was:

Aye: Steve Breeding, David Eaton, Carl Rhea, Oris Christian and Tim Lovelace  
Nay: none  
Abstain: Rebecca Dye and Lou Wallace

**APPROVAL OF \$1,000,000 APPROPRIATION TO AN UNNAMED INDUSTRY SUBJECT TO THE REVENUE SHARING AGREEMENT BETWEEN THE PARTICIPANTS**

Motion made by Steve Breeding, second David Eaton and duly approved by the Board of Supervisors to agree to appropriate \$1,000,000 to a currently unannounced industrial project to be held for the purposes of giving the unnamed industry a loan together with the additional participant localities subject to the finalization for a revenue sharing agreement among the participant localities of the project.

The vote was:

Aye: Steve Breeding, David Eaton, Carl Rhea, Oris Christian and Tim Lovelace  
Nay: none  
Abstain: Rebecca Dye and Lou Wallace

**MOTION TO HIRE GENTRY LOCKE LAW FIRM TO REVIEW PROPOSED INDUSTRY TRANSACTIONS**

Motion made by Lou Wallace, second Oris Christian to have the proposed industry transactions reviewed by Gentry Locke Law Firm.

The vote was:

Aye: Lou Wallace, Oris Christian and Rebecca Dye

Nay: Steve Breeding, David Eaton, Carl Rhea and Tim Lovelace

**MOTION FAILED**

**APPROVAL OF A RESOLUTION OF SUPPORT TO RENAME MILLER CREEK BRIDGE VETERANS MEMORIAL BRIDGE**

Motion made by David Eaton, second Oris Christian and duly approved by the Board of Supervisors to approve a Resolution of Support to rename Miller Creek Bridge the Veterans Memorial Bridge.

The vote was:

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

Nay: None

**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 Oris Christian

Nay: None

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Clerk of the Board

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Chairperson