

**Council Minutes – Regular Meeting**  
**May 12, 2014 – 6:30 p.m. – 502 Front Street E, Coeburn, VA**

**Attendees:** Council members present: Veronica Buchanan, Carles Collins, Charles Kiser, Jeff Kiser and Jess Powers. Also present were, Gary Gilliam – Town Attorney, Christy McCoy - Clerk/Treasurer, Russell A. Mullins – Town Manager and Jimmy Williams – Police Captain.

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

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

**Public Expression**

1) *Public Expression:*

Jeff Collins, 202 Front St. E. commended the town for hiring Mr. Danny Jordan as public works director.

Anthony Freeman, 419 NE Front Street, thanked the town and Ms. Robinson for orchestrating the Cruise In. He stated that he had more business in one night than all week. He attributed the business to the Cruise In.

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

**Approval of Agenda (amendment by majority vote)**

Gary Gilliam, Town Attorney requested that closed session be moved to the first agenda item. Jess Powers made a motion to move closed session to be held in accordance to section 2.2-3711- A.7 for discussion or consideration of the legal issues pertaining to the Veolia Water contract to the first agenda item. Charles Kiser seconded the motion, which resulted in all Ayes.

Charles Kiser made a motion to add item 'I' to the agenda in order to discuss Chestnut Avenue. Veronica Buchanan seconded the motion, which resulted in all Ayes.

Charles Kiser made a motion to add general architectural and engineering services to the agenda as item J. Jess Powers seconded the motion, which resulted in all Ayes.

Charles Kiser made a motion to add special needs park funds to the agenda. Carles Collins seconded the motion, which resulted in all Ayes.

Carles Collins made a motion to accept the agenda as amended. Veronica Buchanan seconded the motion, which resulted in all Ayes.

## Closed Meeting

Jess Powers made a motion to enter into closed session in accordance to session 2.2-3711-A7 for discussion or consideration of the legal issues pertaining to the Veolia Water contract. Charles Kiser seconded the motion. Jeff Kiser asked if it was a matter of litigation pertaining to contracts. Mayor Powers informed Mr. Kiser that it involved both issues. Mayor Powers called for the vote, which resulted in all Ayes.

Immediately following the closed meeting the clerk 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 – Aye, C. Collins – Aye, J. Kiser – Aye, and J. Powers - Aye.

There were no actions from the executive session.

## New Business

- A. Welcome New Public Works Director: Mayor Powers welcomed Mr. Danny Jordan, Public Works Director. Mr. Jordan previously served as the town's Public Works Director.
- B. American Fireworks Contract for Fourth of July Fireworks on July 5, 2014 at 10:00 p.m. – Council was presented with the contract for the Fourth of July celebration fireworks. J. Kiser asked if the fireworks would be shot off in the same place. He commented that the display was not very visible from the amphitheater. Ms. V. Buchanan suggested talking to the company regarding the issue. The town manager will contact American Fireworks.
- C. Virginia Water Supply Revolving Fund WSL – 12-10 – Water Line Replacement Disbursement #12 – Council was informed that the initial project is 99% complete. Mr. Chris Mullins, The Lane Group, would review the status. Ms. McCoy reported that disbursement #12 was not received
- D. 5K 4 FA Run 4 A Cure, Saturday, May 17, 2014 at 10:00 p.m. – Town Manager Mullins informed Council that a 5k run would be held. The route would follow the Justin's Walk route. The run will help fight Fanconi Anemia and is held in memory of Nicholas Boggs.
- E. 2<sup>nd</sup> Annual Coeburn Cruise-in beginning Saturday, May 3, 2014 – The first Cruise-in was scheduled to begin Saturday, May 3, 2014. Cruise-In's would be held the first and third Saturday of each month through September.
- F. VRA Loan Closing Documents – Town Manager Mullins presented an updated Financing Agreement and Funding Agreement for Council to review. The financing agreement decreased the Principal Repayment Loan amount from \$1,594,346 to \$1,467,018. The Principal Forgiveness Loan would remain at \$500,000. Upon reviewing the documents Jeff Kiser made a motion to approve a resolution authorizing the issuance and sale of a general obligation and water and sewer revenue bond in an amount not to exceed \$1,467,018. Veronica Buchanan seconded the motion. A roll call vote resulted in all Ayes.

Jeff Kiser made a motion to approve the amended financing agreement dated May 12, 2014 between the Virginia Resources Authority and the Town of Coeburn. Veronica Buchanan seconded the motion. A roll call vote resulted in all Ayes.

Jeff Kiser made a motion to authorize the funding agreement dated May 12, 2014 between the Virginia Resources Authority and the Town of Coeburn (Funding No. C-515495-02). Veronica Buchanan seconded. A roll call vote resulted in all Ayes.

- G. Police Department Quotes Body Repair – The Police Department presented Council with estimates for damages done to vehicle 601. Veronica Buchanan made a motion to accept the estimate given by Hagy's Auto Body in the amount of \$366.72. Charles Collins seconded

- the motion. Captain Jimmy Williams asked if he could get another estimate from Morgan McClure. The estimates would be presented at the June 9, 2014 Council Meeting. Veronica Buchanan rescinded the original motion and Mr. Carles Collins rescinded the second. The item was tabled until June 9, 2014 pending an additional estimate.
- H. Virginia Department of Health Office of Drinking Water Monthly Report – Town Manager Mullins presented the report for Council's review. V. Buchanan asked Danny Jordan to check into the ABC baseball field's water loss issue. Mr. Jordan will check on this and report back to Council. There were no other issues to report.
  - I. Chestnut Avenue – C. Kiser reported receiving numerous calls regarding road maintenance on Chestnut Avenue. The street was maintain by the town until approximately 2006. Mr. C. Kiser would like to see the street put back into the town's street system. Mr. J. Kiser was concerned about a controversial piece of property that came into question on several occasions when the acceptance of the road was previously discussed. Charles Kiser made a motion to accept Chestnut Avenue into the town's street system, beginning at the bottom of the street where the sign is and go all up the hill and behind Mr. Willard Buchanan's house. The street would be treated like any other street in the town. It would be paved, scraped, patched, maintained and police patrolled (the same as any other town street). Carles Collins seconded the motion. Mr. J. Kiser asked if the owner of the questionable property were willing to deed the property over to the town. Mr. Kiser was concerned that accepting the private property would set a precedence for future requests. Upon the Mayors call for the vote J. Kiser called point of order and asked that Council get advice from the town attorney before proceeding. The town attorney left the meeting after closed session was held. Mayor Powers called for the vote the roll call vote resulted as follows: V. Buchanan – Aye, C. Collins – Aye, C. Kiser – Aye, J. Kiser – abstained due to concerns of no legal council, J. Powers – Aye.
  - J. Engineering and Architectural Services – Mr. Chris Mullins, The Lane Group reminded Council that the engineering and architectural service contract was for 2 – 1 year renewal options. The contract is near expiration. C. Mullins suggested that the town advertise the A&E renewal and he advised that the town request Statements of Qualifications from interested parties. C. Mullins agreed to assist the town manager with the advertising to assure that all rural developments, VDOT and other requirements are met. Carles Collins made a motion for the town to advertise the town's expiration of the A&E contract and put the contract out to bid. Charles Kiser seconded the motion, which resulted in all Ayes.
  - K. Special Needs Park – Chris Mullins, The Lane Group, suggested that proceeds from the Founder's Day Event be put into a separate bank account and that a committee be formed to represent the town. All corporate sponsorship would go through the designated bank account. Charles Kiser made a motion to authorize the treasurer to open a checking account for the special needs projects. Carles Collins seconded the motion, which resulted in all Ayes. Upon discussion of the naming of the park Charles Kiser rescinded his original motion and Carles Collins rescinded the second. Charles Kiser made a motion to authorize the treasurer to open a checking account for the "Ringley Park Extension Project". Carles Collins seconded the motion, which resulted in all Ayes. Jess Powers made a motion to form a committee and allow Charles Kiser and Veronica Buchanan to serve on the committee since they originally headed up the project. Carles Collins seconded the motion, which resulted in all Ayes. Jeff Kiser then made a motion to add Chris Mullins to the Ringley Park Extension Project committee. Veronica Buchanan seconded the motion, which resulted in all ayes.

## Old Business

- A. Repair of Backhoe – Council previously agreed to allow P&P Farm to give a quote to repair the 580 Super K. backhoe. The quote submitted was in the amount of \$7283.00.

However, upon beginning the work the quote was significantly less than the original. Mr. D. Jordan advised Council that the backhoe was needed for waterline repair. Charles Kiser made a motion to repair the backhoe for \$7283.00. Carles Collins seconded the motion. A roll call vote resulted in all Ayes.

- B. Public Works Budget – Town Manager Mullins presented a preliminary public works budget. He asked Council to review the budget and give direction on the budget. He advised Council that there would be additional changes made to the preliminary. Mayor Powers pointed out that there would be a yearly savings of \$400,375.

## **Reports**

### Town Manager

Russell D. Mullins reported working on the closing of the VRA – Sheffield Project loan. He commended the public works director for a job well done. He reported that the public works transition was going well. He had also been working on the upcoming 5k road closing permits and coordination of the event.

### Attorney

Left meeting after closed session.

### Treasurer/Clerk- Christy McCoy

Ms. McCoy presented the reconciled cash report. The balances were as follows: Combined Account balance \$133,811.20 and Redi-Access Balance \$101.35. She discussed the interim accounts payable and the accounts payable due. Both in the amount as follows:

Interim Accounts Payable - \$56,715.74

Accounts Payable Due - \$50,730.34

Jess Powers commended an administrative employee for reducing hours worked in order to allow a part time office worker to remain working her normal assigned hours. Jess Powers made a motion to reimburse the employee \$131.58 for time donated to the town. Charles Kiser seconded the motion, which resulted in all Ayes. J. Kiser brought up a labor law issue of allowing employees to work and not paying them for work performed. Ms. McCoy clarified that the employee did not actually work the hours. The employee took time off without receiving any sick or vacation pay. She explained that in lieu of working 40 hours she worked 35 hours and designated the other 5 hours unpaid leave to be used by the part time employee, when the part time help was needed. Upon that clarification Jess Powers made a motion to rescind the vote. Charles Kiser seconded the motion to rescind, which resulted in all Ayes.

Mayor Powers asked when the town would be able to produce the 2012-2013 audit. Ms. McCoy stated that she was informed by Larry Sturgill's office that the 2012-2013 financials were put on hold in order to assist with the Loretta Mays investigation. Upon concern for additional funds being paid toward the investigation, Council asked that Ms. McCoy request a quote from Mr. Sturgill and to also ask him to stop working on the Mays audit until further instructed by Council.

Carles Collins made a motion to approve the interim accounts payable in the amount of \$56,715.74. Jess Powers seconded the motion, which resulted in all Ayes.

Veronica Buchanan made a motion to pay the accounts payable as presented. Jess Powers seconded the motion, which resulted in all Ayes.

Mayor Powers asked to table the approval of the April 14, 2014 and April 18, 2014 minutes until the June 9, 2014 meeting. Veronica Buchanan seconded the motion, which resulted in all Ayes.

Workshop Meeting: Veronica Buchanan made a motion to change the May 26, 2014 regularly scheduled workshop meeting to May 27, 2014 in observance of the Memorial Day holiday. Charles Kiser seconded the motion, which resulted in all Ayes.

### Special Projects

*Waterline Replacement/Sheffield Project* - Chris Mullins reported that upon completion of the waterline replacement project there will be an additional \$50,000 available for additional water lines. Mr. Mullins wanted to thank everyone for working on the Sheffield Acres project.

*Farmers Market* – Shirley Cassidy reported that the farmers market would be opening May 30, 2013. The hours of operation will be 3 p.m. to 6:30 p.m. every Friday.

### Police Department

Captain Jimmy Williams gave the April activity log. J. Kiser asked about the speed limit sign on Coeburn Mountain Road. Captain Williams would ask about the sign. He reported the second quarter DMV grant being received. J. Kiser asked Captain Williams about temporary detention order transportations. The Captain informed Council that transports can take up to 16 hours (2 shifts).

### Fire Department

Chief Cliff Hawkins reviewed the March and April activity report.

### Public Works

Danny Jordan reported responding to 218 work orders. The department performed meter reads, reconnects, disconnects, leak detection and repaired several water leaks. Mr. Jordan commended the public works employees for a job well done.

### **Council Comments and Concerns**

Veronica Buchanan reported that serving on the EDA made her realize the importance of shopping local. She encouraged Council to support local businesses such as Celebrate and Payless.

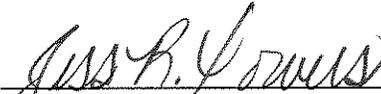
Mr. J. Kiser asked that all department heads open up their offices and welcome the new Council elects in order to assist with a smooth transition.

There were no further Council comments or concerns.

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

Respectfully Submitted,

  
ATTEST: Christy L. McCoy, Clerk

  
Jess R. Powers, Mayor