

## TOWN OF COEBURN

### **Council Minutes – Regular Meeting July 9, 2012 – 6:30 p.m. – 502 Front Street E, Coeburn, VA**

**Attendees:** All Council was present. Also present were Loretta Mays -Town Manager, Willie Stout- Police Chief, Christy McCoy - Clerk/Treasurer and Gary Gilliam, Town Attorney.

**Call to Order:** Mayor Jess Powers called the meeting to order.

Mayor Powers asked Marty Puckett to give the invocation. The group remained standing for the Pledge of Allegiance.

#### **Public Expression:**

- Phillis Harris was present to express disagreement with the current water disconnection policy.
- Butch Goodnough, Henrico Rd., Coeburn EDA Secretary/Treasurer, was present to speak in favor of Ms. Loretta Mays serving as Town Manager.
- Buddy Nixon, 305 Ball Road, Spoke in opposition of the conveyance of property to WCSB. Mr. Nixon also discussed his negative experience with the Town when his home flooded.
- Edward Johnson, 210 Grand Avenue, complained about the payment arrangement policy. He also spoke on excessive speed being a problem on Produce Hill. Mr. Johnson also complained about water runoff from Grand Avenue to Meadow Street.
- Alan Atwood – 4849 Atwood Hill, spoke in favor of Ms. Loretta Mays serving as Town Manager. Mr. Atwood brought to Councils attention that all expenditures were approved by Council and therefore the Town Manager should not be held completely responsible for expenditures. He also reminded Council of the successful audits that the Town has received under the leadership of Ms. Mays.

- Jeff Adkins, Eastside High School Coach, spoke in favor of the conveyance of property to WCSB. He also spoke in favor of Ms. Loretta Mays serving as Town Manager.
- Bill Dotton, Old Norton Coeburn Rd, spoke in favor of Loretta Mays serving as Town Manager.
- Dante Lee, 11807 Old Mill Village Rd, expressed his appreciation for Ms. Mays contribution to the schools. He spoke on her commitment to the town and its growth.
- Charlie McConnell – 1217 East Main Street – spoke in favor of Loretta Mays serving as Town Manager.
- Frank Ward, 517 Front Street E., discussed the employment contract entered into with Ms. Mays. He asked that Council do what is best for the citizens of the Town of Coeburn.
- Travis Perry, 826 Front Street E., spoke in favor of Loretta Mays being appointed as Town Manager. He spoke of the improvements that the town can contribute to Ms. Mays.
- Mary Puckett, 215 Harris Street, spoke in favor of Loretta Mays serving as Town Manager. He asked Council to look at the facts before terminating Ms. Mays' employment contract.
- Robert Dingus, 307 Grand Avenue, addressed Council with concerns about the employment contract that was implemented for Ms. Mays by the previous Council.
- Pauline Ratcliff, 407 Central Street, inquired about the employment contract between Ms. Mays and the town.
- Eula Hughes, 1004 Front Street SE, addressed Council with concerns about the employment contract between Ms. Mays and the town.
- Doug Mills, 708 2<sup>nd</sup> St NE, addressed Council with concerns about the employment contract between Ms. Mays and the town.

There was no further public expression. Public expression was closed.

**Approval of Agenda:** Charles Kiser made a motion to approve the agenda with an addition to discuss purchasing an air conditioning unit for the Rally Shack. Carles Collins seconded the motion and a vote resulted in all Ayes.

Carles Collins made a motion to add to the agenda discussion of receiving accounts payable reports prior to the normally scheduled workshop meeting. Charles Kiser seconded the motion and a vote resulted in all Ayes.

Veronica Buchanan made a motion to list the discussion of the Town Manager position as a personnel issue and disposition of real estate in regards to the conveyance of property to the Wise County School Board as the specific reasons for the closed meeting without the Town Manager or Clerk/Treasurer present. Charles Kiser seconded the motion. A roll call vote resulted as follows:

- Veronica Buchanan – Aye
- Carles Collins - Aye
- Charles Kiser - Aye
- Jeff Kiser - Nay
- Jess Powers - Aye

Charles Kiser made a motion to add briefing of legal staff in closed session to the agenda. Carles Collins seconded the motion and the vote resulted in all Ayes.

Charles Kiser made a motion to approve the agenda with all additions to be discussed. Veronica Buchanan seconded the motion. A roll call vote resulted as follows:

- Veronica Buchanan – Aye
- Carles Collins - Aye
- Charles Kiser - Aye
- Jeff Kiser - Nay
- Jess Powers - Aye

### **Consent Agenda**

**Approval of June Minutes:** Veronica Buchanan made a motion to approve the June 11, 2012 Special Meeting minutes with an amendment to the attendance portion. Mr. Lynn

Wells was not present during the meeting. Carles Collins seconded the motion and the vote resulted in all Ayes.

Veronica Buchanan made a motion to approve the June 11, 2012 Special Called Meeting scheduled to present audit reports. A correction to the attendees will be made. Mr. Lynn Wells was not present. Charles Kiser seconded the motion and a roll call vote resulted in all Ayes.

Charles Kiser made a motion to approve the June 11, 2012 Regular Council meeting minutes. Carles Collins seconded the motion. A roll call vote resulted in all Ayes.

Charles Kiser made a motion to approve the June 27, 2012 Recessed meeting minutes with an amendment that included a substitute motion as written and approved below.

Carles Collins seconded the motion. A roll call vote resulted as follows:

- Veronica Buchanan – Aye
- Carles Collins - Aye
- Charles Kiser - Aye
- Jeff Kiser - Nay
- Jess Powers - Aye

Veronica Buchanan made a substitute motion to approve the June 27, 2012 Recessed meeting minutes. Ms. Buchanan motioned to include that public expression was not on the June 27, 2012 agenda but was allowed during the meeting. Carles Collins seconded the motion and a roll vote resulted as follows:

- Veronica Buchanan – Aye
- Carles Collins - Aye
- Charles Kiser - Aye
- Jeff Kiser - Nay
- Jess Powers - Aye

### **Approval of Interim & Current Accounts Payable**

Council discussed current and interim accounts payable with Christy McCoy, Treasurer. Carles Collins made a motion to approve both the current and interim accounts payable. Charles Kiser seconded the motion. A roll call vote resulted in all Ayes.

**Old Business:** There was no old business to discuss.

**New Business:**

- Request WISE-TV Broadcast Council Meetings – Mr. Jeff Kiser discussed citizen interest in the Council meetings. He made a suggestion to allow Wise TV or Heritage TV to film Council meetings. This would give a public record of the meetings. Jeff Kiser made a motion to broadcast Council meetings. Veronica Buchanan seconded the motion, which resulted in all Ayes.
- Committee Appointment Application – There are five (5) appointments that will expire. Council discussed an application that was presented by Mayor Powers. After addressing changes Jeff Kiser made a motion to table the item. Veronica Buchanan seconded the motion, which resulted in all Ayes.
- Rally Shack Air Conditioning – Mr. Charles Kiser spoke with some Coeburn Improvement Association volunteers about the Rally Shack air conditioning. After visiting the Rally Shack, Mr. C. Kiser suggested adding another air conditioner unit to the building. As a volunteer, Jeff Kiser confirmed the need for an additional cooling unit. Charles Kiser made a motion to have Jeff Kilgore prepare an estimate on a window air conditioning unit and present it at the July 23, 2012 workshop. Jeff Kiser seconded the motion. The motion resulted in all Ayes.
- Accounts Payable Reports – Mr. Carles Collins made a motion that the accounts payable reports be presented at the monthly workshop meetings to allow Council members more time to review the expenses incurred during the month. Veronica Buchanan seconded the motion. The motion resulted in all Ayes.

**Reports**

- Fire Chief Cliff Hawkins presented the June 2012 activity report, detailing 9 reportable occurrences that took place during the month.
- Police Chief Willie Stout reviewed the police department's monthly activity log for June 2012. Chief Stout reported 1,397 events during the month. Among the

occurrences Chief Stout reported 788 business checks, 120 extra patrols, and 57 citations.

- Treasurer Christy McCoy reviewed the treasurer's report and answered any accounts payable questions.
- Interim Town Manager Loretta Mays reviewed a list of projects that were previously discussed and/or approved by Town Council. With the approval of Council Ms. Mays will be adding the items reviewed to the July 23, 2012 Workshop meeting.
- Chris Mullins, The Lane Group, asked Council for approval to request funding for sewer line replacement. Mr. Mullins requested Council's direction to apply for funding to assist the town with a sewer loan/grant type application. Council directed Mr. Mullins to go forth with the application.
- Veolia Project Manager, Jeff Kilgore, reviewed the Veolia monthly report, updating Council on monthly activities.

**Closed Meeting:**

Veronica Buchanan made a motion to enter into Closed Meeting pursuant to §2.2-3711 (A) 1 of the Code of Virginia to discuss personnel issues involving the Town Manager's employment contract, §2.2-3711 (A) 3 to discuss the conveyance of property to WCSB, and §2.2-3711 (A)7 to discuss probable litigation pertaining to both issues. Charles Kiser seconded the motion. Mr. Jeff Kiser requested that Ms. Mays and Ms. McCoy be present during closed meeting. After discussion, Ms. Mays and Ms. McCoy remained out of closed meeting but available if needed for discussion.

A roll call vote resulted as follows:

- Veronica Buchanan – Aye
- Carles Collins - Aye
- Charles Kiser - Aye
- Jeff Kiser - Nay
- Jess Powers - Aye
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Council entered into closed meeting.

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

Ms. McCoy read the "Certification of Closed Meeting", which is attached to these minutes and made a part hereof. A roll call vote resulted in all Ayes..

**Council Comments and Concerns:**

Mayor Powers invited citizens and Council to volunteer at the RAM – Remote Area Medical Clinic to be held July 20 through 22 at the Wise County Fair Grounds.

There were no other Council comments or concerns.

**Adjournment:**

Jeff Kiser made a motion to adjourn the meeting. Veronica Buchanan seconded the motion, which resulted in all Ayes.

Respectfully Submitted,

  
ATTEST: Christy L. McCoy, Clerk

  
Jess R. Powers, 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.