

TOWN OF COEBURN

Council Minutes

December 12, 2011 – 6:00 p.m. – 502 Front Street E, Coeburn, VA

Attendees: All Councilpersons were in attendance. Also present were Loretta Mays - Town Manager, Willie Stout – Police Chief, Christy McCoy - Clerk/Treasurer, and Gary Gilliam – Town Attorney. Cliff Hawkins, Fire Chief, arrived later in the meeting.

Call to Order: Mayor Larry Salyer called the meeting to order.

Mayor Salyer asked RJ Rose to give the invocation. The group remained standing for the Pledge of Allegiance.

Approval of Agenda & Consent Agenda: On a motion by Carole Boone, seconded by Lynn Wells, Council voted unanimously to approve the Agenda and the Consent Agenda with an amendment to include WiseJAMS Memorandum of Understanding as a New Business item.

Public Expression: Mayor Salyer opened public expression.

Joyce Barr, 620 Meadow St. NE, requested a pot hole located at the end of Henderson Street be patched.

Margaret Ring, 129 Ring Drive, was present in regards to a Special Use Permit application filed for the purpose of operating a taxi cab service within town limits. Ms. Mays, Town Manager, will be coordinating a meeting with a representative for the Virginia Department of Motor Vehicles and Wise Mountain Taxi, LLC.

Mr. William Stapleton was present in regards to a request for Exemption to the Subdivision Ordinance that was proposed during the November 14, 2011 Joint Public Hearing meeting.

Public expression was closed.

Old Business:

- Wise Co. PSA Lease Agreement - Town Attorney Gary Gilliam discussed the lease agreement entered into by the Town of Coeburn and the Wise County PSA. As discussed in previous meetings, Wise County PSA has asked Council to review the notice of intent to terminate the contract upon abandonment of the building. Mr. Gilliam has reviewed the contract along with case law pertaining to this type of lease and advised Council to allow PSA to terminate the lease upon the notice previously given.

New Business:

- Dutch Avenue Water Project – Carles Collins made a motion to appropriate \$4000.00 to replace the water line on Dutch Avenue. Carole Boone seconded the motion and a roll call vote resulted in all Ayes.
- WiseJAMS MOU – After hearing the Town Manager’s Report, Lynn Wells made a motion to approve the Memorandum of Understanding between the Town of Coeburn and the WiseJAMS program of Lays Hardware Center for the Arts. Larry Salyer seconded the motion and the vote resulted in all Ayes.
- December Workshop – Due to the Christmas holiday schedule, Lynn Wells made a motion to cancel the December workshop meeting. Charles Kiser seconded the motion. The vote resulted in all Ayes.

Reports:

- Fire Chief Cliff Hawkins reviewed the November 2011 activity report.
- Police Chief Willie Stout reviewed the police department’s monthly activity log for November 2011. Stout reported 9 warning tickets, 5 domestic disturbances, 7

suspicious persons and 25 vehicle stops. Chief Stout introduced two newly hired police officers, Shane Kiser and Robert Potter. Both officers recited the Law Enforcement Oath of Office before Council.

- Treasurer Christy L. McCoy reviewed items included in the treasurer's report. Ms. McCoy updated Council on the audit progress being made.
- Town Manager Loretta Mays presented the town manager's report. The surplus equipment sale will begin Monday, December 19th. Ms. Mays gave a brief description of the WiseJAMS program that will be offered by Lays Hardware. She asked that Council consider making a donation using the recreation fund.

Ms. Mays requested Council's consideration of an additional day to observe the Christmas holiday. Larry Salyer a motion to approve the request. Lynn Wells seconded the motion and a vote resulted in All Ayes.

The report informed Council that the Planning Commission failed to return a recommendation on Mr. Stapleton's request.

The Special Use Permit Application to operate a taxi service was tabled.

Upon the report, Lynn Wells made a motion to table the request for exemption from the Subdivision Ordinance. The motion was seconded by Carole Boone and Council unanimously agreed to table the request.

Veolia project Manager, Jeff Kilgore, reviewed the Veolia monthly report. Mr. Kilgore updated Council on the winter road maintenance plan.

Other Business:

There were no Council Comments or Concerns.

Closed Session: Lynn Wells made a motion to enter into Closed Session pursuant to Virginia Code pursuant to Section 2.2-3711 (A) of the Code of Virginia to discuss personnel. Charles Kiser seconded the motion. A roll call vote resulted in all Ayes.

Council entered into closed session.

Immediately following the closed meeting, Mayor Salyer reconvened the meeting.

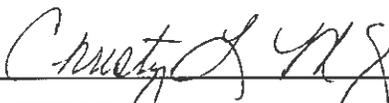
Carole Boone made a motion to enter into an open meeting. Lynn Wells seconded the motion and a vote resulted in all Ayes. Christy McCoy, Clerk, read the "Certification of Closed Meeting", which is attached to these minutes and made a part hereof.

Lynn Wells made a motion directing Attorney Gary Gilliam to write a letter to Mr. Willard Buchanan explaining the duties of Town Employees. Larry Salyer seconded the motion. The vote resulted in all Ayes.

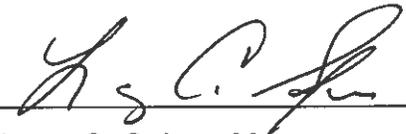
Adjournment:

Mayor Larry Salyer adjourned the regular meeting. The next regularly scheduled meeting will be held January 9, 2012 at 6:00 p.m.

Respectfully Submitted,



ATTEST: Christy L. McCoy, Clerk



Larry C. Salyer, Mayor

ATTACHMENT: Certification of Closed Meeting

WHEREAS the Coeburn Town Council has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS Section 2.2-3712 of the Code of Virginia requires a certification by the Coeburn Town Council that such closed meeting was conducted in conformity with the Virginia Law;

NOW, THEREFORE BE IT RESOLVED that the Coeburn Town Council hereby certifies that to the best of each member's knowledge (I) only public business matters lawfully exempted from open meeting requirement by Virginia law were discussed in closed meeting to which this certification resolution applies and (II) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Coeburn Town Council.