

**MINUTES
REGULAR COUNCIL MEETING
MONDAY, DECEMBER 16, 2013
TOWN HALL – 6:00 P.M.**

Council Members:

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

Debora Baca - Treasurer/Clerk
Julie Hensley – Town Attorney
Bo Phillips – Chief of Police
Earl Carter – Public Works Director
Bob Harrison – IDA Chairman
Bill Wallace - IDA
Jody Evans – SPES Principal

The meeting was called to order by Mayor Fletcher.

Earl Carter asked to add “Fish & Wildlife Letter” as #6 under Old Business. Debbie Baca asked to add “Legislative Session” as #6 under New Business. A motion was made by Councilman Holbrook to accept the agenda with the additions requested. The motion was seconded by Councilman Boardwine and unanimously approved.

Under public comments, Terri Ann Funk was on the agenda, but unable to attend. Jody Evans, St. Paul Elementary School Principal, spoke about the need for a new sign at the elementary school. He provided a copy of the estimated cost of \$9,414.25 for a 2’6” x 7’4” electronic sign to replace the old sign damaged by weather. Mr. Evans said the sign could be used for town events as well as all school functions. Due to the volume of traffic at the school, it would help to keep many people informed about things that are going on at the school and in town. If the sign is purchased this month, there is a 5% discount and the size of the pedestal has been reduced, resulting in a lower net price of \$8,502.25. The students have raised \$3,500, the APT donated \$1,000, and the St. Paul Alumni donated \$2,500. Mr. Evans asked the Council to consider donating the balance of \$1,502.25 so the school can purchase the sign. Ms. Baca said there is \$3900 left in the donation line item. Councilman Kilgore moved to donate the balance needed of \$1,502.25 to St. Paul Elementary School for the sign purchase. The motion was seconded by Councilman Salyer noting that the elementary school enrollment has increased by 42 students this year. Councilman Kelly asked if the sign would still be used during the summer and Mr. Evans said he works through the summer and the sign will be used all year long. Council decided to go ahead and vote on this matter which was listed as New Business Item #3, and the motion was approved by roll call vote: Kelly-Aye; Kilgore-Aye; Boardwine-Aye; Holbrook-Aye; Bailey-Aye; Salyer-Aye. The motion carried 6-0.

Mayor Fletcher made the following announcements:

- Mayor Fletcher announced two grants received by the Town of St. Paul to renovate the Willis Building. A DHCD Industrial Revitalization Grant in the amount of \$600,000 and a grant from Appalachia Regional Commission in the amount of \$500,000. Rob Jones played a major role in applying for the grants on behalf of the town. Both grants will be administered through the St. Paul IDA.

**MINUTES
REGULAR COUNCIL MEETING
MONDAY, DECEMBER 16, 2013
PAGE II**

- The restroom renovation at Oxbow Lake is nearing completion and Mayor Fletcher recommended that everyone drop by to see how great it looks. Next, we will work toward constructing a second restroom at the pavilion end of the park.
- Mayor Fletcher reported on the Legislative Breakfast he attended a few weeks ago. Most of the discussion was regarding state budget concerns. Another topic of interest was plans to open rail transportation to Roanoke and on into Bristol.
- DHCD is arranging a trip to Gilbert, West Virginia to see how the town and area have handled lodging and other issues associated with ATV recreation.
- The holiday schedule for the town is as follows: the employee Christmas dinner will be at 11 a.m. on December 23rd and the council members are invited to attend. The town hall will be closed one-half day on December 23rd, all day on December 24th and 25th. Wednesday's garbage will be picked up on Tuesday, December 24th. There will be no pickup on December 25th, and the regular schedule will resume on Thursday, December 26th.

Councilman Salyer commented that the Christmas parade and tree lighting were very nice and he thanked all of the town employees for their work on these events. He also thanked Mayor Fletcher and Bob Harrison for their comments in the front page article of the Bristol Herald Courier today. Mayor Fletcher commented on the parade route, length of the parade, and the success of our winter activities. He also thanked Ryan and others for their donation to the St. Paul Police Department White Christmas.

Councilman Holbrook moved to approve the minutes of the November meeting. The motion was seconded by Councilman Kelly and carried unanimously. Councilman Kelly commented that the window was replaced in the Willis Building for \$688, about \$350-\$400 less than the original amount authorized by the Council in November.

Councilman Salyer asked if EMI is the only company within a 30 mile radius that can be used for sewer testing. Earl Carter said the next closest is Wytheville. A motion was made by Councilman Holbrook, seconded by Councilman Boardwine, to approve the consent agenda. The motion passed unanimously.

Old Business:

Town Attorney Julie Hensley said Scott Mullins just sent her the football field lease tonight. Mr. Mullins said the insurance language was changed to the language provided by the town. Ms. Hensley said it is the same language provided to the town from VML so it should be fine. The agreement does give the school administration final say on any planned events. The point of contact will be the elementary school principal, Jody Evans. Councilman Kilgore moved to approve the lease as presented and authorize the Mayor to sign it. 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.

MINUTES
REGULAR COUNCIL MEETING
MONDAY, DECEMBER 16, 2013
PAGE III

Councilman Kilgore provided the punch list of warranty items that need to be addressed by MNCC. He asked Earl Carter to discuss these issues with Mr. Nash. A motion was made by Councilman Salyer asking that MNCC be sent a letter notifying him of the warranty issues. The motion was seconded by Councilman Holbrook and unanimously approved.

Chief Bo Phillips reviewed the resolution to establish an auxiliary police force, noting that Ms. Hensley has pointed out several blanks on the original VLEPSC Standards form. Chief Phillips said he has completed those sections. Auxiliary officers will not be dressed as regular police officers but will be required to wear something along the lines of khaki pants and a collared polo shirt of the same color. A background check and drug screen will be done before an auxiliary officer can begin work. The auxiliary police officer will not be authorized to carry a firearm and will meet the training required by each level. Ms. Hensley asked Chief Phillips to forward her the file copy of the "Standards" and she will make the recommended corrections or she can give them to the town and they can make them. Ms. Hensley said there is nothing substantive that needs changing and agreed that the Council could vote on the resolution pending the completion of the recommended changes to the supporting "Standards" document. Following a brief discussion, a motion was made by Councilman Kilgore to adopt the Resolution to Establish an Auxiliary Police Force pending the changes to the supporting document. The motion was seconded by Councilman Salyer, who confirmed with Chief Phillips that each auxiliary officer will have noticeable identification so that anyone being approached by an auxiliary officer will know he is not just a buddy riding with an officer. The motion to adopt the resolution was approved by unanimous vote.

Councilman Salyer pointed out that we have been using Johnnie Ramey Drive as a dump and that it is a shame that the person whose name is on that street worked so hard to keep the town clean and beautiful and now we are using that very street for dumping. He said Councilman Holbrook has mentioned that we have an area given to us by Dominion that could be used to dispose of some of the materials we have been dumping on Johnnie Ramey Drive. Councilman Salyer asked that Johnnie Ramey Drive be cleared of the concrete slabs and other items we have dumped. He asked that this area be cleaned, and by spring, the town should place topsoil and reseed it. Councilman Salyer also mentioned the trash and debris that has been lying outside the town shop for months or years. He asked that we begin work on these items. Mayor Fletcher said we will use the Dominion site for anything we can, but access to that site is limited. There was a brief discussion regarding the difficulty in getting to the property at Dominion. Councilman Salyer said he is only asking that we be more sensitive to keeping things cleaned. Mr. Carter said he will take care of it.

A motion was made by Councilman Salyer, seconded by Councilman Kelly, to approve the Ordinance to Establish a Tourism Zone. Councilman Bailey asked if established businesses qualify for any of the incentives in the ordinance. Ms. Baca said that the purpose of establishing the tourism zone ordinance was to attract needed businesses, and this issue was brought up by Mr. Harrison and discussed with Kitty Barker in the initial meeting of the committee. Ms. Barker said the purpose was to attract new business interests. The Town Attorney said the ordinance

MINUTES
REGULAR COUNCIL MEETING
MONDAY, DECEMBER 16, 2013
PAGE IV

does not limit applications to new businesses. Ms. Baca said the Council could change the ordinance if they so desired. A roll call vote was taken on passing the ordinance as presented: Kelly-Aye; Kilgore-Abstain; Boardwine-Aye; Holbrook-Aye; Bailey-Abstain; Salyer-Aye. The motion passed by a vote of 4-0 with Councilman Kilgore and Councilman Bailey abstaining.

Earl Carter discussed a draft letter to Fish & Wildlife regarding continued monitoring of the river. When Dominion was involved in the wastewater treatment plant and we were working on the diffuser, the town was permitted to accept the industrial wastewater. One of the requirements of RD was to meet the requirements of Fish & Wildlife to perform biological studies assessing the impact on the mussels and the yellow-fin madtom. We have done extensive studies since that time. As of September, 2013, the town renewed its wastewater discharge permit. At that point in time, Dominion obtained their own permit to discharge their industrial wastewater and bypass treatment at our wastewater treatment plant. Based upon this, the responsibility for studying the impact of their discharge now lies with Dominion. However, Mr. Carter recommended that we phase out the biological studies and pay for all of the data to be compiled that has been collected to date. This data can be useful to the town if and when we look at a new water plant or getting into the river to relocate the water intake. If we do not continue with Daguna and Conservation Fisheries to at least compile the final reports of the most recent studies, then we have wasted money in the cost for collecting the data. He asked Council to consider paying to complete the reports on the data that has been accumulated. Mayor Fletcher offered comments agreeing with Mr. Carter's recommendation. Ms. Baca said she has spoken with Braven Beaty and advised him that she will get back to him on compiling the data. She recommended that Dave Wilson contact Braven regarding the cost of completing the reports. Fish & Wildlife has expressed concern and confusion about why the studies are being stopped. Mr. Carter said Dave Wilson will be writing to Fish & Wildlife explaining our position. The cost for the studies to this point will be passed on to Dominion through their rate. Ms. Baca agreed with Mr. Carter that having the reports from the data collected thus far is essential, otherwise, we have wasted the time and money paid to the biologists for entering the river and collecting the data. It was decided that Earl set up a meeting with Dave Wilson and Ms. Baca will ask Braven where a good ending point will be and the cost of completing the reports at that point.

New Business:

Ms. Baca recommended that Council set a public hearing prior to the January council meeting regarding the request by Frank and Connie Molinary to convey a portion of the Lion's Den lot to allow them to continue maintaining a rock wall along the back portion of the lot. Councilman Holbrook moved to set the public hearing prior to the January council meeting. The motion was seconded by Councilman Salyer and carried unanimously.

A motion was offered by Councilman Salyer, seconded by Councilman Holbrook, to approve the Water Supply Grant Agreement with VDH and authorize the Mayor to sign the agreement. The motion passed unanimously.

MINUTES
REGULAR COUNCIL MEETING
MONDAY, DECEMBER 16, 2013
PAGE V

Following discussion about the request from MEOC being specifically for the Child Advocacy Program, a motion was made by Councilman Holbrook to donate \$400 to MEOC. The motion was seconded by Councilman Kilgore and unanimously approved.

There was no action to consider the donation request from the Health Wagon. Mayor Fletcher said the item will be removed from the agenda for lack of a motion.

Ms. Baca advised that the January Legislative Session will be held on January 15th and 16th. Randy Beckner has been arranging meetings for the afternoon of January 15th and all day on the 16th. Councilman Salyer asked to make sure that a meeting has been scheduled with VDOT. Ms. Baca suggested everyone get back to her in the next couple of days confirming whether or not they wish to attend or she will not be able to secure rooms at the Omni or the other nearby hotel. Mayor Fletcher, Councilman Salyer, Councilman Bailey and Councilman Kelly said they will attend. Councilman Kilgore, Boardwine, and Holbrook said they will not be able to go. Terri Ann Funk arrived and Mayor Fletcher allowed her to address the Council. Ms. Funk thanked the Council members for their cooperation throughout the year. She reported that more than 700 people attended the "Nightmare on the Clinch" in four days. She commended the police department and rescue squads for their help. Ms. Funk said it is their intention to continue the Clinch River Adventures and ask again to lease the caboose for operations or at least storage. She said they are looking for an office/retail space to begin selling merchandise. She also asked the Town to consider allowing them to hold a kayak race and incorporate it with Clinch River Days. Ms. Baca advised Terri Ann to contact Suzy Harrison with St. Paul Tomorrow to make sure that she gets included in the schedule before it is finalized. Councilman Salyer said he will talk with Suzy in the morning and asked Terri Ann to follow up with her. She discussed a Marketing Leverage Grant and possibly partnering with Clinch River Days and the Town of St. Paul. With the money won through the Entrepreneur Challenge, Clinch River Adventures will be purchasing a fleet of canoes and kayaks. The Mayor and Council congratulated Terri Ann and Clinch River Adventures for winning second place in the Entrepreneur Challenge and receiving the \$5,000 prize.

Councilman Holbrook asked for special consideration to discuss a request made in the Water & Sewer report regarding the purchase of a spare motor. With no objections, Councilman Holbrook asked Mr. Carter to discuss his request. Kason has agreed to send another motor for the amount of credit they owe us which is about one-half of the cost of a new motor. This would give us a spare motor for the Grit Chamber. Ms. Baca updated the Council on the situation with Kason, noting that Mr. Carter has reported on this situation previously. There has been an ongoing disagreement on the warranty from the manufacturer of the motor, and Kason has agreed to resolve the issue by repairing the motor and returning it for settlement of the overpayment refund they owe us. Mr. Carter said the motor was maintained according to the manufacturer's maintenance schedule. Mayor Fletcher said he contacted Kason who sent a representative here to look at the motors and the screens. Mayor Fletcher told him that they can send us the \$5,000 refund back and we can look at fixing the motor ourselves if we cannot resolve this issue. Their response was to repair the motor and call it even. Mr. Carter

**MINUTES
REGULAR COUNCIL MEETING
MONDAY, DECEMBER 16, 2013
PAGE VI**

recommended accepting their offer to send us a spare motor for settlement of the refund which is about one-half the cost of a motor. Council agreed that Mr. Carter's recommendation was accepted in approval of his report, and we will purchase the motor for the amount of the Kason credit owed to the town.

A motion was made by Councilman Holbrook, seconded by Councilman Boardwine, to enter into Closed Session to discuss Personnel under VA Code Section 2.2-3711(A)(1). Councilman Holbrook asked Chief Phillips and Earl Carter to stay. A roll call vote was taken: Kelly-Aye; Kilgore-Aye; Boardwine-Aye; Holbrook-Aye; Bailey-Aye; Salyer-Aye. The motion carried 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). 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.

A motion was made by Councilman Boardwine to promote Jonathan Johnson to the rank of Captain per Chief Phillips' recommendation. The motion was seconded by Councilman Salyer and unanimously approved.

Councilman Holbrook moved to increase the pay rate for Andrew Packard \$1.00 per hour since he has now been with the St. Paul Police Department one full year. The motion was seconded by Councilman Kelly and approved unanimously.

A motion was made by Councilman Holbrook, seconded by Councilman Boardwine, to increase Captain Johnson's pay rate by \$1.00 per hour to take effect immediately along with his promotion to captain. The motion was approved by unanimous vote.

Councilman Holbrook offered a motion that the Policy Committee come together to address short term disability. The motion was seconded by Councilman Salyer and carried unanimously.

Councilman Kelly moved to adjourn. The motion was seconded by Councilman Salyer and passed unanimously. Mayor Fletcher adjourned the meeting.

Mayor

Clerk