

Council Minutes
Regular Meeting
December 11, 2017 - 6:30 p.m. – 502 Front Street E, Coeburn, VA

Attendees:

Upon roll call, all members of Council were present. Russell A. Mullins – Town Manager, Scott Brooks – Chief of Police, Misty Yates - Clerk/Treasurer and William Sturgill – Town Attorney were also present.

Call to Order:

Mayor Jeff Kiser called the meeting to order. Reverend Steven Baker, Coeburn Presbyterian Church, gave the invocation. The group remained standing for the pledge of allegiance led by the Veterans of Foreign Wars Post 8652 of Coeburn, VA.

Public Expression:

Mark Hollyfield, Executive Director - Coeburn-Norton-Wise Regional Waste Water Treatment Authority, P.O. Box 1296, Norton, VA – Mr. Hollyfield explained that C-N-W was chartered in 1987, this was their thirtieth year in existence and the Town of Coeburn was one of the founding members. C-N-W has been the sewer treatment provider for the Town since 1991.

Mr. Hollyfield came before Council to present the Town with a replica plaque that C-N-W had received earlier in the year. C-N-W is the Virginia Rural Water Association Wastewater System of the Year - 2017.

Mayor Jeff Kiser thanked Mr. Hollyfield and expressed how much the Town valued their relationship with C-N-W.

Anthony Willis, Commander – Mountain Empire Post 8652, Veterans of Foreign Wars, 12128 Matlock Drive, Coeburn, VA - Commander Willis, along with David Perry and Ronald Porter, on behalf of all other members presented a check in the amount of \$3,000.00 as their contribution toward Ringley Park Special Needs Project; with the stipulation that these monies will be put toward the purchase of such equipment that will provide assistance and enjoyment to all those that may enter into this Special Park that has special needs.

Public expression was closed.

Approval of the Agenda:

Jeff Kiser made a motion to approve the agenda as presented. Mike Holbrook seconded the motion, which resulted in all Ayes.

Reports:

Town Manager

Town Manager, Russell A. Mullins advised that starting with this Council packet, he would begin including a written Town Manager's Report for their review for Regular Meetings.

Mr. Mullins also reported there was a major sewer break on the access road going toward Marty Shopping Center. Mr. Mullins advised that this project and repairs will cost the town \$20,475 presently. Mr. Mullins estimated a breakdown of these costs as follows: \$2,000 pipe, \$4,500 excavator and the remaining cost was the expense for pumping out the pump station. He reported that while the pump station was off, it was pumped twenty-three times at a cost of \$625 per load. Mr. Mullins further explained he allowed the company to dump the waste into one of the nearby manholes instead of transporting the waste to C-N-W and dumping. Mr. Mullins advised the company's invoice reflected a discount of approximately \$4,000 since the waste was not transported to C-N-W. However, he does not feel this amount of discount is acceptable. This same company was previously used in September 2015 and charged \$630 per load and the waste was transported to C-N-W.

Sharon Still inquired if there were other providers available to provide this type of service and she recommended going forward that we shop around to get cost estimates. Mr. Mullins advised that in a typical situation, he would reach out to providers in the area and get cost estimates. However, due to the emergency situation at hand, he used the provider we had used in the past.

After receiving the invoice, Mr. Mullins has reached out to another service provider. This provider gave an estimate of \$725 per load. Mr. Mullins advised there is another provider who charges \$400 to \$500 to pump out a septic system, which is larger than a pump station, and this is likely who he will use with future needs.

Jeff Kiser advised, after previous conversations with Mr. Mullins during this event, he was anticipating an invoice of approximately \$9,000 from this service provider since they used our facilities for dumping. Mr. Mullins explained that going off the previous rate this provider charged the Town in the past, he estimated pumping fees to be \$14,375, less a discount of \$4,500 for using our facilities to dump the waste, the balance due would be approximately \$9,875. Mr. Mullins expressed that he feels the invoice we received is a not a fair amount and the discount for using our facilities should be taken off from the \$14,375, not the \$19,000, as the current invoice reflects. Mr. Mullins advised he reached out to the service provider to discuss the invoice; they stated the current invoice is correct and did not agree with Mr. Mullins' calculations. Mr. Mullins requested Council to provide guidance as how to proceed with the present invoice. There is a stipulation on the invoice that denotes if this bill is not paid in full within 30 days, the balance due will be \$19,000.00.

Mr. Kiser also asked Chris Mullins, Project Manager with The Lane Group his thoughts on this situation. Mr. Mullins advised that he also felt this invoice was an absurd amount. However, Mr. Mullins advised that do we likely have to pay this current invoice because they did provide a

service; if the invoice is not paid within 30 days, the Town will owe a large, additional amount of money. Mr. Mullins explained in a normal situation, his firm would have recommended bypass pumping; however, given this situation, it was not an option.

After council discussion, Mr. Kiser asked Mr. Mullins if his firm could assist in gathering rates that other localities have been charged for these services given the circumstances. Mr. Mullins advised his firm does have access to these rates and would assist in gathering this information.

Mr. Russell Mullins reported he had also spoken with Mr. Mark Hollyfield, Executive Director of C-N-W had he reported that another locality had used the same service provider and they also paid \$625/\$630 per load.

William Sturgill, Town Attorney advised communication is the key. Mr. Sturgill advised to see what other localities have been charged; this will provide what a reasonable rate would be given the circumstances. Mr. Sturgill further advised Mr. Mullins, Town Manager to communicate with the service provider and explain the Town thinks they were charged too much; hoping to establish an agreeable amount and that this service provider still wants to do business with the Town in the future.

Council requested all correspondence to the service provider be through email or written letters and copies of all communications provided to all members of Council via email due to the 30-day window of payment on the existing invoice received.

Mr. Mullins also reported that following the last Council Workshop Meeting, WCYB came to town for a story concerning blight properties in the Town. Mr. Mullins also advised he had followed up with Robert Mullins, Wise County Building and Zoning Department. They have set up an open file for our requests and are presently investigating a few properties that have been submitted to them. Mr. Mullins has also talked with the police department about vehicles on properties. Mr. Mullins worked with Chief Brooks and Assistant Chief Williams to draft a letter and this enforcement should start very soon as well.

Mr. Mullins advised that he would begin working on his budget preparations at the end of the month and will be asking all departments to submit budget requests by mid-February. In addition, Mr. Mullins explained that he, along with Ms. Yates, are in the process of changing in house controls and approval process for all purchases.

Mr. Mullins also reported that the town did not get approval for the funding package from KaBoom this year. Their letter explained it was not approved due to the cut-off date, which the application was submitted prior to their due date, and one page of the application submitted was also missing.

Mr. Mullins advised he had also received a quote from the pool service provider in Roanoke, VA. To completely redo the entire pool would cost \$240,000.00. Mr. Mullins noted that he has requested another quote just to repair the internal pool components.

Deventae Mooney made a motion to add Town Employee Christmas Bonus to the agenda under New Business, Item 'J.' Mike Holbrook seconded the motion, which resulted in all Ayes.

Sharon Still advised that she had spoken to Mr. Jimmy Adkins with Lenowisco today regarding the sidewalk Grant. Ms. Still thanked Mr. Chris Mullins, Project Manager with The Lane Group for reaching out to Mr. Adkins for assistance and information with this Grant process. Mr. Chris Mullins did explain the LAP Coordinator with VDOT had accepted another position. VDOT has since filled the vacant position with Ms. Tabitha Crowder. Ms. Crowder is currently upstate in training and Mr. Mullins explained there would not be a meeting with VDOT until Ms. Crowder returns from training. Mr. Mullins did explain that there were some things the town could do to help the project progress until she returns from training. They will continue to work with Mr. Adkins and will provide additional updates as available.

- i. Presentation by Mr. Mark Hollyfield, CNW Director – Mr. Hollyfield gave his presentation during Public Expression and was no longer present for this meeting. No additional report was given.
- ii. Public Works - Jeff Livingston, Public Works Superintendent, reported that he and his crews have been working on repairing some water leaks and spent several days working to repair the major sewer break on the access road going toward Marty Shopping Center. Mr. Livingston advised everything is now operational and the pump station is back up and running. He and crews also just finished completion of putting up the remainder of the Christmas tree lights throughout town.
- iii. The Lane Group – Chris Mullins, Project Manager advised he did not have anything additional to report. Mr. Mullins offered to answer any additional questions Council may have.

Treasurer

Misty Yates, Clerk/Treasurer, reported a posted cash balance of \$179,021.41 as of December 8, 2017. She reported outstanding checks in the amount of \$45,994.18, accounts payable due in the amount of \$53,909.41 and interim accounts payable in the amount of \$91,402.31. After deducting the accounts payable due and outstanding checks, the reconciled cash balance was \$79,117.82.

Ms. Yates presented meeting minutes for the November 13, 2017 Public Hearing Meeting, November 13, 2017 Regular Meeting and November 27, 2017 Workshop Meeting.

Ms. Yates also advised that 2017 Tax Billing for Real and Personal Property accounts were due on December 5, 2017. The 10% penalty was assessed on all delinquent accounts on December 6, 2017. Ms. Yates also reported she would be working with Mr. Sturgill and some of the other localities to ensure we had specific wording required on all past due notices that will be sent out the beginning of February. Ms. Yates explained we have many delinquent tax accounts and water utility accounts. She will be taking a more active approach in collection actions such as bank lien letters and DMV stops.

Deventae Mooney made a motion to approve the accounts payable due as presented. Sharon Still seconded the motion, which resulted in all Ayes.

Deventae Mooney made a motion to approve the interim accounts payable as presented. Sharon Still seconded the motion, which resulted in all Ayes.

Sharon Still made a motion to accept the November 13, 2017 Public Hearing Meeting Minutes as presented. Deventae Mooney seconded the motion, which resulted in all Ayes.

Sharon Still made a motion to accept the November 13, 2017 Regular Meeting Minutes as presented. Deventae Mooney seconded the motion, which resulted in all Ayes.

Deventae Mooney made a motion to accept the November 27, 2017 Workshop Meeting Minutes as presented. Mike Wright seconded the motion, which resulted in all Ayes. Sharon Still abstained from voting due to her absence of the November 27, 2017 Workshop Meeting.

Police Department

Scott Brooks, Chief of Police gave the police activity report for the month of November 2017. There were 1,640 events that took place during the month. He gave a summary of these events.

Fire Department

A representative from the Fire Department gave the monthly activity report for the month of October 2017. He reported there were 5 calls total, 38.5 total man hours for calls, 30 total personnel responding and there was 142 training hours during the month with 2 assist calls. The representative also reported the fire department visited all the local schools, library and head start during Fire Prevention Week. They also participated in Trunk or Treat that was held on Halloween and some members also participated in the benefit volleyball game against Wise County Christian School.

Mr. Kiser recessed this Regular Meeting for five minutes.

Upon resuming the meeting, the Fire Department representative gave the monthly activity report for the month of November 2017. He reported there were 15 calls total, 123 total man hours for calls, 78 total personnel responding and there was 142 training hours during the month with one assist call.

Attorney Report

William Sturgill, Town Attorney, provided a copy of a draft resolution he prepared for an upcoming meeting to recognize Eastside's One Act State Championship for the fourth consecutive year in a row. Mr. Sturgill offered to make any changes that needed to be made to the draft resolution. Mr. Sturgill also advised he has begun to review the Town ordinances with the updates. Mr. Sturgill explained this will be an extensive process and he will continue to work on reviewing.

New Business:

- A. Monthly Water Report – Town Manager provided a copy of Virginia Department of Health Office of Drinking Water monthly report for the month of November 2017.
- B. Cumberland's Airport Commission Report – Town Manager provided a copy of the Cumberland's Airport Commission meeting report for the month of November 2017.
- C. CNW Public Hearing on Rates – Town Manager provided a copy of a 'Notice' the Coeburn-Norton-Wise Regional Waste Water Treatment Authority (C-N-W) will conduct a Public Hearing on Wednesday, February 7, 2018 at 7:30 p.m. The preliminary schedule of the proposed monthly user charge for fiscal year 2018-2019 for the Town of Coeburn is \$27,794.00. Mr. Mullins advised this proposed monthly user charge is a decrease of \$3.00 from what the town presently pays each month.
- D. ODP Rate Increase – Town Manager provided a copy of Old Dominion Power Company's 'Order For Notice and Hearing.' Mr. Mullins explained ODP is seeking an increase in base rates which includes a \$4.00 increase, from \$12.00 to \$16.00 in the monthly customer charge. Council requested that Mr. Sturgill prepare a draft resolution in opposition of this proposed rate increase. Mr. Sturgill advised he would prepare a draft resolution for their review during the January Regular Meeting.
- E. Worker's Compensation Coverage Proposal for Fire Department – Town Manager provided a copy of a VACORP Workers' Compensation Coverage Proposal for the Fire Department. Mr. Mullins advised the fire departments current workers' compensation policy is with Liberty Mutual, with \$500,000 coverage for bodily injury by accident or by disease and the annual premium is approximately \$7,200 a year. This VACORP proposal would double the coverage for bodily injury by accident or by disease, bringing coverage to \$1,000,000 for an additional \$500 or \$600 premium cost per year.

Deventae Mooney made a motion to adopt the 2017-2018 VACORP Worker's Compensation Coverage Proposal for the Town of Coeburn Volunteer Fire Department. Sharon Still seconded the motion, which resulted in all Ayes.

- F. Resolution 18-005 – Jeff Kiser made a motion to adopt Resolution 18-005 which is a 'Resolution to Adopt the Member Agreement to Join the Virginia Association of Counties Group Self Insurance Risk Pool.' Sharon Still seconded the motion.

Mr. Mullins advised the resolution must give the Town Manager permission as the authorized representative to execute the agreement on behalf of the member.

Mr. Kiser amended his motion to give Mr. Russell A. Mullins, Town Manager permission as the authorized representative to execute the agreement on behalf of the member. Deventae Mooney seconded the motion. The roll call vote resulted in all Ayes.

- G. VACORP Member Agreement for Worker's Compensation Coverage Proposal - Jeff Kiser made a motion to adopt the 'Member Agreement to Join the Virginia Association of Counties Group Self Insurance Risk Pool.' Sharon Still seconded the motion, which resulted in all Ayes.
- H. December Workshop Session – Sharon Still made a motion to suspend the December 25, 2017 Workshop Session. Deventae Mooney seconded the motion, which resulted in all Ayes.
- I. Town Employee Christmas Dinner December 18, 2017 at Celebrate – Town Manager stated this served as a reminder the Town employee Christmas dinner will be held on December 18, 2017 at Celebrate at 6:00 p.m. All department heads are asked to send an email to Deventae Mooney no later than tomorrow on their number of employees and guests that will be in attendance.
- J. Town Employee Christmas Bonus – Town Manager advised last year the town employee Christmas Bonus was \$250 per employee.

Jeff Kiser called a three-minute recess.

Upon reconvening this meeting, Mike Holbrook made the motion to give employees a \$250 Christmas Bonus this year. Mike Wright seconded the motion. After Council discussion, all full time and part time employees must be employed for at least three months to qualify for a reward of this type going forward.

Mike Holbrook amended his motion to give all full time and part time employees, who have been an employee for the Town of Coeburn for at least three months, a \$250 Christmas Bonus. Sharon Still seconded this motion, which resulted in all Ayes.

Deventae Mooney requested that these be given out at the Christmas dinner that will be held on December 18, 2017.

Old Business:

- A. Heat Pump Complex A – Town Manager provided copies of three quotes to purchase a 5 ton replacement heat pump unit for Complex A building. One quote was Budget Air Supply for a 5-ton Goodman heat pump unit for \$2,400.00. Mr. Livingston advised that he does have someone who is certified locally to install and replace some of the existing duct work in the building for an additional \$1,200.00. Bringing this total amount to \$3,600.00. The second quote was from Virginia Electric Supply, Inc. to purchase a 5-ton Goodman heat pump unit only is \$3,459.00. The third proposal, HCE Systems Inc. is for a 5-ton Lennox heat pump unit and installation for a total amount due of \$6,400.00.

Mike Holbrook made a motion to purchase a 5-ton Goodman heat pump unit from Budget Air Supply in the amount of \$2,400.00. Sharon Still seconded the motion, which resulted in all Ayes.

Jeff Kiser made a motion to enter in to closed session in accordance with Virginia Code §2.2-3711(A.1) to discuss performance of Town of Coeburn personnel in all Departments. Deventae Mooney seconded the motion, which resulted in all Ayes.

Closed Session:

Immediately following closed session, Misty Yates, Clerk/Treasurer, read the “Certification of Closed Meeting,” which is attached to these minutes and made a part hereof. A roll call vote certifying that that only business matters that were identified in the motion convening were discussed or considered. The roll call vote resulted in all Ayes.

There was no action resulting from the Closed Session.

Mr. Kiser added a foot note that he is proposing that the January 22, 2018 Workshop Meeting begin at 5:00 p.m. for a review of the current budget vs. actual numbers for a full six months of this fiscal year.

Council Comments and Concerns:

Mike Holbrook thanked everyone for their hard work and efforts. Mr. Holbrook wished everyone a Merry Christmas as well as a safe and Happy New Year.

Deventae Mooney thanked the Coeburn Improvement Association, Public Works and everyone who made this year’s Christmas Parade such a great success. Mr. Mooney also reminded everyone about the employee Christmas dinner on December 18, 2017 which will be held at Celebrate at 6:00 p.m.

On behalf of the One Act Team, Sharon Still thanked the Police Department, Fire Department, local businesses and all the individuals that came out to welcome home Eastside’s One Act State Championship Team and who continue to show their support. She also reiterated everything that Mr. Mooney stated in his closing comments.

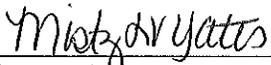
Mike Wright wished everyone a very Merry Christmas.

Jeff Kiser thanked Mr. Livingston and his crew for all their hard work decorating the Town. Mr. Kiser also reminded everyone there would not be a December Workshop Meeting.

Adjournment:

Jeff Kiser made a motion to adjourn this meeting. Sharon Still seconded the motion, which resulted in all Ayes.

Respectfully Submitted,



Attest: Misty Yates, Clerk



Jeffrey G. Kiser, Mayor

Council Minutes
Special Called Meeting
December 21, 2017 – 9:00 a.m. – 403 Second Street N.E., Coeburn, VA

Attendees:

Upon roll call, the following members of Council were present: Mike Holbrook, Jeff Kiser, Deventae Mooney and Sharon Still. Misty Yates - Clerk/Treasurer and Russell A. Mullins – Town Manager were also present. Mike Wright arrived late and was in attendance for part of the meeting.

Also present was Jeff Livingston, Public Works Supervisor.

Call to Order:

Mayor Jeff Kiser called the special called meeting to order.

Jeff Kiser made a motion to enter in to closed session in accordance with Virginia Code §2.2-3711(A.1) specifically surrounding discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees or employees of any public body. Sharon Still seconded the motion, which resulted in all Ayes.

Closed Session:

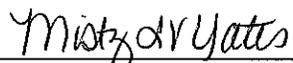
Immediately following closed session, Misty Yates, Clerk/Treasurer, read the “Certification of Closed Meeting,” which is attached to these minutes and made a part hereof. A roll call vote certifying that that only business matters that were identified in the motion convening were discussed or considered. The roll call vote resulted in all Ayes.

At this time, Deventae Mooney made a motion to accept the resignation letter from Misty L.V. Yates, Clerk/Treasurer effective January 1, 2018. Sharon Still seconded the motion, which resulted in all Ayes.

Adjournment:

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

Respectfully Submitted,



ATTEST: Misty L.V. Yates, Clerk



Jeffrey G. Kiser, Mayor