

**Council Minutes**  
**Regular Meeting**  
**January 8, 2024 - 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. Rose, Coeburn Ministerial Association, gave the invocation. The group remained standing for the Pledge of Allegiance led by Mr. Mooney.

**Public Expression:**

Mr. Danny Maine, 728 Virginia Avenue, said he would like to have a No Parking sign put at the intersection of Virginia Avenue and Lincoln Street. Mr. Maine said the driveways are being blocked by people parking along that road. He reported that a ticket was issued but it was thrown out of court; the judge said a sign needs to be put there.

Mr. Nate Long, 716 May Avenue, said he has been trying to get a water meter moved. He was under the impression that it was going to be moved but it was not. Mr. Long would like a reason as to why the meter has not been moved.

Mr. David Collins, 306 Central Street, also addressed Council concerning the meter at 716 May Avenue. Mr. Collins said he had spoken with Jeff Livingston and Jimmy Williams about having the meter moved, and Mr. Williams told him the meter would be moved. Mr. Collins said it has not been moved and a reason why has not been given. He would like to know why the meter was not moved. He said Mr. Long is having to make multiple trips to the meter to turn it on and off because it is leaking. Mr. Collins feels that Mr. Long should not be charged for the water because the town won't move the meter and it is leaking.

Public Expression was closed.

**Response to Public Expression:**

There was no response to Public Expression.

**Approval of the Agenda:**

Mayor Mooney made a motion to include Old Business (A.) Fidelity Power Systems Preventative Maintenance Program, Water Plant Generator with the Water Plant Report. Vice Mayor Sharon Still seconded the motion, which resulted in all Ayes.

Mayor Mooney made a motion to move New Business (A.) First Bank and Trust Company to before reports. Vice Mayor Sharon Still seconded the motion, which resulted in all Ayes.

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

**New Business:**

- A. First Bank and Trust Company - Mr. Corey Dotson, Market Leader, First Bank and Trust, and his associate, Tiffany Collier, Operations Supervisor, addressed Council regarding moving the town's deposit account to First Bank and Trust. Mr. Dotson discussed the highlights of what the bank is proposing for the town. He informed Council that the bank is a community bank with 27 branches. The bank was started in Lebanon in 1979, is one of the top agricultural lenders in the country and is quite successful. Mr. Dotson feels like the bank has maintained that community atmosphere, while competing technology-wise with all the big banks. He said First Bank and Trust has the technology in place to make things more efficient for the town. The bank offers a customized approach to banking, focusing on ACH payments, making payments faster. The bank also offers wire transfers to transfer funds quickly and securely. The process to place stop payments on checks can also be done in house, eliminating the need to send someone to the bank to place the stop payment. The bank has a four-point verification to protect against check fraud, called Positive Pay. Mr. Dotson thinks that the town could benefit from the ability to offer direct deposit to the employees. The bank will also offer remote deposit capture and can process checks directly from the office. The bank provides the equipment needed to process the checks. Merchant services are offered to take credit card payments, and there is an additional cost for this equipment. Mr. Dotson says there are also accounts available with unlimited FDIC insurance, and money market accounts. He said if the town chooses to let the bank take care of their accounts, there will always be someone available to assist them with any issues that arise.

Mr. Jeff Kiser asked Mr. Dotson if the ACH process the bank offers will interface with the software the town uses. Mr. Dotson says it does interface with many systems. Mr. Kiser said that will be the first thing he would like to check on. He asked Mr. Dotson what day the funds will be available to the employee if the town is using direct deposit. Mr. Kiser informed Mr. Dotson that payroll is on Friday. Mr. Dotson said the bank would need the file two days prior and funds could be available on Friday.

Mr. Kiser asked what the fees would be to the town for credit card processing. Mr. Dotson will have to look into the fee structure for Visa and Mastercard. Ms. Still asked if using Clover would do away with the fees. Mr. Dotson said that the fee for Clover gets passed directly to the customer. Ms. Collier said she would get that information together.

Mr. Kiser asked if the First Bank and Trust would be opening a bank in Coeburn. Mr. Dotson said he would love to see a branch in every town. Mr. Kiser asked about the logistics of making a daily deposit when the closest branch is in Norton or Wise since the town currently banks with a local in-town bank. Mr. Dotson said that the banking industry is moving into more of the electronic banking process and that there is so much cost involved in a brick-and-mortar branch and not as much demand for one as in the past. Mr. Dotson said he is confident that the bank will be able to serve the town and save the town money. He said there is the possibility of depositing money into a local bank and transferring the money to the First Bank and Trust. Mr. Kiser asked if there are interest-bearing accounts available. Mr. Dotson said that there are different types of accounts available and that could be looked into.

Mr. Williams said that for the daily deposit the checks could be scanned and deposited from the office, and the cash could be deposited locally and transferred to First Bank and Trust.

Ms. Still said that it is important to find out if Southern Software would integrate with the bank. Ms. Collier said that they have their people looking into that. Mr. Dotson said if the town decides to look into what the bank has to offer, he is going to get more of his team to come and discuss things in more detail with the town.

Mr. Mooney thanked Mr. Dotson and told him that Council will discuss all the information he provided, and Mr. Williams or Ms. Sharpe will contact him if the town decides to move forward with opening an account.

## **Reports:**

### Fire Department

There was no representative from the fire department present.

### Police Department

Mr. Travis Mullins, Police Chief, thanked Council for the opportunity to work for the town. He said that the town has been very welcoming and for that he is very appreciative. Chief Mullins presented Council with a copy of the report for the month of December. He said moving forward he will have a more comprehensive report so that it is more visible to Council what happens on a regular basis. Chief Mullins said the call volume was comparable to past months and nothing abnormal stood out from previous months. Mr. Mooney asked Chief Mullins to stay for the closed session.

### Water Plant

Mr. Brian Markham, Plant Supervisor, reported that the generator is up and running. He said there was a power outage and the generator kicked in and ran as it was supposed to. He reported that every Tuesday the generator comes on for a five-minute test run and it is doing a good job.

Mr. Markham went over the preventative maintenance program for the generator with Council. He said the semi-annual inspection cost is \$1,275.00 per year and there is a breakdown of what that covers on page 2 of the report he gave Council. Mr. Mooney asked Mr. Markham if he felt the semi-annual inspection would be all that would be needed. Mr. Markham said yes. He said there are additional options listed on page 6 of the report. Ms. Still asked if it was correct that the generator had a 4-year factory warranty. Mr. Markham said that is correct. Mr. Mooney asked Mr. William Sturgill if he had reviewed the agreement. Mr. Sturgill advised he has not gone over it. Mr. Marham said it is a standard agreement. Mr. Joe Still asked if the generator was remotely started each week and Mr. Markham said it was programmed to start each Tuesday when it was installed. Mr. Markham said a decision would need to be made to get the generator on a maintenance schedule.

Jeff Kiser made a motion to table any decision about the Fidelity Power System preventative maintenance program until the next meeting to allow Mr. Sturgill time to review the agreement. Sharon Still seconded the motion, which resulted in all Ayes.

#### Town Manager

Mr. Jimmy Williams, Town Manager, reported that he spoke with Fred Luntsford, Town Manager of Appalachia, about the use of the town provided trash cans in their town. Mr. Luntsford emailed Mr. Williams a copy of their policy. The policy states that only cans provided by the town will be picked up by the town, eliminating the need for employees handling the trash and cans that don't fit the truck. The policy also states that only trash in the can will be picked up, also, if an extra can or pickup is needed fees will be placed on their bill. Ms. Still asked if the Town of Appalachia has a contract between the town and the customer. Mr. Williams said no the town provides one can per customer. Ms. Still feels like that would be a good policy to adopt for the town. Mr. Mooney said that many of the citizens of Coeburn won't get a can because of the contract between them and the town holding them responsible for damage to the can and asked Mr. Williams to clarify if Appalachia's policy is similar. Mr. Williams said that is not the case in Appalachia, that the town provides one can and will charge for additional cans, but with no contract. Mr. Mooney said that if the town adopts such a policy, it will void any existing contracts and customers will need to be notified. Ms. Still suggested an All Call. Mr. Williams said that it would be on the website as well. Mr. Mooney suggested Mr. Williams and Mr. Sturgill put together guidelines for trash can usage for the Town of Coeburn and bring it to Council for review. Ms. Still said large items would still be picked up in April during the Great American Cleanup. Mr. Kiscr said there needs to be an agreement letting the customers know that only trash in cans will be picked up, bags piled up by the can will not be picked up and it is the responsibility of the customer to take their trash back in and not leave it out for the next week. Mr. Sturgill said that will need to be communicated to the customer and the town will also need to see what to do about enforcing it.

Mr. Mooney asked if the app to pay bills is up and running and if information is on the website. Mr. Williams said the app is up and running and information is available on the website and customers are informed as they come into the office.

Ms. Still asked if the new information about cutoffs is ready. Mr. Williams said he ordered stickers to put on the bills with the necessary information on them.

Ms. Still said there is a property she had asked Mr. Williams to write a letter to the owner about. Mr. Williams said that Wise County Litter Control contacted the owner. Ms. Still asked Mr. Williams to write a letter saying it needed to be cleaned up and the homeowner charged a fee if the town had to go in and clean it up. Mr. Mooney suggested sending the letter and if there is no response move forward with getting a price for cleaning it up.

Mr. Mooney said that the town has ordinances, and the ordinances need to be up to date and up to the standard of the Code of Virginia. He suggested Chief Mullins have someone in the police department work on that. Mr. Kiser said that he's sure our policy calls for a compliance officer. The town has not utilized a compliance officer in the past but needs to do so. Mr. Sturgill said in recent years some of the most needed ordinances were updated.

### Public Works

Jeff Livingston, Public Works Supervisor, reported that lines were repaired on Hanging Rock Parkway, Westberry Lane, Kiser, Lyncrest, Chalet, and Diagonal. A setter and meter were replaced at Foggy Lane, a meter was repaired on Front Street West and sewer lines were repaired at New Melrose Street and Meadow Street. Mr. Livingston also reported the pump was pulled at Food City and there was a mop handle in it. Sewer lines were jetted at KDK and Dickerson Avenue. Public works also took down all the Christmas decorations.

Ms. Still commented that the lights in the park make it look great. She said the lights make it bright enough to play in the dark.

Mr. Mooney reminded Mr. Livingston to have his inventory list ready by the next meeting.

Mr. Kiser asked if maintenance for the trees downtown is scheduled. He said he thought that it was done every four or five years. Ms. Still said they need to be trimmed after they bloom. Mr. Mooney and Mr. Kiser suggested contacting a tree expert that knows the proper time to trim the trees. Mr. Mooney asked Mr. Livingston to check on that.

### The Lane Group

There was no representative from The Lane Group present.

Mr. Williams spoke with The Lane Group concerning fee assistance with the sewer line project and was informed that the funding was exhausted by the first of the year.

Mr. Mooney asked Mr. Williams to remind The Lane Group that Council would like to have a representative present at the meetings at least every other month.

Mr. Williams reminded Council he would be at an ARC grant writing workshop on Wednesday in Wytheville.

Treasurer

Ms. Cathy Sharpe, Clerk/Treasurer, reported a posted cash balance of \$225,652.69 as of January 4, 2024. She reported outstanding checks in the amount of \$90,427.81, accounts payable due in the amount of \$7,500.50 and interim accounts payable in the amount of \$87,278.54. After deducting the accounts payable due and outstanding checks, the reconciled cash balance was \$127,724.38.

Ms. Sharpe presented meeting minutes for December 11, 2023, regular meeting, December 18, 2023, special called meeting, and December 19, 2023, special called meeting.

Ms. Sharpe reported two additional deposits since reports were presented for the meeting. Friday's deposit was \$4,211.87, and today's deposit was \$8,015.53 making the total cash availability \$139,951.78.

Mr. Mooney asked if the \$1,745.18 was the current balance available for the Home for the Holidays event. Ms. Sharpe said that was correct. Mr. Mooney said that is a good start for the next event.

Mr. Mooney asked about the fee on the salt. Mr. Jimmy Williams said that fee is for the salt purchased last year. He said somehow the bill got by and was just received. Mr. Mooney asked if the town had access to the salt purchased last year but not used. Mr. Williams said that was correct. Ms. Still said she had spoken with a citizen that purchased salt and salted two town roads because the town did not salt those roads. Mr. Williams said the town did not have access to salt at that time. Mr. Mooney asked if the salt was not accessible because no one was there to get the salt out or not accessible because the town owed \$17,000.00 from last year. Mr. Joe Still said he spoke with Jonathan and was told that the town couldn't access the salt because it had not been paid for and the business had to pay for the salt, causing financial hardship for the business. Mr. Still said he was told that an invoice was sent in April and never paid. Ms. Still was upset that she was under the impression that the salt was taken care of. Mr. Williams said that he was relying on information from public works and said that the April invoice was not received. Ms. Sharpe said that the invoice would have been paid had it been received. Mr. Mooney asked Mr. Williams to find out how much salt the town has paid for that has not been used and have that information by the next town meeting. Ms. Still said snow is coming next week and is wondering if the roads will be salted. Mr. Williams said that as soon as Mr. Livingston spoke with Jonathan and received an email with an invoice, the salt was paid for. Mr. Williams searched the system for any bill and there was none. Mr. Carles Collins asked how much salt was used last year. Mr. Williams was not sure. He said the salt was to be ordered and paid for as it was used, and invoices were never received.

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

Sharon Still made a motion to approve the accounts payable due as presented. Deventae Mooney seconded the motion, which resulted in all Ayes.

Sharon Still made a motion to approve the December 11, 2023, regular meeting minutes as presented. Deventae Mooney seconded the motion, which resulted in Ayes. Jeff Kiser abstained.

Sharon Still made a motion to approve the December 18, 2023, special called meeting minutes as presented. Deventae Mooney seconded the motion, which resulted in all Ayes.

Sharon Still made a motion to approve the December 19, 2023, special called meeting minutes as presented. Deventae Mooney seconded the motion, which resulted in all Ayes.

Attorney

Mr. William Sturgill reported that he checked to be sure all Council members were up to date on their training. He said the training is good for this year, but next year it will be time to update the FOIA training and he will be able to do that training in house. He said the Ethics Training will be online training.

Mr. Sturgill updated Council on some new laws that go into effect this year. The Cannabis Control Authority will take control of the Commonwealth's medical cannabis program and recreational sales are still not legal. The minimum wage is going up to \$12.00 per hour.

Mr. Sturgill said he will review the Fidelity agreement and report back to Council at the Workshop Meeting and will get with Mr. Williams to work on a trash can agreement.

Mr. Mooney asked if Mr. Sturgill had received a call from the Commonwealth Attorney's office. Mr. Sturgill said he did. Mr. Mooney said the Commonwealth Attorney is trying to work and get money from charges paid to each locality.

**Closed Session:**

Mayor 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. Vice Mayor Sharon Still seconded the motion, which resulted in all Ayes.

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 as follows:

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

Sharon Still made a motion to take personnel number 24 from a part time position to a full-time position effective next pay period and to have a new personnel document reflecting this change. Mr. Joe Still 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

Jeff Kiser made a motion to authorize Chief Travis Mullins to use funds of \$5,000.00 to hire an outside firm to do an audit of the evidence room. Joe Still 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

**Council Comments and Concerns:**

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

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

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

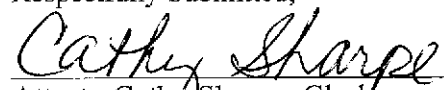
Sharon Still - Ms. Still had no comments or concerns.

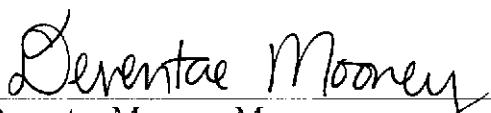
Deventae Mooney - Mr. Mooney had no comments or concerns.

**Adjournment:**

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

Respectfully Submitted,

  
Attest: Cathy Sharpe, Clerk

  
Deventae Mooney, Mayor