

Council Minutes
Public Hearing
November 13, 2017 - 6:30 p.m. – 502 Front Street E, Coeburn, VA

A public hearing was held to solicit public input for the 2017 Comprehensive Plan.

Attendees:

All members of Council were present. Misty Yates – Clerk/Treasurer, Russell A. Mullins – Town Manager, and William Sturgill – Town Attorney were also present.

Call to Order:

Mayor Jeff Kiser called the public hearing to order.

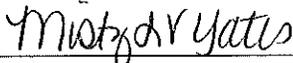
Public Expression:

There was no public comment. Public expression was closed.

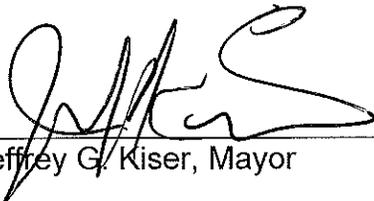
Adjournment:

Mike Wright made a motion to adjourn the public hearing. Sharon Still seconded the motion, which resulted in all Ayes.

Respectfully Submitted,



ATTEST: Misty L.V. Yates, Clerk



Jeffrey G. Kiser, Mayor

Council Minutes
Regular Meeting
November 13, 2017 - 6:30 p.m. – Immediately following the Public Hearing Meeting
502 Front Street E, Coeburn, VA

Attendees:

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

Call to Order:

Mayor Jeff Kiser called the meeting to order. Reverend Marty Puckett, Mary's Chapel Church, gave the invocation. The group remained standing for the pledge of allegiance also led by Reverend Marty Puckett.

Public Expression:

There was no public comment. Public expression was closed.

Approval of the Agenda:

Mike Holbrook made a motion to strike New Business, Item 'C' – Job Corps Recognition to a later date. Jeff Kiser seconded the motion, which resulted in all Ayes.

Jeff Kiser made a motion to approve the agenda as amended. Deventae Mooney seconded the motion, which resulted in all Ayes.

Reports:

Town Manager

Town Manager, Russell A. Mullins advised he had contacted the County's Building and Zoning Department regarding blight properties here in the Town. Mr. Mullins is working with this department regarding three specific properties in town.

Mr. Mullins also reported that the Kaboom Grant application will be submitted tonight prior to his departure for the Governor's Housing Conference meetings in Norfolk. The deadline for this grant application is November 17, 2017.

Mr. Mullins also advised that the compressor in the heat pump unit located at Complex A has gone down also. Mr. Mullins explained that all the heat pumps must have been purchased around the same time in 2007.

Mike Holbrook asked for an update and wanted to know what is the plan to address the related problems of the tennis courts and leaking swimming pool. Mr. Holbrook noted that the idea is to fix the pool first, but that a decision is needed because of potential funding to help with the tennis courts. One option is to have the tennis courts resurfaced, as they were this year, at the high school. Mr. Holbrook noted that the firm that performed this work may not be available in time for spring tennis activity.

Mr. Mullins advised that discussions on what to do are still ongoing. Previously, Chris Mullins with The Lane Group recommended that the town first deal with the swimming pool and its massive leak, which is almost certainly causing the tennis courts to crack. Town Manager explained that an immediate solution to the swimming pool problems could cost \$80,000 to \$100,000.

Sharon Still advised that tennis season for school begins in March.

Jeff Kiser also explained if a person goes around the edges of the pool and bangs on the pavement, a hollow sound emerges that suggests a major washout beneath the pool. Along with replacing all the pipes, a contractor might have to pull up a lot of concrete and fill in all the washout with gravel.

Mr. Mullins asked Jonathan Broskey, The Lane Group Project Manager who was in attendance for tonight's meeting if his firm has someone who could pinpoint the swimming pool's leak source and the extent of underground damage. Mr. Broskey advised he would look into having someone isolate the source.

Council requested Mr. Mullins to come back with options for their review during December's regular meeting.

- i. Presentation by Mr. Mark Hollyfield, CNW Director – Mr. Hollyfield was not present for the meeting. No report was given.
- ii. Public Works - Jeff Livingston, Public Works Superintendent, reported that he and his crews have been working on repairing several water leaks and recently also replaced over 100 feet of sewer line pipe that had been busted. He and crews are also beginning to put up Christmas decorations.
- iii. The Lane Group – Jonathan Broskey, Project Manager provided an update regarding Coeburn's Meter Replacement Project. Mr. Broskey advised they did have their initial meetings with the Health Department back in October. The engineering procurement has been submitted to them for their approval. He explained the next step would then be sole source procurement; Mr. Broskey advised they will submit those letters as soon as the engineering procurement is approved. He is hopeful all of these things will be approved in the next few weeks. He reported that the Health Department funds will

not be available until the beginning of the year. Mr. Broskey noted that it should fall right in line with the Town beginning to install these new meters themselves in the spring.

Jeff Kiser asked about the time period for submitting additional grant applications for water meter replacements. Mr. Broskey advised there is a one-year time period wait and this application will due in March. Mr. Broskey confirmed this additional application would be submitted and taken care of by his firm for the town.

Mr. Broskey reported that the sewer rehab replacement project – phase I in the Banner area has also been submitted. The Lane Group met with DEQ on October 24, 2017. Mr. Broskey advised that DEQ did offer some preliminary numbers but would know more after the first of the year. He explained that this was the I & I Project and the \$1.8 million application that was submitted to DEQ. Mr. Broskey further explained that there is an offer but it is still outstanding until the State Water Control Board makes their official recommendation.

Sharon Still inquired about the status of the “Safe Routes to School” sidewalk grant. Ms. Still and Mr. Kiser stated this is a grant that has been discussed for at least four years now. Mr. Broskey advised he did not know specifics of what Chris Mullins had been working on with others in the office. Mr. Broskey advised that his firm would reach out, gather information and will give a report back to Council with options and steps required to move forward to meet grant application deadline dates.

Mr. Kiser advised that he had received a message from Scott Brooks, Chief of Police requesting to have his report moved up on the agenda. Chief Brooks needs to leave.

Police Department

Scott Brooks, Chief of Police gave the police activity report for the month of October 2017. There were 1,703 events that took place during the month. He gave a summary of these events.

Mike Holbrook asked Chief Brooks to reach out to the US Attorney’s Office. Mr. Holbrook explained to his fellow council members and citizens recently there was a person in our community who pled guilty to drug charges and has agreed to pay a substantial amount of restitution as part of this agreement. These drug charges happened here in our community. It occurred to Mr. Holbrook, having come from the law enforcement side himself, that we, the community, are not consulted. This one recent case has had a huge impact in many different ways on our community. Mr. Holbrook further explained that he asked Chief Brooks to contact the US Attorney’s Office about our community and getting our fair share of these restitution funds. Mr. Holbrook advised he was sure if it is even possible or doable to receive any part of these restitutions funds but from his point of view, those crimes that occur in our community, affect us directly. Mr. Holbrook explained this wasn’t just for the law enforcement restitution but for the community as well.

Chief Brooks advised that he had spoken with the US Attorney's Office today. Chief Brooks reported that if the Town did receive any of these restitution funds, it would have to be used for law enforcement; adding that it is possible that these funds could offset the budget if received. Chief Brooks further advised these restitution funds were over \$900,000 and would be equally divided between the federal and state levels. Chief Brooks reported that he was not sure at this time if we would be receiving any of the funds but would report back to Council with an update as soon as additional information is received.

While all Department Heads were still in attendance, Deventae Mooney advised the Town's Annual Christmas Dinner would be held on Monday, December 18, 2017 at 6:00 p.m. at Celebrate. Mr. Mooney asked that all Department Heads let their employees know that this is a casual, family event. Mr. Mooney also asked that Department Heads provide a rough estimate of those who will be in attendance and their number of guests during the December regular meeting. Celebrate graciously hosts this wonderful event for the Town of Coeburn, employees and their families.

Treasurer

Misty Yates, Clerk/Treasurer, reported a posted cash balance of \$91,644.62 as of November 10, 2017. She reported outstanding checks in the amount of \$69,479.00, accounts payable due in the amount of \$56,985.11 and interim accounts payable in the amount of \$114,505.76. After deducting the accounts payable due and outstanding checks, the reconciled cash balance was -\$34,819.49.

Ms. Yates presented meeting minutes for the October 10, 2017 Regular Meeting and October 23, 2017 Workshop Meeting.

Ms. Yates provided copies of the most recent Valero and Shell monthly commercial credit card account statements for their review. Ms. Yates will do some additional research regarding potential savings between the Valero and Shell commercial credit card accounts.

Ms. Yates also advised that 2017 Tax Billing for Real and Personal Property were mailed to customers on November 3, 2017.

Deventae Mooney made a motion to approve the accounts payable due as money is available 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.

Deventae Mooney made a motion to accept the October 10, 2017 Regular Meeting Minutes as presented. Mike Holbrook seconded the motion, which resulted in all Ayes. Sharon Still abstained from voting due to her absence of the October 10, 2017 Regular Meeting.

Sharon Still made a motion to accept the October 23, 2017 Workshop Meeting Minutes as presented. Deventae Mooney seconded the motion, which resulted in all Ayes.

Fire Department

There was no representative from the Fire Department present. No report was given.

Attorney Report

William Sturgill, Town Attorney, advised he had reviewed the Virginia Code and the Town of Coeburn's Inoperative Motor Vehicle ordinance as discussed during the last meeting. Mr. Sturgill reported that the ordinance is located in Chapter 93 of the Towns Ordinances and it was passed back in 1994. Mr. Sturgill explained when reviewing Virginia Code and the Town's current inoperative motor vehicle ordinance, it is not outdated. The Virginia Code section number has changed and there were a few other small changes he would recommend if revising the ordinance. However, Mr. Sturgill stated this is a good ordinance still within the law we have. This ordinance sets forth policy and procedures the Town would have to go through to clean up inoperative vehicles that are located on private or public properties that are in public view. Mr. Sturgill stressed the key word is "in public view." He further explained if an inoperative vehicle is in a garage or an enclosed structure, the town has no authority over. Mr. Sturgill advised that Virginia Code states we can proceed if it is **not** in a garage or enclosed structure provided reasonable notice is provided. Our current ordinance states that we give the owner 60-day notice and he feels this period of time for notice is reasonable; noting some others allow 45-day notices. Mr. Sturgill explained this current ordinance clearly explains how the Chief of Police or his designee can proceed to dispose of the inoperative vehicle.

Following Council discussion of the Town's current booklet of ordinances, Mr. Sturgill advised he would like to see these revisions be handled much like the recent revision of the personnel policy manual. Mr. Sturgill recommended setting a reasonable date that this can be accomplished and then have one large update and one Public Hearing that the public can come voice their concerns or issues with any of the ordinances. Mr. Sturgill stated he would like to see any changes that are made go into effect July 1st when new state laws also go into effect each year.

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 October 2017.
- B. Brownfields Identification Grant Resolution 18-004 – Town Manager read Brownfields Identification Grant Resolution # 18-004.

Mike Holbrook made a motion to accept Resolution # 18-004 as read. Sharon Still seconded the motion. A roll call vote resulted in all Ayes.

- D. Town Christmas Tree Lighting – Annual Town of Coeburn Christmas Tree Lighting will be on Saturday, November 18, 2017 at 6:00 p.m. by the Depot Stage. Refreshments will be served inside the Depot following the tree lighting.

- E. Public Notice on Fast-track Regulatory Amendment – Town Manager provided a copy of the Public Notice – Environmental Regulation for informational purposes.

Old Business:

- A. Proof of Loss Letter – Town Manager provided a copy of VML Insurance Programs Proof of Loss letter. Mr. Mullins advised he had already completed this letter as requested and the Town will be receiving a check in the amount of \$14,734.73.
- B. 2017 Comprehensive Plan – Town Manager advised there was a Public Hearing held tonight at 6:30 p.m. in conjunction with this Regular Meeting regarding the updated 2017 Comprehensive Plan.

Jeff Kiser made a motion to adopt the 2017 Comprehensive Plan that was presented to Council. Sharon Still seconded the motion. A roll call vote resulted in all Ayes.

Jeff Kiser made a motion to enter into closed session in accordance with Virginia Code §2.2-3711(A.1) to discuss performance of Town of Coeburn personnel and also in accordance with Virginia Code §2.2-3711(A.7) to consult with legal counsel pertaining to specific legal matters. 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.

Council Comments and Concerns:

Mike Holbrook thanked everyone for their efforts and time put into taking care of the business of the town. He also recognized the school, teachers and students for a lot of good things going on right now.

Deventae Mooney shared that Kim Wright had recently published a post on Facebook inviting businesses and individuals to again begin decorating the town like they did with the recent fall decorations. 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.

Sharon Still advised that Eastside's One Act Team will be performing their play this Saturday in Galax at 10:00 a.m. One Act Team is hoping to score this win and move on to State in hopes of bringing home the championship for the fourth year in a row.

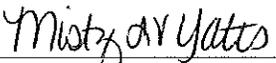
Mike Wright is also very thankful for how the Town looks and he is excited to see additional businesses that will be decorating for Christmas. Kim Wright and her students have already begun to paint store front windows for Christmas.

Jeff Kiser reminded everyone that this year's tree lighting will be held on November 17, 2017 at the Depot Stage beginning at 6:00 p.m. Mr. Kiser also reminded everyone the Christmas Parade will be held on Friday, December 1, 2017 and this year's theme is The Magic of Christmas. Line up for the parade will start at 5:00 p.m. at Food City and the parade will begin at 6:30 p.m. Mr. Kiser also congratulated Mark Raymond who is the newest School Board member. Mr. Kiser reiterated everything that had been said tonight about the school's One Act and football teams.

Adjournment:

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

Respectfully Submitted,



Attest: Misty L.V. Yates, Clerk



Jeffrey G. Kiser, Mayor

Council Minutes
Workshop Meeting
November 27, 2017 – 6:30 p.m. – 502 Front Street E, Coeburn, VA

Attendees:

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

Call to Order:

Mayor Jeff Kiser called the meeting to order. Deventae Mooney gave the invocation. The group remained standing for the pledge of allegiance led by Mr. William Sturgill.

Public Expression:

There was no public comment. Public expression was closed.

Approval of the Agenda:

Jeff Kiser made a motion to move Town Manager and Public Works reports on the agenda from Reports, Items ‘A’ and ‘ii’ to immediately following ‘Items for Discussion.’ Mike Wright seconded the motion, which resulted in all Ayes.

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

Reports:

Treasurer:

Misty Yates, Treasurer reported a posted cash balance as of Friday, November 24, 2017 in the amount of \$78,362.89. Outstanding checks in the amount of \$9,886.16, total accounts payable due in the amount of \$54,146.41 and interim accounts payable in the amount of \$25,981.17. After deducting the accounts payable due and outstanding checks, the reconciled cash balance was \$14,330.32.

Ms. Yates reported that the November 13, 2017 Regular Meeting Minutes will be distributed along with the December 11, 2017 Council Packets.

Police Department:

There was no representative from the Police Department present at this time.

Fire Department:

There was no representative from the Fire Department present. No report was given.

Attorney Report:

William Sturgill, Town Attorney, advised he did not have anything specific to report. He offered to answer any questions that Council may have.

Items for Discussion:

- A. Comcast Letter – Jeff Kiser provided copies of two letters that were received from Comcast that were regarding an international channel package launch that will begin in December and other price change increases that will be effective January 1, 2018. These letters were for informational purposes.

- B. US Census – Jeff Kiser explained he had received a request for information from the US Census Bureau and that he forwarded this request on to Town Manager, Russell Mullins.

Mr. Kiser recessed this Workshop Meeting for five minutes.

Upon resuming the meeting, Mr. Mullins advised this US Census Bureau request had been completed and returned. Mr. Mullins explained they were asking for location information and some general financial information of the Town.

- C. Kaboom Application – Mr. Mullins advised this application had been submitted after last Council meeting. He has not received any information back following submitting an application. He will provide an update as soon as he hears anything additional.

Reports:

Town Manager

Town Manager, Russell A. Mullins reported following the last Council meeting and the discussion of the pool, he had reached out to Beverly Owens, Town of Wise and Fred Ramey, City of Norton regarding their pools. Mr. Mullins advised that the City of Norton chose to close their pool and filled it in. The Town of Wise, along with UVA-Wise both use a group out of Roanoke to service and maintain their pools. He has been in contact with this group, sent pictures and the gentleman is going to come and look at the pool the next time he is here in our area. Mr. Mullins noted that the gentleman advised there is at least one positive we do have with our pool and that is that we have a concrete bottom pool and not one with a liner.

Mr. Mullins also reported that he contacted Joey Mullins with VDOT regarding the “Safe Routes to School” program. Mr. Joey Mullins provided contact information for the “Safe Routes to School” representative of this region. Mr. Mullins has reached out to this individual and has gathered some information and it not a simple process that could be accomplished within a year. Mr. Mullins advised that he would prefer that the school be the primary applicant and the Town just work in conjunction with them as much as we can.

Chris Mullins, with The Lane Group advised that he had followed up with Chase Buchanan, VDOT representative who is located in Bristol. Mr. Chris Mullins reported he is in the process of setting up a meeting with Mr. Buchanan and anyone who would like to attend. This meeting will be at Town Hall in the next week or so. Mr. Mullins explained that there are extensive things that have to happen even prior to submitting a funding application. This meeting will allow Mr. Buchanan to explain the extensive process and answer questions anyone may have.

Mr. Chris Mullins explained a few of these requirements, noting someone has to be the project coordinator of the program and the program has to be marketed. The project would also require a 20% dollars match of all construction costs. Mr. Mullins also reported there are requirements for two or three ‘walk to school’ days that have to be properly marketed and executed by the project coordinator.

Mr. Mullins explained that if the Town was the party submitting the application for funding, a Public Hearing would have to be held and Wise County Public Schools would have to adopt a resolution in support of this project. Mr. Mullins advised that to his knowledge, Wise County Public Schools has never done anything of this nature.

Mr. Mullins advised that a lot of things are required prior to submitting a funding application that will be due November 2019. It takes about two years to reach proprietary goals before submitting an application.

Again, Mr. Mullins invited everyone to attend this upcoming meeting for educational purposes. Mr. Kiser asked that Mr. Russell Mullins reach out to school representatives and extend this invitation to attend this meeting with Mr. Buchanan, VDOT representative. Mr. Sturgill also recommended that this invitation be extended to the Wise County Public School Superintendent.

- i. Presentation by Mr. Mark Hollyfield, CNW Director – Town Manager advised he spoken to Mr. Hollyfield by phone. He was not in attendance of tonight’s meeting.
- ii. Public Works – Jeff Livingston, Public Works Superintendent reported that he and his crews have gotten all of the Christmas decorations put up throughout town. He and crews also repaired a two-inch water line leak on Flatwoods road. He also advised there is a current problem with the sewer line near the exit road off ramp. Crews have been working there today. Mr. Livingston also reported that the water loss rate was down to an approximate 21% in that area as well.
- iii. The Lane Group – Chris Mullins, Project Manager had nothing additional to report for tonight’s meeting.

Police Department:

Jimmy Williams, Assistant Chief reported that he had received confirmation of a grant approval for bullet proof vests. He also advised the department was still waiting for information from the asset forfeiture that had been previously discussed.

Jeff Kiser made a motion to enter into closed session in accordance with Virginia Code §2.2-3711(A.7) to consult with legal counsel and Police Department pertaining to specific legal matters. 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.

Council Comments and Concerns:

Mike Holbrook thanked Mr. Livingston and his crews for all their hard work in putting up the Christmas decorations. Mr. Holbrook advised everything looks great and he was looking forward to the Christmas Parade that will be held this Friday night.

Deventae Mooney had no additional comments.

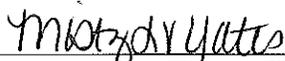
Mike Wright reiterated what had been said about the town and how fantastic everything looks. Mr. Wright is also looking forward to the Christmas Parade.

Jeff Kiser reminded everyone that the Town's Christmas parade is going to be held this Friday night, December 1st. Line up for the parade will begin at 5:00 p.m. at Food City and the parade will start at 6:30 p.m. This years theme is The Magic of Christmas.

Adjournment:

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

Respectfully Submitted,



Attest: Misty Yates, Clerk

Jeffrey G. Kiser, Mayor