

## TOWN OF COEBURN

### Council Minutes

November 14, 2011 – 6:00 p.m. – 502 Front Street E, Coeburn, VA

**Attendees:** All Councilpersons were in attendance. Also present were Loretta Mays - Town Manager, Randy Stanley – Police Lieutenant, Cliff Hawkins – Fire Chief, Christy McCoy - Clerk/Treasurer, and Gary Gilliam – Town Attorney.

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

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

**Induction of New Council Elect:** Prior to the regularly scheduled council meeting, Charles Kiser swore an oath to serve as a Council Member of the Coeburn Town Council. Lynn Wells made a motion to accept the election results as reported prior to State Board of Election certification. Carole Boone seconded the motion. A roll call vote resulted in all Ayes.

**Approval of Agenda:** On a motion by Larry Salyer, seconded by Carole Boone, Council voted unanimously to approve the agenda with an amendment to enter into closed session in accordance with §2.2-3711 (A)1 to discuss personnel issues in reference to the proposed charter revision.

**Public Hearing:** Mayor Larry Salyer opened the floor for public comment regarding the charter revision that proposes to remove the positions of Chief of Police and Treasurer from the list of officers appointed by Council and to add the position of Fire Chief to the list.

Mr. Bill Davidson, Assistant Fire Chief, 304 Poplar Ave. SW, spoke in opposition of the charter revision.

Ms. Eula Hughes, Business Owner, 1004 Front Street, spoke in opposition of the charter revision.

Ms. Shelia Collins, 202 Alfred St., spoke in opposition of the charter revision.

Ms. Joyce Barr, 620 Meadow St. NE, spoke in opposition of the charter revision.

There being no further public comment the public hearing was closed.

**Approval of Minutes:** On a motion made by Carole Boone, seconded by Lynn Wells, Council voted to approve the minutes from the October 10, 2011 Regular meeting and the October 24, 2011 Workshop meeting. The vote results were as follows – Ayes – Boone, Collins, Salyer and Wells. Abstaining – Charles Kiser.

**Public Expression:** Mayor Salyer opened public expression.

Danny Buchanan, Wise County PSA, addressed Council regarding a lease agreement between the PSA and the Town of Coeburn. Mr. Buchanan asked Council to review the section regarding notice of intent to terminate the contract upon abandonment of the building. This topic will be discussed during the next scheduled workshop meeting.

Joyce Barr, 620 Meadow St. NE, asked Veolia project manager, Jeff Kilgore, for an update on the delay of the ditch work on Henderson Street. Ms. Barr addressed a parking problem on Henderson Street. She also requested winter maintenance on the street.

Tammy Robinson, residing at 714 Lynncrest Drive, attended the meeting to follow up with Council on the petition submitted June 13, 2011 requesting consideration of paving a 25' right of way. Ms. Robinson asked that the town continue considering the request.

Sue Bentley of Lynncrest Drive also spoke in favor of the widening of Kiser Street. She also addressed poor pavement problems on the road that are beyond town limits.

Jeff Collins, 202 Alfred Avenue, attended the meeting to inquire about the condemnation time limits on abandoned property. Mr. Collins stated that the property adjacent to his is an eye sore. Ms. Mays, Town Manager, sent a letter to Wise County in the spring to have the property condemned. She will follow up on the request.

Public expression was closed.

**Old Business:**

- Acceptance of Sheffield Sewer Project Funding from DEQ – Mr. Lynn Wells made a motion to accept a loan in the amount of \$2,094,346 from the state revolving loan for a Department of Environmental Quality sewer project from Flatwoods to town. Larry Salyer seconded the motion. The vote was as follows:

Boone-Aye, Collins – Aye, Charles Kiser – Abstain, Larry Salyer – Aye, Lynn Wells – Aye.

- Refusal of Phase II System-wide Water Improvement Project – Mr. Carles Collins made a motion to refuse funding for the Phase II Water System Funding from VDH in the form of a 50/50 grant/loan package. Carole Boone seconded the motion. The vote was as follows:

Boone-Aye, Collins – Aye, Charles Kiser – Abstain, Larry Salyer – Aye, Lynn Wells – Aye.

### **New Business:**

- Resolution 11-005 – Charter Revision – This agenda item will be taken up at a continued meeting on November 28, 2011 at 6:00 p.m. at the MEOC Center.
- Special Use Permit – Wise Mountain Taxi – The Special Use Permit was tabled pending a recommendation by the Coeburn Planning Commission.
- Subdivision Ordinance Exception – William Stapleton – The Subdivision Ordinance Exception was tabled pending a recommendation by the Coeburn Planning Commission.

### **Reports:**

- Fire Chief Cliff Hawkins was present to review his monthly activity log for October 2011. Mr. Hawkins reported a total of 10 calls. He also updated Council on Fire Department training and additional activities that the department participated in during the month of October.
- Police Lieutenant Randy Stanley reviewed the police department's monthly activity log for October. Stanley reported 4 warning tickets, 13 criminal papers served, 13 arrests, 8 verbal warnings and 42 vehicle stops.
- Treasurer Christy L. McCoy reviewed items included in the treasurer's report. Ms. McCoy requested approval of the month's current and interim accounts payable.

Ms. Carole Boone made a motion to approve the interim accounts payable in the amount of \$69,092.28. Lynn Wells seconded the motion. There was a roll call vote resulting in all Ayes.

Larry Salyer made a motion to approve the current accounts payable in the amount of \$168,509.19. Lynn Wells seconded the motion. A roll call vote resulted in all Ayes.

- Town Manager Loretta Mays presented the Town Manager's report. The report included an expense summary for the renovation of town hall. Ms. Mays updated Council on surplus auction items. Ms. Mays also suggested adding an ambulance box that was not in use.
- Ms. Carole Boone made a motion to proceed with the auction and add an ambulance box to the list. Lynn Wells seconded the motion. There was a roll call vote resulting in all Ayes.
- Upon a motion made by Larry Salyer and seconded by Carole Boone Council unanimously agreed to use the funds from the auction to purchase a new or used bed F450 that once belonged to the Coeburn Rescue Squad.

Veolia project Manager, Jeff Kilgore, reviewed the Veolia monthly report.

**Other Business:**

**Council Comments:** The new pavement on Willow Street has a drop off and possibly needs to be revisited. There were no other Council comments or concerns.

**Closed Session:** Carole Boone 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. Lynn Wells seconded the motion. The motion resulted in all Ayes.

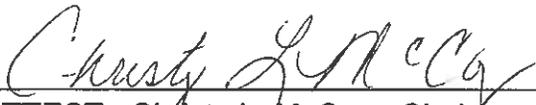
Council entered into closed session.

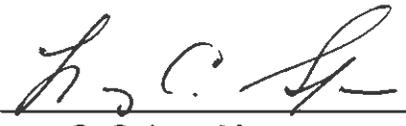
Immediately following the closed meeting, Mayor Salyer reconvened the meeting.

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.

**Continuation:** Council agreed to continue the regular meeting on November 28, 2011 at 6:00 p.m. Council will take up the Charter revision at that time.

Respectfully Submitted,

  
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ATTEST: Christy L. McCoy, Clerk

  
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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.