

TOWN OF COEBURN

Council Minutes – Biennial Organizational Meeting July 14, 2014– 6:30 p.m. – 502 Front Street E, Coeburn, VA

Attendees: By roll call vote all Council members were present. Scott Brooks – Police Chief, Gary Gilliam – Town Attorney, Christy McCoy – Clerk/Treasurer and Russell A. Mullins – Town Manager were also present.

Call to Order: Christy McCoy, Clerk, presiding called the meeting to order.

Invocation: Ms. McCoy asked Marty Puckett to give the invocation. The group remained standing for the Pledge of Allegiance.

Reorganization:

Ms. McCoy opened the floor for nominations for Mayor.

- A. *Election of Mayor* - Jess Powers made a motion to nominate Sharon Still to serve as mayor. Veronica Buchanan seconded the motion. A roll call vote resulted as follows: Veronica Buchanan – Aye, Jeff Kiser – Nay, Deventae Mooney – Nay, Jess Powers – Aye, Sharon Still – Nay.

Deventae Mooney made a motion to nominate Jeff Kiser to serve as mayor. Sharon Still seconded the motion. A roll call vote resulted as follows: Veronica Buchanan – Nay, Jeff Kiser – Aye, Deventae Mooney – Aye, Jess Powers – Abstained stating that he didn't think it was suitable for a mayor or vice mayor to have an active law suit against the town, Sharon Stil – Aye. Mr. Jeff Kiser was elected to serve as mayor for a two (2) year term set to expire on June 30, 2016. Ms. McCoy administered the oath of office to Mr. Kiser. After the oath was taken, Mayor Kiser began presiding over the meeting.

- B. *Election of Vice Mayor* – Mr. Kiser called for nominations for vice mayor. Deventae Mooney made a motion to nominate Sharon Still to serve as vice mayor for the Town of Coeburn. Jeff Kiser seconded the motion and a roll call vote resulted in all Ayes. Mayor Kiser administered the oath of office. Ms. Still will serve as vice mayor for a two (2) year term set to expire June 30, 2016.

- C. *Appointment of Clerk* – Veronica Buchanan nominated Christy McCoy to serve as clerk of the Council. Jeff Kiser seconded. Mr. Jess Powers made a motion that the nomination cease and that Ms. McCoy be appointed by acclamation. Council unanimously agreed to cease the nomination and appoint Ms. McCoy as Clerk.

Adopt Procedure for Agenda - Requests for Items to be Added and Adding Items to the Agenda - Mayor Kiser referred to a meeting held by Maria Everette, FOIA Council, in which she stated that any member should be able to add agenda items. Mayor Kiser made a motion that all agenda items be submitted to the town manager and all items (including the name of the requestor) be added to the agenda. Items would be approved during the Council meeting during the "Approval of Agenda" portion of the meeting. Sharon Still seconded the motion. The motion resulted in all Ayes.

Adopt Roberts Rules of Order – Mr. Jess Powers made a motion to adopt the bridge version of Robert’s Rules of Order. There being no second the motion failed. Deventae Mooney made a motion to accept version of the most recent edition of Robert’s Rules of Order. Veronica Buchanan seconded the motion which resulted as follows: V. Buchanan – Aye, D. Mooney – Aye, J. Kiser – Aye, J. Powers – Nay, S. Still – Aye.

Set Rules for Public Expression – Ms. Veronica Buchanan made a motion to continue using the same rules as previously set for public expression. Jess Powers seconded the motion. Deventae Mooney made a substitute motion to continue using the same rules for public expression but to limit the time to five (5) minutes per person. Sharon Still seconded the substitute motion which resulted as follows: V. Buchanan – Aye, D. Mooney – Aye, J. Kiser – Aye, J. Powers – Nay, S. Still – Aye.

Public Expression

Mayor Kiser opened public expression –

Phyllis Powers, 703 Quillen Avenue Expressed concern about the drop box method of utility payments. Ms. Powers stated that she dropped her payment in the drop box at 5:30 p.m. and was assessed with a penalty. She asked Council to review the policy for drop box payments. She agreed with Jess Powers by stating that someone having an active law suit pending against the town shouldn’t be able to “rule over the town”.

There being no further public comment, public expression was closed.

Closed Meeting

Closed Meeting to discuss personnel under the provision of 2.2-3711.A.1 – Deventae Mooney made a motion to enter closed session and only allow Council members to be present. Closed session would be pertaining to personnel and reappointments. Mr. J. Powers asked that Mr. Mooney be more specific. Mr. Mooney stated that the closed session was to discuss the treasurer’s reappointment for the next two (2) years. Sharon Still seconded the motion which 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.

Deventae Mooney moved to enter into closed session to discuss the reappointment and job performance of the criminal and civil attorney, public information officer and the job performance of both in accordance with section 2.2-3711.A.1. Sharon Still seconded the motion. Ms. Buchanan asked if action needed to be taken in regards to the first meeting. Council agreed to enter into closed session and act upon all matters upon reconvening the meeting. Jess Powers stated that in the original motion Mr. Mooney stated that he wasn’t including the town manager, attorney, treasurer or chief of police in the meeting. Mr. Mooney retracted his original motion.

Mr. Mooney made a motion to enter into closed session in accordance with section 2.2-3711.A.1 to discuss the reappointment and job performance of the town criminal and civil attorney and PIO and only include Council members in the closed session. Mr. J. Powers made a substitute motion to include the treasurer, chief of police and town manager because they may have insight to some matters. Veronica Buchanan seconded the substitute motion. A roll call vote resulted as follows: V. Buchanan – Aye, J. Kiser – Nay, D. Mooney – Nay, S. Still – Nay, and J. Powers – Aye. The substitute motion failed.

On the original motion made by Deventae Mooney and seconded by Sharon Still the vote resulted as follows: V. Buchanan – Aye, J. Kiser – Aye, D. Mooney – Aye, S. Still – Aye and J. Powers – Nay.

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.

Reorganization (continued)

- A. Appointment of Treasurer – Jeff Kiser made a motion to reappoint Christy McCoy as Town Treasurer. Veronica Buchanan seconded the motion. A roll call vote resulted in all Ayes.
- B. Appointment of Civil Attorney – D. Mooney made a motion to appoint Gary Gilliam as interim civil Attorney. S. Still seconded the motion. A roll call vote resulted as follows: V. Buchanan – Aye, J. Kiser – Aye, D. Mooney – Aye, J. Powers – Abstained due to the fact that he believes the town attorney should not be interim.
- C. Appointment of Criminal Attorney – Deventae Mooney made a motion to appoint Gary Gilliam as interim criminal attorney. S. Still seconded the motion which resulted as follows: V. Buchanan – Aye, J. Kiser – Aye, D. Mooney – Aye, J. Powers – Abstained due to the fact that he believes the town attorney should not be interim.
- D. Appointment of Public Information Officer – Jeff Kiser made a motion to abolish the PIO position. He stated that department heads should be responsible for answering for their own departments. D. Mooney seconded the motion. J. Powers made a substitute motion to appoint Jeff Kiser as PIO. There being no second. J. Kiser called for the vote for the original motion. The vote resulted as follows: V. Buchanan – Aye, J. Kiser – Aye, D. Mooney – Aye, J. Powers – Nay, S. Still – Aye.
- E. Set Date, Time, and Location of Meetings – Jeff Kiser made a motion to stay consistent with the current schedule and to hold the regular meeting on the second Monday of each month and to hold the workshop meeting on the fourth Monday of each month. If a holiday falls on either of the two, the meeting shall be held the following Tuesday. Veronica Buchanan seconded the motion. A roll call vote resulted in all Ayes.
- F. Set Salary for Mayor – Veronica Buchanan made motion to leave the Mayor Salary as is. The amount is \$300 per quarter. Sharon Still seconded the motion. The vote resulted as follows: V. Buchanan – Aye, J. Kiser – Abstained – serving as mayor, D. Mooney – Aye, J. Powers – Aye, S. Still – Aye
- G. Set Salary for Vice Mayor – Veronica Buchanan made a motion to leave the vice mayor salary at \$600.00 per year. D. Mooney seconded the motion. A roll call vote resulted as follows: V. Buchanan – Aye, J. Kiser – Aye, D. Mooney – Aye, J. Powers – Aye, S. Still – Abstained – serving as vice mayor.

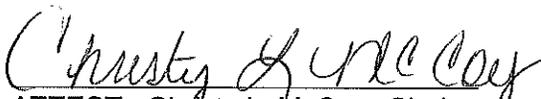
H. Set Salary for Council – Veronica Buchanan made a motion to leave the Council salary at \$300.00 per year. Sharon Still seconded the motion and a roll call meeting resulted in all Ayes.

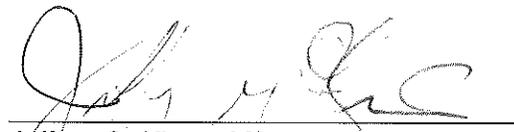
Adjournment

Veronica Buchanan made a motion to adjourn the reorganizational meeting. Sharon Still seconded the motion which resulted in all Ayes.

Mayor Kiser adjourned the 2014 Biennial Reorganizational meeting.

Respectfully Submitted,


ATTEST: Christy L. McCoy, Clerk


Jeffery G. Kiser, Mayor

TOWN OF COEBURN

Council Minutes – Special Called Meeting July 14, 2014– 8:03 p.m. – 502 Front Street E, Coeburn, VA

A special called meeting was held in the place of the regularly scheduled meeting. Jess Powers questioned the legality of the meeting in accordance with the provisions the Virginia Freedom of Information Act. Mr. Powers stated that an emergency meeting should be posted at least 12 hours prior to holding the meeting. Mayor Kiser asked the town manager why the regular meeting had not been posted along with the reorganizational meeting. The town manager stated that he was under the assumption that the meeting would be held in conjunction with the reorganizational meeting. Mayor Kiser stated that a special called meeting could be held without the 12 hour notification if all members of Council were present. Kiser asked the interim attorney if that was correct. Mr. Gilliam agreed that the meeting could be held.

Call to order: Mayor Kiser called the meeting to order. The meeting was being held in place of the regular meeting. Council followed the agenda for the regular meeting.

Attendees: By roll call vote all Council members were present. Scott Brooks – Police Chief, Gary Gilliam – Town Attorney, Christy McCoy – Clerk/Treasurer and Russell A. Mullins – Town Manager were also present.

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

Public Expression: There was no public expression.

Approval of Agenda (amendment by majority vote)

Kiser motioned that item 'B' be added under new business in order to discuss the checks and balances of the municipal pool. Sharon Still seconded the motion which resulted in all ayes.

Kiser motioned that item 'C' be added under new business to discuss use of police vehicles. Deventae Mooney seconded the motion, which resulted in all Ayes.

Kiser motioned that item 'D' be added under new business to advertise the position of town civil and criminal attorney. Sharon Still seconded the motion. Jess Powers asked that motions be made for criminal attorney and civil attorney be made separately. J. Kiser withdrew the original motion.

Mayor Kiser motioned that item 'D' be added under new business to advertise the position of town civil attorney. Sharon Still seconded the motion which resulted as follows: Aye, J. Kiser – Aye, D. Mooney – Aye, J. Powers – Nay, S. Still – Aye.

Kiser motioned that item 'E' be added under new business to advertise the position of the town criminal attorney. Sharon Still seconded the motion which resulted as follows: Aye, J. Kiser – Aye, D. Mooney – Aye, J. Powers – Nay, S. Still – Aye.

Kiser motion that item 'F' be added under new business to discuss the Coeburn Ministerial Association. Sharon Still seconded the motion which resulted in all Ayes.

Sharon Still motioned to move reports to the first part of the meeting. Reports would be given after the approval of the agenda. Veronica Buchanan seconded the motion which resulted in all Ayes.

Sharon Still made a motion to discuss times and dates of any future reorganizational meetings. Veronica Buchanan seconded the motion which resulted in all Ayes.

Veronica Buchanan made a motion to approve the agenda as amended. Sharon Still seconded the motion which resulted in all Ayes.

Reports:

Town Manager:

Russell A. Mullins, Town Manager, reported that he will be attending a meeting held by the Wise County Planning Commission. The meeting is scheduled for July 15, 2014 at 8:30 a.m. The meeting will be held to discuss Wise County's Comprehensive Plan. All town managers were invited to attend the meeting. There was a water leak on Crab Orchard Road that was leaking approximately 20 gallons per minute. The back hoe was repaired and there was an additional \$132 expense that Mr. Mullins asked be added onto the accounts payable due report. Mayor Kiser asked why the town employee's did not receive season pool passes this year. The town manager stated that he got the feeling from previous Council that pool passes should not be given to employees. He allowed town employees half price entry to the pool. He stated that this was an administrative decision that he made because the pool lost \$9,000 during 2013. He said he would be willing to change this next year. Mr. Kiser stated that he would like to see pool passes given back to employees. Deventae Mooney said he agreed with Mr. Kiser. The town attorney stated that Council can direct the town manager to change the policy. Mr. Kiser stated that if it was the consensus of Council, employees should receive free passes. Town Manager Mullins disagreed saying that this was an administrative issue. He added that Council could not direct him to make the change. He stated that the Town of Coeburn was set up as a Council management form of government which makes the town manager the CEO of the town. Mr. Kiser asked that he give the pool passes back to the town employees. Mr. Powers asked Ms. McCoy if she could provide the 2012, 2013 and 2014 (to date) P&L statements for the pool. Ms. McCoy will report the numbers back to Council during the workshop meeting.

Treasurer/Clerk

Requested approval for the Current accounts payable in the amount of \$61,606.87 and the interim accounts payable in the amount of \$106,761.11. She reported a cash balance of \$42,513.93. She also requested approval for minutes of the meetings held throughout June 2014.

Veronica Buchanan made a motion to pay the accounts payable as presented. Deventae Mooney seconded the motion which resulted in all Ayes.

Veronica Buchanan made a motion to pay the interim accounts payable as presented. Sharon Still seconded the motion which resulted in all Ayes.

June 9, 2014- Regular Meeting – Veronica Buchanan made a motion to accept the minutes as written. Sharon Still Seconded the motion which resulted as follows: V Buchanan - Aye, J. Kiser – Aye, D. Mooney – Abstained (wasn't serving on Council at the time), J. Powers – Aye, S. Still – Aye.

June 18, 2014 – Proposed Budget Meeting – Veronica Buchanan made a motion to accept the minutes as written. Jess Powers seconded the motion which resulted as follows: V. Buchanan - Aye, J. Kiser – Aye, D. Mooney – Abstain (wasn't serving on Council at the time), J. Powers – Aye, S. Still – Aye.

June 23, 2014 – Recessed Meeting – Veronica Buchanan made a motion to accept the minutes as written. Jess Powers seconded the motion which resulted as follows. V. Buchanan - Aye, J. Kiser – Aye, D. Mooney – Abstain (wasn't serving on Council at the time), J. Powers – Aye, S. Still – Aye.

June 25, 2014 – Workshop Meeting – Veronica Buchanan made a motion to accept the minutes as written. Jess Powers seconded the motion which resulted as follows: V. Buchanan - Aye, J. Kiser – Aye, D. Mooney – Abstain (wasn't serving on Council at the time), J. Powers – Aye, S. Still – Aye.

June 25, 2014 – FY15 Proposed Budget Meeting – Veronica Buchanan made a motion to accept the minutes as written. Jess Powers seconded the motion which resulted as follows: V. Buchanan - Aye, J. Kiser – Aye, D. Mooney – Abstain (wasn't serving on Council at the time), J. Powers – Aye, S. Still – Aye.

June 30, 2014 – Emergency Meeting – Veronica Buchanan made a motion to accept the minutes as written. Jess Powers seconded the motion which resulted as follows: V. Buchanan - Aye, J. Kiser – Aye, D. Mooney – Abstain (wasn't serving on Council at the time), J. Powers – Aye, S. Still – Aye.

The backhoe was not included in the treasurer's accounts payable report. Jess powers made a motion to pay \$132.30 for the back hoe repair. Veronica Buchanan seconded the motion which resulted in all Ayes.

Ms. McCoy asked Council if she could have permission to close the office on July 29, 2014 in order to train staff to use the new software being installed beginning July 29, 2014. She made Council aware that only utility payments will be accepted through July 30, 2014. Mayor Kiser asked that the office staff explain to customers what is going on with the software upgrade and changes.

Veronica Buchanan made a motion to allow the office to close July 29, 2014 in order to train on the new software. Sharon Still seconded the motion which resulted as follows: V. Buchanan - Aye, J. Kiser – Aye, D. Mooney – Aye, J. Powers – Nay, S. Still – Aye.

Police Department

Scott Brooks, Chief of Police, reported the activities taking place during June 2014. The police department stayed busy with ECO's . He expressed his appreciativeness for attorney Gary Gilliam. He informed Council that Mr. Gilliam was always willing to help in any way he could. He also reported that the department was working on a wide variety of grants.

Public Works

Danny Jordan, Public Works Director, reported maintenance and repair activities that took place during the months of June 2014. He reported that his department was staying busy. Mr. Jordan included a report of the expectancy for all public works vehicles. Ms. Still asked about the additional work that will be done by SB Construction. Mr. Chris Mullins, Lane group, will report on the SB Construction projects during an informative meeting to be held.

Coeburn Volunteer Fire Department

Chief Hawkins congratulated the new Council members on their elections. He reported the activities that took place during June 2014. He reported that the call volume slowed for June. He also reported that the fire department was helping the Lonesome Pine International Raceway.

Attorney Report

Gary Gilliam, Interim Town Attorney, reported that Bud Phillips is strictly enforcing punishment for petty larceny. He noted that Judge Phillips normally requires jail time for petty larceny.

The Lane Group

Chris Mullins reported that the Lane Group will be holding a Council workshop to update incoming Council on all projects taking place within the town. Council agreed to hold a meeting Friday, August 1, 2014, beginning at 10 a.m. – 1 p.m. at the public works meeting room.

Coeburn Farmer's Market

Shirley Cassidy, Volunteer, thanked the public works department for all of the assistance that they have provided during the farmer's market. She reported that the vendors are starting to increase as vegetables come in. She reported that the market is able to take Wise County Farm Market Fresh Vouchers. Mr. Jess Powers thanked Ms. Cassidy for all of the time she dedicated to the Farmer's Market.

Front Street Cruise In

The town manager reported that the previous cruise in was very successful. The Cruise In was held in conjunction with the town's Fourth of July fireworks celebration.

New Business

- A. Monthly Water Report – Town Manager Mullins reported that the water loss rate was lower than it had been in 5 years. He included the water report in Council's packets for informational purposes.
- B. Pool Checks & Balances – Mayor J. Kiser made a motion to direct the town treasurer to establish a checks and balance system and verify that funds are being handled properly at the Coeburn Municipal Pool. Deventae Mooney seconded the motion and a vote resulted as follows: V. Buchanan - Aye, J. Kiser – Aye, D. Mooney – Aye, J. Powers – Nay, S. Still – Aye.
- C. Policy For Use of Police Cars – Mayor Kiser was concerned about the Coeburn Police Department vehicles being used for business that was unrelated to the Police Dept. The cars were being used to drive to the Tri-Cities for pool supplies. Mayor Kiser made a motion to use police cars only for police business and that police vehicles only be driven by authorized police officers. Deventae Mooney seconded the motion. Town Manager Mullins said that it was not cost effective to only allow officers to use police vehicles. The police cars are currently being used for driving to pick up pool supplies. He asked if he should drive his personal vehicle and charge the town mileage. Mayor Kiser obtained a copy of the June 2014 Sam's wholesale bill. He stated that there was \$352.62 for pool concessions and supplies. A police car was used and the cost of the travel to Kingsport or Johnson City plus the town manager salary is not cost effective. He stated that the police cars need to be used for what they were bought for. The town manager asked what Mr. Kiser's solution is. He asked the town manager to shop locally. Mr. Kiser stated that he was also getting complaints that Mr. Mullins was not available at town hall when citizens needed to discuss matters. He stated that the town manager needs to be in the office on a consistent schedule so that citizens will know his schedule. Mr. Mullins asked Mr. Kiser if he was directing him what to do administratively. Mr. Kiser stated that he was concerned about the cost and what would happen if there were an emergency situation and the police cars were in the Tri-Cities. Jess Powers spoke up agreeing that this was an administrative decision and that Council should not direct the town manager or chief of police. He stated that any action of Council could be considered micromanaging. Chief Brooks stated that he did give permission to the town manager to use the police vehicle. Ms. Still agreed that the town should shop locally. On the motion the vote resulted as follows: : V. Buchanan - Aye, J. Kiser – Aye, D. Mooney – Aye, J. Powers – Nay, S. Still – Aye.
- D. Advertise Position of the Town Civil Attorney – Jeff Kiser made a motion to advertise in the July 18, 2014 edition of the Coalfield Progress that the town will have a position open for civil attorney. S. Still seconded. D. Mooney suggested that Council needed to add that the town is accepting applications. Mayor Kiser withdrew his motion. Mayor Kiser made a motion to advertise in the July 18, 2014 edition of the Coalfield Progress that the town will be accepting applications for the position of a Town Civil Attorney through the July 24, 2014. He asked that the town manager forward them to Council members by the 25th so that they will have time to review prior to the 28th. Sharon Still seconded the motion. He also asked that it be placed on the website. The vote was as follows: V. Buchanan - Aye, J. Kiser – Aye, D. Mooney – Aye, J. Powers – Nay, S. Still – Aye.

- E. Advertise Position of the Town Criminal Attorney – Jeff Kiser made a motion to advertise in the July 18, 2014 edition of the Coalfield Progress that the town will be accepting applications for the position of a Town Criminal Attorney through July 24, 2014. Sharon Still seconded the motion. The vote was as follows: V. Buchanan - Aye, J. Kiser – Aye, D. Mooney – Aye, J. Powers – Nay, S. Still – Aye.
- F. Coeburn Ministerial Association – Mayor Kiser made a motion to ask the Coeburn Ministerial Association to rotate ministers for opening prayer during Council meetings. Sharon Still seconded which resulted in all Ayes.
- G. Placement of Agenda Item – Reports - Sharon still made a motion to move placement of reports prior to new business on the agenda. Veronica Buchanan seconded the motion which resulted in all Ayes.
- H. Set Future Biennial Reorganization Date and Time – Sharon Still made a motion to hold the Biennial Organizational meeting on the first available business after June 30. Kiser asked the attorney if an ordinance needs to be done. The attorney stated that there could be a rule according to the availability of the Council members as practical after June 30. Jess Powers said that the meeting should be set for an agreeable time and date by all members and no member should be excluded. Attorney stated that it is usually decided by the members of Council and the member's availability. Mayor Kiser suggested that Mr. Gilliam, Interim Attorney get in touch with Mark Flynn, VML Attorney, regarding this issue. He asked that Mr. Gilliam report back to Council. He also that the town manager go through town records to see if this had been addressed after Town of Coeburn Ordinance Code §30.048 was written. Ms. Still withdrew the motion pending further information.

Council Comments and Concerns

Deventae Mooney thanked the citizens of Coeburn for electing him to serve as a Council member. He stated that he looks forward to working with the citizens of the town.

Jess Powers thanked Mr. Gilliam for the excellent service that he had provided to the town. He stated that Mr. Gilliam was always willing to offer his services when needed. He hoped that Council would continue to use Mr. Gilliam as town criminal and civil attorney

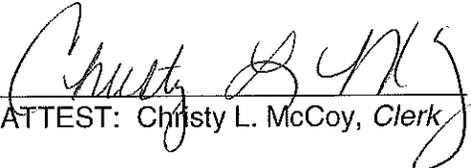
Sharon Still thanked the citizens of Coeburn for electing her to serve as a Council member. She also thanked Council for electing her to serve as Vice Mayor of the Town of Coeburn.

Jeff Kiser asked council to put the past behind them and move forward for the betterment of the town. He also asked the citizens, Council members and employees to work together to pull the town back together. He thanked Charles Kiser for his service to the town. He stated that Mr. C. Kiser served the town well. He also thanked Mr. Carles Collins for his time served on Council.

Adjournment

Mr. Kiser made a motion to recess the meeting to July 28, 2014 at 6:30 p.m. Deventae Mooney seconded the motion which resulted in all Ayes.

Respectfully Submitted,


ATTEST: Christy L. McCoy, Clerk


Jeffery G. Kiser, Mayor



**Council Minutes
Workshop Meeting
July 28, 2014 – 6:30 p.m. – 502 Front Street E, Coeburn, VA**

Attendees: By roll call vote all Council members were present. Christy McCoy – Clerk/Treasurer and Russell A. Mullins – Town Manager were also present.

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

Mayor Kiser asked Joe Still to give the invocation. The group remained standing for the Pledge of Allegiance.

Public Expression:

Gary Taylor, 137 Central Street expressed concern for the Veterans memorial located outside of the Train Depot. The memorial has an eagle statue that is in need of repair. He asked if Council could get someone to evaluate the statue and make the necessary repairs.

There being no further public comment, public expression was closed.

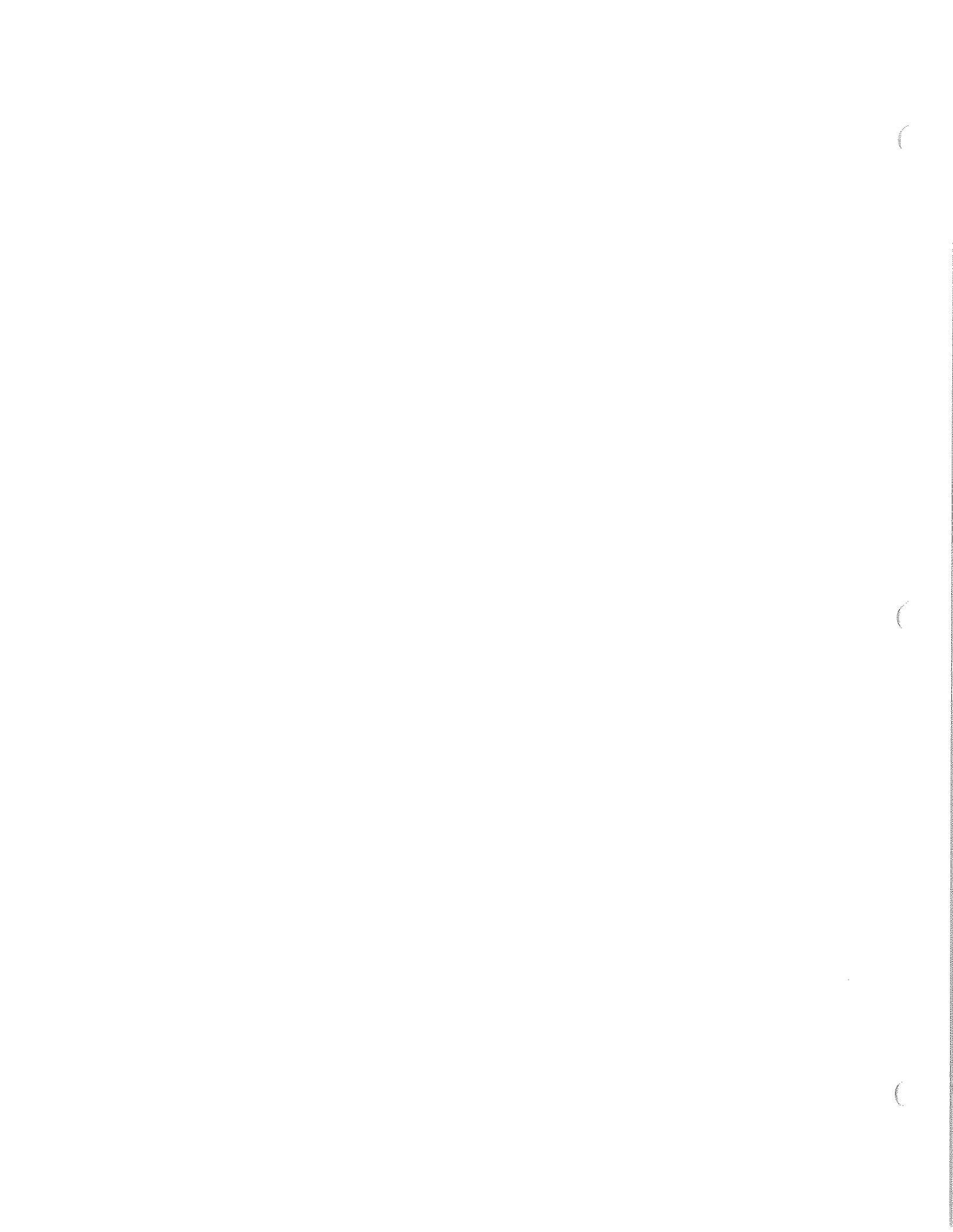
Reports:

Spearhead Trails – Andrea Hicks

Andrea Hicks and Chris Sturgill reported that there was an ongoing effort to get the Town of Coeburn connected to the Spearhead Trail. The group has been working with Forest Land Group to identify an acceptable route and get it approved. There were some issues with right of ways. Ms. Hicks reported the Town of St. Paul' success since the trail head opened. She reported increases in revenues for meals tax and transient occupancy tax. Ms. Hicks recently wrote a grant and submitted it to the motorcycle commission to help fund the Coeburn trailhead. She stated that she would like to meet with the representatives of the town to discuss the needs of the town.

Town Manager

Town Manager Mullins reported that he attended a meeting held by the Wise County Planning Commission. Mr. Mullins reported that there were several town managers involved in the meeting. He hoped better lines of communications could be established. He would like to continue to see the town and the county work together. Sharon Still asked the town manager about the pool passes for town employees. Mr. Mullins stated that the policy would be changed. Employees and immediate family members would get in free of charge. The volunteer fire fighters and immediate family members would also get in free of charge. The policy that was in place for fire department parties will remain



the same. Mayor Kiser asked Mr. Mullins to review the policy that was put into place by the previous Council during the 2013 operating season. Mr. Mullins will report his findings to Council during the next regular meeting.

Mayor Kiser asked the town manager what his office hours were. He stated that citizens were complaining that Mr. Mullins was hard to reach. The town manager stated that his office hours were from about 10 a.m. to 6 p.m. unless Council has a night meeting.

Town Manager Mullins reported that VDOT will be replacing the bridge on Front Street which is located in front of the police department. There will be a public hearing held August 26, 2014 to discuss the matter.

Treasurer

Clerk/Treasurer, Christy McCoy discussed the accounts payable and interim accounts payable report. She reported a cash balance totaling \$9,138.83. The amount included all outstanding checks and accounts payable due. The accounts payable due totaled \$15,359.68. Mayor Kiser asked for the cash balance that was reported during the July 14, 2014 regular meeting. Town Manager Mullins reported that he attributed the drop in cash due to expenses that were necessary during the month. He reported that he was confident that the town would see savings at the end of the year. He reported that there were unknown expenses that would occur throughout the year. However, he was still confident that the town would see savings. Mr. Kiser asked the treasurer if she was confident that the savings that were budgeted would be seen. Ms. McCoy reported that she did not feel comfortable with the projected savings. She stated that she felt that the expenses could outweigh the revenue projected leaving a shortfall. Ms. McCoy reported that she has been working on a written internal controls policy for the municipal pool.

Public Works Department

Public Works Director, Danny Jordan reported that all departments were running smoothly. He reported that there were 3 major leaks during the month. Mr. Jordan reminded Council that there would be a meeting with the Lane Group scheduled August 1, 2014 at 10:00 a.m. Mayor Kiser asked Mr. Jordan about the work order system that was in place prior to the town taking back public works. He asked if everyday maintenance, such as mowing was submitted via work order. Mr. Jordan reported that mowing and similar types of maintenance were done on a schedule. Mayor Kiser asked Mr. Jordan to provide a mowing schedule to Council members.

There was no reports given for the Volunteer Fire Department, Attorney or The Lane Group.



Approval of Agenda

Sharon Still made a motion to add Town of Coeburn Decorum for Order during Public expression as item 'e' under new business. D. Mooney seconded the motion which resulted as follows: V. Buchanan – Aye, J. Kiser – Aye, D. Mooney – Aye, J. Powers – Nay, S. Still – Aye.

Jeff Kiser made a motion to add Tom's Creek Reunion as item 'f' under new business. S. Still seconded the motion which resulted in all Ayes.

Deventae Mooney made a motion to approve the agenda as amended. S. Still seconded the motion which resulted as follows: V. Buchanan – Aye, J. Kiser – Aye, D. Mooney – Aye, J. Powers – Nay, S. Still – Aye.

New Business

- a. Notice of Open Forum Public Hearing Route 158 Bridge replacement – The town manager reported that there would be a design public hearing to discuss the Route 158 (East Front Street) Bridge. The hearing will be held Tuesday, August 26, 2014, 5 - 7 p.m. He stated that he was concerned that detours could be an issue.
- b. Virginia Resources Authority Virginia Water Supply Revolving Fund Town of Coeburn Project: WSL-12-10 – Water Line Replacement Disbursement #13. The request was submitted for payment on July 7, 2014. The request for grant proceeds was in the amount of \$17,841.85.
- c. Virginia Department of Health Office of Drinking Water Virginia Water Supply Revolving Fund FY13 Financial Assistance Approval for Categorical Exclusion – Mr. Mullins read the letter stating that there was successful completion of Public Notification for the Crab Orchard & Beech Avenue Water Line Replacement Project.
- d. Annual VML conference at Hotel Roanoke – The 2014 VML Conference will be held October 5-7 at The Hotel Roanoke. All Council members are invited to attend. Registration information was provided to Council
- e. Public Expression Decorum Guidelines - Ms. Still presented Council with a sample of decorum and order for public expression. She was working with VML Attorney, Mark Flynn, to establish rules of conduct, procedure and decorum during public expression. Ms. Still stated that she was trying to avoid personal attacks upon Council members and citizens during public expression. Mr. Powers stated that he was concerned about limiting what the public could say. He stated that he thinks anyone should have the freedom to present their feelings in an open meeting. Ms. Still agreed that there should be freedom of speech. Mr. Powers asked why this was not presented during the organizational meeting when the rules for public expression were adopted. Ms. Still stated that even though the rules were set there was not an official written decorum in place. The item will be placed on the August 11, 2014 regular meeting agenda. She will provide the communications between Mark Flynn and herself.

- f. Tom's Creek Reunion – Mayor Kiser asked Council to work with the organizers of the Tom's Creek reunion to be held August 9, 2014, 9 a.m. – 4 p.m. Mr. Kiser stated that the organizers expect approximately 350 people from 16 different states. He asked if the participants could use the depot stage for scheduled entertainment. Town Manager Mullins stated that arrangements could be made. After some discussion Public Works Director, Danny Jordan agreed to erect the tents that are normally used during the Guest River Rally.

Old Business:

Town Manager Mullins reminded Council that a project meeting would be held August 1, 2014, 10 am. – 12 p.m. at Complex A. The Lane Group will be hosting the meeting.

Council Comments and Concerns:

Jess Powers stated that every Council member has the vote to serve he would like to have a copy of the protocols of how members are informed of meetings. He also asked for a copy of the exemptions of the Roberts Rules of Order that Council is following and a copy of the Code of Virginia that Council is following. He would also like to see some decorum mentioned when Council Members are speaking and then being interrupted. He would like for Council to review the appeals of the point of order. He also requested that Council to look into the conflict of interest allowing only the votes of yes, no or abstaining without allowing any qualifications.

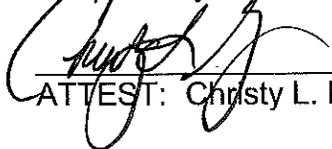
Jeff Kiser stated that he would like to see unity within the town. He would like for Council members and citizens to work together toward the bringing the town together. Working as a team instead of working against each other.

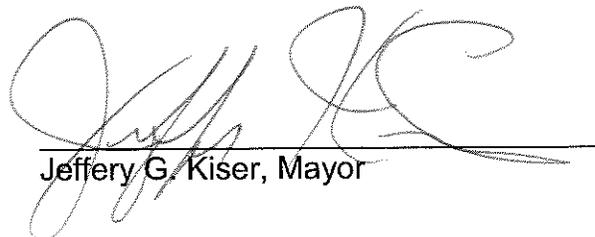
There were no additional comments or concerns.

Adjournment:

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

Respectfully Submitted,


ATTEST: Christy L. McCoy, Clerk


Jeffery G. Kiser, Mayor





Council Minutes
Recessed Meeting
July 28, 2014 – 6:30 p.m. – 502 Front Street E, Coeburn, VA

Attendees: All Council members were present. Also present were Christy L. McCoy - Clerk/Treasurer, and Russell A. Mullins – Town Manager.

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

Appointment of Town Attorney (Civil & Criminal)

Jess Powers made a motion to adjourn the special called meeting and to rescind the discussion and voting actions of the special called meeting held July 14, 2014 due to legal requirements for public notices as stated in the Roberts Rules of Order. Mr. Powers stated that the Mayor called a special called meeting without prior notification since all members were present. In addition, during the reorganizational meeting the Council adopted the most recent version of Roberts Rules of Order. Mr. Powers said that Roberts Rules of order states that special called meetings are called only if important matters come up that can't wait until a regular meeting. Special meetings always require previous notice and it must include the date, time and location of the meeting. They also must specify all business to be included in the meeting and nothing can be considered in a special meeting if it is not included in the notice of the meeting. The special called meeting was amended six times. Mr. Powers stated that amending the agenda was not allowed according to special called meeting of the Roberts Rules of Order. He stated that it was also not allowed by the code of Virginia. Veronica Buchanan seconded the motion made by Mr. Powers. A roll call vote resulted as follows: V. Buchanan – Aye, J. Kiser – Nay, D. Mooney – Nay, J. Powers – Aye, S. Still – Nay.

Mayor Kiser made a motion to enter into closed meeting to discuss the appointment of the town criminal and civil attorney. Sharon Still seconded the motion. J. Powers asked for discussion regarding the motion. He stated that since the business was not mentioned in the special called meeting that action must be taken in a regular called meeting in order to be valid. Or an additional special called meeting must be called for that purpose. He stated that the recessed meeting would not qualify because it has to be adjourned and rescheduled. Mr. Powers stated that the special called meeting was not adjourned. Upon the discussion Mayor Kiser called for a roll call vote which resulted as follows: V. Buchanan – Nay, J. Kiser – Aye, D. Mooney – Aye, J. Powers – Nay, S. Still – Aye. Christy McCoy, Clerk read Virginia Code 2.2-3711-A.1 specifically related to the appointment of the town civil and criminal attorney. V. Buchanan and J. Powers did not attend the closed meeting.

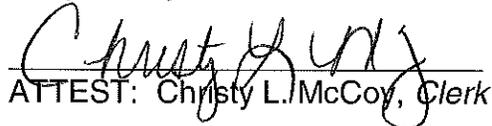
Upon reconvening the open meeting, Christy McCoy read the certification of closed meeting. Upon a roll call vote: V. Buchanan – Abstain, J. Kiser – Aye, D. Mooney – Aye, J. Powers – Abstain, S. Still – Aye.

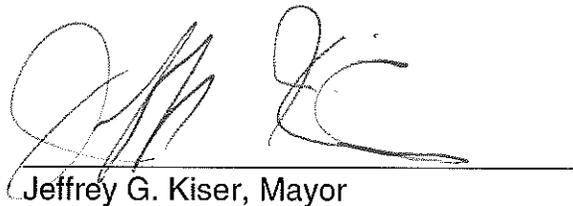
D. Mooney made a motion to appoint William Sturgill, Sturgill Law Office, to serve as the Town of Coeburn criminal and civil attorney. S. Still seconded the motion. J. Powers asked if William Sturgill or anyone employed by Sturgill Law Office was representing any Council members in pending lawsuits. Mayor Kiser stated that William Sturgill is the son of Jeff Sturgill, who is representing him in a lawsuit against the town. The lawsuit is against the town's liability insurance for sewage backup that caused damage to Mr. Kiser's home. Ms. V. Buchanan asked if any Council members had interviewed Mr. Sturgill. D. Mooney stated that Gary Gilliam was the only other applicant and that he had only applied to continue representing the town in criminal matters. Mr. Mooney stated that Sturgill applied to fulfill both civil and criminal legal matters for the town. J. Powers stated that when anyone is appointed by Council all members should have an opportunity to interview any perspective employees or appointees. A roll call vote resulted as follows: V. Buchanan – Nay, J. Kiser – Aye, D. Mooney – Aye, J. Powers – Abstained (conflict of interest due to J. Kiser's representation by Sturgill Law Firm), S. Still – Aye.

Adjournment:

J. Kiser made a motion to adjourn the recessed meeting. D. Mooney seconded the motion, which resulted in all Ayes.

Respectfully Submitted,


ATTEST: Christy L. McCoy, Clerk


Jeffrey G. Kiser, Mayor

Council Minutes
Project Meeting
August 1, 2014 – 10 a.m. – Complex A Building – 2nd Street

Attendees: Upon a roll call vote all Council members were present.

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

Invocation: Mayor Kiser asked Veronica Buchanan to give the invocation. The group remained standing for the Pledge of Allegiance.

Informative Workshop – Projects

The Lane Group reviewed the projects that were ongoing within the town.

Projects Reviewed were:

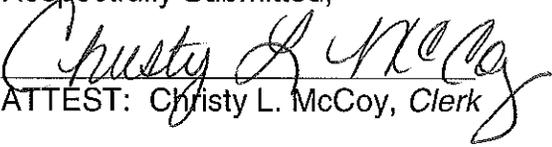
- System Wide Water Improvements Phase I – Phase I includes the replacement of approximately 18,590 linear feet of waterline with 8-inch and smaller diameter waterline within the downtown area and the installation of three hydro-pneumatic pump stations. (Meadow Street, Beech Avenue and Crab Orchard)
- Crab Orchard and Beech Avenue Waterline Replacement – Includes the replacement of approximately 2,000 linear feet of waterline with 4-inch and smaller diameter waterline providing water service to approximately 45 residential customers.
- Hydro-Pneumatic Pump Station Improvements: Water Treatment Plant Improvements and Transmission Waterline Evaluation – The two existing pump stations were installed without approved plans and specification of the VDH. In October 2009, VDH issued a notice of violation on the two pump stations. Currently The Lane Group will prepare a planning grant application to the VDH in the amount of \$40,725 in 100% grant funds to prepare plans and specifications for the 2 pump stations and preliminary engineering report for the water treatment plant and transmission line evaluation.
- Sheffield Acres/Route 72 Sewer – includes taking the existing WWTP that has experienced notice of violations in recent years due to the age and deterioration of WWTP. The project will install approximately 21,000 Lf of force main sewer along Route 72 for final treatment at the CNW WWTP.
- Infiltration-Inflow Study – The project will locate and prioritize I/I sources based on I/I quantity. Develop cost estimates for correction by priority with different construction method and prioritize repair based on Cost/Benefit Analysis.

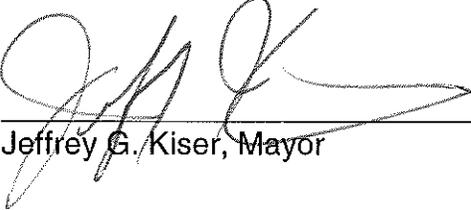
- Ringley Park Expansion Project – The project will expand Ringley Park by adding equipment specifically designed for children with special needs.

Adjournment:

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

Respectfully Submitted,


ATTEST: Christy L. McCoy, Clerk


Jeffrey G. Kiser, Mayor