Council Minutes
Regular Meeting
September 14, 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 Deventae Mooney. Jess Powers was present but entered the meeting during the meeting prayer. Christy McCoy - Clerk/Treasurer, Russell D. Mullins – Town Manager and William Sturgill – Town Attorney were also present. Sharon Still did not attend the meeting.

Reverend Marty Puckett, Mary's Chapel Church, gave the invocation. The group remained standing for the Pledge of Allegiance.

Public Expression:

Daniel Crawford, Cordertown Road spoke regarding the dirty water issue. Mr. Crawford's water meter was pulled and flushed. He was still having an issue with the water. He stated that the water lines running used in his home were plastic, not galvanized or copper. He assured Council his rusty water issue was coming from the town's line.

Doug Neal, 719 Second St. wanted to recognize Officer Robert Potter of the Coeburn Police Department for his excellent public relations with town children. Mr. Potter took time to play basketball with local children. Mr. Neal stated that it sent a very positive message to the children and the citizens.

Debbie Shelton, 626 Henderson St. recently noticed that a lot of work was being done in town. She stated that it really needed to be done. She learned that the Coeburn EDA initiated the work. Ms. Shelton wanted to thank them for improving the looks of the town. She also commented on Council's decision to propose a resolution in regards to the ODP increase. She asked Council how they could increase the town's rates and then ask ODP not to raise their rates. Ms. Shelton also complained that her water was brown.

Charles Kiser, 501 King Avenue, SE wanted to thank all the CIA members for doing a great job on the Guest River Rally. He also commended Danny Jordan, Public Works Director, and the public works department for all the hard work. He thanked the police department for their presence and for the work they did during the Guest River Rally. He was pleased to see that many of the Council members participated.

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

Agenda Approval:

Jess Powers made a motion to add an EDA report to reports, section G. He added that EDA member, Mr. Charles Kiser, would like to address Council. Jeff Kiser seconded the motion. There were no other additions to the agenda. Jeff Kiser made a motion to accept the agenda as amended. Veronica Buchanan seconded the motion, which resulted in all Ayes.

Reports:

Town Manager, Russell A. Mullins, thanked everyone for all the work that led to another successful Guest River Rally. He realized that a lot of work went into making the Guest River Rally a success. He also thanked everyone that helped with the clean-up of the cemetery located on School House Hill. He also wanted to recognize anyone that previously worked on the cemetery.

He informed Council that he was working with the Office of Drinking water to try to solve the water discoloration problem. They have advised the town to suspend all hard flushing being performed on the water lines. The flushing could be contributing to the problem. The flushing creates movement within the line causing sediment to break free and move throughout the system. By eliminating the flushing the town should be able to tell if that's what's causing the problem. Jeff Kiser asked for more details regarding the water situation. He stated that he was very concerned with the water quality. He asked if the water testing being performed at the plant was still at recommended levels. Mr. Mullins stated that he continued working with the Office of Drinking Water and that they were telling him that the levels are in compliance with regulations. Mr. Mullins advised Council that the public works department was taking water samples from individual's homes that are having the problems. He stated that the Department of Health says that they don't think that the problem is coming from the plant. Mr. Kiser stated that if the Department of Health is sure that the chemical testing is accurate, then we need to focus on other things that could be causing the problem. Jess Powers stated that he previously made a motion to go out for bid for the water testing. Mr. Kiser stated that Council discussed the testing and agreed that it would take too much time to advertise and go to bid for the testing. Council voted to have EMI and the Lane Group do the testing because the turnaround time was faster. Jeff Kiser asked if it was ever decided why the WTP stopped treatment for magnesium and iron. It was determined that the WTP was treating the water within the guidelines that the state sets forth for public safety. Mr. Kiser asked if it would be possible to have one of the WTP operators attend the workshop meeting.

Public Works, Danny Jordan, Public Works Director reported that work was progressing normally in all departments. The department concentrated on getting the streets and town ready for the Guest River Rally. He also advised Council of all the work that was completed by Camp 18. He informed them that the paving bricks on the walkways were also scheduled for replacement. He informed Council that public works also intends on using Camp 18 for the tree trimming when the sap levels are where they need to be in order to trim. He advised council that VFW will be having a flag ceremony on Friday, September 18, 2015 at the depot flag.

Jeff Kiser asked for an update on the insurance claim for the decretive street lights that were damaged. Mr. Jordan reported that the claims were turned in to the insurance companies. Mr. Kiser stated that if all the insurance requirements were met, the lights should be moved so that the damaged lights would be less noticeable.

Jeff Kiser also asked Mr. Jordan about the safety vest situation during the Rally. There were reports that fine workers were not wearing safety vests. Mr. Jordan stated that the workers were not required to wear the safety vests within the coned areas where there was no traffic. Mr. Kiser stated that if the workers did not wear vests then they should not get credit for the work. The town manager stated that the workers signed a waiver, they are provided with the safety vests and if they choose not to wear the vest then that's up to them. Mr. Kiser asked for written documentation from the probation officer that the volunteers weren't required to wear the vests. Mr. Mullins advised Mr. Kiser that the issue was an

administrative issue. The attorney stated that even if waivers are signed, the town would still be responsible to make sure that guidelines are followed. Mr. Kiser wants a copy of documentation stating the policy for fine workers. Danny will provide the documentation to Council.

The Lane Group: There was not a representative from the Lane Group present. No report was given.

Police Department: Captain Jimmy Williams was present to give the monthly report. Captain Williams reported the activities for the month of August. There were 154 business checks, 143 citations, served 27 warrants, 22 arrests and worked 5 accidents that were reportable to the state. Other activities conducted were listed in the activity report included in the Council packets. He reported that the police department received a DMV grant but it was approximately $2,700 less than last year's amount. He informed Council that $2000 would be applied to overtime.

Clerk/Treasurer, Christy McCoy presented Council with minutes from August 10, 2015, Regular Meeting and August 24, 2015, Workshop Meeting. She reported a cash balance of $81,597.43, the outstanding checks were in the amount of $72,055.24 and the accounts payable due was $93,210.53. After deducting outstanding checks and accounts payable due, the cash balance was ($83,668.34). She informed council that the remaining anticipated revenue for September was $82,298.81. Those revenues would come from sales tax revenue, utility billing, and meals tax. She also included the information regarding the utility increase comparison that was requested by Council.

Jeff Kiser made a motion to accept the minutes as presented from the August 10, 2015 regular meeting. Veronica Buchanan asked for a correction to be made to the minutes. The council comments and concerns stated he instead of she when referring to herself. Mayor Kiser withdrew his motion. Ms. McCoy will correct the statement. Jeff Kiser made a motion to accept the minutes with the correction to the council comments and concerns. Veronica Buchanan seconded the motion, which resulted in all Ayes.

Jeff Kiser made a motion to accept the minutes as presented from the August 24, 2015 workshop meeting. Veronica Buchanan seconded the motion. The vote resulted as follows: V. Buchanan-Aye, J. Kiser-Aye, D. Mooney-Abstained due to absence, J. Powers – Aye, S. Still – Absent.

Jeff Kiser made a motion to accept the accounts payable as presented, and pay upon fund availability. Deventae Mooney seconded the motion. A roll call vote resulted as follows: V. Buchanan- Aye, J. Kiser – Aye, D. Mooney – Aye, J. Powers – Nay, S. Still – Absent.

Jeff Kiser made a motion to accept the interim accounts payable as presented. Deventae Mooney seconded the motion. A roll call vote resulted as follows: V. Buchanan – Aye, J. Kiser – Aye, D. Mooney – Aye, J. Powers – Nay, S. Still – Absent.

Coeburn Fire Department

There was not a representative present to give a report. Mr. Mullins informed council that there will be a second annual Spooktecular Frestival on October 31, 2015. There will be a costume contest held on the Depot stage beginning at 4:00 – 6:00 p.m. and 6:00 p.m. – 9:00 p.m. would be trunk or treat on Main Street.

Attorney, William J. Stugill advised Council that there would be a resolution presented later in the evening regarding the Old Dominion Power increase. He stated that he had been working with the police department regarding citations. He commended the police department for the good work that they do. He stated that the department makes his job much easier.

Farmer's Market

The Farmer's Market has closed for the season. The market will re-open in May 2016. Mayor Kiser thanked Shirley Cassidie and Jettie Caldwell for all of the hard work that they have contributed.

Economic Development Authority, EDA Member, Charles Kiser, reported that the EDA took on the cemetery clean-up for the cemetery located on School House Hill. They also coordinated the Camp 18 town clean-up. The funding for the clean-up was provided using the EDA funds. Jeff Kiser thanked the EDA for the efforts that they are putting forth in getting the town cleaned up.

New Business

A. Mr. Doug Neal Presentation – Mr. Doug Neal presented Council with a plan to create a fund for cemetery clean-ups. He provided council with a budget to begin a Coeburn Clean Cemetery Fund. The plan included 7 cemeteries that were within the town limits. He estimated operational expenses for each cemetery. According to the estimate that Mr. Neal provided, the total cost per year would be approximately $15,000 per year. The estimate was based on a seven month mowing season, using two part-time employees. He stated that he didn't feel like this would put a hardship on the town. In the past the cemeteries were taken care of by volunteers. However, there are no volunteers consistently maintaining any of the cemeteries. He asked the council to consider adopting this policy in honor and recognition of the deceased.

   Ownership was a question in the past. The attorney stated that the Odd Fellow cemetery was, at one time, in John and Georgia Litz. At some point there was a deed made to Coeburn Land and Holding Company. Then from that plat there were other conveyances, but the Coeburn Cemetery was not conveyed. The official deed from John and Georgia Litz was never found. Mr. Neal stated that in his research the deed had a page missing and that he felt as if that could be the missing piece of the puzzle.

   He asked Council to consider the Town of Coeburn Clean Cemetery Fund. Mayor Kiser stated that there were two cemeteries left off of the list, the Horne Cemetery and the Smith Cemetery. He also added that there was a perpetual fund that could possibly assist with the funding.

B. Virginia Resources Authority Project: WSL-12-10 Water Line Replacement – Disbursement #15 was the final disbursement for the Downtown Water Line Replacement project. Mr. Mullins included this on the agenda for informational purposes.

C. Resolution Opposing ODP Rate Increases – The town manager read the resolution opposing the Old Dominion Power rate increase. Jeff Kiser made a motion to adopt resolution #16-002 in opposition of the ODP rate increase. Veronica Buchanan seconded the motion. A roll call vote resulted as follows: V. Buchanan – Aye, J. Kiser – Aye, D. Mooney – Aye, J. Powers – Aye, S. Still – absent.

D. Virginia Department of Health Office of Drinking Water Grant Application – The town manager read resolution #16-001 Town of Coeburn Water Treatment Plant Improvements Preliminary Engineering Reports and Environmental Assessment VA Department of Health Planning and Design Grant. Jeff Kiser made a motion to approve resolution #16-001. Deventae Mooney seconded the motion. Jess Powers asked if there would be any cost to the town. Mr. Mullins advised that there would be no fees to the town. A roll call vote resulted as follows: V. Buchanan-Aye, J. Kiser – Aye, D. Mooney – Aye, J. Powers – Nay, S. Still- Aye.

Jeff Kiser made a motion to add Item E. Fall, Clean-Up Week, to New Business. Deventae Mooney seconded the motion, which resulted in all Ayes.

E. Fall Clean-up Week – Mayor Kiser stated that the town always provides a spring clean-up to the citizens. The clean-up allows citizens to call the town and have items picked up that are not normally collected during regular garbage service provided. He asked the town manager and the public works director to discuss the particulars for the clean-up and present it to Council during the workshop meeting. The town manager will get a preliminary schedule and present it to Council. Mr. Jordan stated that he agreed with the clean-up, but there should be limits placed on items that would be collected. Mayor Kiser also suggested having a spring and a fall clean-up to avoid an overload by having it only once a year.

Old Business

A. MEOC Roof – The town manager reported to Council that he researched the roof that was put on during the 1990's. There was no follow up work performed on the roof so the warranty would be void. The town put the roofing on themselves, which meant there was a 5 year limited warranty. However, due to the follow up any warranty would be void.

B. Guest River Rally – Mr. Mullins wanted to reiterate the success of the Guest River Rally. He once again thanked everyone involved in the Rally. Jeff Kiser stated that he agreed that the Guest River Rally was a success. He thanked the CIA volunteer's for all the time that they contributed to organizing the event. He thanked Elite Fitness, vendor's that participated, Eastside High School for the pep rally, EDA for the clean-up, Kaitlyn Baker for entertainment, public works and the police department.

Closed Session

Jeff Kiser made a motion to enter into closed session in accordance with Virginia Code §2.2-3711 (A.7) to discuss pending litigation. Veronica Buchanan seconded the motion, which resulted in all Ayes. Council entered into closed session.

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 was concerned about the violence across the country. She wanted to advise citizens to step up and be aware of their surroundings.

Jess Powers stated that he wished that the Mayor would consider his comments and suggestions. He stated that, especially when the suggestions were in regard to water testing. He also commented that he shouldn't be criticized in open session.

Jeff Kiser advised that the Tom's Creek reunion will be held on October 10th. He advised that there are events planned at the Depot stage. He encouraged all residents to attend and was hopeful for a large attendance.

There were no additional comments or concerns.

Adjournment

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

Respectfully Submitted,

Attest: Christy L. McCoy, Clerk

Jeffery S. Kiser, Mayor

Council Minutes
Workshop Meeting
September 28, 2015 – 6:30 p.m. – 502 Front Street E., Coeburn, VA

Attendees: Upon a roll call vote all Council Members were present: Jeff Kiser, Deventae Mooney, Jess Powers and Sharon Still. Scott Brooks – Police Chief, Christy McCoy - Clerk/Treasurer, Russell D. Mullins – Town Manager and William Sturgill – Town Attorney were also present. Veronica Buchanan did not attend the meeting.

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

Public Expression:

Kimberly Mccammon, Flatwoods, asked Council what was being done about the discolored water situation. The town manager explained that the town was working with the Department of Health and the Office of Drinking water to find a solution. He informed her that the town is testing regularly and the tests are coming back within regulation. She stated that she was very displeased with the way that the town was handling the situation. Ms. Sharon Still also explained that the Sheffield Sewer Project was causing some problems with sediment in the lines. She explained that because the lines lay so close together, the contractor has been breaking lines. The breaks could be causing some sediment in the line. Council assured her that the town is doing all that they can to find a solution to the problem. The town manager told Ms. Mccammon that the town would flush her meter and line to try to solve her problem.

Doug Neal, 719 Second Street, clarified that he approached Council during the regular meeting as a citizen, not as a member of the planning commission. He looked into the perpetual care fund that Mayor Kiser suggested. He gave an overview of the legislation that governs the perpetual care fund. The fund comes from "for profit" cemeteries and he isn't sure if the town would have any access to the funds. Ms. Still asked if we knew who the cemetery properties belonged to. Mr. Neal stated that he was not aware of the ownership of the properties. Ms. Still advised him that Bob Addington was a good contact when researching the ownership. Jeff Kiser asked Mr. Neal how much work he was willing to contribute to the cemeteries. He asked if he could seek out and contact the family members of the deceased. Mr. Neal stated that he doesn't have enough time to work on this project full time. He stated that he would be happy to help in any way, but he didn't have enough extra time to do that kind of research. Ms. Still would like to continue the discussion throughout the winter months and be prepared for spring clean-up.

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

Agenda Approval:

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

Reports:

Town Manager, Russell A. Mullins, reported 3 water leaks within the past 2 weeks. He reported that 2 of the breaks were associated with the contractor. He reported some streets were paved since the last meeting. He advised that Chestnut Street was on the list of roads that are scheduled to be repaired. He informed Council that the Crab Orchard/Beach Avenue Water Line Replacement project began.

Sharon Still asked the town manager if there was a safety manual that the town provided to the employees upon employment. Ms. Still suggested compiling a safety manual to provide employees with. Ms. McCoy informed Council that VML provides safety training materials free of charge. The town manager stated that he was aware of the VML service. He intends to take advantage of the safety training.

Mr. Kiser asked the town manager for an update on the discolored water situation. Mr. Mullins gave him an update stating that regular testing is being done. The test and reports were being submitted to the state as required. He stated that there were still many complaints about the water situation. He asked if the town is in compliance with all the testing and if the town was within the guidelines set forth by the state. Mr. Mullins stated that the town was in compliance.

Mr. Mullins reported that he was working on trying to find the street lamps to replace the damaged ones. He stated that they are having a tough time matching up the lamps with the older lamps.

He also advised Council that he was working on the planning grant for the water treatment plant. Mayor Kiser asked Mr. Mullins why other towns were getting grant funding and the Town of Coeburn isn't? Mr. Mullins explained that the town is currently working on some grants. He explained that there are a lot of grants listed online. However, many of the grants are matching, either monetarily or in kind. He stated that currently the town does not have the money to match any grant funding. Ms. Still asked the town manager to look into the sidewalk grant that is offered by the DMV. Mr. Kiser asked that the town manager provide some documentation of grants that are available. He will provide something to Council during the next meeting. Mr. Powers stated that one grant can take up to 120 hours. Monthly and quarterly reports are also required upon receiving funding.

The town manager advised that October 12, 2015 is a holiday and asked Council if they would like to reschedule the meeting. Council rescheduled the meeting for Tuesday, October 13, 2015 at 6:30 p.m.

Clerk/Treasurer, Christy McCoy presented Council with the current accounts payable in the amount of $56,888.75. She reported a cash balance of $107,419.11. The outstanding checks were in the amount of $107,227.88. After deducting outstanding checks and accounts payable due, the cash balance was ($56,697.52). Ms. McCoy informed Council that an adjustment bill was received as a result of a workers compensation payroll audit. The adjustment was due to the public works department being added to the payroll. Council was concerned about the additional amount that resulted from the audit. Ms. Still asked if that was a normal thing. Ms. McCoy explained that it was a normal thing. The audit happens each year and normally results in an additional amount being billed. The adjustment was never that high, but there is normally an adjustment. Mayor Kiser asked if VML was given notice that our payroll changed due to the public works department. He asked Ms. McCoy if she would contact VML and ask if the payroll amount reported by the town was taken into consideration upon setting the rates for FY2014/2015. Ms. McCoy will report back to Council during the next regularly scheduled meeting.

Police Department, Scott Brooks, Police Chief, reported that the department would be receiving a quarterly grant. However, there was a decrease from last year's amount. He also reported that he received the budget expenditure report and realizes that some items were high. He explained that the police department has had a few accidents that were unforeseeable. The police department may have to reallocate some funding within the line items of their budget.

Fire Department

There was not a representative present from the fire department. Mayor Kiser asked the town manager to have a discussion with the fire department advising them of the importance of their attendance. They are included in the budget and need to report to Council on a regular basis.

Attorney, William J. Sturgill, advised council that the perpetual fund was established during 1998. He clarified that the perpetual fund legislation only applied to 'for profit' cemeteries.

New Business

A. Old Dominion Power Company Revised Street Lighting Rates – The town manager advised Council that the street light rates would be increasing. The letter that was sent only stated that there would be an increase. He didn't know what the amount would be. Mr. Mullins will be contacting ODP to find out the monthly price. Mayor Kiser asked the town manager to add the item to the next agenda for discussion under old business.

Old Business

A. Town Wide Clean Up Day – Mr. Mullins and the public works director discussed the town wide clean-up. They decided that there could be no large items, such as appliances, picked up. Mr. Mullins suggested having the clean-up October 19th – 23rd . Mayor Kiser asked Mr. Mullins to begin advertising the clean-up. Mr. Powers stated that he thought some specific guidelines needed to be set forth in the advertisement.

B. 2nd Annual Trunk-or-Treat – The second annual Trunk-or-treat event will be held October 31, 2015. There will be a costume contest at the Depot stage from 4:00 p.m. to 6:00 p.m. The Trunk-or-treat event will be held on Main Street from 6:00 p.m. to 9:00 p.m. Participants can begin setting up at 5:45 p.m. Elite fitness has expressed an interest in sponsoring an event similar to the one that took place during the Guest River Rally.

Council Comments and Concerns

Jess Powers was concerned that Mayor Kiser made a comment about receiving a Council packet, in the past that reported $750,000 in reserves. He wanted to clarify that even though that surplus may have shown, there was $489,000 that was allocated to pay for the Veolia contract. There were also funds that were already spent that would require a movement of reserves to fund operational expenses.

Sharon Still stated that it still irritated her to hear about what happened 5 – 7 years ago. She stated that the fact remained the same: the town is in a financial hardship. She stated that there was no need to

rehash yesterday and keep bringing up the past. She stated that Council accomplishes nothing by living in the past.

Jeff Kiser reminded all departments that if they don't have to spend money, don't spend it. He also complemented all the departments for being so conservative with their expenses

There were no additional comments or concerns.

Adjournment

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

Respectfully Submitted,

Attest: Christy L. McCoy, Clerk

Jeffery G. Kiser, Mayor