

## **Work Session Council Minutes August 14, 2012**

The Tazewell Town Council held a Work Session in the Town Hall Council Chambers at 5:30 p.m.

**Present:**

Mayor A. D. Buchanan, Jr.  
Vice-Mayor Chris Blankenship  
Councilmember Chris Brown  
Councilmember David Fox  
Councilmember Jack Mullins  
Councilmember Jack Murray  
Councilmember Danny Willis

**Absent:**

None

Staff present were Town Manager, Todd Day; Clerk, Linda S. Griffith; Executive Assistant, Robin Brewster.

### **CALL TO ORDER**

Mayor Buchanan called the work session to order.

### **LARRY BLANKENSHIP – NATIONWIDE INSURANCE**

Larry Blankenship, with Nationwide Insurance, came before Council to discuss the Town insurance coverage's. Mr. Blankenship stated that Council had some questions concerning the Lincolnshire Park hours. Mr. Blankenship explained it was his main goal to protect the Town. It was Mr. Blankenship's advice to Council was that the park have summer hours and winter hours, and that the park not be left open available to the public at all times which would cause a liability to the Town, and the Town needs to be consistent on whatever hours the park will be open to the public. Mr. Blankenship suggested having a park worker during hours of operation.

Councilmember Brown asked how having a Town worker at the front of the park could help someone that was at the back of the lake fishing. Councilmember Brown stated he was concerned about the public parking at the movie theater parking lot and walking into the park. Councilmember Brown suggested that the Town place signage at the park "enter at own risk".

Manager Day suggested that Lincolnshire Park operate on the hours on the Game and Inland Fisheries, a half hour before sunrise and a half hour before sunset. Manager Day stated he would bring back a recommendation to Council. Manager Day stated employees are not at the park on weekends when the park is open.

Council also asked Mr. Blankenship about fire and rescue having a short term and long term disability policy.

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Mr. Blankenship stated that fire and rescue have medical coverage only.

Manager Day stated that the Town of Bluefield has a rider insurance policy for police officer's.

Councilmember Murray questioned the age limit on employees driving town vehicles.

Mr. Blankenship stated the drivers should be at least 25 years old and check driving records.

Councilmember Murray questioned if the new employees are checked to see if they have a driver's license.

Robin Brewster advised new employees are checked to see if they have a drivers license.

Mr. Blankenship stated he was pleased to help the town in any way he could.

### **DONATION – YOUNG LIFE**

John Ball, with Young Life, came before Council requesting a donation for Young Life. Mr. Ball stated that Young Life is a non-profit organization that introduces Jesus Christ to students in the area. Mr. Ball stated that approximately 55 students attend a weekly program from middle school and high school and met in homes once a week to share a meal together. A leadership training is done thorough Bluefield College for the students.

Mayor Buchanan stated Council would take into consideration of his request for the next fiscal year.

Councilmember Brown asked Mr. Ball if funds were low for their fiscal year.

Mr. Ball stated the funds do get low and they are having a golf tournament on Friday, September 14, 2012 to raise funds.

Vice-Mayor Blankenship stated the Town Budget is extremely tight, but Young Life is a outstanding program. Vice-Mayor Blankenship stated a lot of kids show up at the Young Life that don't have a home church that they attend.

### **FIRE HYDRANTS – TAZEWELL COUNTY SCHOOLS**

Councilmember Murray questioned if the fire hydrants were working at the Tazewell Elementary School and was concerned about getting water to the school if there was a fire.

Councilmember Mullins asked to check the fire hydrant at Tazewell High School to make sure it is working also.

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Mayor Buchanan suggested doing flow testing on the fire hydrants.

Vice-Mayor Blankenship suggested the Town Manager include Josh Roberts in the flow testing of the fire hydrants.

Manager Day stated a lot of the fire hydrants upgrades could be handled in house and alert the Fire Department of the hydrants issues.

### **ANNUAL WATER TRUE UP - PSA**

Council questioned the annual water true up with Tazewell County PSA. Council is concerned about the administrative cost for salaries of Tazewell County PSA.

Vice-Mayor Blankenship stated the needs of more documentation of water and sewer funds.

Manager Day stated the Town needs better documentation on all the departments.

### **PAVING**

Councilmember Willis questioned Manager Day on the FY13 paving.

Manager Day suggested tabling FY13 paving until in the spring and this will allow the Town to have a better cash flow.

### **TOWN OFFER TO PURCHASE PROPERTY**

Manager Day stated he received an offer from the Estate of Essie Mae Cox if the Town wanted to purchase the property for \$40,000.

Council took action on the purchasing the property of Estate of Essie Mae Cox.

### **COUNCIL RETREAT**

Mayor Buchanan stated a Council Retreat will be held on Tuesday, September 4, 2012 at 6:30 p.m.

Manager Day asked that each Councilmember think about to what projects to be discussed in the future.

Councilmember Blankenship asked for an updated projects spreadsheet.

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### **AGENDA ITEMS**

Mayor Buchanan asked that all items be placed on the agenda so everyone can be prepared to answer questions.

Citizens were asked to sign up before the meeting to speak and if others show without being on the agenda, comments will not be allowed at the end of the meeting.

### **COVE CREEK PROPERTY**

Mayor Buchanan stated that the Cove Creek Property with the Town's water supply is 1100 acres and a tax value of \$900,000.

Manager Day asked Council to let him review the property and get back with Council. Manager Day stated there were a lot of routes for the best interest financially for the town.

Councilmember Willis stated that the Town should sell the property and keep the water rights.

Councilmember Blankenship stated Town Council should look into subdividing the property.

### **LINCOLNSHIRE PARK**

Councilmember Willis stated that Lincolnshire Park needs new mulch and a lot of repairs to the playground.

### **INTERNET**

Councilmember Murray questioned the budgeted internet fees of \$95,000.

Manager Day stated he would report back at the next meeting.

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**Mayor A. D. Buchanan, Jr.**

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**Clerk Linda S. Griffith**

**Council Meeting Minutes**  
**August 14, 2012**

The Tazewell Town Council met in regular session at 7:30 pm. in the Town Hall Council Chambers.

**Present:**

Mayor A. D. Buchanan, Jr.  
Vice-Mayor Chris Blankenship  
Councilmember Chris Brown  
Councilmember David Fox  
Councilmember Jack Mullins  
Councilmember Jack Murray  
Councilmember Danny Willis

**Absent:**

None

Staff present were Town Manager, Todd Day; Clerk, Linda S. Griffith; Town Attorney, Brad Pyott; Police Chief, DeWitt Cooper; Executive Assistant, Robin R. Brewster and Fire Chief Josh Roberts.

**CALL TO ORDER**

Mayor Buchanan called the meeting to order with the pledge of allegiance and invocation by Jimmy Watson.

Mayor Buchanan introduced Todd Day as the new Town Manager and is very excited about him being on board with the Town.

Motion was made by Councilmember Murray, seconded by Councilmember Fox to appoint Todd Day as Town Manager. On vote: Vice-Mayor Blankenship, aye; Councilmember Brown, aye; Councilmember Fox, aye; Councilmember Mullins, aye; Councilmember Murray, aye; Councilmember Danny Willis, aye.

Motion was made by Councilmember Mullins, seconded by Councilmember Fox to appoint Josh Roberts as Fire Chief. On vote: Vice-Mayor Blankenship, aye; Councilmember Brown, aye; Councilmember Fox, aye; Councilmember Mullins, aye; Councilmember Murray, aye; Councilmember Danny Willis, aye.

**PUBLIC COMMENTS**

There were no scheduled comments.

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### **APPROVAL OF MINUTES**

Motion was made by Councilmember Willis, seconded by Councilmember Murray to approve the Work Session Minutes and Council Meeting Minutes of July 10, 2012. On vote: Councilmember Brown, aye; Councilmember Fox, aye; Councilmember Mullins, aye; Councilmember Murray, aye; Councilmember Danny Willis, aye. Vice-Mayor Blankenship abstained from voting due to not being at the meeting.

### **FINANCIAL STATEMENTS**

Motion was made by Vice-Mayor Blankenship, seconded by Councilmember Mullins to approve the financial statements for July 2012. On vote: Vice-Mayor Blankenship, aye; Councilmember Brown, aye; Councilmember Fox, aye; Councilmember Mullins, aye; Councilmember Murray, aye; Councilmember Danny Willis, aye.

### **OPERATING REPORTS**

Motion was made by Councilmember Fox, seconded by Councilmember Murray to approve the operating reports for July 2012. On vote: Vice-Mayor Blankenship, aye; Councilmember Brown, aye; Councilmember Fox, aye; Councilmember Mullins, aye; Councilmember Murray, aye; Councilmember Danny Willis, aye.

### **DIAL ROCK ROAD STREET LIGHTING REQUEST**

Manager Day advised Council that he had looked into the street lighting on Dial Rock Road that was annexed into the Town several years ago. Manager Day stated on Dial Rock Road the electrical service is underground. Manager Day stated he should have a price from AEP by the next meeting for Council to make a recommendation to proceed with the project.

### **PAVING – FY13**

Manager Day recommended that Council consider postponing paving until the FY 14 Budget, due to the financial constraints. Manager Day stated that asphalt maybe cheaper if the town waits until the summer.

Councilmember Blankenship questioned if it has always been a pattern to have a (1) one bid for paving.

Manager Day stated he was not sure, but he would check into the paving bids.

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### **ADOPTION OF SECTION 504 GRIEVANCE PROCEDURE**

Motion was made by Councilmember Mullins, seconded by Councilmember Brown to approve the Adoption of Section 504 Grievance Procedure. On vote: Vice-Mayor Blankenship, aye; Councilmember Brown, aye; Councilmember Fox, aye; Councilmember Mullins, aye; Councilmember Murray, aye; Councilmember Danny Willis, aye.

### **LAWSUIT – MAPLEWOOD SIDEWALK**

Attorney Pyott stated the Maplewood Sidewalk lawsuit is still continuing and the Tazewell County School is also involved.

### **DRY TOWN SEWER PROJECT**

Manager Day advised Council that the Town may receive some additional funding for the Dry Town Sewer Project. Manager Day stated T & L is working on the easements for the Dry Town Project.

### **FINANCIAL REPORT**

Manager Day stated he was very excited be in Tazewell and looks for a brighter future giving back to the community. Manager Day stated that the Town of Tazewell has a very strong borrowing power within Tazewell County. Manager Day advised the Town of Tazewell finances at the present time have a little bit to be desired. Manager Day informed Council that on July 16, 2012 his first day on the job that the Town of Tazewell had \$422,000 plus bills that were outstanding of 30, 60 and 90 days delinquent payables. General Fund has subsidized the Water Fund for several years owing \$2.6 million back to the General Fund. The Town of Tazewell is in a structured deficit that they cannot budget their way out, which has been ongoing for several years. As of today Manager Day stated the Town's accounts payable is at \$543,000 (General Fund \$276,000 & Water Fund \$323,000). Manager Day advised Council there are Town streets that are not listed to receive VDOT funding. Manager Day stated the Local Government Pools allow all localities under State Code revenue anticipations loans and bonds. Revenue sharing bonds are also a good way out to handle a deficit. Manager Day stated if Council has any questions and concerns, to let him know. Manager Day stated the Route 61 Project will cost the Town \$900,000, and the Dry Town Project annual payment will be approximately \$180,000 annually. The town also has a \$350,000 Line of Credit which is a payment of \$2,000 per month just for interest on the loan. Manager Day asked Council to allow him to proceed with VML/VACO to look at our financial situation. Manager Day also spoke with Robinson, Cox & Farmer about the financial issue.

Mayor Buchanan stated sometimes it's good to have fresh eyes and fresh ideas to look into avenues for funding.

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Motion was made by Vice-Mayor Blankenship, seconded by Councilmember Brown to pursue VML/VACO for financial advice and also consider the current the projects Route 61 and the Dry Town Project.

On vote: Vice-Mayor Blankenship, aye; Councilmember Brown, aye; Councilmember Fox, aye; Councilmember Mullins, aye; Councilmember Murray, aye; Councilmember Danny Willis, aye.

### **RUSSELL STREET**

Councilmember Fox stated that he had a request from two residents on Russell Street to make it a one-way street.

Mayor Buchanan referred the request to the Physical Services Committee to report back to Council with a recommendation.

## **NATIONAL CREDIT CARD RESOLUTION**

### **RESOLUTION**

**WHEREAS**, the Town of Tazewell, desires to obtain financial accommodations from the National Bank of Blacksburg pursuant to the use of a number of the National Bank of Blacksburg's credit cards (hereinafter called Bank Cards) by various officers and agents (managers, members and agents) of the Town of Tazewell; and

**WHEREAS**, the Town of Tazewell intends to authorize the Town Manager or Town Treasurer to use such Bank Cards for and in connection with the Town of Tazewell; and

**WHEREAS**, the National Bank of Blacksburg will not extend such accommodations by issuing such Bank Cards unless the Town of Tazewell agrees to pay the National Bank of Blacksburg all indebtedness incurred by and assume sole responsibility for the authorized use and to relieve the National Bank of Blacksburg from any duty or obligation to investigate or inquire with respect to the circumstances of use, or to ascertain the genuineness of any signature affixed to the instrument or agreement evidencing such use or indebtedness.

**NOW, THEREFORE**, be it resolved that the Town of Tazewell applies to the National Bank for the issuance of a sufficient number of Bank Cards, as is the judgment of the Town Manager or Town Treasurer hereafter authorized, the Town of Tazewell may require;

**RESOLVED FURTHER**, that Daryl Todd Day, the Town Manager or Linda S. Griffith, Treasurer of the Town of Tazewell, and their successors in office, be and they are hereby authorized, directed and empowered in the name of the Town of Tazewell, to apply to the National Bank of Blacksburg from time to time for the issuance of such Bank Cards, to make designation of individuals from time to time to be named in the same, and to execute such applications, forms and agreements with respect thereto, and to incur any indebtedness with Bank Cards that said officers may from time to time agree upon.

**RESOLVED FURTHER**, that the National Bank of Blacksburg is authorized to act upon this resolution until written notice of its revocation, making specific reference to this Bank Card resolution, is actually delivered to the National Bank of Blacksburg.



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I, Linda S. Griffith, Clerk of the Town of Tazewell, incorporated under the laws of the Commonwealth of Virginia/authorized to do business under the laws of the Commonwealth of Virginia, do hereby certify that the foregoing is a full, true, and correct copy of a resolution of the Tazewell Town Council, duly and regularly passed and adopted at a meeting of the Town Council which was duly and regularly called and held in all respects as required by law, and the bylaws of the Town of Tazewell, at the office thereof on the 14<sup>th</sup> day of August 2012, at which meeting a quorum was present and voted in favor of said resolution,

I further certify that said resolution is still in full force and effect and has not been amended or revoked.

**IN WITNESS WHEREOF**, I have hereunto set my hand as such Town Clerk, and affixed the corporate seal of the Town of Tazewell, this 14<sup>th</sup> day of August 2012.

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**Town Clerk Linda S. Griffith**

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**Mayor A. D. Buchanan, Jr.**

Motion was made by Councilmember Murray, seconded by Councilmember Brown to approve the resolution to obtain a credit card from the National Bank. On vote: Vice-Mayor Blankenship, aye; Councilmember Brown, aye; Councilmember Fox, aye; Councilmember Mullins, aye; Councilmember Murray, aye; Councilmember Danny Willis, nay. Motion carried 5 to 1 vote.

### **ORDINANCE ADOPTING PROVISIONS OF THE CODE OF VIRGINIA**

**BE IT ORDAINED** by the Council of the Town of Tazewell, Virginia, that Section 12-1, Adoption of State Law of Article I, of Chapter 12, Motor Vehicles and Traffic, be, and the same hereby is, amended as follows:

**Section 12-1 - Adoption of State Law** Pursuant to the authority of S46.2-1313 of the Code of Virginia of 1950, as amended, all of the provisions and requirements of the laws of the Commonwealth of Virginia contained in Title 46.2 and in Article 2 (S18.2-266, et seq.) of Chapter 7 of Title 18.2 of the Code of Virginia of 1950, as amended, except those provisions and requirements, the violation of which constitute a felony, are hereby adopted and incorporated in this Chapter and made applicable within the Town of Tazewell. References to "Highway of the State" contained in such provisions and requirements hereby adopted shall be deemed to refer to the streets, highways and other public ways within the Town. Such provisions and requirements are hereby adopted, mutatis mutandis, and made a part of this Chapter as fully as though set forth at length herein, and it shall be unlawful for any person, within the Town of Tazewell, to violate or fail neglect or refuse to comply with any provision of Title 46.2, or of Article 2 of Chapter 7 of Title 18.2 of the Code of Virginia which is adopted by this Section; and the

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Council of the Town of Tazewell does hereby adopt and impose the same penalties for the violation of any provision or requirement hereby adopted as in imposed for a similar offense under Title 46.2, or under Article 2 of Chapter 7 of Title 18.2 of the Code of Virginia of 1950, as amended, subject only to any limitation of the Charter of the Town of Tazewell.

An emergency exists and this Ordinance shall be in effect from the date July 1, 2012.

Motion was made by Councilmember Brown, seconded by Councilmember Willis to adopt the ordinance.

Whereupon, Councilmember Brown moved that the second reading of the Ordinance be dispensed with, which motion was seconded by Councilmember Willis and a vote being called, the Council voted as follows: On vote, Vice-Mayor Blankenship aye; Councilmember Brown, aye; Councilmember Fox, aye; Councilmember Mullins, aye; Councilmember Murray, aye.

### **DONATION REQUEST - THS FOOTBALL BOOSTERS**

Manager Day received a donation request from the THS Football Boosters. Councilmember Blankenship stated the Town has done a lot in kind work for THS and asked that the request be tabled.

### **ILLEGAL DUMPING ON TANGLEWOOD DRIVE**

Manager Day stated there was some illegal dumping on Tanglewood Drive.

Motion was made by Councilmember Murray, seconded by Councilmember Fox to forward the illegal dumping on Tanglewood Drive to the Code Enforcement Officer. On vote: Vice-Mayor Blankenship, aye; Councilmember Brown, aye; Councilmember Fox, aye; Councilmember Mullins, aye; Councilmember Murray, aye; Councilmember Danny Willis, aye.

### **PLANNING COMMISSION RECOMMENDATION ON SUBDIVIDING A LOT ON RICHARDSON DRIVE**

Manager Day stated that the Planning Commission had met and has recommended subdividing a Lot 12 in the Sunset Hills Subdivision on Richardson Drive.

Motion was made by Councilmember Murray, seconded by Councilmember Fox to accept the recommendation of the Planning Commission to subdivide Lot 12 in the Sunset Hills Subdivision on Richardson Drive. On vote: Vice-Mayor Blankenship, aye; Councilmember Brown, aye; Councilmember Fox, aye; Councilmember Mullins, aye; Councilmember Murray, aye; Councilmember Danny Willis, aye.

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### **FINANCING NEW POLICE CRUISER**

Motion was made by Councilmember Murray, seconded by Councilmember Fox to authorize Town Manager, Todd Day to finance a 2013 Ford Explorer from First Sentinel Bank in the amount of \$24,702 at an interest rate of 3.625% for 48 months with a payment of \$553 per month. On vote: Vice-Mayor Blankenship, aye; Councilmember Brown, aye; Councilmember Fox, aye; Councilmember Mullins, aye; Councilmember Murray, aye; Councilmember Danny Willis, aye.

### **VETERANS DAY PARADE**

Councilmember Fox advised Council that the Committee for the Veteran's Day Parade meets on the 1st Thursday of each month at 7:00 p.m. in the Council Chambers.

### **WELLNESS MOVEMENT**

Councilmember Brown stated a Wellness Movement is being started to improve the health and education of Tazewell on wellness. Councilmember Brown advised there will be a walk and win challenge sponsored by the YMCA and local business with great prizes to be given away.

### **CROOKED ROAD – PUBLIC HEARING**

Mayor Buchanan stated he attended the Public Hearing on the Crooked Road promoting Heritage Music and Artist in the areas Floyd County to Bristol, Dickenson County promoting Southwest Virginia Heritage.

### **LITTLE LEAGUE SOFTBALL**

Councilmember Willis thanked the community for their donations to allow the 11 years and 12 years old being to attend State Tournament at Virginia Beach.

### **THANK YOU LETTERS**

Mayor Buchanan stated he received a letter from the "The Collegians" thanking Town Council for their support for many years.

Mayor Buchanan stated Young Life thanked Town Council for their support for the Young Life 5K to 10K road race.

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Mayor Buchanan thanked all the employees that helped with the Main Street Heritage Festival.

### **CHRISTMAS PARADE**

Councilmember Blankenship recommended that the Christmas Parade be moved to Saturday afternoon instead of on Sunday.

### **AMERICAN LEGION POLE FLAG**

Motion was made by Councilmember Murray, seconded by Councilmember Fox to replace the flag pole that the Town removed at the American Legion Building. Councilmember Mullins stated the Town needs to get a price first. Councilmember Murray didn't agree because the Town should have put the flag pole back up and didn't understand why the Town took down the flag pole and no one knows where the old flag pole is. On vote: Vice-Mayor Blankenship, aye; Councilmember Brown, aye; Councilmember Fox, aye; Councilmember Mullins, aye; Councilmember Murray, aye; Councilmember Danny Willis, aye.

### **WELCOMING OF TOWN MANAGER DAY**

Councilmember Willis welcomed Mr. Day to the Town of Tazewell to take on a challenge that was ahead of him.

Councilmember Murray stated this was the best Council meeting since he had been on Town Council.

### **MOTHER OF CHRIST JULINOEL TAXES**

Leeanne Billings brought a request to Town council concerning discounting 63.5% of accrued interest on real estate taxes for the Mother of Christ Julinoel.

Motion was made by Councilmember Brown, seconded by Councilmember Mullins to accept the recommendation of Leeanne Billings to discount 63.5% of accrued interest on real estate taxes for the Mother of Christ Julinoel. On vote: Vice-Mayor Blankenship, aye; Councilmember Brown, aye; Councilmember Fox, aye; Councilmember Mullins, aye; Councilmember Murray, aye; Councilmember Danny Willis, aye.

### **PUBLIC COMMENTS**

Mayor Buchanan stated Town Council had discussed the Lincolnshire Lake hours and most of the concerns are with the fishermen and the public doesn't realize the liability of the Town. The Town is looking at other localities and with the Department of Inland and Game Fisheries and will try to have a recommendation by the next meeting.

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Marvin Sheets, of Steeles Lane, questioned why the trash truck collections passed by his house on Steeles Lane three times before they picked up his trash. Mr. Sheets also stated that the Town put gravel on the side of the road at his neighbor's house, but couldn't help him cut a limb out of his trees. Mr. Sheets stated that the Rescue Squad unloaded a pool table and the Police Department washes their cars on taxpayer's dollars.

Manager Day advised he would look into the Mr. Sheets complaints.

Paul Brewster, of 216 Third Street, came before Council stating the Town needed new trash trucks and the maintenance of the old trash truck must be very expensive. Mr. Brewster stated the pavement at the bridge is washed out on Route 61 at KFC.

Betty Wallace, of Riverside Drive, stated that Hurst Street needed to be paved and water runs off the hill causing drainage problems. Ms. Wallace stated Hurst Street is a dead end street and needs a street light and "no parking signs" need to be placed on Riverside Drive. Ms. Wallace advised someone started to tear down the old Quality Cleaners building by taking off the siding and never did anything else to the building.

Councilmember Murray stated he would talk to the owner of Quality Cleaners building.

Ms. Wallace stated her sister had a problem with her water bill stating she had been out of town and her water bill was \$100 and after complaining about the water bill, her water bill went back down.

Roger Kinder, of Baptist Valley Road, came before Council concerning the closing of the lake stating catfish will not bite until dark. Mr. Kinder thank Council for listening to his request.

Kay Allison, of 317 Pine Street, stated that the June 2012 minutes were wrong stating her flooding problem had been fixed. Mrs. Allison said she was just joking with Jerry Wood and the minutes needed to be changed.

Councilmember Willis advised Mrs. Allison the Town got T&L to look at the property and it would cost approximately \$112,000 to engineer the design.

Bill Allison, of 317 Pine Street, stated that the Lincolnshire Lake looked better than it has in a long time. Mr. Allison thanked Council for the cleanup at the lake.

Dennis Robinson, of Tazewell Avenue, wanted Council to look at placing guard rails at his side of his residence on Fincastle Turnpike.

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Vice-Mayor Blankenship stated he loved the attendance at the meeting tonight and if there is problem to contract the Town Manager or staff.

**RECESSED**

Mayor Buchanan recessed the Council meeting until August 21, 2012 at 6:30 p.m.

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**Mayor A. D. Buchanan, Jr.**

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**Clerk Linda S. Griffith**