

**MINUTES  
SPECIAL COUNCIL MEETING  
THURSDAY, OCTOBER 3 2013  
TOWN HALL – 6:00 P.M.**

Council Members:

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

Debora Baca – Clerk/Treasurer  
Julie Hensley – Town Attorney  
Richard Jessee  
Bob Ramey

Allen Gregory-CVTimes

The meeting was called to order by Mayor Fletcher at 6:15 p.m.

The first item addressed was consideration of the proposed amendment to the ATV ordinance as presented at the public hearing. A motion was made by Councilman Bailey to adopt the amended ordinance. The motion was seconded by Councilman Boardwine. Councilman Kelly stated his concerns that the proposed changes do not address the noise or problems with these vehicles driving in the residential area. Ms. Hensley advised that the issue before the Council at this time is to address the three proposed changes to the ordinance. She recommended that council members vote for or against those changes, and any other concerns or changes should be addressed at a later time. She also pointed out that if the town has a noise ordinance, an officer could write a ticket under that ordinance if the recreational vehicle is too loud. Councilman Kelly said he believes there are other issues that should have been addressed in the amendments to this ordinance and more revisions are needed. Councilman Holbrook called for the question, commenting that even though he has not been a supporter of this ordinance he supports the changes and appreciates the work the committee put into the revisions. Mayor Fletcher took a roll call vote: Kelly-Nay; Kilgore-Aye; Boardwine-Aye; Holbrook-Aye; Bailey-Aye; Salyer-Aye. The motion passed by a vote of 5-0.

Ms. Hensley reviewed her suggestions for an addendum to the football field lease. She pointed out the language change incorporating the insurance wording recommended by the VML. Ms. Hensley said she still has concern about having the changes in an addendum rather than changing the actual lease because an addendum is typically signed after an agreement has been signed, not at the same time. However, Mr. Mullins did not want to change the lease and preferred any changes be made in the form of an addendum. Ms. Hensley also said she made a few changes that addresses some of the vagueness in the original draft of the lease. She said the Council has four options: 1) do nothing at all; 2) sign the original lease that came from Mr. Mullins; 3) sign the original lease with the addendum, or 4) accept only the rewritten lease. She expressed great concern about signing the original lease because of the insurance language, and some concern over signing the original lease with an addendum because you would be signing both at the same time. Following further discussion on these points, Ms. Hensley said, even though she is uncertain as to why Mr. Mullins would prefer the changes be made by addendum, she believes the lease with the addendum would be adequately strong enough to get the job done. Following further discussion about some issues that could arise in using the field, a motion was made by Councilman Kilgore, seconded by Councilman Holbrook, to approve the original lease with the

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addendum as prepared by the town attorney. A roll call vote was taken: Kelly-Aye; Kilgore-Aye; Boardwine-Aye; Holbrook-Aye; Bailey-Aye; Salyer-Aye. The motion passed 6-0.

Ms. Baca advised that no bids were received on the Lion's Den. Mayor Fletcher said the council now must decide if they would like to ask Robert Mullins for an extension of time to make the repairs if we would begin working on the building or go with an option to tear it down. Councilman Kelly said he still believes there is a buyer and we should continue to advertise it. Councilman Kelly moved to re-advertise and accept bids until October 21<sup>st</sup>. Councilman Salyer seconded the motion, noting that he had a conversation with Robert Mullins who said if the building owner is making efforts to improve it, an extension of time would not be a problem. Councilman Kilgore suggested holding an absolute auction. Councilman Kelly restated his motion to say bids would be accepted until Friday, October 18<sup>th</sup>. Mayor Fletcher called for a roll call vote: Kelly-Aye; Kilgore-Nay; Boardwine-Aye; Holbrook-Aye; Bailey-Nay; Salyer-Aye. The motion to re-advertise passed by a vote of 4-2.

There being no other business to discuss, a motion to adjourn was made by Councilman Kelly, seconded by Councilman Boardwine, and carried unanimously.

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Mayor Fletcher

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Town Clerk