

Council Minutes
Regular Meeting
September 12, 2016 - 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, Sharon Still, and Mike Wright. Christy McCoy – 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. Mayor Kiser led the pledge of allegiance.

Public Expression:

There was no public expression.

Approval of the Agenda:

Jeff Kiser made a motion to add Item 'L', Christmas Tree Ornament for the Governor's Mansion, to the agenda. Deventae Mooney seconded the motion, which resulted in all Ayes.

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

Reports:

Town Manager

Town Manager, Russell A. Mullins reported that he and Councilman Holbrook attended the USDA program that reviewed future grant opportunities. He felt strongly that there would be more grant opportunity and eligibility for the Town of Coeburn in the future. There were several grants discussed that were 'in kind' grants, meaning that the town's portion could be contributed as labor. Mayor Kiser asked the town manager if there were any grants that would allow purchases for public utility vehicles. Mr. Mullins informed him that there were grant/loan programs for those vehicles, but public safety vehicles were a primary concern.

The police department was pursuing a grant in which emergency management vehicles could be purchased. The department was obtaining quotes from local dealerships to evaluate the total cost. Mr. Mullins added that the police department was currently operating with three patrol cars.

Mr. Mullins reported that the website was updated providing information for upcoming events. A calendar was added to the site, allowing each civic group to enter their own activities. There were still complaints about the website. Mr. Mullins informed Council that it is a work in progress. He reached out to a web design company in Clintwood for a quote. He will report back to Council with the findings. Council agreed that they liked the original WordPress idea best. This would give more control to the town when updates were needed.

The USDA Rural Development Waterline project is a \$4,000,030 grant at 1.65% interest, to be paid back within 40 years. Mr. Mullins informed Council that the projected payment would be approximately \$70,000 per year. Upgrades to the Tom's Creek Dam could also be made part of the grant. He advised that if the dam were financed into the grant that would take the amount carried on the budget from year to year for the upgrades and improvements to the dam. Items for the FY2017-18 Budget are already being discussed and considered.

The replacement decorative street lights were quoted at \$9,300. The quote included the design and construction of the lights. The town would be responsible for installing the fixtures. He advised that the deductible was \$1,000 per incident. The total cost would be approximately \$4,000.00. Mayor Kiser stated that all incidents were a result of accidents caused by another party. He didn't agree that the town should pay the deductible amounts. Vice Mayor Still also didn't agree with the town paying out of pocket since the town wasn't at fault. There were a total of 4 lights destroyed. Three of the four should have been made liable for the incidents. Council restated that one individual was helping the town with snow removal and shouldn't be held responsible. The town attorney reminded the town manager and council members that there was normally a 2 year period to file suit.

The town manager reported that he was in the process of reviewing the personnel policy for suggestions. He contacted several surrounding towns and requested copies of their policy. The Town of Abingdon presented a very thorough policy. He would like to use it as a guideline for the Town of Coeburn. He explained that two weeks was not sufficient time to review and rewrite a personnel handbook. He asked Council to help with the process.

Council asked the town manager to provide a profit and loss statement for the 2016 Municipal Pool Season. He presented council with a budget for review. He advised that pools are not there for a profit and that most seasons are a loss for municipalities. The pool is for the community to enjoy. He made a suggestion to increase the cost of pool parties in the upcoming year. The town is the cheapest in the surrounding communities. Ms. Still asked that the cash registers be programmed and used in order to keep a more accurate record of pool entries and concession sales.

The town manager gave miscellaneous information regarding past concerns and upcoming events:

- The Christmas Parade is scheduled for December 2, 2016 @ 6:30 p.m. The theme will be Welcome to Hooville.
- Lynncrest sewer issue would be looked at in the upcoming weeks.
- Little League was not billed for the tent damage. The bill would go out during the week.
- Line flushing would begin at the end of September or the first week in October.
- I&I testing was not needed in Sheffield this fall.

- The Lane Group engineering contract is over. The procurement process would begin and Council would be asked to rank and score the applicants.
- Camp 18 reviewed the labor contract that was adopted. Training sessions would be coordinated with the town and the inmates.

Sharon Still asked when the 'Pedestrian Only' sign would be put on the sidewalks. Mr. Mullins stated that the town was not going to incur any additional costs until the cash flow improves. The signs would be ordered when funds improve.

Sharon Still asked about the bid process on the emergency generators. Mr. Mullins informed her that the bids were only for maintenance of the generators. That expense would also be delayed until cash flow improves.

Sharon Still asked for a road closure on October 22, 2016 beginning at 9:00 a.m. and continuing through 4 p.m. Elite Fitness would like to sponsor another strong man competition on Front Street. Mr. Mullins would contact Elite Fitness about the event.

Jeff Kiser asked if there was any new information regarding the insurance reimbursement from VML regarding the forensic audit surrounding the Loretta Mays case. Mr. Mullins informed him that he was told that the town would not recoup any money for the audit performed. They could be reimbursed for any losses that were directly incurred as a result of theft. Accordingly, the credit cards were not paid by the town. Ms. Mays made all payments to the credit card companies for the cards that were fraudulently obtained in the town's name. She was ordered to pay \$20,000 in restitution for any charges made and paid directly by the town and for payroll time written down but not worked. The town attorney stated that he reviewed the ongoing cases and there was no pending cases related to Loretta Mays.

Public Works:

Danny Jordan, Public Works Director, reported that 351 work orders were processed during the month. The public works department worked diligently on making the Guest River Rally a success. He reported that the town was still working with VDOT to coordinate locations for additional crosswalks. Some work needs to be completed on the sidewalks before other crosswalks can be placed. Camp 18 would help get the sidewalks ready for the new crosswalks.

The Lane Group

No representative was present and no report was given.

Treasurer

Christy L. McCoy, Clerk/Treasurer, reported a posted cash balance of \$97,239.88. She reported outstanding checks in the amount of \$32,624.48, accounts payable due in the amount of \$88,308.79, and interim accounts payable in the amount of \$51,110.10. After deducting the accounts payable and outstanding checks, the reconciled cash balance was (\$23,693.39). She

informed Council that there was approximately \$100,014.41 of uncollected revenue anticipated throughout the remainder of the month.

Ms. McCoy also presented the August 8, 2016 Regular Meeting Minutes and the August 22, 2016 Special Called Meeting Minutes.

Jeff Kiser made a motion to approve the August 8, 2016 minutes as presented. Mike Holbrook seconded. Vice Mayor Still pointed out the Mayor Kiser didn't attend the August 8, 2016 meeting. Mayor Kiser resinded his motion and Councilman Holbrook resinded his second.

Mike Holbrook made a motion to approve the August 8, 2016 minutes as presented. Deventae Mooney seconded the motion. The voting results were as follows: M. Holbrook – Aye, J. Kiser – Abstained, D. Mooney – Aye, S. Still – Ayes, and M. Wright – Aye.

Sharon Still made a motion to approve the August 22, 2016 minutes as presented. Mike Wright seconded the motion, which resulted in all Ayes.

Sharon Still made a motion to accept the accounts payable due in the amount of \$88,308.79. Mike Wright seconded the motion, which resulted in all Ayes.

Sharon Still made a motion to accept the interim accounts payable in the amount of \$51,110.10. Mike Wright seconded the motion, which resulted in all Ayes.

Fire Department

Cliff Hawkins, Fire Chief, reported that the Fire Department would sponsor the 2016 Halloween event. He asked Council what date they would prefer using for the event. Council would like to keep the event on October 31. The department would be distributing flyers for the event. Chief Hawkins thanked Kay J's Floral for providing ribbons in memory of 9/11. He reported that the new fire truck was displayed during the Guest River Rally. Mike Wright complimented the fire department on the design. He stated that the truck was beautiful. Council agreed that the truck was designed well.

Chief Hawkins reported that the month of September was slow for the department. They helped with front street clean-up for the Spearhead Trails dedication. They also participated in the Guest River Rally with the annual duck race. He reported that the fund raiser was down from previous years.

Sharon Still asked if the fire department began billing for services provided to citizens in the event of a structure fire. Chief Hawkins informed her that the department tried billing and no one would pay. He stated that he and his volunteers don't have time to chase people down to collect money. He informed her that he could not directly bill them. The charter states that the town will provide fire protection for the citizens of the town. Ms. Still stated that most policies have that coverage and people pay this to the insurance companies. She thinks the town should be billing them. Mayor Kiser asked that the fire department submit the bill after the fire and if the bill isn't paid forward it to the town attorney.

Police Department

No representative attended the meeting and no report was given.

Attorney Report

William Sturgill, Town Attorney, gave Council information regarding the motor vehicle code. He advised that all types of vehicles were defined within the code. Ms. Still asked about golf carts on designated roads. Mr. Sturgill informed her that VDOT allows a land use permit for golf cart use. However, VDOT has taken it upon themselves to say that the land use permit is no good. VDOT is the governing body of the road. The town manager stated that he would like to follow St. Paul's approach to the usage of ATV's, UTV's and golf carts. St. Paul used the state code to write their usage ordinances. Spearhead advised the town to cooperate with VDOT.

New Business:

- A. Lottery for Localities – The town manager presented proposed legislation for ‘A Lottery for Localities’. There is a proposal that the Virginia Lottery give localities a 5% reform on local lottery sales. The funds would go into the general fund for unrestricted use. The legislation would not affect the education pool. If the proposal passes the town could see an installment paid by January 2018.
- B. Office of the Drinking Water Crab Orchard & Beech Phase 2 – A letter of acceptance for funding offer and conditions was received by VDH. The total SRF funding package for the project is \$149,820. The amount is 100% principal forgiveness.
- C. Office of the Drinking Water System Wide Improvements – A letter of acceptance was received from VDH acknowledging the acceptance of the funding offer and conditions as identified in the System Improvements Phase 1 project. The total SRF funding package for the project is \$682,000. The offer consists of a \$361,000 loan at 2.65% interest for a term of 30 years and \$321,000 as principal forgiveness.
- D. Planning Commission Appointments – There were three applicants for the expiring position. Todd McRenolds, Travis Perry, and John Wright. The term begins September 12, 2016 and would expire June 30, 2020.

Mike Holbrook made a motion to appoint John Wright to serve on the planning commission for a term beginning September 12, 2016 and ending June 30, 2020. Mike Wright seconded the motion. A roll call vote resulted in all Ayes.

Deventae Mooney made a motion to appoint Todd McRenolds to serve on the planning commission for a term beginning September 12, 2016 and ending June 30, 2020. Mike Holbrook seconded the motion. A roll call vote resulted in all Ayes.

Deventae Mooney made a motion to appoint Travis Perry to serve on the planning commission for a term beginning September 12, 2016 and ending June 30, 2020. A roll call vote resulted as follows: M. Holbrook – Aye, J. Kiser – Aye, D. Mooney – Aye, S. Still – Abstained (Family member), M. Wright – Aye.

Jeff Kiser made a motion to send the comprehensive plan back to the current planning commission for review and revision. Mike Wright seconded the motion, which resulted in all Ayes.

- E. Airport Commission Appointments – Deventae Mooney made a motion to reappoint Donnie Rose to the Airport Commission for a term beginning September 12, 2016 and ending June 30, 2020. Mike Wright seconded the motion. A roll call vote resulted in all Ayes.
- F. Resolution 17-002 – Sharon Still made a motion to accept Resolution 17-002 to appropriate funds from the Virginia Department of Housing and Community Development Block Grant funds for implementation of the Wise County Snow/Flood – Coeburn UNOS project. Deventae Mooney seconded the motion. A roll call vote resulted in all Ayes.
- G. Residential Ant-Displacement and Relocation Assistance Plan – The plan outlined the town’s role in the project and in the displacement and relocation of effected individuals. The town attorney reviewed the document and didn’t see any problems. Sharon Still made a motion to authorize the Mayor to sign the plan. Mike Holbrook seconded the motion. A roll call vote resulted in all Ayes.
- H. Local Business and Employment Plan – Deventae Mooney made a motion to authorize the Mayor to sign the document as presented. Mike Holbrook seconded the motion. A roll call vote resulted in all Ayes.
- I. Fair Housing Certification – Sharon Still made a motion to authorize the Mayor to sign the document as presented. Mike Wright seconded the motion. A roll call vote resulted in all Ayes.
- J. Non-Discrimination Policy – Sharon Still made a motion to authorize the Mayor to Sign the document as presented. Deventae Mooney seconded the motion. A roll call vote resulted in all Ayes.
- K. Section 504 Grievance Procedure – Sharon Still made a motion to authorize the Mayor to sign the document as presented. Mike Wright seconded the motion. A roll call vote resulted in all Ayes.
- L. Christmas Tree Ornament for the Governor’s Mansion – Jeff Kiser received an email concerning the Christmas Tree Ornament. Last year the town received special recognition for the ornament that was submitted by Mary Alice Clay and Rita J. Porter.

Mayor Kiser made a motion to authorize the CIA to move forward and solicit ornament for 2016. Mike Wright seconded the motion which resulted in all Ayes. Deventae Mooney stated that he would like to know what the ornament looks like before it is sent to the mansion. Mayor Kiser stated that the deadline would be November 1, 2016. The motion resulted in all Ayes.

Closed Session:

Jeff Kiser made a motion to enter into closed session in accordance with Virginia Code §2.2-3711(A.1) to discuss personnel. Deventae Mooney 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 that only business matters that were identified in the motion convening were discussed or considered. The roll call vote resulted in all Ayes.

Upon reconvening Ms. McCoy regretfully informed Council that she would be resigning effective 10-31-2016. She explained that she was relocating and exploring other career opportunities. Upon Ms. McCoy's announcement Deventae Mooney made a motion to begin accepting resumes and applications to fill the position. Sharon Still seconded the motion, which resulted in all Ayes. The town manager would write an advertisement of the job and submit it to all the appropriate destinations and hiring agencies. The town would take applications through October 3, 2016 at 4:30 p.m. and review applications during a special called meeting on October 5, 2016 at 7:30 p.m.

Council Comments and Concerns:

Mike Holbrook thanked Chief Hawkins and the fire department for their time contributed to the town. He also thanked Danny Jordan for all the work that public works put into making the Guest River Rally a success. He appreciated the time and effort that Ms. McCoy gave the town. He thanked everyone that attended the meeting.

Deventae Mooney was happy that the Guest River Rally was a success. He stated that he hoped Ms. McCoy would reconsider and submit an application for her position. He thanked everyone for attending the meeting.

Sharon Still stated that she hated to see Ms. McCoy leave the town. She thanked her for all the work that she has done for the town. She thanked everyone for attending the meeting. She thanked Chief Hawkins and the fire department for all the work they do.

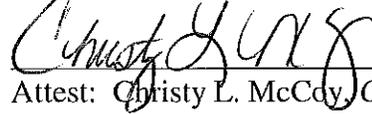
Mike Wright thanked everyone for attending the meeting. He thanked everyone that contributed to the success of the Guest River Rally. He reiterated that he too hated to see Ms. McCoy leave. He stated that he didn't know how they would replace her.

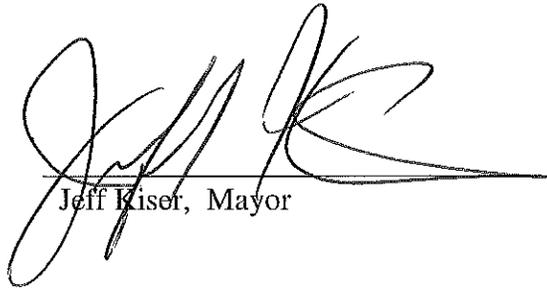
Jeff Kiser thanked everyone for attending the meeting. He thanked the fire department for their 9-11 display. He was happy to report that the Guest River Rally was a huge success. The community jail was a successful event that raised a lot of money for the Special Needs Park. He too stated that he was saddened that Ms. McCoy would be leaving the town. However, he always encourages anyone that has an opportunity to better themselves and further their career. He wished her the best of luck in all her future endeavors.

Adjournment:

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

Respectfully Submitted,


Attest: Christy L. McCoy, Clerk


Jeff Kiser, Mayor

**Council Minutes
Workshop Meeting
September 26, 2016 - 6:30 p.m. – 502 Front Street E, Coeburn, VA**

Attendees:

Upon roll call, all members of Council were present. Christy McCoy – Treasurer, Russell A. Mullins – Town Manager, and William Sturgill – Town Attorney were also present.

Call to Order:

Mayor Jeff Kiser called the meeting to order. Pastor Jeff Rice gave the invocation. Danny Jordan led the Pledge of Allegiance.

Public Expression:

There was no public comment. Public expression was closed.

Approval of the Agenda:

Jeff Kiser made a motion to approve the agenda as presented. Sharon Still seconded the motion, which resulted in all Ayes

Reports:

Town Manager

Russell Mullins, Town Manager, reported that the grand opening for Frontier Secure was held in Wise, VA. Frontier is expected to offer many jobs to the citizens of Wise County. Mr. Mullins reported that he updated the Town of Coeburn's website with any information that was given to him.

Public Works

Danny Jordan, Public Works Director, reported that he attended training classes for the Sheffield Acres Pump Station. Public works was still trying to get a date for the fall line flushing project. The unofficial date was scheduled during the last week of October.

Mike Holbrook asked if the sewer problem on Lynncrest was corrected. Mr. Jordan hadn't addressed the problem because the resident said he would like to get the tree moved before the town began. The tree is currently out of the way and Mr. Jordan would contact the resident regarding a schedule to complete the work.

Sharon Still asked Mr. Jordan how many hours the Flatwoods Pump Station was running. Mr. Mullins informed Ms. Still that there hadn't been any problems with the pump. She was just wanting the information out of curiosity. Mr. Mullins would provide the information to Ms. Still during an upcoming meeting.

The Lane Group

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

Treasurer/Clerk

Christy McCoy, Treasurer, reported a posted cash balance of \$89,100.10. She reported outstanding checks in the amount of \$49,082.59, accounts payable due in the amount of \$49,214.97, and interim accounts payable in the amount of \$13,276.00. After deducting the accounts payable and outstanding checks, the reconciled cash balance was (\$9,197.46). She answered any questions regarding bills that were presented.

Police Department

Scott Brooks, Police Chief, did not attend the meeting. No report was given.

Fire Department

There was no representative from the Coeburn Fire Department. No report was given. Mr. Mullins reported that Trunk or Treat was scheduled for October 31, 2016, beginning at 6 p.m. and ending at 9 p.m.

Attorney Report

William Sturgill, Town Attorney, contacted Seth Baker after the last regular meeting to get information on the Loretta Mays case. He reported that the charges were null processed against Ms. Mays. He contacted Larry Sturgill, CPA, to ask for any written engagement letters for the audits that were performed. He advised to his knowledge that there was not a written engagement letter. The bills were sent to Council and they approved by Council.

Mike Holbrook stated that he would like to see any working documents that Larry Sturgill's office could provide to the town. He would like to see a summary of findings. The attorney stated that a summary was provided to the town manager. The town manager advised Council that the only thing that could be recouped was the \$20,000 ordered in restitution.

The attorney highly advised that the town manager and the Mayor schedule a meeting with Mr. Sturgill to review the findings and discuss any other concerns.

Farmers Market

The town manager reported that the farmers market was finished for the 2016 season. The planning stages have already started for the 2017 season.

Ringley Park Extension

Mr. Mike Holbrook, Ringley Park Committee Member, informed Council that he was pleased to announce that the funds for the park were growing fast. There would be a meeting at the park to discuss the placement of the sidewalk and placement of equipment. The committee believes that the town could possibly have some equipment fabricated for much less than going through a

vendor. He reminded everyone that the project was participating in the Stanley Tools contest to win additional funding. He encouraged everyone to get online and vote for the cause.

Items for Discussion:

- a. 3-Way Motel Condition – The town manager reported that the 3-way Motel has been officially condemned and would be demolished in less than 60 days. Council asked if any of the other dilapidated properties could be cleaned up. Mr. Mullins stated that he had to have a formal request. Council agreed that they would support the decisions to condemn properties that were unoccupied and becoming a problem within the town.
- b. Number of Applicants for Treasurer/Clerk – The town manager reported that, to date, there were 5 applications for the Treasurer’s position. The meeting for review would be held October 5, 2016.
- c. Town Hall Printer Lease – The current lease on the copier in town hall was expiring. Mr. Mullins provided a quote from Hungate Business that would save the town approximately \$685 per year. Council asked Mr. Mullins to get additional quotes for price comparisons before signing any leases. He would provide additional quotes at the next regularly scheduled meeting.

Closed Session:

Council agreed that there was no need to enter into closed session.

Council Comments and Concerns:

Mike Holbrook thanked all the town employees for everything that they do to make the town better. He encouraged everyone to support the Ringley Park Expansion and vote in the Stanley Tools contest..

Deventae Mooney attended the Special Needs Fall Ball. He reported that it was a great success with a total of 700 people participating. He thanks Crystal Lawson for her hard work and dedication to the cause.

Sharon Still thanked all the employees and people that work hard to make a difference in the Town of Coeburn. She thanked everyone that attended and helped with the Fall Ball.

Mike Wright thanked everyone for attending the Fall Ball. He thanked the town employees for all the hard work they do. He thanked everyone that assisted with the Fall Ball. He stated that it was amazing what local people can do when they get together. He invited everyone to participate in the special event next fall.

Jeff Kiser encouraged anyone knowing a qualified applicant for the treasurer’s position to have them apply.

Adjournment:

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

Respectfully Submitted,


ATTEST: Christy L. McCoy, Clerk


Jeff Kiser, Mayor