

**MINUTES
REGULAR COUNCIL MEETING
MONDAY, JULY 15, 2013
TOWN HALL – 6:00 P.M.**

Council Members:

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

Earl Carter – Public Works Director
Debora Baca - Treasurer/Clerk
Julie Hensley – Town Attorney
Bo Phillips – Police Chief
Bob Harrison – IDA Chairman
Randy Beckner – Mattern & Craig
Cody McElroy – Mattern & Craig

The meeting was called to order by Mayor Fletcher.

Councilman Salyer asked to add to the agenda “Appointment of ATV Ordinance Committee” under New Business. A motion to approve the agenda as amended was made by Councilman Holbrook. The motion was seconded by Councilman Kilgore and unanimously approved.

Terri Ann Funk was unable to attend due to other commitments.

Bob Harrison commented on the condition of our streets and asked that the potholes be identified and repaired. He said there are several located on Broad Street and other town streets.

Mayor Fletcher made the following announcements:

- The park equipment has arrived and should be installed by the week after next. Some of the equipment taken out will be given to the Fairview Community Center for their park on Sandy Ridge.
- The Grace House is now open and serving supper on Sunday evenings.
- Mattern & Craig are preparing the bid documents for the library building, the Railroad Museum and the pool building.
- The Notice to Proceed has been issued for the Water Tank Project, the Highway 58A Bridge Attachment, and the Sludge Removal.

Councilman Salyer asked if we have received a letter from Robert Mullins regarding the Lion’s Den. Mayor Fletcher said he will inquire tomorrow the status of the Lion’s Den building inspection. Councilman Salyer asked for clarification that Mr. Mullins is an independent contractor for the Town of St. Paul. Ms. Baca said Mr. Mullins is employed by the town as the Zoning Administrator.

A motion was made by Councilman Salyer, seconded by Councilman Boardwine, to approve the minutes as presented. The motion carried unanimously.

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Chief Phillips reviewed the Police Report. For the month of June, there were 21 incidents, 21 offenses, 8 charges and 7 arrests, issued 40 citations and 3 warning tickets. There was a good crowd at Clinch River Days and only 2 arrests. He reported on a grand larceny incident on Gray Hill and a breaking and entering on Riverside Drive. We went to Alabama to pick up the last suspect charged in the larceny incident and the subject charged with breaking and entering is being held without bond at this time. Chief Phillips was commended by Mayor Fletcher and Councilman Kelly for solving these cases. A motion was made by Councilman Holbrook, seconded by Councilman Kelly, to approve the Police Report. The motion passed unanimously.

Earl Carter presented the Water & Sewer Report. Mr. Carter said the newly installed mesh screen has torn and he is working with Randy for a solution to this issue. The screen is being sent back for re-screening again and Randy has written a letter signed by the mayor addressing the warranty issue on the motor for screen #1. The motor on screen #2 has been taken out of service and Boggs has been notified. The spare parts for the Grit System have been ordered. Final inspection has been done and once Boggs completes the punch list, we can close out this project. Parts have arrived for the main wastewater pump station. A unit at the water plant is broken and Mr. Carter said the company has advised that they cannot get parts because it is so obsolete. He asked for approval to purchase a new one at a cost of three to four thousand dollars. In the Street Department, the playground equipment is here and assembly will begin tomorrow. Mr. Carter said the minor issues remaining with the pool will be worked out at the end of the season. Mr. Carter also requested approval to advertise the garbage truck position. It was decided that should be addressed after closed session. Following questions by Councilman Salyer, Mayor Fletcher suggested we go ahead and discuss the status of the swimming pool if no one objects. Councilman Salyer said the town should obtain insurance and bonding documents before any major contract is signed. Mayor Fletcher acknowledged that a mistake was made and this should not happen even in a hurried situation. Mr. Nash did not respond to Mayor Fletcher's request for a copy of his bond. As the council previously voted, Ms. Baca has withheld the final payment of \$28,000 pending receipt of the bond documents. When Mr. Nash came by, Ms. Baca explained the procedural error and the action council had taken. He said that his bond had expired because the project was over. Ms. Baca told him the project is not complete until the remaining issues are addressed, approved, and final payment is made. Mr. Nash seemed uncertain what type of bond documents he should have provided. However, he agreed to come back if we contact him as soon as we are ready to close for the season. He also said if the problem is a result of anything they did, it will be covered under the warranty as stated in the contract. A motion was made by Councilman Holbrook to accept the Water & Sewer Report and authorize Mr. Carter to order the spectrophotometer for the water plant. The motion was seconded by Councilman Boardwine and unanimously approved.

The Treasurer's report was reviewed by Ms. Baca. She reported that the coal severance check was down to \$14,000 for the past quarter. For the same time last year, this is more than a 50% reduction. Coal severance revenue will fall significantly under the amount budgeted. Ms. Baca also requested authorization to make a line item adjustment of \$80,000 from Contingency Account #10-400-5000 to Pool Maintenance & Repair Account #10-620-3000. This increase in

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the budgeted amount reflects the approved change orders for the pool renovations. The Council originally approved \$120,000, but the unexpected work has made the total renovation cost near \$200,000. Councilman Boardwine moved to accept the Treasurer's Report. The motion was seconded by Councilman Kilgore. Councilman Holbrook asked if the motion could be amended to include authorization for the Treasurer to make the line item adjustment as requested. Councilman Boardwine amended his motion to include approval of the adjustment. The amended motion was seconded by Councilman Kilgore and unanimously carried.

Randy Beckner presented the Project Report. He updated everyone on efforts to make sure Kason honors the warranty on the grit chamber equipment. The notice to proceed has been issued to the contractors for the Bridge Project and the Sludge Project. Both contractors are mobilizing. Scaffolding is going up on the Bridge Project, and equipment is en route today for the Sludge Project. The contractor on the Sludge Project has had some issues with the Wise County Landfill and is seeking permits to also use two landfills in Tennessee. The wastewater treatment plant design is about 95% complete and has been reviewed with John and Earl. Mr. Beckner said the final plans should be available and ready to advertise for bids sometime in August. The notice to proceed has also been issued to Boggs for the Water Tank Rehab Telemetry System and to Southern Corrosion for the Water Tank Rehab construction. A motion was made by Councilman Holbrook, seconded by Councilman Kilgore, to approve the Project Report. The motion passed unanimously. Randy Beckner introduced Cody McElroy, who will be assisting him with these ongoing projects.

Old Business:

After reviewing the lease agreement with Clinch River Adventures, a motion was made by Councilman Holbrook, seconded by Councilman Kelly, to approve the lease as presented. Councilman Salyer clarified that the town will still be responsible for maintaining the premises. Ms. Baca said Ms. Funk has provided a certificate of insurance naming the town as additional insured. Councilman Bailey said he has received some complaints and stated concern that we did not advertise this property for rent and it is not being rented at fair market value. Councilman Salyer said he is comfortable with the lease to Clinch River Adventures. Mayor Fletcher asked the town attorney to address this matter. Ms. Hensley said everything has a certain degree of risk, but just because someone complains doesn't mean they have standing. She said this is a very short term lease and if anyone else was interested, they also could have approached the town. She also pointed out that towns use incentive programs all the time and since this is a seasonal lease, it can always be addressed differently next year if the town so chooses. Councilman Kelly noted that the caboose was just a dilapidated piece of equipment not being utilized until Ms. Funk made this proposal. Mayor Fletcher called for the vote and the motion passed unanimously.

Councilman Boardwine said the Building Committee met and reviewed some of the items needed for the library and railroad museum. There was discussion about the additional items requested by Mr. Engle, including a sign and awning. Ms. Baca suggested that council address

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approval of these items after the bids for the other building work comes in. Councilman Boardwine said he will bring this back once we know what the other building repairs are going to cost.

In addressing approval of the final invoice for MNCC, Councilman Kilgore discussed the damage done to the swimming pool awning by MNCC. Councilman Boardwine was present when they damaged the awning. A motion was made by Councilman Kilgore to ask the contractor who built the awning to give us a cost to repair it and authorize payment for the final invoice to MNCC less the cost of the awning repair. The motion was seconded by Councilman Salyer and unanimously approved.

A motion was made by Councilman Salyer to ask the police department to assist with the 5K Run that was proposed at the last meeting by Alicia Williams and Misty Lee. He further moved that the town sponsor the 5k Run with a donation of \$100. The motion was seconded by Councilman Kilgore and a roll call vote was taken: Kelly-Aye; Kilgore-Aye; Boardwine-Aye; Holbrook-Abstain (because of Little League affiliation); Bailey-Aye; Salyer-Aye. The motion passed 5-0.

Councilman Salyer proposed that Mayor Fletcher write a letter to VDOT regarding Wise Street because even after they milled those few spots, the condition of Wise Street is unacceptable. Mayor Fletcher commented on his conversations with VDOT officials, noting that he has verbally made such a request to VDOT and is awaiting a reply depending on available funding. Councilman Kelly said Route 63 is a major road and VDOT should have the money since it is the beginning of the budget year. Councilman Salyer asked that a letter be written if VDOT does not reply in the next 30 days. Councilman Holbrook moved to leave this matter on the table. The motion was seconded by Councilman Kelly and carried unanimously.

Councilman Salyer discussed the entrepreneur program involving CRVI, UVAWISE, DHCD, and other agencies. This is a competition of entrepreneurs and a meeting is being held in each town that has participants to showcase their ideas. Agency representatives and the participants from other towns will be coming to our park for a meeting and to showcase Clinch River Adventures. Councilman Salyer pointed out the horrible condition of the caboose, and offered a motion to instruct the town crew to have the caboose painted prior to August 7th. Mayor Fletcher said several items have taken precedent over the caboose. Councilman Salyer said he would amend his motion to eliminate the "town crew" and have it painted before this event regardless of who we get to do it. Councilman Kilgore suggested getting a quote from Joe Jordan to do the work. The motion was seconded by Councilman Boardwine and unanimously approved.

Mayor Fletcher presented a copy of the organizational chart as he perceives it to be at this time. There was a brief discussion about who supervises what departments and different views of what the organizational chart should look like. Councilman Salyer thanked Mayor Fletcher for providing the chart that was requested last month.

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New Business:

Mayor Fletcher asked the Council to consider approval for hiring an engineer to look at the drainage problem in South St. Paul. Conrad Hill with VDOT has looked over the problem and issued a permit to allow the town to do the work. Mayor Fletcher said he has met with John Hicks and believes we can do the work, but would like to consult an engineer before taking on this project. Councilman Holbrook said this has been a problem for a long time and offered a motion to authorize Mayor Fletcher to engage an engineer to check it out and make sure it is done correctly. There was a brief discussion about timeliness of our advertisement for a general engineer and the need to get this project done. Councilman Kelly stated his concern that part of the problem is VDOT's problem. The motion made by Councilman Holbrook was seconded by Councilman Boardwine. Councilman Salyer suggested asking the engineer his opinion on whether or not part of the problem lies with VDOT. Mayor Fletcher said he will consult with an engineer and get a cost estimate to bring back to Council before beginning the project. A roll call vote was taken: Kelly-Aye; Kilgore-Aye; Boardwine-Aye; Holbrook-Aye; Bailey-Aye; Salyer-Aye. The motion passed 6-0.

Included in the approved 2013-14 budget was \$10,000 for an operations consultant. Councilman Bailey commented on the need for assistance with a comprehensive wage study and establishment of an organizational chart. Others commented on the need for policy revisions and job descriptions. A motion was made by Councilman Bailey to do an RFP for a consulting firm to do this work. Ms. Baca pointed out the possible limited number of firms that provide this type of service in our area. Considering that no more than \$10,000 has been allocated, it may be possible to directly solicit everyone in southwest Virginia that provides this type of service. Councilman Salyer said he will share a sample advertisement used by the Wise County Housing Authority for a similar service. The motion was seconded by Councilman Salyer. Councilman Holbrook said he does not have a problem with an outside firm looking at a wage scale or any policy we don't already have in place, but he objects to someone coming in and changing the current policy. Councilman Salyer said what they would do is review what we currently have in place and make recommendations. It would be up to the Council whether or not they want to approve any of the recommendations. He also said there are certain things that need to be in the policy because we are a government entity and someone like CESCO is up to date on those requirements. Follow further discussion about currently policies, the motion carried unanimously.

Considering repairs needed on the police car driven by Lt. Robinson, Councilman Kilgore asked Council to authorize purchasing a used vehicle when the opportunity to place a bid on a good car is available. There was discussion about the condition of our two older vehicles and missing out on good deals because they are gone by the time we wait for a meeting. Upon inquiry by Councilman Salyer, Ms. Baca said we did not budget anything in the new budget year for vehicles. However, we did have money left in the 2012-13 contingency line item that could be used in the current year if needed. We have about \$70,000 left after the \$80,000 voted on tonight. She would not want to use all of that money because of revenue declines such as the

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coal severance tax. Councilman Kilgore said the question is whether the town wants to put a couple of thousand into an old car that we have or spend a little more and get a better vehicle that will last longer. Following further discussion, Councilman Kelly entertained a motion to authorize Chief Phillips to continue looking for a good vehicle up to \$10,000. The motion was seconded by Councilman Boardwine. Chief Phillips said if we get another car, he would like to keep the old Crown Vic and use it for parts on the other one. The motion passed unanimously.

Councilman Salyer brought to everyone's attention the dumping that is taking place by the town on Johnnie Ramey Drive. It is very unsightly and asked that the town find some alternative to dumping at this site. Mayor Fletcher said some of this has been used for fill, such as the rock from the pool. Councilman Salyer said this is not a controlled fill; we are just dumping. Mayor Fletcher told Mr. Carter to make sure that we take equipment over there and level it out. Councilman Salyer asked that we try to avoid dumping there in the future if there is any other place that we can dump unwanted items, dirt and rock. The problem with disposing of brush and a pending permit from DEQ was briefly discussed.

In order to expedite the monthly meetings, Councilman Salyer asked for consideration to implement a consent agenda. This would give the Council an opportunity to review the regular monthly reports in their packet and ask questions prior to the meeting. A consent agenda would allow the Council to approve all of the reports and routine business at one time. Following discussion on the pros and cons of a consent agenda, a motion was made by Councilman Salyer to have a consent agenda which will include the Police Report, Treasurer's Report, Water & Sewer Report, and Project Report. The motion was seconded by Councilman Bailey and unanimously approved.

A suggestion was made by Councilman Salyer to purchase the food for a joint dinner between Castlewood High School, Russell County School Board, Town of St. Paul, Team Estonoa, SPSHS Alumni, and St. Paul IDA. This meet and greet type dinner was held a couple of years ago, but there are many new faces on the school board, town council, and in CHS administration. Ms. Vencil has agreed to arrange the dinner to be held on August 6th at the Vencil Learning Center. The motion to pay for the food was made by Councilman Holbrook, seconded by Councilman Boardwine, and unanimously approved.

Eastside High School submitted a request for advertisement in their athletic programs and a separate request for purchasing a brick at the newly renovated high school. A motion was made by Councilman Kilgore to purchase the Green Package at a cost of \$300.00. The motion was seconded by Councilman Salyer. Ms. Baca said we have several ad samples that were provided by Arnett Muldrow in our branding package. Councilman Salyer suggested that we utilize our branding samples. The motion passed unanimously.

Councilman Salyer moved to appoint Chuck Reidhammer, Councilman Bailey, and Chief Bo Phillips to form the ATV Ordinance Committee for the purpose of tweaking the current

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ordinance. The motion was seconded by Councilman Boardwine and unanimously approved. Mayor Fletcher said any changes should be reviewed by the Town Attorney.

Councilman Holbrook moved to enter into Closed Session under VA Code Section 2.2-3711(A)(1) to discuss personnel, and further excuse the Treasurer from the meeting. The motion was seconded by Councilman Kilgore 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 Holbrook to return to 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 Bailey 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 Kilgore moved to advertise the vacant position of laborer/garbage truck. The motion was seconded by Councilman Boardwine and passed unanimously. It was decided to ask the Treasurer to determine the starting salary.

A motion to adjourn the meeting was made by Councilman Salyer, seconded by Councilman Bailey, and unanimously approved. The meeting was adjourned.

Mayor

Town Clerk