

**Council Minutes**  
**Regular Meeting**  
**November 14, 2016 - 6:30 p.m. – 502 Front Street E, Coeburn, VA**

**Attendees:**

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

**Call to Order:**

Mayor Kiser called the meeting to order. Deventae Mooney gave the invocation. Danny Jordan led the pledge of allegiance.

**Public Expression:**

There was no public expression.

**Approval of the Agenda:**

Sharon Still made a motion to add Resolution 17-007 to the agenda under New Business, Item 'C', 2. Jeff Kiser 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:**

*Fire Department*

Cliff Hawkins, Fire Chief, gave the monthly activity report for the month of September and reported it was a light month for the department. He reported there were 8 calls total, 68 total man hours for calls, 55 total personnel responding and there were 390 training hours during the month. Chief Hawkins reported that Wise County Regional Fire School took place the weekend of September 10-11, 2016 and the department hosted vehicle extraction and rural water supply classes here in Coeburn this year. He reported that it was well attended by fire fighters across the state with over 200 students in classes over that weekend.

Chief Hawkins also gave the monthly activity report for the month of October. He reported there were 12 reportable calls, 107 total man hours for calls, 61 total personnel responding and 120 training hours. Chief Hawkins reported Fire Prevention Week is always in the month of October and that the department visited all the schools, library and Head Start during this week and

presented fire prevention materials. He noted that they also included a flyer for the 2016 Halloween Spooktacular event in the handouts.

Chief Hawkins reported that the fire department gave out 1400 bags of popcorn and 1000 glow necklaces during the Halloween Spooktacular event. Sharon Still added one church handed out 700 treats before 8 p.m. Chief Hawkins stated this event is growing and it was a much safer environment for children. He reported that the fire department ran 0 calls this Halloween.

Jeff Kiser applauded the fire department on the marvelous job they did with the downtown Halloween event. Mayor Kiser asked about parking and accessibility to get out of the fire department with the bridge construction and barriers. Chief Hawkins stated they had not had any real problems and his biggest concern was parking for the men responding to calls. Mayor Kiser asked Chief Hawkins, if any problems arise, to get with the Town Manager and go to VDOT. Mayor Kiser doesn't want construction to hinder response time.

Mayor Kiser also asked about the status of the old 40 model fire truck. Chief Hawkins reported that the fire truck was in a building, out of the weather but he had not been able to get someone such as the Tech School to commit to restore.

#### Town Manager

Town Manager, Russell A. Mullins reported that he had attended a meeting with DEQ and Lenowisco to discuss an environmental management plan that is due December 2018 for each locality. Mr. Mullins also reported that Virginia Municipal League will be here on Wednesday to do a compliance test, safety of workers, workers compensation and buildings review.

Sharon Still asked if line flushing had been completed. Mr. Mullins reported it had been completed.

Deventae Mooney asked the town manager if Little League had been billed for the tent damage. Mr. Mullins explained that he had just gotten their address and the bill would be going out during the week.

#### Public Works:

Danny Jordan, Public Works Director, reported that 262 work orders were processed during the month. He reported that Camp 18 crew began working this past week. Mr. Jordan reported they were very quick workers and thanked the Commander for this being able to happen.

Mr. Jordan reported he had attended a pre-construction conference for the VDOT bridge and that project has since started. Mr. Jordan reported he meets daily with Estes Brothers and that everything is moving along smoothly.

Mr. Jordan stated that the flag had been changed out on “Flag Hill.” Henry Maggard, with Food City had donated the new flag and they had done a handoff from Food City to the VFW and pictures were taken. Council asked that the Town Manager reach out to Mr. Maggard with Food City and place the photo with VFW in the newspaper.

Council asked about the parade route. Mr. Jordan recommended staying with the same route and taking the detour by Friendship Baptist Church. Mr. Jordan stated the parade will still line up at Food City as in years past. Mr. Ronald Porter expressed his concern about where the line-up starts and it being a long way for those who march from Food City. Sharon Still made a suggestion that the VFW stage at Friendship Baptist Church and then just merge in the parade due to the long distance for those marching.

Mr. Jordan reported that Public Works will begin to put up Christmas decorations and will have them completed by Thursday before the parade.

Jeff Kiser asked Mr. Jordan about the condition of the pavement on Tate Street in front of Friendship Baptist Church. Mayor Kiser asked that Mr. Jordan to reach out to VDOT and see if they have any intention on paving before winter.

#### The Lane Group

Jon Brosky, with the Lane Group gave an update on the Sheffield Acres Pump Station Project. Mr. Brosky reported the original contract is complete and Corder Town pump station additional work was approved and the contractor should have materials in by next council meeting. That work will begin soon. He informed Council that the pump station for Sheffield Acres is running about 2 hours per day for each pump which is down a lot from the original 18 hours per day.

Sharon Still asked about problems with baby wipes and socks stopping up the pumps. She expressed concern about how much money we are spending to have someone go out for these issues and at what point is it going to tear the pump up. Mr. Brosky stated this was an issue with pumps and occasionally you will have these types of problems from time to time. Mr. Brosky advised that grease is also a big issue with pump stations and he recommends regular cleaning. Ms. Still stated she didn’t recall having this many issues before with the old pumps. Mr. Brosky advised that life expectancy is 5 to 10 years for a pump. He noted that this is a wide range for life expectancy because you can’t predict what you are getting into the system. Mr. Brosky reported that monthly maintenance, flushing and cleaning them out is the key. Council asked if WTP crew could pull those monthly for maintenance. Town Manager advised that this could be done and would be placed on the monthly schedule.

Council also requested that someone from the Lane Group attend Council Meetings on a regular basis.

#### Treasurer

Misty Yates, incoming Clerk/Treasurer, reported a posted cash balance of \$70,038.19. She reported outstanding checks in the amount of \$72,353.49, accounts payable due in the amount of

\$44,994.57, and interim accounts payable in the amount of \$96,941.32. After deducting the accounts payable and outstanding checks, the reconciled cash balance was (\$47,309.87.)

Ms. Yates presented the meeting minutes for the September 12, 2016 Regular Meeting and October 11, 2016 Regular Meeting.

Ms. Yates reported that Real Estate and Personal Property Tax Bills for 2016 were mailed on November 2, 2016 and due to software complications, the Vehicle License Fee Tax Bills were mailed separately. The Vehicle License Fee Tax Bills were mailed on November 10, 2016 and an extended due date of December 15, 2016 was given for the vehicle license fees.

She informed Council of the anticipated revenue throughout the next 30 days. Utility Billing, Meals Tax and State Sales Tax estimated revenue was \$88,801.00. Real Estate Tax billed was \$157,050.15, Personal Property Tax billed was \$46,514.55 and the Vehicle License Fee Tax billed was \$17,955.00 for a combined total tax billed amount of \$221,519.70.

Sharon Still made a motion to accept the October 11, 2016 Regular Meeting Minutes as presented. Deventae Mooney seconded the motion, which resulted in all Ayes.

Sharon Still made a motion to accept the September 12, 2016 Workshop Meeting Minutes as presented. Deventae Mooney seconded the motion, which resulted in all Ayes.

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

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

Council presented Resolution 17-003 to Christy L. McCoy, resigning Treasurer Recognizing the Service of Christy L. McCoy to the Town of Coeburn.

### Police Department

Town Manger reported that a check in the amount of \$11,025.00 had been received from VML Insurance from the black Police Vehicle accident and also an approximate \$15,000 check also from VML for the embezzlement charges. He advised that one police vehicle needed to be replaced in the month of December. Chief Brooks asked to replace two vehicles if possible. Town Manager advised council that this amount along with amount set forth in our budget would establish a vehicle fund for the Police Department.

Chief Scott Brooks gave the police activity report for the month of October 2016. There were 1,714 events that took place during the month. He gave a summary of the events. He reported that the department also participated in the drug take back event held on October 22, 2016 and they collected 9 lbs. of medication. Chief Brooks reported another drug take back event is planned for April 2017. The department also participated in the last Wise County Drug Roundup along with the Wise County Sheriff's Department and Drug Task Force. In the future, Chief Brooks

would like to see the Police Department participate in the Drug Task Force. He stated the town would benefit substantially from participating.

Council inquired about the three vehicles we currently have. Mayor Kiser requested that Chief Brooks prepare for Council the primary usage of each vehicle, monthly cost report for the white vehicle in question, service/repair costs and copies of the four bids for the vehicles being considered at the next Workshop Meeting.

#### Attorney Report

William Sturgill, Town Attorney, reported that he was still reviewing and making some small changes on the personnel policy as well as the grievance procedure. He asked Town Manager and Council to review the policy and bring forth any discussions or suggestions for updated policies. Mr. Sturgill advised that he was also working on the Paymentus contract. He had written his concerns and given them to the Town Manager to submit to see if Paymentus will amend the agreement.

Ms. Still recommended that we have a meeting with all employees to go over highlights once the final draft of the employee handbook has been completed.

#### **New Business:**

- A. Monthly Water Report – Town Manager presented the Virginia Department of Health Office of Drinking Water Report for the Month of October. Ms. Still inquired about the Town of Coeburn Depot usage of 15,050 being higher than normal. Danny Jordan, Public Works stated that they had found one leak at the Depot today which may affect this usage. Mike Holbrook inquired about presently drawing from a secondary water source and if there way to gauge how much volume of water we had access to. Town Manager advised he had attended a meeting and part of the process for each locality is to have a drought management plan in place.
- B. Resolution 17-005 – Recognizing National Blue Ribbon School Recipient, Coeburn Middle School. Town Manager read the resolution recognizing Coeburn Middle School for its National achievement that positively reflects the outstanding work of excellence of Coeburn Middle Schools’ administrators, teachers, staff and students. Sharon Still made a motion to approve Resolution 17-005. Deventae Mooney seconded the motion. A roll call vote resulted in all Ayes.

A reception will be held on November 28, 2016 at Celebrate for Council to present Resolution 17-005 to Coeburn Middle School. The next regularly scheduled Workshop Meeting for Coeburn Town Council will convene at 5:30 p.m. at Celebrate to present Resolution 17-005 and will recess and move to 502 Front Street E, Coeburn, VA at 6:30 p.m.

- C. Resolution 17-006 – Resolution to Support the Recommendations Introduced at the Coalfields Equity Summit. Town Manager read the resolution. Deventae Mooney made a motion to accept Resolution 17-006. Mike Wright seconded the motion. A roll vote resulted in all Ayes.
  
- C.2 Resolution 17-007 – Mayor Kiser made a motion to remove Item C.2 - Resolution 17-007 from the agenda and move Item D – Spearhead Building Requests into closed session. Deventae Mooney seconded the motion, which resulted in all Ayes.
  
- E. Heart of Appalachia Investment Program – Town Manager reviewed information with Council. He discussed the four different promotion levels. Council requested Town Manager discuss with EDA and ask for a representative from the Economic Development Association attend an upcoming meeting and give an update.
  
- F. Office of Drinking Water Funding Package Part 2 - Town Manager reported that this part of the \$4 million project we are currently working on. Office of Drinking Water made an offer for the remaining \$700,000 – 47% Grant 53% Loan to complete the financial package. Town Manager recommended to wait and negotiate terms further with VDH. Council has requested an analysis of cost per month with the funding package as a total to the Town of Coeburn versus the increase that is required by the funding agencies for the increase in water rates.
  
- G. 2016 Southwest Virginia Legislative Breakfast and Forum – deadline of November 5, 2016 was missed for attendance.
  
- H. Raven Rock Fire Information – Town Manager reported Raven Rocks Fire is approximately 2,400 acres in size, as of November 9, 2016 it was 35 percent contained. and as of today, November 14, 2016, it was 60 percent contained.
  
- I. Airport Commission Report – Town Manager provided a copy of Cumberland's Airport Commission meeting report for the month of October 2016.

**Old Business:**

- A. Lincoln Street Bridge – Inspection has been completed. Town Manager received Inspection Report and provided Council with a copy of Mattern and Craig letter that was received. Town Manager advised that the structure is in satisfactory condition and items notated in report should be fixed in Spring.
  
- B. Printer Lease - Town Manager provided quotes for printer lease from Xerox and Ricoh. Town Manager reported cost difference between both companies. Mayor Kiser made a motion for the Town Manager to carry forward on a 60 month lease for the most cost efficient and effective copier/printer for the Town of Coeburn. Sharon Still seconded the motion, which 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 personnel and also in accordance with Virginia Code §2.2-3711(A.7) for consultation of legal council regarding specific legal matters pertaining to possible leases. Deventae Mooney seconded the motion, which resulted in all Ayes.

### **Closed Session:**

Immediately following closed session, Misty Yates, incoming Clerk, 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.

### **Council Comments and Concerns:**

Mike Holbrook stated he had attended a breakfast this past Saturday with the VFW Post 8652 and they have given \$1,000 for Ringley Park Extension. He also thanked the local VFW, scouts, parents and everyone who made the flag ceremony possible on Saturday as well. He thanked all the employees for the work that they do for the town.

Deventae Mooney stated that the Spooktacular was a great event and he thanked the Coeburn Fire Department for sponsoring the great event.

Sharon Still also thanked the fire department for all the great work they did for the Spooktacular event. She thanked the Town Manager for all he does, Christy McCoy, resigning Clerk/Treasurer for being here tonight to help Ms. Yates, making it a smooth transition. She added to remind Council we would be meeting on November 28, 2016 at Celebrate beginning at 5:30 pm to present Resolution to Coeburn Middle School. She also added that Eastside High School will be performing their Amish Project on Friday, November 18<sup>th</sup> at Coeburn Middle School beginning at 7 p.m.

Mike Wright stated that he was thankful for the town, the people, the school and the awards it has received, along with the fire department and all they have done in this economy day. He was also thankful for Ms. McCoy for her time and dedication to the town and was going to miss her.

Jeff Kiser reiterated congratulations to Coeburn Middle School and their achievement for receiving the National Blue Ribbon Award. He added that he appreciated the many years of service and all the hard work Ms. McCoy has done for the town and will still continue to do so for the town. He added that he looks forward to working with Ms. Yates, the new treasurer. He also thanked everyone that worked with the Spooktacular event, adding the costumes were great this year. Mayor Kiser also thanked all town employees, from public works, the police department and administration adding to keep up the great work.

**Adjournment:**

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

Respectfully Submitted,

*Misty Yates*

Attest: Misty Yates, Clerk



Jeff Kiser, Mayor

**Council Minutes  
Workshop Meeting  
November 28, 2016 - 5:30 p.m. – 521 Main Street, Coeburn, VA**

**Attendees:**

Upon silent 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 was also absent.

Mayor Jeff Kiser welcomed everyone attending the reception honoring Coeburn Middle Schools' administrators, teachers, staff and students for its National achievement. Resolution 17-005 – Resolution Recognizing National Blue Ribbon School Recipient, Coeburn Middle School was read by Deventae Mooney. Mayor Kiser presented Resolution 17-005 to Ms. Angela Clendenon, Principal of Coeburn Middle School.

**Call to Order:**

Mayor Jeff Kiser called the reconvened meeting to order at 6:30 p.m. at 502 Front Street E, Coeburn, VA.

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 was also absent.

Reverend R.J. Rose, First Baptist Church of Coeburn, gave the invocation. The group remained standing for the Pledge of Allegiance led by Mr. Art Mead.

**Public Expression:**

Doug Neal – 719 Second Street, Coeburn, VA was present to express his concern and asking for an explanation why they received two personal property tax bills. Mr. Neal stated he received one bill and two weeks later, received another personal property tax bill. Mayor Jeff Kiser informed Mr. Neal that the \$15 bill he received is for the auto decal tax. Mayor Kiser explained that Council had previously discussed four or five times in open meetings this auto decal tax, where you previously purchased a decal for your vehicle, and Council had chosen to go to a billing through the tax system itself for collection of this tax. This vehicle license fee should have been a line item on the original personal property tax bill however due to a software complication, this tax had to be billed separately for the 2016 tax year. Mayor Kiser explained that Council felt this was a more fair way to collect this fee. Mayor Kiser gave the example that if you paid your \$15 fee for that decal, but your neighbor across the street chose to ignore purchasing this decal, it isn't fair to you, a person who is paying for the decal. Mayor Kiser explained that in 2014, 1,472 vehicles were tax billed and should have purchased a decal. There were only 788 vehicle decals sold. In 2015, 1,469 vehicles were tax billed and there were only 624 decals sold. So, in order to make it fair and ensure that everyone pays their fair share, this is how Council chose to collect.

Mr. Neal said, however, that the Town Police used to be able to write a ticket for vehicles lacking a decal. Mr. Neal also stated he felt the vehicle fee and the personal property tax was double

taxation on the same vehicle. Will Sturgill, Town Attorney advised that one is the vehicle tax and one is a Motor Vehicle User Fee. Mr. Sturgill explained there was an ordinance passed repealing the ordinance that was in place dealing with the sticker and put in place this ordinance after much discussion and public hearings. Mr. Sturgill also advised it was part of the budget process and was also a specific budget line item. Mr. Neal stated he still considered this additional tax unfair and time it is coming due.

Shirley Cassidy also inquired if the County would still be receiving the \$5 out of the \$15 fee. Mayor Jeff Kiser explained he was not aware of how the original distribution went. Town Attorney, Will Sturgill explained that the County had done away with their decals and Big Stone Gap had also done away with their decals which makes it harder to enforce.

Public expression was closed.

### **Approval of the Agenda:**

Jeff Kiser made a motion to add Mr. Art Mead to the agenda under Reports. Mike Holbrook seconded the motion, which resulted in all Ayes.

Mayor Kiser also made a motion to remove Items A, B, C, D and E from the agenda in the absence of Town Manager, Russell A. Mullins and add these Items to the regular meeting scheduled for the second Monday in December. Mike Wright seconded the motion, which resulted in all Ayes.

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

### **Reports:**

Art Mead, Weldon Cooper Center for Public Service provided a handout to Council. He advised that all documents were not confidential and all is available through the Freedom of Information Act. He explained the data provided was an effort to broaden our knowledge base as an elected governing body of how we are administrating the pay structure for our water customers who buy water and what the consequences may be of actions taken.

Mr. Mead's report reflects Water and Sewer Rates in Wise County per month inside and outside municipality in comparison to other jurisdictions. He reported in Coeburn, average consumption was about 3,200 gallons per month. Mr. Mead also provided Water & Sewer Sales for the Town of Coeburn during the first three months of the 2016-2017 Fiscal Year. Mr. Mead explained given our history, he encouraged it's critical to keep watch on this. Mr. Mead explained that Town Budget is projecting \$1,284,846 in water and sewer sales for the year (\$761,980 in water and \$522, 866 in sewer.) This equals \$107,070 per month – over half of budget. Mayor Kiser inquired why Sewer Sales decreased during the month of September.

Mr. Mead also discussed water plant staffing and they are all working overtime. Mr. Mead suggested that there needs to be a \$15,000 line item for overtime for the water plant staff because of the overtime this staff is working.

He also gave a report showing the core fleet for public works vehicles and a preliminary replacement schedule. He reported that the cost of a new garbage truck was approximately \$150,000. When taking into consideration the life expectancy and the depreciation values, the town would need to invest approximately \$40,000 annually.

Mayor Kiser followed up we have been able to address a lot of water issues in town and we still have a huge issue in the town with sewer. Going forward when we have the ability to re-do some sewer lines, we need to look at this. Downtown lines are all terracotta.

Mike Holbrook asked Mr. Mead about the 15% vacancy rate. Fiscal year end of 2015, Mr. Mead said the area we were the greatest out of kilter was on the Revenue side. Town of Coeburn had projected water and sewer revenues that were approximately \$200,000 off. Mr. Mead said that maybe the down turn in the coal market just didn't hit jobs and industry but after seeing the vacancy rate, we apparently have a high large rental market. He suggested to him that may be were the oversight came from.

### Town Manager

No report was given. Town Manager, Russell A. Mullins was absent.

### Public Works

Danny Jordan, Public Works Director, reported there had been a lot of water leaks the last couple of weeks. Mr. Jordan reported he had met with Camp 18 and Job Corp about looking at memorial trees in the park. Camp 18 will be looking at the lights and electrical issue weather permitting. He reported they were doing final touches on Christmas decorations and prepping for the Christmas parade. Mr. Jordan reported he had also gone and looked at the Love Letters for the bridge that they are building. It is remarkable at the skills these gentleman have.

Mayor Kiser asked about the lights in the front of the buildings – electrical problem. Mr. Jordan advised they were trying to locate the problem and would repair. This electrical problem was likely due to the flood. Mayor Kiser also inquired about the water leak on the road in Crab Orchard. Mr. Jordan advised that it was not the town's leak; it is on the property of the trailer park itself. Mr. Jordan stated the owner had been notified and had responded. He would continue to monitor this situation. Council shared that Town looks amazing and Camp 18 was doing an amazing job. Mr. Jordan reported Camp 18 was very enthusiastic about what they were doing, everyone was well behaved and there had been no complaints.

### The Lane Group

There was no representative from the Lane Group present. No report was given.

### Treasurer/Clerk

Misty Yates, Treasurer, reported a posted cash balance of \$95,419.54 She reported outstanding checks in the amount of \$60,708.10, accounts payable due in the amount of \$29,697.59, and no interim accounts payable. After deducting the accounts payable and outstanding checks, the reconciled cash balance was \$5,013.85.

Ms. Yates reported that the November 14, 2016 Regular Meeting Minutes will be distributed along with the December 12, 2016 Council Packets.

Ms. Yates answered questions regarding the cash availability comparison. At the 2014 November Workshop meeting, cash availability was reported to be \$(82,999.57) and at the 2015 November Workshop Meeting, cash availability was \$(13,046.87) – an increase basically of \$88,000 in cash availability since 2014.

#### Police Department

Jimmy Williams attended the meeting and provided Council with copies of the four bids that had been received for purchasing new police vehicles. Mayor Kiser inquired about the additional information Council had requested from Chief Scott Brooks during the last meeting. Mr. Williams reported the black explorer has right at 30,000 miles, the white explorer has 32,000 miles and the white car has almost 87,000 miles. Mayor Kiser asked about the primary use of these vehicles. Mr. Williams explained these were used for police operations, more specifically the use of these vehicles are patrolling the streets, keeping the public safe and keeping the officers safe in these vehicles. Mr. Williams explained that these vehicles don't last forever and these are driven as police cars and often times driven in stringent situations.

Mayor Kiser asked for an update of detailed repair listing for the white vehicles. Mr. Williams advised that they asked Town Hall for this information. Town Hall employees were busy that day and some of the information was also on the old system. Council asked Mr. Williams to follow up on the detailed repair listing.

Mr. Williams advised that through the USDA Program, we paid for cage cars and push bumpers for the existing police vehicles. Mr. Williams advised he had tried to follow up but had not gotten an answer. Council inquired if we had this writing regarding the cage for cars and push bumpers and requested Mr. Williams to get these documents to Town Attorney, Will Sturgill for his review.

#### Fire Department

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

#### Attorney Report

William Sturgill, Town Attorney, provided a copy of the court opinion dealing with the fair standard labor act. He reviewed briefly and what impact it had to the Town. He advised that this rule had been previously discussed this rule during our Budget discussions and we expected this rule to be effective December 1, 2016. However, a court out of Texas issued an injunction that prevents this from going into place nationwide. This injunction as it currently stands, prevents this rule from going into effective as of December 1, 2016. He advised this injunction could be lifted at any time but he expects reasonable notice to allow the town to act to be in compliance. Mr. Sturgill advised the real place that the Town of Coeburn would be possibly affected was the Administrative Positions that had a salary between \$23,000 annually and \$47,000. Because under the old rule, we he reminded is still the current rule, that you could be an exempt employee. This new rule was pushing the salary up to \$47,892 annually before you could be an Administrative Exempt employee with the fair standard labor act.

Items A, B, C, D, E were removed from agenda for discussion. Town Manager, Russell A. Mullins was absent.

No Old Business.

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

**Closed Session:**

Immediately following closed session, Misty Yates, incoming Clerk, 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.

**Council Comments and Concerns:**

Mike Holbrook thanked those individuals staying and thanked all the town employees for everything that they do.

Deventae Mooney hoped everyone had a good Thanksgiving and was looking forward to the Christmas season and Christmas Parade.

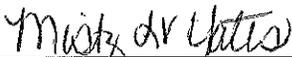
Mike Wright thanked the community for the outpouring of love and support shown during the recent passing of his son.

Jeff Kiser also thanked everyone for staying and thanked Ms. Yates for a good job and her quick learning. He also thanked town employees and the police department. He reminded everyone about the Christmas Parade on Friday, December 2, 2016. Immediately following the parade, will be the tree lighting and pictures with Santa.

**Adjournment:**

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

Respectfully Submitted,

  
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ATTEST: Misty Yates, Clerk

  
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Jeff Kiser, Mayor