

TOWN OF COEBURN

Council Minutes – Regular Meeting March 10, 2014 – 6:30 p.m. – 502 Front Street E, Coeburn, VA

Attendees: Upon roll call present Council included Carles Collins, Charles Kiser, Jeff Kiser and Jess Powers. Also present were Scott Brooks - Chief of Police, Gary Gilliam – Town Attorney, Christy McCoy - Clerk/Treasurer, and Russell D. Mullins – Town Manager.

Ms. Veronica Buchanan was absent.

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

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

PIO Report: Mayor Jess Powers serving as the town's public information officer spoke regarding a Coalfield Progress editorial opinion that he stated mislead the public perception of the town's issues. He also noted that the article had been released on the last day for filing town election applications. Mr. Powers read an email that had been exchanged between former interim town manager, Loretta Mays and Jennay Tate, owner and editor of the Coalfield Progress. He stated that the article should be proof of media bias in public elections. Several corrections had been sent to the Coalfield Progress requesting corrections to past articles and none were answered. He believed that the Coalfield Progress should strive to maintain a high level of professionalism, accuracy and impartiality in the coverage of town issues and the electoral process. Mayor Powers urged the public to seek out alternative sources of news, to attend the town meetings and to ask questions of multiple Council members in order to be well informed of town issues.

Executive Session: Jess Powers made a motion to enter into closed session in accordance with Virginia Code §2.2-3711(A.6) for discussion or consideration of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected specifically surrounding public works. Carles Collins seconded the motion. Jeff Kiser asked if the closed meeting pertained to the authorization for the town manager to seek a public works director. Mayor Powers informed him that the authorization of the public works director would be personnel related. Mr. J. Kiser asked for specifics. Powers responded that the closed session pertained to competitive bargaining related to public works. J. Kiser questioned if the meeting was a topic for closed session. Upon the motion Mayor Powers called for the vote which resulted as follows: V. Buchanan – absent, C. Collins – Aye, C. Kiser – Aye, J. Kiser - Nay, J. Powers- Aye.

Immediately following the closed meeting Ms. McCoy read the "Certification of Closed Meeting", which is attached to these minutes and made a part hereof. A roll call vote

resulted as follows: V. Buchanan – Absent, C. Collins – Aye, C. Kiser – Aye, and J. Kiser – Aye, J. Powers – Aye.

Public Expression

1) *Public Expression*: Mayor Powers opened public expression –

James Reed- Riverview, Coeburn - was present to ask Council to come together in order for the town to regain strength for future success.

Frank Ward, Front Street East – spoke in opposition of the recent Coalfield Progress editor's opinion article. Mr. Ward stated that articles that the Coalfield progress produces, are in his opinion, one sided.

Tami Robinson – 714 Lynn Crest Drive – thanked Council for supporting the Cruise In. She stated that the goal for the cruise in was to bring people into the Town of Coeburn. This year's cruise in proceeds will support the Norton Cancer Center, East Side Athletics, and the Ronald McDonald house. She once again thanked everyone for their support.

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

Approval of Agenda

Jeff Kiser inquired about the EDA agenda item that he requested to be added during the February workshop meeting. The item did not appear on the March 10, 2014 agenda. Jeff Kiser made a motion to add the discussion of the council submitting a request to the EDA asking for a reimbursement of the seed money that was given by the town. Upon no second, Mayor Powers made a motion to approve the agenda as written. Charles Kiser seconded the motion, which resulted as follows: V. Buchanan – Absent, C. Collins – Aye, C. Kiser – Aye, J. Kiser – Nay, J. Powers – Aye.

New Business

- A. Abandonment of Alleyway for Family Dollar – Family Dollar requested that an alleyway be abandoned. Town Manager Mullins requested that a public hearing be held before the March 24, 2014 workshop meeting.
- B. Conveyance of property behind Fire/Police Department - In exchange for the alleyway abandonment Family Dollar will convey the property behind the police department building. The town manager reported that deed was being produced and would be presented to Council by Friday, March 14, 2014. The deed would detail the conveyance of the property.
- C. VML Dues – Town Manager Mullins informed Council that the Virginia Municipal League would not increase the town's dues for the upcoming fiscal year ending 2015. Mr. Mullins informed Council that the dues were \$1300 per year.
- D. Update on 1946 Ford Pumper Truck – Town Manager Mullins reported that the 1946 Ford Pumper Fire Truck was returned to the Town of Coeburn incomplete.

The truck was located at Veolia's Williamson, WV location awaiting restoration of body paint. The project was incomplete and the fire truck was returned to the town. The truck was parked at the old lagoon property in the Riverview section of Coeburn. Jeff Kiser suggested contacting the Wise County Vocational School to inquire about using the truck as a paint project for shop students. Chief Hawkins indicated that Wise County Vocational was approached at one time and stated that the project would be too big to complete in a year. Mayor Powers stated that this would be something that the town manager should coordinate.

- E. Update on backhoe – P & P returned a quote to the town for repairing the backhoe. The quote reported that there were differential parts needed to repair the equipment. The parts and labor would cost the town \$7200. Mr. Jeff Kilgore stated that he had the breakdown of the parts and labor and would provide a copy to Council.
- F. Fireworks – Town Manager Mullins was approached by American Fireworks requesting a change in location from where the fireworks are shot. American Fireworks informed Mr. Mullins that a better location would provide a better show. Council was informed that a down payment of \$3000 would be due May 2014 and the remaining balance would be due after the show (July 2014). J. Kiser commented that Council should reconsider the fireworks show due to the current financial situation of the town. Jeff Kiser made a motion to discontinue the 2014 fireworks display. Mayor Powers made a substitute motion to carry the discussion to the March 24, 2014 workshop meeting. Charles Kiser seconded the motion, which resulted in all Ayes. The item will be added to the March 24, 2014 workshop. Mr. Jack Jones asked Council if having the fireworks at the past location was a possibility. Fire Chief Hawkins gave a brief explanation of the initial cause of the relocation. Mayor Powers made a motion for the town manager to research the Barnett and school board location to see if the property owners will allow the fireworks to be launched from that property.
- G. Monthly Water Report – The monthly water report was distributed for Council's review.

Old Business

- A. Consider Planning Commission's Comprehensive Plan – Mr. Doug Neal was present to answer any questions regarding the comprehensive plan that was presented at the February workshop meeting. The Planning Commission approved the plan with a majority vote. Jeff Kiser made a motion to table the item until the April 14, 2014 regular meeting due to the absence of Veronica Buchanan, Council member. Charles Kiser seconded the motion, which resulted in all Ayes.
- B. Line of Credit – Town Manager Mullins contacted 3 banks and is waiting to be contacted. He informed Council that one bank has to seek the advice of their board. He has a meeting scheduled with the second bank and the remaining bank had not returned his call. Mr. Mullins would keep Council informed of the progress.

Reports

- Town Manager – Mr. Mullins met with Matt Reed, VML Insurance Risk Management advisor. Mr. Mullins reported working toward a possible \$3000 savings by making small changes within different departments. Mr. Reed was going to forward materials and information to the town manager to implement changes. J. Kiser addressed miscommunications revolving the VRA Sheffield Sewer Loan/Grant. Mr. J. Kiser asked if the loan and the line of credit were associated with each other. He stated that he felt as if the town had been led to believe that the line of credit was required by VRA in order to get the loan. He suggested that information had been withheld from Council by not giving them full information of all the facts surrounding the loan. Town Manager Mullins stated that Council had been given full information and that no documents were withheld from any member of Council.
- Treasurer Christy McCoy reviewed the treasurer's report as presented. Ms. McCoy presented the reconciled cash report. The total cash balance was (\$35,083.76). She reported that there were two additional deposits made totaling approximately \$41,000.00. Upon the reporting the cash balance Ms. McCoy presented the interim accounts payable for Council's approval in the amount of \$34,030.93 and the accounts payable due in the amount of \$155,718.47. Jeff Kiser made a motion to pay both the accounts payable and interim accounts payable. Ms. McCoy answered questions regarding expenses that were listed on the treasurer's report. Charles Kiser questioned the Veolia expense. He stated that Council should stay consistent in withholding the rent payment from the Veolia distribution. Town Manager Mullins stated that the town could not legally withhold a portion of the Veolia payment due to contract restrictions. Jeff Kiser withdrew his motion in order to have a short recess to allow the attorney to review the contract to determine the amount to pay Veolia Water. Upon reconvening the meeting Charles Kiser made a motion to approve the accounts payable adjusting the Veolia payment to \$116,766.32. Jess Powers seconded the motion, which resulted in all Ayes. Jeff Kiser made a motion to approve the interim accounts payable in the amount of \$34,030.93. Jess Powers seconded the motion, which resulted in all Ayes.

Minutes:

~February 6, 2014- Special Called Meeting - Jess Powers made a motion to approve the minutes as written. Charles Kiser seconded the motion, which resulted in all Ayes.

~ February 10, 2014 – Correct approval of agenda vote: Page 2 Roll call resulted in the following, V. Buchanan – Aye, C. Collins – Aye, J. Kiser – Aye, J. Powers-Nay. Correct Page 3 Reports: Tammy Robinson should be spelled Tami Robinson. The clerk made a note to correct the name spelling throughout all documents. Page 5 Paragraph 1 – Correct line 5 to state "...Operating the police department with 6 full time officers and one part time officer" Page 5, paragraph 1, line 8 – "There were also 2 members of Council and the town manager that donated money...."

~ February 18, 2014 – Correct Public Expression Teresa Greene should be changed to Teresa Gardner. Omit the Line after Eula Hughes which stated "there was no public expression"

~ February 24, 2014 – Correct Page 4, PIO Report, third sentence – Mayor Powers had not seen any of the corrections in the paper.

- Attorney Report – Gary Gilliam, Town Attorney reported that there were several DUID charges. According to the attorney there is a new drug that has been detected in several Driving under the influence of drugs citations. The drug is called Gravel and it is said to be a mixture of bath salts, methamphetamine, and/or Klonopin. The drug is highly addictive and is being found more and more in Wise County.
- Founders Day Report – Charles Kiser reported that a list of any businesses that donated and wished to be acknowledged would be provided to Council. The committee was continuing to plan the celebration.
- Veolia Project Manager, Jeff Kilgore, reviewed the Veolia monthly report, updating Council on monthly activities. He gave the water production report along with a summary of the duties performed by the public works department. He reviewed the current repair and maintenance budget. He also gave Council a monthly street inspection report. As per Council's instruction, Mr. Kilgore was working with The Lane Group and the town manager to present Lenowisco with three projects that are shovel ready in order to have a chance to receive a grant to fund a project.
- Police Department – Scott Brooks, Police Chief reported several events that took place in the month of February. He reported 651 total events some of which included 4 arrests, 16 summons/citations issued, 1 public intoxication, 3 trespasses, and 246 business checks. A detailed report of all incidents was given to Council. Mr. J. Kiser inquired about the speed limit for the road on the southern portion of route 72 and Wise/Coeburn Mountain. There was no speed limit sign posted and there has been some confusion on the speed limit. Chief Brooks will speak with VDOT regarding the signage.
- Fire Department – Cliff Hawkins, Fire Chief, reviewed the 2014-2015 slate of officers as elected on March 4, 2014. The officers were elected as follows:
 - Clifton Hawkins – Chief
 - William Davidson – Assistant Chief
 - Roger Stanley – Captain
 - Kenneth Davidson - 1st Lieutenant
 - Logan Jackson – 2nd Lieutenant

Jess Powers made a motion to approve the officers as presented. Charles Kiser seconded the motion which resulted in all Ayes.

Chief Hawkins also announced that Wise County would be making an effort to get all homes marked with the correct GIS mapping number for emergency service purposes. Anyone can contact Jessica Swiney, Wise County GIS office and she would provide house numbers to citizens free of charge.

- Water Project – Chris Mullins, The Lane Group, reported that the paving for the downtown water project would begin upon asphalt production. This is expected to take place in mid-April. The Virginia Department of Health planning division gave approval for the \$100,000 Crab Orchard Water Project grant. The technical division will have to give approval in order to begin advertising project construction.
- Cruise –In Report – Ms. Tami Robinson provided Council with the flyers for the 2014 Cruise – In. These flyers were for Council to review.
- Planning Commission – Doug Neal discussed the comprehensive plan that was distributed during the February 24, 2014 meeting.

The Town Attorney suggested recessing the meeting until Monday, March 17, 2014. The purpose was to discuss public works. Jess Powers made a motion to recess the meeting until March 17, 2014. Jeff Kiser made a substitute motion to recess the meeting until March 24, 2014. Upon discussion with the town manager Jeff Kiser withdrew his substitute motion. Charles Kiser seconded the original motion made by Mayor Jess Powers, which resulted in all Ayes.

Council Comments and Concerns:

Charles Kiser read a statement that he had prepared. The statement regarded the March 4, 2014 Coalfield Progress article. The article was an editor's opinion regarding the contract between the Town of Coeburn and Veolia Water. Mr. C. Kiser corrected the article stating that the town could not afford Veolia. He also reiterated that several citizens spoke against the Veolia contract during public expression. The article also stated that the current Council made negative comments toward Lenowisco upon the public works study offer. Mr. C. Kiser stated that this was simply untrue. He stated that the reason the study was not conducted was because of time constraints. During previous discussions he stated that he feared that the Lenowisco study might not be completed in time to meet the deadline advising Veolia of non-renewal. He stated that Council was making progress in economic development with projects such as Spearhead Trails, the cruise-in and the farmers market.

Jeff Kiser stated that the Coalfield article was an editor's opinion and as a published newspaper they were entitled to their opinion. He also commented that the current Council should stay away from the "blame game". He reminded Council that they have served on the board for 20 months and that it is time stop blaming previous Council. He also commented that he had visited the St. Paul ATV trail and was very encouraged by the number of ATV's that were taking advantage of the trail system.

Jess Powers invited Council and citizens to attend the Kiwanis Spaghetti dinner that is scheduled for March 14, 2014. All proceeds will go to the Kiwanis scholarship program which will be awarded to two East Side seniors.

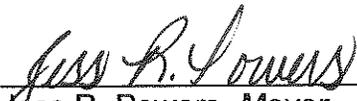
There were no additional Council comments or concerns.

Recess: Charles Kiser made a motion to recess the regular meeting until Monday, March 17, 2014 at 6:30 p.m. Carles Collins seconded the motion, which resulted in all Ayes.

Respectfully Submitted,



ATTEST: Christy L. McCoy, Clerk



Jess R. Powers, Mayor