

## Council Meeting Minutes

August 9, 2016

The Tazewell Town Council met in a work session at 6:45 pm in the Town Hall Council Chambers.

Present:

Mayor A. D. Buchanan Jr

Vice-Mayor Terry Mullins

Councilmember Glenn Catron

Councilmember Jack Murray

Councilmember David Fox

Councilmember Jerry McReynolds

Absent:

Councilmember Chris Brown

Staff present were: Town Attorney Brad Pyott; Town Manager, Todd Day; Clerk/Treasurer, Leeanne Billings; Public Work Director, Donny Pruitt; Recreation Director, Travis Barbee.

Manager Day discussed the recreation department and the gym. Recreation Director, Travis Barbee discussed the Mountain Mudder that was held at the park July 30<sup>th</sup>. It was a great event. People came from miles to attend this event. Our guys did a good job in setting it up and cleaning it up afterward.

He also went to tour Ace Adventure, a lake park. He has had three companies give us a quote to make our park similar to Ace Adventure. Our lake is stocked with fish, however at Ace Adventure it is not, it is for recreational use only.

He has been reviewing expenses and revenues for the recreation department. One area he is concentrating on is the martial arts program. It is currently being taught by Casey Addair. She charges a fee for the class and the Town collects the fee. She gets the gym free of charge. We pay her a monthly fee. The Town profits only \$180.00 from this program. Ms. Addair is being paid \$5,600.00 per year. He has offered her three different options to continue her instructor position with the Town. He has offered to split the fees we collect for her classes 70/30 and she would have to carry her own insurance. Insurance for her would cost around \$360.00 per year. Another option he offered is to make her a part time employee of the Town with a rate of pay at \$20.00 per hour and she would not have to provide her own insurance. The final option offered was that she could rent the gym from the Town, she would keep all profit from fees and she would have to provide her own insurance.

Manager Day stated that we need to put a gym use policy in place. Recreation Director Barbee stated that he would like to see us be able to offer open gym days. He also stated that when a private person uses the gym they should have to pay a rental for it. The reason he feels this way is because the gym has a lot of maintenance that has to be done. For example, someone wore cleats on the gym floor and damaged the floor and we had to repair. It was stated that if an

organization uses a Tazewell County Public School facility they are charged for their use of that facility. A martial arts tournament was held in the school's gym and they sent us a bill for \$84.00. However, we let the wrestling team, etc. use our facilities for free. He would like to see us have a level of cooperation with the schools, county, etc.

Also, if Ms. Addair does not wish to continue being an instructor for the Town, there are other instructors that would like the opportunity to.

Councilmember Murray made a comment about the Mountain Mudder. He stated that Councilmember Fox went to attend the event, just to watch, and he was not allowed to do so. He thinks this needs to be corrected if we are going to host the event at our park again. Councilmember Fox stated that he had spoken with Charity McDaniel, the event organizer, and made her aware of the issue. She apologized for the incident.

Councilmember McReynolds stated that he is glad that we have Director Barbee and that he is doing a good job and has a lot going on that he is working on.

## **PUBLIC HEARING**

Mayor Buchanan called the public hearing to order at 7:15 p.m. The Town of Tazewell held a public hearing for the Tourism Zone Ordinance. He read the public hearing resolution and asked if anyone wished to speak for or against this issue. At this time, no one spoke for or against this reading.

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

Present:

Mayor A. D. Buchanan Jr

Vice-Mayor Terry Mullins

Councilmember Chris Brown

Councilmember Glenn Catron

Councilmember Jack Murray

Councilmember David Fox

Councilmember Jerry McReynolds

Absent:

Staff present were: Town Attorney Brad Pyott; Town Manager, Todd Day; Clerk-Treasurer, Leeanne Billings, Police Chief, DeWitt Cooper; Public Work Director, Donny Pruitt; Zoning & Property Management Official Chris Hurley; Recreation Director, Travis Barbee.

## **CALL TO ORDER**

Mayor Buchanan called the meeting to order and opened with the pledge of allegiance. Invocation was given by Police Chief Cooper.

Mayor Buchanan stated that he would like to congratulate the Tazewell Little League Allstars on a job well done. He also stated he would like to thank the town employees for all the work they do and all the extra hours they put in for the events that are held. He would also like to take a minute and remember Tom Baine who was the first recreation director for the Town. He recently passed away and the mayor suggested that maybe we could honor him with something at the park.

## **SPECIAL PRESENTATIONS**

### **SPECIAL PRESENTATION BY MAYOR BUCHANAN**

Mayor Buchanan asked Manager Day to come forward. He then proceeded to read a letter from Senator Mark Warner. The letter stated that Tazewell is one of Virginia's 20<sup>th</sup> safest communities. Mayor Buchanan stated that this was a great recognition and he was very proud of Tazewell.

### **SHAWN DURHAM WITH YMCA UPDATE**

Shawn Durham, the new director of the YMCA, came before council to introduce himself and give an update. First off he wanted to thank the Town and council for their support and he hopes that we can work together to get good programs out there. He stated that every child matters and they want to be able reach as many as they can. They offer financial assistance so that low income families can still be active members of the YMCA. He presented the council with "I Give" pins from the YMCA to show that they are supporters of the YMCA. He also wanted to remind everyone of the reception at the YMCA on Thursday, August 11<sup>th</sup> from 11:00am-2:00pm. He also would like to thank Recreation Director Barbee for having a great working partnership with him and always cooperating.

### **LARRY BLANKENSHIP WITH COMMUNITY COMMENTS**

Larry and Claudine Blankenship came before the council to thank them and to thank the Town. He said that our town looks fantastic and that we have done a lot of work for the beautification of our town and people are noticing. The Town and Council's leadership is making our town grow. He and his family would just like to extend a "thank you" to the workers of the town, the manager, and the council.

## **PUBLIC COMMENT**

Will Adams of 28010 Gov. G. C. Peery Hwy Tazewell, Virginia, came before council to discuss signage. He stated that the Welcome to Tazewell sign placed near Ramey Chevrolet on Rt 460 blocks his view when he pulls out and he stated that where the sign is isn't in town limits.

## **APPROVAL OF MINUTES**

Motion was made by Councilmember Murray, and seconded by Councilmember Catron to approve the minutes of July 12, 2016. On vote, Vice Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Murray, aye; Councilmember Fox, aye; Councilmember McReynolds, aye.

## **APPROVAL OF FINANCIAL STATEMENTS**

Motion was made by Councilmember Murray and seconded by Councilmember Fox, to approve the financial statements for July 2016. On vote, Vice Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Murray, aye; Councilmember Fox, aye; Councilmember McReynolds, aye.

## **APPROVAL OF PROJECT REPORTS**

Motion was made by Vice Mayor Mullins and seconded by Councilmember Fox to approve the project reports for July 2016. On vote, Vice Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Murray, aye; Councilmember Fox, aye; Councilmember McReynolds, aye.

## **TOWN MANAGER'S UPDATE ON ONGOING PROJECTS**

Manager Day stated that the water meter project officially closed yesterday. He thanked Public Work Director Pruitt and his crews. The total cost was \$644,176.00. The accuracy of the new meters is fantastic. The debt service will improve due to these new meters.

Manager Day stated that members of Council have asked about the finances. The Route 61 project is a bond. We have two other projects that are revenue sharing bonds. The procedures with these projects are, the company bills us, we pay it, then we can request reimbursement once a month. Payments for Route 61 come out of the general fund and when we get reimbursed we will get 98% back from VDOT. Last year we ran in the red but we billed in the black. The rescue squad will bring in funds in 2016-2017.

Manager Day also stated that when we prepare financial reports they are based on accrual accounting. This means that when we bill water bills for example, the revenue line item will show the amount we billed for the month, it is not the actual amount collected. The same thing occurs with taxes.

## **PLANNING COMMISSION COMMITTEE**

Councilmember Murray stated at the August 4<sup>th</sup> meeting they discussed the boundary adjustment, protecting historical buildings, and street name changes.

## **TRAIN DEPOT COMMITTEE**

Vice-Mayor Mullins stated that they are waiting to hear from VDOT regarding the right of way at the station. They will have a meeting once they hear back. They will be applying for another grant for curbing, paving and the exterior of the building.

## **AIRPORT AUTHORITY**

Councilmember McReynolds gave an update on the airport. He stated the west end drainage project is complete. The next project will be to widen the turning lanes. Also, they will be removing timber to make it safer for planes to land. He would like to remind everyone of the Airshow being held on August 27<sup>th</sup>. It is free admission and there will be lots of activities, vendors, car and motorcycle show, and airplanes.

## **SESQUICENTENNIAL COMMITTEE**

Clerk/Treasurer Leeanne Billings gave an update on the Sesquicentennial Committee. To date the committee has spent \$33,584.51. They have collected \$7,180.38 from merchandise sold and Taztownopoly sponsorships. Money remaining to be collected (selling all merchandise and monopoly games) \$17,925.00. This will leave a total balance that the Town has spent on the Sesquicentennial \$8,479.13.

## **SPEED STUDY DISCUSSION**

Manager Day stated that he has been in contact with AMT, the same firm doing Rt 61 project. There have been speed complaints because the speed is too low. Councilmember Catron made a motion to conduct a speed study. Motion was seconded by Councilmember Murray. On vote, Vice Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Murray, aye; Councilmember Fox, aye; Councilmember McReynolds, aye.

## **ADOPT COMPREHENSIVE PLAN**

Manager Day stated the Planning Commission had sent the Comprehensive Plan to the Council a few months back for them to approve. We have edited the grammar and are now ready for it to be approved. Councilmember Murray made a motion to proceed with the Comprehensive Plan. Motion was seconded by Councilmember Fox. On vote, Vice Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Murray, aye; Councilmember Fox, aye; Councilmember McReynolds, aye. Councilmember Murray thanked Zoning & Property Management Official Chris Hurley for his work on the Comprehensive Plan. He then thanked David Hilton for the work he helped with.

## **IDA APPOINTMENT RECOMMENDATION**

Manager Day stated that the council had made a recommendation at the last meeting and we later found out the person that was recommended lived just outside the town limits. We need to appoint different person. Motion was made by Councilmember Murray to appoint Shawn McReynolds. Motion was seconded by Vice Mayor Mullins. On vote, Vice Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Murray, aye; Councilmember Fox, aye; Councilmember McReynolds, aye.

## **RECYCLING BINS DISCUSSION**

Manager Day stated that we have been trying to find a location that we can permanently put the recycling bins and it has been suggested that they be put behind the rescue squad building on Steeles Lane. It will be accessible by a schedule. The estimate to do this project is \$12,000.00. There will be a layer of gravel put down then a layer of concrete, then pave it next spring. There would still be room for expansion at the rescue squad building. Councilmember Catron made a motion to move forward with this project. Motion was seconded by Councilmember Brown. On vote, Vice Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Murray, aye; Councilmember Fox, aye; Councilmember McReynolds, aye.

## **MISCELLANEOUS**

### **LUMOS FRANCHISE**

Manager Day stated there had been lots of conversation within the last month about the subject. Lumos would like to have a franchise agreement with the town. Manager Day stated that he would recommend the town let them work with the county and give them six months to obtain the franchise agreement with us. The responsibility would be on Lumos to obtain the franchise. Councilmember Murray made a motion to allow Lumos to proceed. Councilmember Fox seconded the motion. After discussion Councilmember Murray amended his motion. He would like to make a motion to allow Lumos to proceed but they need to have a letter of intent with Lumos and in the letter it must state that the responsibility to obtain the franchise is on them and also the risk is on them as well. Meaning if they do this work and do not get the franchise the Town will not be responsible. Motion was seconded by Councilmember Fox. On vote, Vice Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Murray, aye; Councilmember Fox, aye; Councilmember McReynolds, aye.

## **ENTERPRISE ZONE ORDINANCE AMENDMENT**

Attorney Pyott stated that in January an ordinance was adopted and some of the headings were incorrect and some of the code numbers were incorrect also. Councilmember Catron made a motion that we adopt an amendment to the Enterprise Zone Ordinance and replace the incorrect headings and code numbers. Motion was seconded by Councilmember Fox. On vote, Vice Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Murray, aye; Councilmember Fox, aye; Councilmember McReynolds, aye.

Motion was made by Councilmember Murray to waive the reading of the ordinance. Motion was seconded by Vice Mayor Mullins. On vote, Vice Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Murray, aye; Councilmember Fox, aye; Councilmember McReynolds, aye.

Motion was made by Councilmember Catron to pass this as an emergency ordinance and go into effect immediately. Motion was seconded by Councilmember Murray. On vote, Vice Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Murray, aye; Councilmember Fox, aye; Councilmember McReynolds, aye.

#### **VDOT RESOLUTION-PRIMARY EXTENSION GRANT**

Manager Day stated that we have been awarded \$148,530.00 for the Primary Extension Grant, which is used on paving. Motion was made by councilmember Murray to approve the VDOT Resolution. Motion was seconded by Councilmember Fox. On vote, Vice Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Murray, aye; Councilmember Fox, aye; Councilmember McReynolds, aye.

#### **LOWES GRANT DISCUSSION**

Councilmember Brown was able to find out information about a grant with Lowe's and they will be building more planters for us to place in town, at no charge to us.

#### **PLANNING COMMISSION RECOMMENDATION-RENAMING OF ROAD AT FOURWAY**

Zoning & Property Management Official Chris Hurley, stated that the street beside Hayes Drug going to Hardees red light needed to be changed. It is currently Riverside Drive. Motion was made by Councilmember Murray to name the street Memorial Drive. Motion was seconded by Councilmember Fox. After discussion was held and a vote was called for the motion failed as no one voted to approve this motion. Motion was made by Councilmember Catron to name the street Fourway Crossing. Motion was seconded by Councilmember Fox. On vote, Vice Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Murray, aye; Councilmember Fox, aye; Councilmember McReynolds, aye.

Motion was made by Councilmember Murray to hold a public hearing on September 13<sup>th</sup> at 7:15pm for the street name change. Motion was seconded by Vice Mayor Mullins. On vote, Vice Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Murray, aye; Councilmember Fox, aye; Councilmember McReynolds, aye.

## **MISCELLANEOUS**

Councilmember Brown thanked Recreation Director Barbee for all he is doing and he thanked the YMCA as well. He stated that the fields looked great. He also thanked Charity McDaniel for organizing the Mountain Mudder.

Vice Mayor Mullins thanked the YMCA for their help with the swim meet.

Councilmember Fox stated that Main Street looks great and he thanked Irma Mitchell and Susan Reeves for working on that.

Mayor Buchanan reminded everyone of the Cruise Ins for August and September and the Celebration of the Arts coming up.

## **EXECUTIVE SESSION**

Councilmember Catron made a motion that they go into executive session to discuss legal counsel. Councilmember Brown seconded the motion. On vote, Vice Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Murray, aye; Councilmember Fox, aye; Councilmember McReynolds, aye.



## RESOLUTION

Motion made by: Catron

Resolution Number:ES090816

Motion Seconded by: Brown

Meeting Date: 09August16

Vote: All voted Aye

Purpose: Legal Counsel

### CERTIFICATION OF EXECUTIVE SESSION

WHEREAS, the Tazewell Town Council has convened an executive session on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, 2.1-344.1 of the Code of Virginia requires a certification by this Council that such executive session was conducted in conformity with Virginia Law;

NOW, THEREFORE, BE IT RESOLVED, the Tazewell Town Council hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia Law were discussed in the executive session to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the executive session were heard, discussed or considered by the Tazewell Town Council.

### VOTE

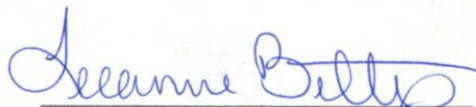
Ayes: Catron, Brown, Mullins, Murray, Fox, McReynolds

Nays:

(For each nay vote, the substance of the departure from the requirements of the Act should be described.)

Absent during vote:

Absent during meeting:

  
\_\_\_\_\_  
Leanne Billings, Clerk

Motion was made to come out of executive session by Councilmember Catron. Motion was seconded by Councilmember Murray. On vote, Vice Mayor Mullins, aye; Councilmember Brown, aye; Councilmember Catron, aye; Councilmember Murray, aye; Councilmember Fox, aye; Councilmember McReynolds, aye.

Mayor Buchanan stated the reason they went into executive session was to discuss legal counsel. He then read the resolution for Certification of Executive Session. On a roll call vote to confirm, Vice Mayor Mullins, aye; Councilmember Catron, aye; Councilmember Brown, aye; Councilmember Murray, aye; Councilmember Fox, aye; Councilmember McReynolds, aye.

Mayor Buchanan then announced that we now have a letter of intent from Dogwood Development for a hotel on Main Street. Councilmember Murray made a motion to allow Mayor Don Buchanan and Chairman of the IDA Bob Buchanan, to sign the letter of intent from Dogwood Development. Motion was seconded by Councilmember McReynolds. On a roll call vote to confirm, Vice Mayor Mullins, aye; Councilmember Catron, aye; Councilmember Brown, aye; Councilmember Murray, aye; Councilmember Fox, aye; Councilmember McReynolds, aye.

## **ADJOURNMENT**

Councilmember Brown made a motion to adjourn the meeting. Motion was seconded by Councilmember McReynolds. On vote, Vice Mayor Mullins, aye; Councilmember Catron, aye; Councilmember Brown, aye; Councilmember Murray, aye; Councilmember Fox, aye; Councilmember McReynolds, aye.

Mayor Buchanan adjourned the meeting at 9:27 pm.