

Council Minutes
Regular Council Meeting
November 14, 2022 - 6:30 p.m. – 502 Front St. E, Coeburn, VA

Attendees:

Upon roll call all members of council were present. Cathy Sharpe - Clerk/Treasurer, Jimmy Williams - Town Manager, and William Sturgill - Town Attorney, were also present.

Call to Order:

Mayor Deventae Mooney called the meeting to order. Reverend Marty Puckett, Mary's Chapel Church, gave the invocation. The group remained standing for the Pledge of Allegiance led by Mr. Deventae Mooney.

Public Expression:

Ms. Jennifer Mathieson, 110 Lincoln Street, addressed council about the floodplain issue in Bondtown. Ms. Mathieson presented information from FEMA stating that ordinances regarding the floodplain must be enforced and information from Wise County Building and Zoning stating that any changes must be done after studies are done to make sure any changes will not increase the flood risk; any changes done without this in place are a misdemeanor. Ms. Mathieson said she would like to know what is being done about this situation.

Mr. Chris Mullins, The Lane Group, informed Ms. Mathieson that the fill dirt is being moved and should be completely gone in a week. Ms. Mathieson asked if the berm built by the creek will be moved as well. Mr. Mullins assured her that the property would be put back into its original condition. Vice Mayor Sharon Still told Ms. Mathieson that council was not putting her off but were unable to speak about the situation until an agreement was reached. Mr. Jeff Kiser asked what agreement was reached. Mr. Mullins said that an agreement between the landowner and the town was reached to move the dirt and put the property back to its original state. He said the contractors have a pre-construction video of the area.

Public expression was closed.

Approval of the Agenda:

Deventae Mooney made a motion to add under Old Business (A.) - Board Listings. Sharon Still seconded the motion, which resulted in all Ayes.

Deventae Mooney made a motion to accept the agenda as amended. Sharon Still seconded the motion, which resulted in all Ayes.

Reports:

Fire Department

There was no representative from the Fire Department present. Mr. Mooney and Town Manager, Jimmy Williams, received a text from Assistant Chief, Logan Jackson, stating that they had been out of town and had not had time to prepare a report. Mr. Jackson advised they would get one to council as soon as possible.

Ms. Still asked when the fireworks would need to be ordered for the Fourth of July Celebration. Mr. Williams said he thought they would need to be ordered in January and paid off by May. Mr. Mooney asked if everyone was current on the certifications to shoot the fireworks. Mr. Williams said they were.

Police Department

There was no representative from the Police Department present. Mr. Williams advised he had spoken with Chief Scott Brooks, and Captain Ryan Gardner. Both advised Mr. Williams that they have been installing new computers and audio systems and have not been able to pull the information for the report. Chief Brooks wanted Mr. Williams to ask council to have another study for the LEOS done and ask council to consider paying the insurance for people on comp. Mr. Williams said he will check on the price of the study.

Ms. Sharon Still said she is concerned the town will be locked into a permanent agreement if the town chooses to enter into the LEOS program. Ms. Still and Mr. Kiser advised they feel to pay to do a study and not enter into the program may be a waste of money. Ms. Still said that she'd like to know about term agreement before a decision is made.

Ms. Still asked about paying for insurance for workers out on comp. She asked if the town would be paying the same as if the person was working. Mr. Williams said that paying their insurance will affect the amount the person on comp would receive. Mr. Mooney asked if the employee on comp would still be paying the same amount of insurance as if they were still working. Mr. Williams said the town pays 90% and the employee pays 10%. Ms. Still said that the matter will need some more thought.

Ms. Still asked how the time clock use at the police department is going. She asked if they were using the time clocks on a regular basis. Mr. Williams advised he had to work on the time clock at the police department and reset it after a router and password update. He said he spent the day before payday and half the day of payday correcting the timesheets.

Town Manager

Mr. Jimmy Williams, Town Manager, informed council that he applied for the LIHWAP program which is the Low-Income Housing Water Assistance Program. He reported that this allows people in arrearage on utility bills a one-time payment to get caught up on their bills.

Mr. Williams reported he has contacted Grasshoppers to store and load salt. He said he reserved 60 tons and the salt will be paid for as it is used. Mr. Kiser asked if the 60 tons of salt is on hand. Mr. Williams said it will be ordered and stored there and the business owner will use what the town does not purchase and use. Mr. Sharon Still made a motion to allow Town Manager, Jimmy Williams, to reserve 60 tons of salt from Grasshoppers at \$295.00 per ton paying for only what the town uses. Mr. Joe Still seconded the motion, which resulted in all Ayes.

Mr. Williams advised he spoke with other towns and those towns are not issuing business licenses to trailer parks but they do collect taxes on the trailers located in town limits.

Mr. Williams spoke with The Lane Group about doing a study on the lights the town wants to install. Mr. Chris Mullins said he would get with Mr. Williams to discuss that further.

Mr. Williams advised he has been working on updating the website. He reported that all of the 2022 and part of 2021 council meeting audio is on the website. He said he is working on the boards and council information.

Mr. Joe Still asked what the plan is for the new Ford dump truck. Mr. Williams said that he needs to get the vehicle tagged and then it will be used for hauling dirt, rock etc.

Mr. Still asked about the ATV purchase for public works. Mr. Williams said he is waiting for council to vote on which one to purchase.

Mr. Still said that he thinks David Kilgore is doing lots of things council requested. Mr. Williams said David is taking care of the parks and sidewalks. Mr. Still said he is doing a good job.

Mr. Still asked about the status of wifi. Mr. Williams said the company is doing a survey on the property for the tower.

Mr. Williams said there is some electrical work that needs to be done on the bridges to get ready for the Christmas lights. He said the Job Corps is working on that issue and some lights at town hall. He reported there will also be a 220-volt upgrade at Complex B.

Mr. Jeff Kiser asked where the town is on the insurance situation after the accident in which town hall was hit by a vehicle. Mr. Kiser said Mr. Williams needs to follow up with the insurance company if he hears nothing and Mr. Sturgill will need to follow up with the company as well.

Ms. Sharon Still asked if ARPA funds will be used to purchase the Can-Am Defender Pro DPS HD10 which Mr. Williams thinks would be best for public works. Mr. Williams advised ARPA funds will be used for the purchase.

Ms. Still made a motion to allow Town Manager, Jimmy Williams, to purchase the Can Am Defender Pro DPS HD 10 from McCoy Motorsports for \$22,749.90. Mr. Jeff Kiser seconded the motion, which resulted in all Ayes.

Ms. Still asked Mr. Williams about the plans for the town's Christmas dinner. Mr. Williams said he is waiting to hear from Crooked Road about the scheduling.

Ms. Still asked about the new fountain. Mr. Williams said he is still looking. Ms. Still advised she will check with Almajeon Ringley and see where the old fountain was purchased.

Ms. Still said there needs to be a formal ordinance about whether the town handles the timeline on moving a trailer from a private lot or from land zoned specifically for trailer parks differently. Mr. Mooney asked Mr. Williams to get with Mr. Sturgill to work on a mobile home ordinance concerning private lots and trailer parks. Mr. Kiser said he would like the ordinance to also address RVs and that RVs need to be parked in an RV park. He said RVs do not need to be used as a permanent residence parked on private lots; if they are occupied, they need to be in an RV park.

Mr. Mooney said there is an ordinance against blacking out and covering the windows of businesses and buildings on Front Street and that the town needs to do something about the store fronts that have covered windows. Mr. Williams said that he is not sure what the penalty is for violation of the ordinance. Mr. Kiser asked if council will be limiting the time an owner can be working on their business. Ms. Still said the reasoning is that the police are unable to do business checks if the windows are covered. Ms. Still said that if the business owner has a building permit and is actively working it's understandable. Mr. Kiser asked what the difference is between covered windows and blinds and is the ordinance going to state that all windows must be uncovered at night. Mr. Sturgill said that the way the ordinance is currently worded a violation carries a \$500.00 fine. Mr. Mooney said if there is an ordinance in place it should be enforced. Mr. Williams said a certified letter would need to be sent to let the business owners know. Mr. Sturgill said that a friendly phone call from Mr. Williams would be a first step in making business owners aware of the ordinance before the town takes any action. Mr. Williams read the ordinance. Mr. Kiser said that the ordinance needs clarification. Mr. Still said that according to the ordinance business owners would need to open the blinds at night. Ms. Still said that there needs to be enough space to see inside at night. Mr. Mooney said no one wants to drive through the town and see all the windows covered. This conversation led to a discussion on the necessity of updating the ordinances and having an updated book to reference as needed. Mr. Sturgill said that all ordinances need to be recorded at the courthouse as they are updated and that is the best way to keep up with them. Mr. Williams suggested setting aside a workshop in January to get started on the process of reviewing the ordinances.

Public Works

Jeff Livingston, Public Works Supervisor, was not in attendance. Mr. Jimmy Williams gave a report for public works. Public works has been decorating the town for Christmas and completed 149 work orders.

Mr. Mooney asked if the electrical outlets on Front Street are in working order. Mr. Williams said they will be. He advised the Job Corp is working on the outlets. Mr. Mooney said he is hoping the outlets will be working in time for the Christmas event.

Water Plant

Brian Markham, Water Plant Supervisor, informed council that the price of the Cummins generator for the plant is \$38,650.00. He advised this generator has no time on it and is from a plant in Lee County. Mr. Chris Mullins said that this is a great price on a generator but the only drawback is there is no warranty. Ms. Still said she would like to have it cranked to be sure it works. Mr. Jeff Kiser asked what the length of time is for a standard warranty on the generator and how many times in that length of time have they needed a generator at the water plant. Mr. Markham said there's not been very many times that the generator is needed. He said the generator will need to be looked at to ensure it works before it is purchased.

Ms. Sharon Still made a motion to purchase the generator after it has been inspected and found to be in working order from Woodway in Pennington Gap for \$38,650.00. Mr. Deventae Mooney seconded the motion, which resulted in all Ayes.

Lane Group

Mr. Chris Mullins, representative from The Lane Group, said the water project is nearing completion. He advised there are still permits needed to cross the railroad property to get the line completed in Banner. He said the plant should be completed by December 1st. He reported Phase 3B in south Coeburn and Maytown should be completed soon; the parts are on the way. He said paving and meter hookups are being done. Mr. Kiser asked if the water was metered yet and Mr. Mullins said the wrong vault had been sent and a new waterproof vault is on the way. Mr. Kiser asked Mr. Markham what the water loss rate is currently. Mr. Markham said it is around 50%.

Treasurer Report

Cathy Sharpe, Clerk/Treasurer, reported a posted cash balance of \$182,554.71 as of November 10, 2022. She reported outstanding checks in the amount of \$40,227.36, accounts payable due in the amount of \$76,259.54 and interim accounts payable in the amount of \$389,096.65. This amount includes the Water Systems Improvement Project checks. After deducting the accounts payable due and outstanding checks, the reconciled cash balance was \$66,067.81.

Ms. Sharpe presented meeting minutes for October 11, 2022 regular meeting and October 24, 2022 workshop meeting.

Ms. Sharpe reported two additional deposits since reports were prepared for the meeting. Thursday's deposit was \$11,599.86 and today's deposit was \$31,690.34 making the total cash availability \$109,358.01.

Mr. Joe Still asked Ms. Sharpe if ARPA was paying for the Dell Computers. Mr. Williams said they were paid by town money. Mr. Williams advised he understood that the computers should not be paid by ARPA. Ms. Still said that those should have come out of ARPA. Ms. Still referred to the minutes and it was not specified what money should pay for the computers. Council agreed that the computers should be paid from the ARPA fund.

Ms. Still asked about the building and grounds service truck that was purchased for \$1500.00. Mr. Williams advised the truck does need some repairs and the engine is being replaced. Ms. Still asked how much more will be spent on it before its ready to use. Ms. Still said she is hesitant to put a town decal on the truck in its present state.

Mr. Still asked how the town would go about having a surplus auction. Mr. Williams said that public works is in the process of cleaning and organizing right now. He said the town could do several small auctions or wait to get everything together for a big auction. Ms. Still, Mr. Mooney and Mr. Williams agreed that it would be good to have an auction in the summer, giving public works time to gather the surplus items.

Mr. Mooney asked Mr. Williams to check on the progress of the funds for the backhoe and police vehicles.

Mr. Kiser expressed concern over the town's finances. He reminded council that there is a need to be conservative. Ms. Still said there is more money going out due to minimum wage being increased and the adjustments in pay that go along with it. Mr. Mooney said that the recent purchases have been necessary purchases.

Sharon Still made a motion to accept the total accounts payable as presented. Jeff Kiser seconded the motion, which resulted in all Ayes.

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

Sharon Still made a motion to accept the October 11, 2022 regular meeting minutes as presented. Joe Still seconded the motion, which resulted in Ayes. Jeff Kiser abstained.

Sharon Still made a motion to accept the October 24, 2022 workshop meeting minutes as presented. Joe Still seconded the motion which resulted in Ayes. Carles Collins abstained.

Ms. Cathy Sharpe asked council if they would like a report on payments made online. Council advised they would like to see a report of those payments.

Attorney Report

William Sturgill, Town Attorney, informed council that minimum wage would increase to \$12.00 an hour January 1, 2023, \$13.50 per hour January 1, 2025 and then on to the General Assembly for approval to be raised to \$15.00 per hour. Mr. Sturgill said everything else he had to discuss was on the agenda.

New Business:

- A. Home for the Holidays - Mr. Mooney advised the holiday event will be held Thursday, December 1, 2022, on Front Street in Coeburn. The event is being funded by outside

donations. There will be free popcorn, free s'mores, free cookies and hot cocoa, live music and a stuff your stocking station. There will also be pictures with Santa, a chili cookoff and a toy drive.

- B. Trash Truck - Mr. Williams advised at one time last week there was no trash truck to use. He said the newest trash truck has been repaired. The older trash truck is not running and will need around \$40,000.00 of repairs in order to run again. He advised he has located a truck that is the same size as the big garbage truck; 20 cubic yards. Mr. Williams said that if the town had two trucks the same size and alternate the trucks on a schedule it would save on wear and tear and fuel. Mr. Mooney asked what the town used in the past. Mr. Williams said the town used the smaller garbage truck that is currently out of commission and the blue truck to get to hard-to-reach locations. He said the radiator, transmission, and air brakes need repaired. The suspension on the front needs repaired and there are several leaks in the engine. Mr. Mooney expressed concern about spending that amount of money when that money may be needed to fund projects in the future. Mr. Still said he likes the idea of having town trucks but is concerned with spending the money with other projects on the horizon. Mr. Still said she would like to be sure there are funds for the back-alley sewer project. Mr. Kiser said he will not vote to put \$40,000.00 toward repairing the trash truck and maybe have the engine blow. He said there are ARPA funds that can be used for this purchase. Mr. Kiser said he realizes that there are other projects that need to be done, but The Lane Group does a good job of securing additional funds to pay for these projects. Ms. Still said that leaves the question of do they look into buying a truck and waiting for it to be completed and save \$60,000.00 or just buy the completed one and pick it up in Florida. Mr. Williams is also going to check on another truck in Richmond.

Mr. Jeff Kiser made a motion to authorize Town Manager, Jimmy Williams, to purchase a Kenworth garbage truck not to exceed \$200,000.00. Mr. Joe Still seconded the motion. A roll call vote resulted as follows:

Carles Collins - Aye
Jeff Kiser - Aye;
Deventae Mooney - No
Joe Still - Aye
Sharon Still - Aye

- C. VDOT Pedestrian Study - Mr. Mooney asked Mr. Williams to share the Power Point Presentation from the meeting with council. He said the study suggested that the project should start small, securing funding as it goes. The study suggested starting at Lincoln Street and the access to Coeburn Middle School. Mr. Mooney forwarded the information to Dr. Goforth, the School Superintendent. Mr. Kiser asked if there are federal funds available for bridge repair through Senator Warner's office. Ms. Still said there needs to be a plan about who is going to do the repair work, the town or contractors. Mr. Williams said he has a contact from The Lane Group that does sidewalks. Mr. Mooney said he would like to show VDOT that the town is acting and has a plan.

D. Main Street Resolution - In order for Mr. Williams to apply for grant funding, council needs to adopt a Resolution showing their support for the Virginia Exploring Main Street Program. Mr. William Sturgill has prepared the Resolution and provided council with copies. Mr. Mooney asked Mr. Williams for a time frame for starting the application process. Mr. Williams said he would work on that this week. Mr. Sturgill read the Resolution aloud during the meeting.

Ms. Sharon Still made a motion to adopt Resolution 2022-005 in support and authorization of the Town of Coeburn's application to the Virginia Exploring Main Street Program. Mr. Deventae Mooney seconded the motion, which resulted in all Ayes.

E. Boundary Adjustment - Mr. William Sturgill reviewed the requirements for adjusting boundaries and based on that he put together a document to begin the boundary adjustment process. Once the information on the land and owners has been gathered there will be public hearings at the town and county level. Mr. Mooney has identified one area where all the property owners would like to be part of the town but there are other areas where property owners are not on board. Mr. Mooney would like to start the process of talking to the property owners after the first of the year.

F. Employee Bonuses - Mr. Williams said that each of the 28 employees received a \$450.00 bonus last year. Ms. Still said the bonus should increase to \$500.00 because the cost of living has increased since last year. Mr. Mooney thinks the bonus should be \$550.00. Mr. Mooney asked when the next payroll is and when council wants to give the bonus. Mr. Williams said he would like to distribute the checks at the Christmas dinner.

Deventae Mooney made a motion to pay a \$550.00 bonus for town employees. Mr. Joe Still seconded the motion. A discussion followed.

Jeff Kiser made a substitute motion to pay a \$550.00 bonus for employees that have been employed by the town for a period longer than 12 months and a prorated bonus for the employees employed less than 12 months. Sharon Still seconded the motion, which resulted in all Ayes.

Old Business:

A. Board Listings - Mr. Williams presented a listing of boards and members from 2017 and said there are probably a lot of people on the list that are not active any longer. Mr. Mooney said the town should make a list of boards and have people apply for the positions. Mr. Kiser said he thinks the town should go to the members that are active and then take applications to fill the positions. Mr. Mooney advised terms need to be staggered so all board members aren't being replaced at the same time. Ms. Still is on the EDA and knows all the members of that board. The list will need to be updated and terms set.

Deventae Mooney made a motion to enter into closed session in accordance with Virginia Code §2.2-3711 (A8) to consult with legal counsel pertaining to specific legal matters. Sharon Still seconded the motion, which resulted in all Ayes.

Closed Session:

Immediately following closed session, Mr. William Sturgill read "Certification of Closed Meeting", which is attached to these minutes and made a part hereof. A roll call vote certifying that only business matters that were identified in the motion convening were discussed or considered. The roll call vote resulted in all Ayes.

There were no actions resulting from Closed Session.

Council Comments and Concerns:

Carles Collins - Mr. Collins said he would like to see some paving and patching done before winter. Mr. Williams said the asphalt plant closes this week.

Jeff Kiser - Mr. Kiser had no comments or concerns.

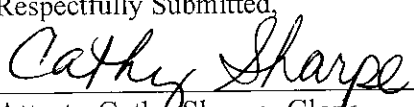
Joe Still - Mr. Still had no comments or concerns.

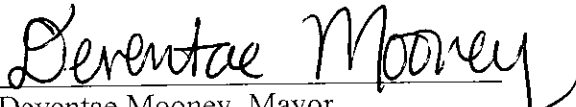
Sharon Still - Ms. Still thanked everyone for the work they do. She said she hates to make people mad and would like to resolve every issue and is certain that working together eventually the issues will be resolved. Ms. Still is excited for the holidays and to tell the employees that they will be receiving a \$550.00 bonus. She said she is excited that the town will hopefully be having a Christmas dinner. Ms. Still is glad to see the banners in town and for the great response from the citizens and says that the town is really looking nice.

Deventae Mooney - Mr. Mooney thanked the citizens for voting in the last election. He congratulated Ms. Still for being elected for another four years. Mr. Mooney said he is looking forward to the Home for the Holiday event coming up; he thinks it will be a positive event for Coeburn.

Adjournment:

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

Respectfully Submitted,

Attest: Cathy Sharpe, Clerk


Deventae Mooney, Mayor