

**MINUTES
REGULAR COUNCIL MEETING
MONDAY, JUNE 20, 2016
TOWN HALL – 6:00 P.M.**

Council Members:

Kyle Fletcher-Mayor
Kenneth Holbrook
Greg Bailey
Tim Boardwine
Harry Kelly
Jason Kilgore
Monty Salyer

Others Present:

Debora Baca – Clerk/Treasurer
Julie Hensley – Town Attorney
Jim Elliott – Attorney/Hill & Mtn. Materials
Todd Horne – Mountain Materials
Jim Taylor – Mountain Materials
Bo Phillips – Chief of Police
Earl Carter – Public Works Director
Bob Harrison – St. Paul IDA
Katie Patton – Attorney/Chaffin Law

Allen Gregory-CVTimes

The meeting was called to order by Mayor Fletcher at 6:05 p.m.

Councilman Bailey asked to add “Traffic Light Delays” to New Business. A motion was made by Councilman Holbrook to approve the agenda as amended. The motion was seconded by Councilman Boardwine and passed unanimously.

Under public requests, Attorney Jim Elliott spoke to Council regarding an application for rezoning of approximately 150 acres in an R-2 District to a Heavy Industrial District filed by Bobby and Bernice Hill. Mr. Elliott said the Hills have given Mountain Materials a purchase/lease option pending a zoning change from R-2 to a zoning that allows mining. Mr. Elliott gave out a copy of the County ordinance that allows conditional zoning and provided a copy of the lease/option agreement. On behalf of his client, Mr. Elliott requested that the town council consider approval of the zoning request. Representatives of Mountain Materials talked about their plans and job creation, stating the reason for their interest was the type of stone located on the property.

Next, Otis Strouth addressed the Council regarding two parcels of land that he owns in the park/Bluebell Island area that was deeded to the Nature Conservancy. He has not heard anything from his previous requests for the town to resolve this issue. Town Attorney Julie Hensley said there has been communication with his attorney and recommended that Mr. Strouth contact his attorney because the town has responded. Mayor Fletcher said he is hopeful this matter can be resolved, but if Mr. Strouth has an attorney, it is appropriate that the communication be between the two attorneys.

Mr. Elliott asked if the Council had any questions regarding the rezoning request and if they would be discussing the matter further. Following a brief discussion regarding the application, a motion was made by Councilman Boardwine to refer the rezoning request to the St. Paul Planning Commission. The motion was seconded by Councilman Kelly and a roll call vote was taken: Salyer-Aye; Bailey-Aye; Holbrook-Aye; Boardwine-Aye; Kilgore-Aye; Kelly-Aye. The motion passed 6-0.

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Bob Harrison thanked the town and the town work crew for all of their assistance during the Clinch River Days Festival. He gave special acknowledgement to Earl Carter for the electrical work he did to help get ready for the entertainment.

Earl Carter talked to Council about the Fire Department's current ISO rating and his plans to try and improve it, including the fire truck he previously proposed purchasing. The current rating is a 6 and each time you lower the rating, it lowers insurance rates for our citizens.

Mayor Fletcher announced the following:

- 1) The Fourth of July celebration will include free swimming at the pool with games and music beginning at 4 p.m. at the Miners Exchange Bank lot. A live band will play in the evening followed by fireworks.
- 2) Public hearings for the sale of the Dye Property and the Conveyance of Two Parcels to the Oxbow Corporation will be held on June 28th.
- 3) Suzy Harrison sent a thank you letter to the Council and town employees for their support of the Clinch River Days Festival.
- 4) Mayor Fletcher talked about the leak at the Lyric Theater building. Councilman Kelly said he will work on getting specifics on how to fix it and estimates to make the repairs.

Councilman Salyer asked about the pallet company burning the pallets in town. Mayor Fletcher said he has talked with Robert Mullins about this matter. Mr. Mullins is writing the owner a letter and Wise County has cited him for burning. Councilman Salyer asked for copies of Robert's progress.

Councilman Holbrook moved to approve the minutes of the May 4th Recessed Meeting and the May 16, 2016 meeting. The motion was seconded by Councilman Boardwine and unanimously approved.

A motion to approve the Consent Agenda was made by Councilman Holbrook, seconded by Councilman Boardwine, and carried unanimously.

Old Business:

The lighting plan for Oxbow Lake was tabled last month by Councilman Kilgore. He advised that he is looking at approximately 60 lights at \$100 each. Earl Carter said he is working on the design requirements and looking at the electrical run to determine where we would get the power connection. Following a brief discussion about the number of lights needed and the type of lights, Councilman Kilgore moved to table this matter until the July meeting. The motion was seconded by Councilman Boardwine and passed unanimously.

The question of whether or not to purchase a vendor table at the VML Conference in Virginia Beach was tabled last month. After several comments about the distance and the number of

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people possibly attending, Councilman Salyer moved not to purchase a vendor table this year. His motion was seconded by Councilman Boardwine and passed unanimously.

Councilman Salyer said he put the Lion's Den on the agenda again to continue a dialogue about what to do with the building and property. Council has previously taken bids for the sale of the property, but rejected the only bid received. It was noted that they have discussed demolition, renovation, and donating the property. Councilman Boardwine made a motion to donate the Lion's Den property to Habitat for Humanity. The motion was seconded by Councilman Kilgore. Councilman Bailey stated his opposition to donating the property to Habitat for Humanity and Councilman Kilgore commented that he has always been for an absolute auction. Following discussion, a substitute motion was made by Councilman Kelly, seconded by Councilman Bailey, to advertise acceptance of bids on the property. Councilman Holbrook noted that the fact it is condemned and to make sure that is disclosed in the ad. After further discussion about the condition of the building, Councilman Salyer called for the question. The substitute motion passed by unanimous vote and Ms. Baca was asked to place the advertisement in both the Clinch Valley Times and the Coalfield Progress.

Ms. Baca reported that the expected closing on the proposed sale of the Dye Property to Willis Properties is the end of the month. The VCEDA and VCC loans are pending approval of Part 2 of the historical tax credits. The contractor has completed demolition on the inside of the building and the next step is shoring it up.

New Business:

Earl Carter reported on the new wastewater treatment plant inspection and discussed the results. Mr. Carter said they needed to correct three items. First, they did not have a current copy of EMI lab accreditation and he has now obtained a copy. Secondly, two people were signing test results. That has now been corrected by designating one individual responsible for the results and signing off on them. The last thing was lack of proof that he discussed the inspection results with the town council. Mr. Carter advised that the minutes of this meeting will serve as proof that the Council has been informed.

Councilman Salyer commented on the contributions made to our area by Jackie Stump, who recently passed away. He offered a motion to adopt a Resolution Honoring Jackie Stump. The motion was seconded by Councilman Holbrook and carried unanimously. Councilman Holbrook said he would contact Mr. Stump's widow, Linda, to ask if she could be at the next council meeting to accept the resolution. Councilman Salyer asked Ms. Baca to make sure the resolution was nicely framed by the next meeting.

Noting that money was allocated in the upcoming budget for a Project Manager to handle special projects, Councilman Kilgore made a motion directing Ms. Baca to advertise for a Project Manager as a contracted position to handle specific projects. The motion was seconded by Councilman Boardwine and passed by unanimous vote.

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Councilman Kilgore discussed the need for a speaker system at the pool and a pitching mound, net, and new bases for the softball field at the high school. He said the field is being used for practice six days a week by different travel teams. Councilman Kilgore has contacted Camp 18 about cutting the brush around the stadium at the football field. Ms. Baca suggested reallocating funds from Capital Outlay (Acct. #10-621-4500) to Supplies & Equipment (Acct. #10-621-1000) to cover the costs. A motion was made by Councilman Holbrook, seconded by Councilman Salyer to reallocate \$1,000 as recommended by the Treasurer. The motion carried unanimously.

The Treasurer asked for approval of the list of taxes to be abated, explaining that the Town gets all of their ownership and assessment information from the County. Most of the abatements are personal property due to vehicles not owned on January 1st. Councilman Boardwine made a motion to approve the abatements as presented. The motion was seconded by Councilman Kilgore and passed by unanimous vote.

Ms. Baca advised that legislation passed in the 2016 session requiring towns with a population of more than 250 to designate a local FOIA officer and to provide information on their website regarding Freedom of Information. A motion was made by Councilman Salyer to appoint the Town Clerk/Treasurer Debora Baca as the FOIA officer for the Town of St. Paul. The motion was seconded by Councilman Boardwine and the motion carried by unanimous vote.

A poll vote was taken to hire Madison Ray as the assistant for pool concessions. Ms. Baca asked for a confirmation of that vote. A motion was made by Councilman Holbrook to confirm the poll vote to hire Madison Ray at a rate of \$7.50 per hour. The motion was seconded by Councilman Boardwine and unanimously approved.

Councilman Bailey discussed the lack of a delay of the green light turning red on Rt. 58A and the red light turning green entering from 4th Avenue. He asked if VDOT could be contacted to request that a longer delay be put on the red light at the Morgan McClue intersection. Mayor Fletcher agreed to contact VDOT to have them check it out.

Councilman Holbrook moved to enter into Closed Session to discuss Personnel under VA Code Section 2.2-3711(A)(1), Acquisition & Disposition of Property under VA Code Section 2.2-3711(A)(3) and Legal Matters under VA Code Section 2.2-3711(A)(7). He asked that Ms. Patton from Chafin Law stay. The motion was seconded by Councilman Kelly and a roll call vote was taken: Kelly-Aye; Kilgore-Aye; Boardwine-Aye; Holbrook-Aye; Bailey-Aye; Salyer-Aye. The motion passed 6-0.

Councilman Holbrook moved to enter back into Open Session, certifying that the only matter discussed in Closed Session was Personnel under VA Code Section 2.2-3711(A)(1), Acquisition & Disposition of Property and Legal under VA Code Section 2.2-3711(A)(7). The motion was seconded by Councilman Boardwine and a roll call vote was taken: Kelly-Aye; Kilgore-Aye; Boardwine-Aye; Holbrook-Aye; Bailey-Aye; Salyer-Aye. The motion passed 6-0.

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Councilman Salyer made a motion to increase the hourly pay of Police Officer Travis Stanley by \$1.00 per hour since he has successfully completed the Police Academy. The motion was seconded by Councilman Kelly and unanimously approved.

A motion was made by Councilman Salyer to authorize the Town Attorney to contact the appropriate parties regarding the issue raised by Otis Strouth and the possible condemnation of the Turner property located on Russell Street. The motion was seconded by Councilman Holbrook and passed unanimously.

There being no further business, a motion was made by Councilman Salyer, seconded by Councilman Boardwine, to adjourn. The motion passed unanimously and Mayor Fletcher adjourned the meeting.

Mayor

Clerk