

**Council Minutes**  
**Special Called Meeting**  
**October 23, 2023 - 6:30 p.m. – 502 Front St. E, Coeburn, VA**

**Attendees:**

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

**Call to Order:**

Mayor Deventae Mooney called the meeting to order. Mr. Joe Still gave the invocation. The group remained standing for the Pledge of Allegiance led by Mr. Mooney.

**Public Expression:**

Ms. Bobbie Powers, 5248 Couch Mountain Road, addressed Council about her water being disconnected on October 11, 2023. Ms. Powers sent Town Manager, Jimmy Williams, a certified letter about the issue prior to the meeting. She gave Council copies of the water bill and the letter. Ms. Powers said her water was disconnected, and she informed Council that there was no disconnect notice sent or anything on the bill about her water being disconnected. Ms. Powers stated that she has a farm and does not have time for this. She feels that this town displays a lack of integrity, and something must be done about that. She would like a written apology and an explanation of why her water was disconnected. Since the disconnection, Ms. Powers has researched laws regarding water disconnections, and she feels that the service/reconnection fee that is charged is corrupt and needs to be stopped. She said the town needs a call or texting service to remind customers to pay the bill. Ms. Powers quoted the Virginia Code saying that disconnect notices should go out 10 days prior to water disconnects. She also reminded Council that the town has the ability to provide discounted water or sewer fees and to waive deposits for people receiving public assistance and asked how many people could be helped by doing this. Ms. Powers would like the town to vote on new water disconnect procedures if the issue cannot be settled by a vote from Council. Ms. Powers was also interested in knowing how the COVID relief funds were used by the town. She said she is looking into suing the town to pay for her pump if it is damaged by the lack of water and mentioned that she is within her rights to sue the town manager for the pump.

Public Expression was closed.

**Response to Public Expression:**

There was no response to prior Public Expression.

**Approval of the Agenda:**

Deventae Mooney made a motion to approve the agenda as presented. Ms. Sharon Still seconded the motion which resulted in all Ayes.

## **Reports:**

### Fire Department

There was no representative present from the fire department present. Town Manager, Jimmy Williams, informed Council that road closures are in place for the Trunk or Treat October 31, 2023, 6pm - 8:30pm.

### Police Department

Mr. Ryan Gardner, Police Captain, had nothing to report. Mr. Carles Collins asked Captain Gardner why so many officers were leaving the department. Captain Gardner said the officers are leaving for better paying jobs in law enforcement and one officer is leaving to pursue a career outside of law enforcement.

### Water Plant

There was no representative present from the water plant present. Mr. Williams informed Council that the generator is in place and the electrical parts have come in and are ready for the contractors to install.

### Town Manager

Mr. Jimmy Williams, Town Manager, stated that he had things to discuss during Closed Session. Mr. Jeff Kiser asked if the \$9,458.33 pavement job at the park had been voted on. Mr. Williams said it had not been, but Mr. Williams said the original estimate was less than the cost of gravel and was well under his spending cap. Mr. Kiser asked if the Bondtown park paving project had been cancelled. Mr. Williams said it had been. Mr. Kiser said that by spending over \$9,458.33 with a cash balance of around \$12,000, it's no wonder the town is broke.

Ms. Sharon Still was concerned about the paving on East and Salem. She said that getting to Salem was worse than Salem itself, and instead of patching the road cuts on Salem the road was paved. Ms. Still said that hadn't been voted on either. Ms. Still said that Council had voted to pave North Street and the water plant road, and a very rough patch job had been done on North Street. Mr. Carles Collins said the guys at the water plant said they could manage without paving the road. Mr. Williams said that Mr. Brian Markham thinks it would be ok if the gravel could be compacted. Mr. Williams said that before any paving could be done, the drain under the road will need to be replaced; otherwise, the new paving will be dug up when the drain work is done. Mr. Williams said the double walled pipe should only be a few hundred dollars to purchase. Ms. Still suggested using ARPA funds to pave both those roads. Mr. Kiser said that the ARPA funds are dwindling as well and there is a sewer project coming up. Mr. Mooney said that he had spoken with Mr. Chris Mullins with The Lane Group, and he should have a cost analysis done for that project by the end of the week. Mr. Kiser is hesitant to use ARPA funds with the sewer project coming up. Mr. Kiser said that until more details are known, he thinks that the town shouldn't spend the remaining ARPA funds. Mr. Collins asked if the county would pay the town for the sewer passing through the town. Mr. Kiser said no, the county is installing the sewer line and not paying fees to

the town. Ms. Still said she would wait until the cost analysis is ready and will wait until the first of the month to make her motion. Ms. Still asked if there are enough funds left after the sewer project, she would like to see that these roads can get paved.

Ms. Still stated that Council is supposed to be informed before any amount over \$2,000.00 is spent, and Council was not informed about the cost of the paving of the park, East Ave, and Salem Street. Ms. Still said there are often expenditures on the Council reports that need to be approved or are not necessary. Ms. Still said that unnecessary purchases are hurting the town, and the spending is not being controlled and this will be discussed this during closed session. Ms. Still said that credit card spending needs to be controlled and the cards need to be signed in and out and purchases approved before anything is spent. Mr. Kiser said that this is not just a Town Manager problem, but all departments need to control the spending. Mr. Williams said he has sent out an email addressing this issue and limiting overtime, and there has been some improvement. He said the police department has had some overtime. Mr. Mooney asked if the ARPA funds can be used to pay the accounts payable due for the paving. Mr. William Sturgill said that if a bill hasn't been paid and is a permissible expense it can be paid with ARPA funds. Mr. Mooney said Council can vote on that in November.

#### Public Works

Mr. Jeff Livingston, Public Works Supervisor, reported that leaks were repaired on Prospect Avenue and Hanover Street. Mr. Collins informed Mr. Livingston that there is a water leak on Queen Street. Mr. Livingston said that is scheduled to be repaired tomorrow. Mr. Still said there was a significant leak repaired on a 6-inch line. Mr. Livingston said that was the repair on Prospect and it had been leaking for a while. He said the repair should improve the water loss rate.

Ms. Still asked why straw bales were purchased from Circle S. Mr. Livingston said those were purchased to cover the ground on water line repairs.

#### Lane Group

There was no representative present from The Lane Group present. Mr. Mooney restated that Mr. Chris Mullins is working on the cost analysis and hopefully will have it by the end of the week.

#### Treasurer

Ms. Cathy Sharpe, Clerk/Treasurer, reported a posted cash balance of \$249,076.26 as of 10/20/2023. She reported outstanding checks in the amount of \$109,115.58, accounts payable due in the amount of \$127,636.85 and interim accounts payable in the amount of \$53,929.71. After deducting the accounts payable due and outstanding checks, the reconciled balance was \$12,323.83.

Ms. Sharpe informed Council that the October 10, 2023, regular meeting minutes will be distributed along with November 13, 2023, council packets.

Ms. Sharpe reported two additional deposits since reports had been presented for the meeting. Friday's deposit was \$18,808.27, and today's deposit was \$5,946.43 making the total cash availability \$37,078.53.

Attorney

Mr. William Sturgill, Town Attorney, had nothing to report.

**Closed Session:**

Deventae Mooney made a motion to enter into closed session in accordance with Virginia Code §2.2-3711 (A1) to discuss performance of Town of Coeburn personnel, and Code §2.2-3711 (A8) to discuss with legal counsel pertaining to specific legal matters. Sharon Still seconded the motion, which resulted in all Ayes.

Immediately following closed session, Ms. Cathy Sharpe, Town Clerk/Treasurer, 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 as follows:

Carles Collins - Aye  
Jeff Kiser - Aye  
Deventae Mooney - Aye  
Joe Still - Aye  
Sharon Still - Aye

Sharon Still made a motion to advertise for Chief of Police for the Town of Coeburn with a deadline of December 1, 2023. Carles Collins seconded the motion. A roll call vote resulted as follows.

Carles Collins - Aye  
Jeff Kiser - Aye  
Deventae Mooney - Aye  
Joe Still - Aye  
Sharon Still - Aye

Mr. Williams said he will post the job tomorrow.

**Comments and Concerns:**

Carles Collins - Mr. Collins had no comments or concerns.

Jeff Kiser - Mr. Kiser said the town's money situation is not looking good. He said any department that spends money needs to be accountable and have purchase orders in place.


Sharon Still - Ms. Still had no comments or concerns.

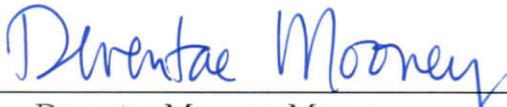
Deventae Mooney – Mr. Mooney had no comments or concerns.

**Adjournment:**

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

Respectfully Submitted,

  
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Attest: Cathy Sharpe, Clerk

  
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Deventae Mooney, Mayor