

**Council Minutes
Regular Meeting
October 13, 2015 – 6:30 p.m. – 502 Front Street E., Coeburn, VA**

Attendees: Upon a roll call vote the following Council members were present: Veronica Buchanan, Jeff Kiser, and Sharon Still. Christy McCoy - Clerk/Treasurer, Russell D. Mullins – Town Manager and William Sturgill – Town Attorney were also present.

Deventae Mooney and Jess Powers were unable to attend the meeting.

Brian Rose gave the invocation and the group remained standing for the Pledge of Allegiance.

Fire Department Report: The Mayor asked Brian Rose to give the fire department report. Mr. Rose informed Council that the 2nd Annual Spooktacular event was underway. The event was to be held October 31, 2015. A costume contest would be held at 4:00 p.m. on the Depot stage and Trunk-or-Treat would begin at 6:00 p.m. Everyone was invited to attend. The public would be allowed to participate in the trunk-or-treat event if they choose. Main Street would be blocked off for the event.

Public Expression:

Cynthia Snodgrass, 617 Second Street expressed concern about destructive activity that was taking place at Ringley Park. Ms. Snodgrass informed Council that a group of teenagers were sitting on the concrete bridge throwing railroad gravel at citizens using the park. She stated that the caboose donated by Norfolk and Southern was also being damaged. She also spoke with Norfolk and Southern and they informed her that the teenagers were trespassing. She asked Council if the police department could enforce the curfew or begin patrolling the park more often. The Mayor asked Ms. Snodgrass to discuss the concerns with the Police Chief since this was a police matter.

Gary Taylor, Center Street approached Council with concerns regarding the maintenance at Ringley Park. Mr. Taylor informed Council that the park was in bad need of repair. He stated that the picnic tables needed repaired and painted, the paths around the park are overgrown with weeds and grass, the caboose needed repaired, and the paths to the playground equipment are mud holes. He also discussed the piece of land across from Complex C that could be used as a veteran's park instead of a parking lot. He informed Council that he would be willing to seek donations for a monument and park benches if Council would approve the park. Ms. Still informed Mr. Taylor that she spoke with Mr. Buzz Hicks and Anthony Willis whom are members of the local VFW post. She asked Mr. Taylor to speak with the VFW and see if there were any future plans.

There was no additional public comment. The Mayor closed public comment.

Agenda Approval:

Jeff Kiser asked if there were any items that needed to be added or deleted from the agenda. Town Manager Mullins asked to add the VML Christmas Ornament to the agenda. Mayor Kiser stated that the item would need to be tabled due to an ongoing discussions that took place during the day. Ms. Still stated that she was going to show the winning ornament but there was another entry. Mr. Mullins

stated that the meeting would need to be recessed until October 26, 2015, and at that time the item would be discussed. He asked that the item be added as item E. Mr. Mullins also stated that Coeburn EDA needed to be added under reports. Mayor Kiser made a motion to approve the amended agenda to include Item E. – VML Christmas Ornament. Sharon Still seconded the motion, which resulted in all Ayes.

Reports:

Town Manager, Russell A. Mullins, asked 2 representatives from the Virginia Department of Health Office of Drinking Water to attend the meeting. Ray Whitner and Jillian Galloway were present to discuss the water problem that the town has been experiencing. Ms. Jillian Galloway informed council that she met with Town Manager Mullins, as well as, the local environmental inspector to try to determine what could be done to assist the town with the water discoloration that residents were experiencing. Mayor Kiser asked if the water was safe for drinking. Ms. Galloway stated that there were no harmful contaminants in the samples that were taken from the water system. There have been secondary contaminants which effect the color of the water or the smell of the water. She explained that even though they look discolored they are safe to drink. Mayor Kiser asked if the water quality was monitored regularly. She informed the Mayor that the water quality is evaluated monthly by reports that are provided by the key water operators. He also asked if there was any reason for the water being discolored. Ms. Galloway stated that there was initially a concern with the levels of iron manganese in the water samples. However, after closely monitoring and further investigation, VDH stated that the levels were within a normal range. She stated that the VDH was leaning toward the old galvanized lines in the distribution system. She explained that by flushing the system it creates force throughout the line. The force causes debris to be stirred up and distributed throughout the system. The town has been asked to create a flushing program that would eliminate the entire system being affected. Mayor Kiser asked about the beginning process of the water being pulled from the Tom's Creek Dam. She explained there is a turnover process that naturally occurs in lakes and ponds. During the process natural debris comes to the surface as deoxidized minerals. Those minerals show up as iron manganese and need to be treated with either chlorine or potassium permanganate. Mayor Kiser also asked if one treatment was safer than the other. She stated that both, when used within the levels that are required to treat the water, are safe. She assured Council that they are working with the town to provide an answer and to prevent the discoloration from happening again. Ms. Still asked if there were any grants that would help replace the old water lines. Ms. Galloway informed her that there was assistance available. She stated that she would send any information that she has regarding the funding.

Town Manager Mullins informed Council that he contacted a company to get a quote on cleaning the water tanks. He also stated that he scheduled a meeting with the Rural Water Association regarding the discoloration.

He gave the public works report in the absence of the public works director. He informed Council that 290 work orders were processed. He provided the monthly street inspection report that outlined the paving schedule for the streets department.

Sharon Still stated that she had a complaint regarding trash at Ringley Park. She asked if there was a way to tie down the cans so that animals could not turn them over.

She also stated that there were a lot of complaints regarding bicycles on the sidewalks. She asked if the town could put signs stating that the sidewalks were for walking pedestrians. Mr. Mullins would work with the police department to see if he could come up with a solution.

Ms. Still asked if anything was done regarding the sidewalk grant. Mr. Mullins informed her that he was working with the Lane Group.

The Mayor asked where public works was on the safety vest issue. Mr. Mullins informed him that they were being used. The Mayor asked if it was mandatory that workers utilize the vests that are provided to them. He stated that it is a safety issue and a liability to the town if the vests are not being worn. Mr. Mullins stated that he would work on it.

Clerk/Treasurer, Christy McCoy presented Council with the current accounts payable in the amount of \$84,056.34. Ms. McCoy also included the minutes taken during the September 14, 2015 regular meeting and the September 28, 2015 workshop meeting. She asked if the approval could be added to the agenda for the recessed meeting. Council agreed that the vote could take place during that meeting. She reported a cash balance of \$67,423.94. The outstanding checks were in the amount of \$34,581.10. She also reported that the monthly VRS payment was due in the amount of \$12,889.00. After deducting outstanding checks and accounts payable due, the cash balance was (\$64,102.50). She informed Council that the October anticipated income was \$114,688.87. She informed Council that tax bills were still being prepared and would be mailed by November 1, 2015. She informed Council that she scheduled a meeting with VML regarding the additional billing for \$20,233.00.

Jeff Kiser made a motion to approve the accounts payable due in the amount of \$44,472.56 as funding is available. Sharon Still seconded the motion, which resulted in all Ayes.

Police Department, Jimmy Williams, Police Captain, gave the September 2015 activity report. He reported a total of 358 events which included vehicle stops, citations, Public intoxication, and business checks. He reported that the department was getting ready to close last year's Highway Safety Grant. He received permission from the state to proceed with the current grant year. Ms. Still asked Captain Williams if the police department could increase police presence at Ringley Park. Captain Williams stated that the police department is short staffed and couldn't perform extra patrol specifically for the park. She asked if there was anything the county, state, or town could do. Captain Williams stated that they could drive by and spotlight the park periodically.

Fire Department - Report was given by Brian Rose prior to public expression.

Attorney, William J. Sturgill, advised council that the following day was the town's day in General District Court. Sharon Still asked if there was anything new to report on the forensic audit. Mr. Sturgill advised Council that he was not the initial contact person on the case. Town Manager Mullins stated that he and Chief Scott Brooks were the primary contact. The attorney stated that the statute of limitations shouldn't be an issue but he would like to start finalizing the case as a precaution.

Farmers Market, Shirley Cassidy reported that the market was closed for the season.

New Business

- A. Lead and Copper Rule Sample Site Justification Certification Report – The town manager provided these to council for informational purposes. The letter was to advise that the report met the requirements of the Waterworks Regulation and was approved.
- B. VML Regional Supper – Council was advised that VML would be holding a regional supper in Abingdon, Wednesday, October 28, 2015 at 6:00 p.m. The supper is \$35 per person and allows elected officials to express concerns or to discuss current issues.
- C. Virginia Resource Authority Disbursement #5 – Ms. McCoy advised Council that Disbursement # 5 was received and distributed as outlined within the Sheffield Project disbursement request.
- D. Community Development Block Grant – Tabled until the recessed meeting.
- E. VML Christmas Ornament Contest – Tabled until the recessed meeting.

Old Business

- A. 2nd Annual Spooktacular Event – Mr. Brian Rose discussed prior to public expression. Elite Fitness was planning a Nightmare on Front Street on October 31. The town manager will contact the owners for further details.

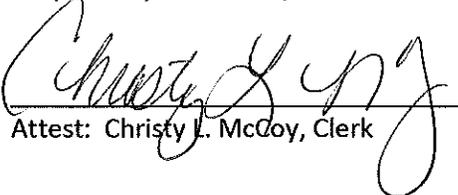
Council Comments and Concerns

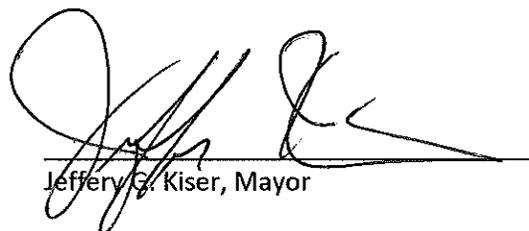
Reserved for the recessed meeting scheduled to take place prior to the workshop session on Monday, October 26, 2015.

Adjournment

Jeff Kiser recessed the regular meeting until October 26, 2015 at 6:30 p.m.

Respectfully Submitted,


Attest: Christy L. McCoy, Clerk


Jeffery G. Kiser, Mayor

Council Minutes
Recessed Meeting & Workshop Meeting Combined
October 26, 2015 – 6:30 p.m. – 502 Front Street E., Coeburn, VA

Town of Coeburn application for the Virginia Community Development Block Grant Public Hearing

Frank Kibbler, LENOWISCO and Jessica Swiney, Wise County Emergency Coordinator, were present to discuss the Community Development Block Grant application. Mr. Kibbler explained that a combination of winter events and flooding prompted many meetings with the Virginia Department of Emergency Management. There were 450 homes that were identified within Wise County. Nine of those properties were located in or closely surrounding the Town of Coeburn. The approval of the grant application would allow Mr. Kibbler and Ms. Swiney to submit a request for \$116,900 to assist residents that meet the requirements outlined by the grant. There is no financial burden to the town, the grant is fully funded.

Mayor Kiser opened public expression to discuss the grant application. There was no public comment and public expression was closed.

Reconvening Regular Meeting:

Mayor Kiser Reconvened the regular meeting of October 13, 2015. He informed everyone that the recessed meeting and the workshop meeting were combined.

Recessed Attendees: All Council members were present. Christy McCoy – Clerk/Treasurer, Russell D. Mullins – Town Manager, and William Sturgill – Town Attorney were also present.

Deventae Mooney gave the invocation and the group remained standing for the Pledge of Allegiance.

Public Expression:

Chuck Slemp, Candidate for Commonwealth Attorney was present to introduce himself and to thank Council for the work that they do for the town. Mr. Slemp stated that he looked forward to working with each of the Council members in the future. He pledged to return to the Council meetings in order to stay abreast of the happenings within the communities. He stated that he believed that the Commonwealth Attorney needs to be active within the community in which they serve.

Doug Neal, 719 Second Street asked about the forensic audit that was being conducted surrounding the Loretta Mays case. He stated that he believed that the citizens in town would like to have the information. He stated that the town should see some return on the money spent on the audit.

There was no additional public comment. The Mayor closed public comment.

Agenda Approval:

Jeff Kiser made a motion to add Resolution #16-003 to the agenda prior to reports and to further approve the agenda as amended. Jess Powers asked if Council was adding to the prior agenda for the recessed meeting. He stated that he would like to be informed of agenda items requiring a vote prior to the meeting, instead of at the meeting. Jeff Kiser stated that it would be an injustice to delay the vote and deny the citizens the much needed repairs. Sharon Still seconded Mr. Kiser's motion. The vote resulted in all Ayes.

Resolution #16-003 – Jeff Kiser made a motion to approve Resolution #16-003. Sharon Still seconded the motion. The Town Manager read Resolution #16-003 in support of the Community Development Block Grant Urgent Need Open Submission application, Wise County Snow/Flood – Coeburn Unos. A roll call vote resulted in all Ayes.

Reports:

Town Manager, Russell A. Mullins, reported meeting with a representative from Virginia Rural Water Association and Jillian Galloway, Virginia Department of Health, regarding the water discoloration. He informed Council that they performed and discovered some leaks throughout the system. The leaks were immediately repaired.

He reported that public works was busy fixing leaks throughout the month of October. They were also preparing equipment for the upcoming winter months. He also reported working with VDOT on snow routes. Sharon Still asked about the street paving on streets that she received complaints on. Town Manager Mullins reported that the paving would be taken care of once all of the water projects were complete. He added that some of the projects were affecting the paving schedule. She asked that Beech be patched and, if nothing else, gravel put in the potholes for a temporary fix.

Ms. Still asked for a follow up on the following items:

Has any progress been made regarding the implementation of the town's safety policy? The town manager informed her that it was being worked on.

Was there any progress being made on the sidewalk grant? The town manager informed her that they were working on it.

Was there any test results obtained on the secondary contaminant tests on the water discoloration? The town manager provided a test result during the regular meeting showing the lead and copper rule sample stating that all levels were within state requirements.

Were the trees that were damaged during the snow storm, on the four lane, going to be cleaned up? The town manager stated that it was on the weekly to do list for the street department

What was the result regarding the decorative street light repairs? She asked if the insurance company responded to the request for replacement.

The town manager informed her that the insurance company was waiting on the town to provide a cost for the lamps. He added that public works is having a hard time finding the matching lamps. She asked if

there were any statutory requirements or time limits. She didn't want to miss out on the lamps being replaced by the insurance company. The town attorney stated that it is normally a five year time limit for property damage. However, the sooner the town could get it taken care of, the better.

Jeff Kiser asked the town manager to give a follow up report on the roof repairs previously discussed. The town manager informed him that presently the town doesn't have the money for the repairs. The insurance company covered the interior damage caused by the winter storms. However, they would not cover any exterior work. Mr. Kiser asked if public works could temporarily patch the places that were leaking.

He asked for an update on the forensic audit. He asked if there was any communication between the auditor and the town. The town manager and the attorney both stated that there wasn't a great deal of information that could be shared. The investigation was still ongoing and the information would be very limited. Council asked if Mr. Mullins could ask the auditor for a progress report. Simply a report telling the town if work is being done or if the case was at a standstill. Mr. Mullins will contact Mr. Larry Sturgill's office for an update.

Mayor Kiser asked why there were no department heads attending the meeting. He reminded the town manager that the department heads needed to attend all meetings. The town manager stated that he was covering the public works report. Mr. Kiser stated that he wanted the public works director at the meetings.

Mayor Kiser asked why the Lane Group report for the Sheffield Project was not included in any of the Council material. The town manager gave the report verbally. The Sheffield Sewer project was approximately 55% complete as of October 19, 2015. Once the project is complete the Flatwoods Job Corp will hook onto the town's interceptor line. Mr. Kiser asked about additional revenue from residential hook ups. Mr. Mullins informed him that the additional hookups were not a part of the Sheffield project. He stated that if residents wanted to hook onto the line they would have to pay the hookup fees. Mr. Kiser stated that he was under the impression that the residential hookups were included as part of the project. Ms. McCoy will review the records and find if there is any documentation regarding the hookups.

Clerk/Treasurer, Christy McCoy presented Council with the current accounts payable in the amount of \$66,785.66. She reported \$533,445.77 in interim accounts payable. The majority of that amount was from the Sheffield Acres grant draw downs. She reported a posted cash balance of \$365,322.60 and outstanding checks in the amount of \$361,988.12. Ms. McCoy asked for approval of the minutes taken during the September 14, 2015 regular meeting and the September 28, 2015 workshop meeting. She informed Council that taxes would be mailed on Monday, October 26, 2015.

September 14, 2015 – Regular Meeting – Jeff Kiser made a motion to approve the minutes as written. Deventae Mooney seconded the motion. The vote resulted as follows: V. Buchanan – Aye, J. Kiser – Aye, D. Mooney – Aye, J. Powers – Aye, S. Still – Abstained due to absence.

September 28, 2015 Workshop Meeting – Jeff Kiser made a motion to approve the minutes as written. Sharon Still seconded the motion. The vote resulted as follows: V. Buchanan – Abstained due to absence, J. Kiser – Aye, D. Mooney – Aye, S. Still – Aye, J. Powers – Aye.

Police Department - No report was given.

Fire Department - No report was given.

New Business

- A. VDH Financial and Construction Assistance – The town manager advised Council that the town did not make the list for the Virginia Department of Health’s Financial and Construction Assistance grant. The town hoped that they could purchase some needed equipment at the water treatment plant. When the grant becomes available again the town will apply.
- B. VRS Disbursement #5 – The Sheffield Acres disbursement #5 was received and distributed among contractors as instructed within the draw down request submitted by the Lane Group on behalf of the town.

Old Business

- A. 2nd Annual Spooktacular Event – Trunk or Treat will begin at 6 pm. Any participants wishing to hand out candy need to be on Main Street by 5:30 p.m. There will be events taking place throughout the day.

Closed Session

Jeff Kiser made a motion to enter into closed session in accordance with Virginia Code §2.2-377 (A.3) to discuss the consideration of acquisition or disposition of real property. Sharon Still seconded the motion, which resulted in all Ayes.

Immediately following closed session, Christy McCoy, Clerk, read the Certification of Closed Meeting, which is attached to these minutes and made a part hereof. A roll call vote certifying that only matters that were identified in the motion convening were discussed, resulted in all Ayes.

Council Comments and Concerns

Veronica Buchanan wished everyone a safe and happy holiday. She hoped to see a big turnout at the 2nd Annual Spooktacular Event. She also reminded everyone that the fall cleanup was scheduled for the first week of November.

Deventae Mooney reiterated Ms. Buchanan’s statement, wishing everyone a safe holiday.

Jess Powers thanked all that participated in the Kiwanis spaghetti dinner. The dinner was to pay for one scholarship for a graduating senior.

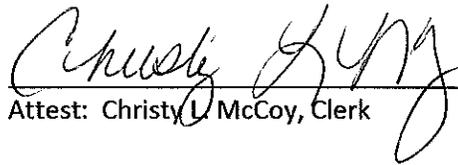
Sharon Still encouraged everyone to go out and enjoy the Halloween celebration.

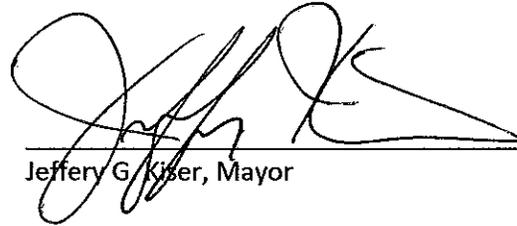
Jeff Kiser echoed the comments regarding the Spooktacular event. He stated that he looked forward to resolving the Sheffield Acres confusion regarding the residential hookups. He also reminded everyone that November 3, 2015 was Election Day and encouraged everyone to go vote.

Adjournment

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

Respectfully Submitted,


Attest: Christy L. McCoy, Clerk


Jeffery G. Kiser, Mayor