Council Minutes
Regular Meeting
August 10, 2015 – 6:30 p.m. – 502 Front Street E, Coeburn, VA

Attendees: Upon a roll call vote all Council members were present. Christy McCoy – Clerk/Treasurer, Russell D. Mullins – Town Manager and William Sturgill – Town Attorney were also present.

Call to Order: Mayor Jeff Kiser called the meeting to order.

Pastor Steven Baker, Coeburn Presbyterian Church, gave the invocation. The group remained standing for the Pledge of Allegiance.

Public Expression:

James Bullion, 305 North Street presented a Freedom of Information Act request to Council. He stated that businesses within town were stealing from the town by hitting the no sale button on their cash registers. He also stated that businesses were using water illegally. He asked Council to check on these matters.

Sam Adams, 307 Horne St. SW asked Council for answers regarding the water system. Mr. Adams stated that the water has been discolored for the past two months. He opposed being charged for water that he used in order to flush his lines. Mr. Sam Adams made a verbal FOIA request for the water sample results. He asked when, where and what was sampled.

Tony Large, 6429 Osprey Rd asked Council to clean up the creek near his property located at 113 Front St. E. He stated that the creek had trash in it that could lead to flooding during heavy rains. Mr. Large advised Council that several years ago, the town paid $10,000 for the right to keep the creek clean. He previously brought the issue before and was told that the town did not have the money to clean the creek. He also asked about a $100 deposit that was transferred from one account to another. He said he tried to contact the town manager several times regarding the matter and he was unavailable. He also asked about his property's parking lot that needed repaired. The parking lot was damaged during the downtown water project and was never fixed. He asked the state to fix it and they said it was the town's responsibility. The town manager said that he and the public works manager would evaluate the creek for clean-up. He advised Mr. Large that if there was a credit in his name but he owed money to the town, the money could be transferred to the outstanding account. However, Mr. Mullins stated that he would credit the deposit back to the account. The parking lot will be evaluated by the contractor that worked on the project.

Melissa McCarty, 637 Meadow Street asked the town manager why her driveway was not repaired yet. Mr. Mullins told Ms. McCarty during a previous meeting that he would

have the driveway repaired. She stated that the driveway was still not repaired. She is dragging her cars on the driveway. There is flooding in that area because the driveway is damaged. Mr. Mullins stated that the contractor was still doing repairs and he would contact them again to make sure the driveway is on their list.

Joyce Barr, 620 Meadow Street stated that she has lived in the town over 30 years. She informed Council that she was no longer proud to be a citizen of Coeburn. She was disappointed in the lack of experience of leaders within the town.

Charles Kiser, 501 King Avenue thanked Ms. McCoy for doing a good job and felt that the raise she received was well deserved. He also praised the town manager, chief of police and the public works director. He stated that Council should have realized that a raise was in the budget and not blamed department heads.

There was no further public expression. The Mayor closed public expression.

Approval of Agenda:

Mayor Kiser made a motion to approve the agenda as presented. Deventae Mooney seconded the motion which resulted in all Ayes.

Reports:

Town Manager

Town Manager Mullins reported that there was a concern regarding water quality. He explained that the water system was being flushed again as an effort to clear the discoloration. Ms. Still asked if there was any way that people could be advised of when and where line flushing would take place. Mr. Mullins stated he and Mr. Jordan were working on a schedule and they would make sure the public was aware. Ms. Still asked if the town compensates citizens water used to flush their lines. Ms. McCoy informed Council that it is not the town's policy to discount bills for flushing lines. Council asked the town manager and treasurer to discuss some guidelines for discounts and report back to Council. There was also discussion that the water discoloration could be caused by dirty water storage tanks. Mr. Mullins was been working on obtaining a quote for cleaning the water storage tanks. Ms. Buchanan stated that Utility Services formerly had a contract with the town to clean the tanks on a regular basis. Ms. Still asked if the water samples came back that it was safe for consumption. Mr. Mullins assured the citizens that the water quality tests came back uncontaminated. He stated that there are 10 samples taken from different locations.

He informed Council that he attended an informal meeting regarding introducing elk into the area. He asked Council to be thinking about some opportunities that the release of elk could bring to the area.

Ms. Still asked the town manager if there was a way that he could set up a time frame that he can be reached. She had several complaints from citizens stating that they are unable to reach him. Mr. Mullins informed Ms. Still that he checked messages and returned calls as soon as possible.

Mr. Kiser asked about the roofing issues that were discussed during the last meeting. Mr. Mullins reviewed the old records and could not find any warranty information for the roof on either the Lays building, MEOC building or the Library. Mr. Kiser suggested checking with Quality Roofing of Norton, VA to see if they were the contractor on the roofing jobs. He also asked Mr. Mullins if he recently took vacation leave. Mr. Mullins reported that he was on vacation Wednesday to Wednesday. He then stated he was on vacation "Tuesday'ish" to Wednesday.

Public Works

Danny Jordan, Public Works Director, reported that his department continued progressing with the water line flush. His department assisted VDOT with paving within town limits. He reported that public works assisted with flash flooding on 7/20/2015 and assisted in the clean up on 7/21/2015. He addressed the discoloration of the water, informing Council that some of the discoloration is caused by old lines. He explained that when the lines are flushed that the settlement in the bottom of the line gets moved causing discoloration. Mr. Jordan agreed to assist the town manager with advertising the line flushing.

Mr. Kiser asked Mr. Jordan about a conversation they had regarding town improvements. He asked if he had a completion date for the sidewalk edging that was discussed. Mr. Jordan explained that the street department stays very busy mowing streets, ballfields and the Lagoon. If it rains they are unable to mow, which puts them a day behind. Mr. Kiser asked if it was possible for fine workers to complete the project. Public works is normally contacted by Southwest Virginia Community Correction regarding fine workers. The town doesn't have a set schedule for the fine workers. He explained that it would be hard to depend on a set schedule for a fine worker. Mr. Kiser asked if public works corrected the safety concern regarding the vests worn by fine workers. Mr. Jordan assured him that all workers were provided with a safety vest. If they are caught not wearing a vest or breaking safety protocol, they are not awarded credit for their time worked.

Ms. Still asked if VDOT inquired about the roads that need repaired throughout town. Mr. Jordan told her that they provide VDOT with a list of roads that are in the most need of repair. VDOT had not requested a list this year. Mr. Powers explained that the roads were under a 6 year plan for VDOT repairs. She asked if there was any progress being made on the sidewalk grant for School House Hill.

The Lane Group

There was no representative present to report.

Treasurer

Clerk/Treasurer, Christy McCoy presented Council with minutes from July 13, 2015, July 27, 2015 Special Called Meeting and July 27, 2015 Workshop Meeting. She presented the accounts payable due in the amount of $81,640.82. She reported interim accounts payable paid in the amount of $183,162.96. Ms. McCoy reported the reconciled cash balance as of August 7, 2015. The reconciled cash balance was (–) ($20,631.27). She reported that CNW is still owed the monthly payment, and another was recently received. Ms. McCoy sent an email to CNW advising them that the town realizes that the payment was late and that they were making every effort to get caught up. She reported that a VRS payment was due in the amount of approximately $13,000.

Accounts Payable Due – Sharon Still made a motion to approve the accounts payable due as presented, as money is available. Deventae Mooney seconded the motion. A roll call vote resulted as follows: V. Buchanan – Aye, J. Kiser – Aye, D. Mooney – Aye, J. Powers – Nay, S. Still – Aye.

Interim Accounts Payable – Sharon Still made a motion to accept the interim accounts payable as presented. Deventae Mooney seconded the motion. A roll call vote resulted as follows: V. Buchanan – Aye, J. Kiser – Aye, D. Mooney – Aye, J. Powers – Nay, S. Still Aye.

July 13, 2015 – Regular Meeting – Jeff Kiser made a motion to accept the minutes as presented. Sharon Still seconded the motion which resulted in all Ayes.

July 27, 2015 – Special Called Meeting – Jeff Kiser made a motion to accept the minutes as presented. Sharon Still seconded the motion which resulted in all Ayes.

July 27, 2015 – Workshop Meeting – Jeff Kiser made a motion to approve the minutes as presented. Sharon Still seconded the motion which resulted in all Ayes.

Police Report

Police Captain, Jimmy Williams reviewed the activity report. He reported 606 events, among them were 5 arrests, 6 driving under the influence offenses, 77 citations, 54 criminal papers served, 252 business checks and 53 vehicle stops. Captain Williams reported that the police department increased patrol on Meadow Street. The department wrote 2 tickets for speeding. There is a 25 mph speed limit and Mr. William contacted VDOT about having the speed limit lowered. Virginia requires that a 25 mph speed limit be maintained on the road. Ms. Buchanan asked if the town still had the

machine that tells the speed limit to passing traffic. Mr. Williams stated that it is still in the town's possession but it was currently inoperable.

Volunteer Fire Department

Fire Chief, Cliff Hawkins was absent and no report was given. Council asked the town manager to stress to the fire department the importance of attending the meetings.

Attorney Report

The attorney reported that the Norfolk Southern lease agreement was written as agreed upon by Council and mailed. Norfolk Southern currently had not signed off on the lease. He would report updates on all other legal matters as they become available.

Farmer's Market

Shirley Cassidy reported that the Farmer's Market continued to grow. She thanked Mr. Jordan for helping solve the problem that they were having with the pigeons.

New Business

a. Old Dominion Power Company Rate Increases – Town Manager Mullins presented a letter dated August 4, 2015 advising that ODP would be requesting a rate adjustment for electric base rates. A public hearing was scheduled for September 24, 2015 at 7 p.m. in the Norton Municipal Building, City Council Chambers. Mr. Mullins encouraged Council and all citizens to attend the meeting. Council would like to pass a resolution in opposition of the increase and present it during the public hearing. A resolution will be written and presented to Council during the next meeting.
b. Water Quality and Discoloration – Mr. Kiser was aware of all the concerns about the water quality. He spoke with the Lane Group regarding the problem. The Lane Group stated that they would be willing to do an engineering analysis that would show key points of the town's water system. In the meantime, they proposed doing water sampling and sending the samples to an independent lab. The cost would be $40 per sample. Jeff Kiser made a motion to instruct the Lane Group to go out and gather 5 or 6 water samples throughout the system to have it independently sampled to make sure the water is safe for drinking. Veronica Buchanan seconded the motion.
   Jess Powers made a substitute motion to have a procurement to advertise and accept bids for the water testing. Deventae Mooney seconded the substitute motion. He asked what the time frame would be for advertising and awarding the testing. Mr. Mullins advised that it would be about a month for the total procedure. Mr. Kiser reminded Council that the Town of Coeburn is not large enough to be required to bid jobs out. He clarified that the testing would be a one-time procedure. A roll call vote on the substitute motion resulted as follows;

V. Buchanan – Nay, J. Kiser – Nay, D. Mooney – Nay, J. Powers – Aye, S. Still – Nay.
Mayor Kiser called for a roll call vote on the original motion. A roll call vote resulted as follows: V. Buchanan – Aye, J. Kiser – Aye, D. Mooney – Aye, J. Powers – Nay, S. Still – Aye.

The mayor asked Mr. Mullins to contact the Lane Group to request the testing. He asked that a report be given to Council and to the citizens upon completion.

c. Guest River Rally – The town manager stated that he received several calls asking if the town would be having the Guest River Rally. The CIA contacted him to request funding for the Rally. Ms. Still asked the treasurer if the town was able to donate. Ms. McCoy advised Council that the report that she provided to them should help them make the decision. Shirley Cassidy, CIA representative, informed Council that without the $7,000 funding from the town the Rally would not take place. Mayor Kiser dismissed himself from the portion of the meeting due to his wife's involvement with the CIA. He turned the meeting over to Vice Mayor Still. She asked the treasurer if the money would be there for the Rally. Ms. McCoy advised her that the town is 2 CNW payments behind totaling close to $60,000, a payroll in the amount of approximately $35,000, insurance premiums, VRS, and allocations to the Lonesome Pine Library that have not been paid. She stated she wasn't against the Rally but she didn't see the money available for it. Mr. Powers stated that the money was allocated in the budget. Captain Williams informed Council that the police department would fund some of the Rally. He committed the police department to a contribute $3,500 to the rally from restitution account and special event funds. With the contribution from the police department, Sharon Still made a motion to give the CIA from $1 to $4000 as needed for the Guest River Rally. Deventae Mooney seconded the motion. A roll call vote resulted as follows: V. Buchanan – Aye, J. Kiser – abstained, D. Mooney – Aye, J. Powers – Abstained, S. Still – Aye.

Old Business

a. VDOT Response to Speed Study Letter – The town manager updated Council on the Meadow Street speed study request. VDOT did not reduce the speed limit due to VDOT's policy for the minimum speed limit within the Town. A 'watch for children' sign was placed on the route.

Council Comments and Concerns:

Veronica Buchanan stated that she hoped all funding for the Rally comes through. She hoped that it will be a success.

Deventae Mooney reiterated what Ms. Buchanan stated. He would try to seek additional funding for the Rally. He thanked the CIA members for all the work and effort that they put into the event.

Jess Powers reviewed the guidelines for a special called meeting. He asked that all future special called meeting agenda's be emailed to each Council member. Mr. Powers said he did not receive his agenda for the previously called special meeting until last minute. He also addressed closed meeting topics and guidelines in reference to the closed meeting held during the special called meeting on July 27, 2015. Mr. Powers stated that he felt the FOIA code and the Special Called meeting code was violated. Council went into closed meeting under section 2.23711 (A1) and discussed employment contracts. It was Mr. Power's opinion that Council should have entered closed session under section 2.2371 (A7).

Sharon Still stated that there was no discussion that took place in closed session that was not outlined during the motion to enter closed session. There was an issue that came up that was not discussed because it was not specified in the motion for the closed meeting. Ms. Still also said that she hoped that everyone could help raise money for the Rally to lessen the town's burden.

Mayor Kiser addressed the Guest River Rally. He thanked Council for the allocation to the Rally. The CIA indicated that donations were scarce this year and without the support of the town the Rally would not take place.

Adjournment

Deventae Mooney made a motion to adjourn the meeting. Sharon Still seconded the motion which resulted in all Ayes.

There was no Council comments or concerns.

Respectfully Submitted,

ATTEST: Christy L. McCoy, Clerk

Jeffery G. Kiser, Mayor

Council Minutes
Workshop Meeting
August 24, 2015 – 6:30 p.m. – 502 Front Street E, Coeburn, VA

Attendees: Upon a roll call vote Veronica Buchanan, Jeff Kiser, Sharon Still and Jess Powers were present. Deventae Mooney was absent. Scott Brooks – Chief of Police, Christy McCoy – Clerk/Treasurer, Russell D. Mullins – Town Manager and William Sturgill – Town Attorney were also present.

Call to Order: Mayor Jeff Kiser called the meeting to order.

Pastor Steven Baker, Coeburn Presbyterian Church, gave the invocation. The group remained standing for the Pledge of Allegiance.

Public Expression:

There was no public expression. The Mayor closed public expression.

Approval of Agenda:

Mayor Kiser made a motion to approve the agenda as presented. Sharon Still seconded the motion which resulted in all Ayes.

Reports:

The Lane Group

Chris Mullins, Lane Group, spoke regarding the water quality test results. The town was experiencing water discoloration and Council directed The Lane Group to gather samples and perform tests to identify the problem. The Lane Group sampled the water prior to treatment. They then collected an additional 6 samples throughout the water system. They mapped the complaints that were coming from citizens to try to identify any similarities. He first reported that the raw water sample had high iron and manganese. He also reported that the bacteria samples were negative. The iron and manganese levels exceeded the Health Department regulation. However, he stated that this wasn't uncommon this time of the year. He recommended adding additional chemicals (permanganate or chlorine) to resolve the problem. The recommended treatment was permanganate. The Lane Group also recommended testing regularly for both iron and manganese. Mr. C. Mullins stated that he was happy to report to Council and citizens that the problem was identified and was treatable.

Town Manager

Town Manager Mullins advised that daily logs from the water plant were included in Councils workshop packets. He advised that the water treatment plant was treating both iron and manganese. However, they ceased treatment because the chemicals were turning the water pink. Mr. C. Mullins stated that it is not required to treat the water for these deficiencies year round. The Mayor clarified that the town did not treat the water for iron or manganese during the past 3 months. Chris Mullins stated that it was treated. The Mayor asked if the flushing helped the water discoloration problem. Mr. C. Mullins stated that the flushing would not help this particular water problem. He asked how many gallons of water was flushed in an effort to remedy the problem. The public works director stated that approximately 800,000 gallons had been used in an effort to clear the water discoloration. Mr. C. Mullins stated that the cost to flush is approximately $1.50 per thousand gallons. Mayor Kiser asked for the town manager to give Council an organizational chart showing all departmental chain of command. The town manager quickly gave Council a review of the chain of command. He will give a written report to Council at the next regularly scheduled meeting. He also reviewed the actions that were taken within the past months to try to remedy the water problem. The Mayor asked if anyone told the water treatment plant to stop treatment of iron and manganese. The public works director and the town manager both stated that they did not tell them to stop treatment.

The town manager also reported that he spoke with the county and they were reviewing the comprehensive plan. There were a few misconceptions that were cleared up regarding the town charter. He reported that there were decreases in population reported.

He also reported meeting with the insurance carrier (VML) regarding rates. The town participated in a program that would save money on the insurance policy. He is hoping for a 5% decrease once all reporting is finalized.

The Vice Mayor also asked if the County gave an update on the Line of Duty Act reimbursement. He informed Council that no update was given. The town manager will contact the county for an update.

He also reported that he will be pursuing a community block grant to see if the town would be eligible for any grant money. He will be researching the paperwork and needed information. The grant is to help seed businesses and help give buildings a "facelift".

Mayor Kiser asked about the Spearhead Trails signage. He reminded the town manager that the town needed to be compliant with Virginia Department of Transportation requirements. Mr. Mullins stated that he would meet with a representative of Spearhead Trails to find out what the town needs to do. Council

agreed that they would like to be prepared when Spearhead Trails decides to move forward.

Public Works

Danny Jordan, Public Works Director, reported that his department worked on standard work orders. He reported that the department began preparing for the Guest River Rally. He also reported that the creek addressed during the previous meeting was cleaned.

Mayor Kiser asked about the two decorative lamps that were down since last winter. The lamps were broken during the winter. They were both damaged by vehicles. Mayor Kiser asked if there was an insurance claim filed on the damage. Mr. Jordan reported that the lamps were never reported to the insurance companies. He stated that he did not know who to contact regarding the claim. Council asked the attorney if the insurance claim was still valid. Mr. Sturgill stated that he didn't want to address specifics. He thought that there would be enough time to make the claim. He advised notifying the insurance company immediately. Mayor Kiser asked that the insurance claim be filed that week. Mr. Jordan later reported that one of the lamps was hit by a citizen that was volunteering to help the town. The citizen was helping with snow removal during a February 2015 snow storm. Council suggested checking with the town's insurance carrier to see if there was any validity to the claim.

The Lane Group

Chris Mullins continued talking about the water treatment plant. He spoke about operating equipment that needed to be replaced. He asked for Councils permission to pursue a $25,000 grant offered by the Virginia Dept. of Health. Council could not take an official vote to pursue the action. However, they did take a general consensus. Council agreed to allow The Lane Group to pursue the grant. Ms. Still asked that the Lane Group also look into any sidewalk grants that might be available for the sidewalks near the school. Mr. C. Mullins advised that she compile a list of sidewalks that are needed and submit it to the town manager. He will work with the town manager to inquire about grant availability.

Treasurer

Clerk/Treasurer, Christy McCoy presented Council with an up to date budget report showing all expenses and revenues for 2015-2016. She reported accounts payable due in the amount of $89,762.71. Ms. McCoy reported the reconciled cash balance as of August 24, 2015. The reconciled cash balance was (–) ($56,766.81). The town manager stated that even though the water rate increases were effective, it would take a while for the town to build any reserve. She also presented the regular meeting minutes from August 10, 2015. She also reported meeting with Paul Greene, Virginia

be held in Norton, VA. The meeting is scheduled for September 24, 2015 at the Norton Municipal building.

b. Library Warrantee/roof – The town manager investigated the roof warranty. The only documentation found was for the roofing on the MEOC building. The materials was purchased in 1996. There were certain conditions that had to be met to make the warranty effective. The conditions were not met and no warranty exists.
c. Guest River Rally – The town manager wanted to update Council on the Guest River Rally funding. The police department donated $5,000. There were no other donations received to date.

Closed Session:

Veronica Buchanan made a motion to enter into closed session in accordance with Virginia Code §2.2-3711(A.1) in regards to the water treatment plant. Sharon Still seconded the motion. The motion resulted in all Ayes.

Council entered into closed session.

Immediately following closed session, Christy McCoy, Clerk, read the "Certification of Closed Meeting", which is attached to these minutes and made a part hereof. A roll call vote certifying that only matters that were identified in the motion convening were discussed, resulted in all Ayes.

No action was taken upon reconvening the meeting.

Council Comments and Concerns:

Veronica Buchanan stated that she notice weeds in the creek that Mr. Large discussed during the last meeting. She would like to see the town clean out some of the creeks that lead into that area. She also informed Council that there was an Eastside student, approximately 11 or 12 years, old that was excelling in wrestling. The student was not in high school yet and had competed on the state level. She would like for Council to do a resolution to recognize the individual.

Sharon Still thanked the police department for the donation to the Guest River Rally. She also addressed the creek cleaning situation. She stated that firstly the town needs to find out whose responsibility it is to clean the creeks. She stated that the property owner needed to be established before we begin cleaning them.

Jeff Kiser spoke regarding the Guest River Rally. He informed everyone that there would be a few additions to the Rally. He encouraged everyone to attend the Rally. He also thanked the police department for their generous donation. He also addressed the weed situation in the Town of Coeburn. He mentioned the sidewalk edging and the

Department of Health regarding the final audit of files for the Downtown Water Project. She informed Council no deficiencies existed. Mayor Kiser asked the treasurer to report the difference in the amount of the accounts receivable since the rate increase took effect.

Police Report

Chief Scott Brooks reported that there were no new events that took place since the last meeting. Council thanked the police department for the donation that was given for the Guest River Rally. Mayor Kiser asked if there was a police report filed on the decorative street lamps that were hit by vehicles during the winter months. Chief Brooks didn't recall a police report. He will check his records to confirm that there wasn't one filed. He will report his findings to the public works manager.

Volunteer Fire Department

Fire Chief, Cliff Hawkins was absent and no report was given. Council discussed the downtown Trunk or Treat event that the fire department sponsored last year.

Attorney Report

The attorney read the resolution opposing the increase in rates to local users. The resolution would need to be voted on during the next regular meeting.

Farmer's Market

Ms. Shirley Casidy didn't have anything new to report.

New Business

a. Office of Drinking Water Final Project Evaluation – The final administrative review was presented to Council in the workshop material. Ms. McCoy discussed the findings during the treasurer's report.
b. Office of Drinking Water FY10 Financial Assistance Administrative Review – The town manager informed Council that the item also pertained to the Downtown Water Project final administrative review. The information was presented in the Council workshop material.

Old Business

a. Old Dominion Power Company rate increase – Ms. Veronica Buchanan asked that the resolution include the economic hardship that our area has faced due to the coal industry. The attorney said he would add the paragraph detailing the economic hardship. Council encouraged everyone to attend the public hearing to

grass growth. He would like to see those taken care of before the Rally. He stated that he was glad that the water problem was solved. He asked citizens to be patient and give the chemicals time to work and the lines to clear.

Adjournment

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

There was no Council comments or concerns.

Respectfully Submitted,

ATTEST: Christy L. McCoy, *Clerk*

Jeffery G. Kiser, Mayor