

## **Council Meeting Minutes**

December 12, 2017

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

Present:

Absent:

Mayor A. D. Buchanan Jr

Councilmember Glenn Catron

Councilmember Chris Brown

Vice Mayor Terry Mullins

Councilmember Jack Murray

Councilmember David Fox

Councilmember Jennifer Boyd

Staff present were: Town Manager, Todd Day; Executive Assistant, Robin Brewster; Town Attorney, Brad Pyott; Clerk-Treasurer, Leeanne Regon; Stanley Lampert, Police Lieutenant, Josh Roberts, Fire Chief; Rescue Squad Administrator, Syndee Saleem; Recreation Director, Ben Rosado; Zoning and Property Maintenance Official, Chris Hurley.

### **CALL TO ORDER**

Mayor Buchanan called the meeting to order. He asked for everyone to remember Chief David Mills and William Asbury's wife as they are both sick. He then led the pledge of allegiance. Invocation was given by Manager Day.

### **SPECIAL PRESENTATIONS**

#### **BROWN EDWARDS TO PRESENT AUDIT**

Justin Martin with Brown Edwards presented the audit to the council. He thanked the town staff for the hard work they have done. He went over the findings with the audit and went over the financials. They are giving an unmodified opinion which is the highest opinion they can give. He went over the capital asset increases. There have been no instances of noncompliance with the audit. All in all everything looked good. The Town continues to do well. Manager Day thanked Mr. Martin and our staff.

## **DONNIE YATES TO DISCUSS TAZEVELL COUNTY FAIR**

Donnie Yates is now the fair president. He stated that Tazewell County Fair is the longest running fair. The dates for 2018 fair will be July 17-21. Cole Midway Carnival will be back next year. They set records for arena events and shows for the fair this year. He discussed the change of entrance for the arena and said that Marcus Gilbert has done a fantastic job. They would like to have a family day. They have a new webpage, [www.tazewellcountyfair.com](http://www.tazewellcountyfair.com).

He discussed a new layout idea. He stated that July 15<sup>th</sup> would be an old fashioned fair day. They would have corn hole, pie eating contest, horse shoes, and a gospel singing. They will have a Town of the day. They would like to make Town of Tazewell day July 18<sup>th</sup>. They want to recognize each locality and show “this is your Tazewell County Fair.” Mayor Buchanan stated that he was glad to see Donnie is with the fair leadership. He is excited. Also, Main Street Moments and the fair will be different dates next year. Manager Day stated that he thought they would be at the same time. Donnie stated that Viola may have been able to get it changed, she was working on that. All of council thanked him.

## **DISCUSSION OF SPORTSMAN’S MARINA**

Recreation Director, Ben Rosado, stated that he has been looking into a business plan for an aqua park. He thinks that it will draw more people to the park. He handed out a packet to council for review. Travis Richards with the Sportsman’s Marina came before council to discuss the aqua park. He stated that he looked at our lake Friday and loved it. He has owned the Sportsman’s Marina at South Holston Lake for 11 years. He implemented inflatables at the lake two years ago. He stated seven years ago the restaurant made \$25,000.00 the first year with the aqua park it made over \$100,000.00. It has proven to be very successful. He then discussed the packet with council. There will have to be a dock built so you can access the aqua park. It is estimated to generate \$15,000.00 a year. Manager Day is concerned about parking, fishing, and the size of the lake. Mr. Richards stated that the inflatables are mobile and you take them out for winter. Manager Day asked if he rented them. Mr. Richards stated that he sells them, and places he has sold them have done well. He would be open to renting to us if we worked out a lease. He also suggested a fishing tournament to bring in more people. He stated that 35-40% of his business is from our area. Manager Day stated he would like to talk with him more after the holidays to put a plan together. The proposed cost is \$60,000.00. Manager Day would like to try to rent them, he likes the idea of an aqua park. Mr. Richards stated that he charges \$10.00 an hour or \$30.00 a day. He also stated that stand up paddle boards are popular. Manager Day asked out liability. Mr. Richards stated that they sign a waiver. Manager Day asked if there is a life guard on duty and he answered no, that is part of the waiver and a parent must be present and a life jacket must be worn. Manager Day thanked him.

## **APPROVAL OF MINUTES**

Motion was made by Councilmember Murray, and seconded by Councilmember Catron to approve the work session and council minutes of November 14, 2017. Councilmember Murray

stated there were some typographical errors in the Two Hour Parking section and requested a correction be made. On vote, Councilmember Catron, aye; Councilmember Brown, aye; Vice Mayor Mullins, aye; Councilmember Murray, aye; Councilmember Fox, aye; Councilmember Boyd, aye.

## **FINANCIAL REPORT**

Treasurer Regon gave a financial report. She stated that the audit is complete. Taxes were due on December 5<sup>th</sup>. Past due notices will go out by the end of January. Attorney Pyott asked how TACS was going. She explained that TACS-Taxing Authority Consulting Services, had held two auctions for the Town now and we have gotten pretty good proceeds from this. It allows the past due accounts to become active on the tax roll again and she feels like that will make a big difference.

## **APPROVAL OF FINANCIAL STATEMENTS**

Motion was made by Councilmember Murray and seconded by Councilmember Fox, to approve the financial statements for November 2017. On vote, Councilmember Catron, aye; Councilmember Brown, aye; Vice Mayor Mullins, aye; Councilmember Murray, aye; Councilmember Fox, aye; Councilmember Boyd, aye.

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

Manager Day stated the CDBG planning grant will be sent for approval. He stated that the final invoices for Rt 61 will be reimbursed only 50% from VDOT. He stated that he was unofficially told the county real estate assessments are down one percent.

## **PLANNING COMMISSION COMMITTEE**

Councilmember Murray stated at the last meeting they discussed a mobile home ordinance, animal and fowl ordinance, spot zip codes, such as Cherry Street off of Fincastle is 24630 but the surrounding streets are 24651. Attorney Pyott stated that they also discussed cumulative zoning.

## **TRAIN DEPOT COMMITTEE**

Vice Mayor Mullins stated that Building Specialist have been awarded the bid for construction. February 2<sup>nd</sup> will begin their work. Public Work Director, Donny Pruitt will have his workers doing in house work to keep costs down. Manager Day stated that they may try to have a ground breaking ceremony. Vice Mayor Mullins also stated that the Historical Society now has a web camera set up on Main Street. So far it has gotten 1838 views in two days.

## **CHIEF OF POLICE CONFIRMATION**

Manager Day stated that he has hired David Mills as the chief of police. However, right now he is in UVA hospital with complications. His announcement brought excitement to the police department.

## **UPDATE ON THE BARNES PROPERTY**

Attorney Pyott stated that he spoke with Frank Barnes and they are in favor of working with the Town but they have not gotten back with us as far as a completed proposal. It is very positive though.

## **FIRST READING OF REVISED ANIMAL AND FOWL ORDINANCE**

Attorney Pyott stated that the Planning Commission has decided that the ordinance needed to include something regarding the historical district not allowing chickens or fowl.

## **STREET LIGHT REQUEST BEHIND PAINTED PEAK AND TWO HOUR PARKING DISCUSSION**

Manager Day stated that we would disregard the two hour parking discussion for now. He stated that he has received a request for two or three street lights to be turned toward the parking area not the street. He stated that we are going to put lighting in the lower parking lot beside of Thompson and Litton. Councilmember Murray stated when he owned the laundromat, he had a light put up for parking and he paid the bill. He asked Councilmember Brown and Catron if they have extra lights at their businesses. Councilmember Brown stated no other light than the street light. Councilmember Catron stated one and he pays the bill. No motion was made.

## **ADOPT POLICY FOR RECOGNIZING RETIREES**

Manager Day stated that a number of employees retired at one time. We first started having retirement dinners. We could recognize the retiree at that year's Christmas dinner instead of having individual dinners. He had a chart of different levels on how to recognize them (financially). Motion was made by Councilmember Catron to approve the policy for recognizing retirees. Motion was seconded by Councilmember Murray. On vote, Councilmember Catron, aye; Councilmember Brown, aye; Vice Mayor Mullins, aye; Councilmember Murray, aye; Councilmember Fox, aye; Councilmember Boyd, aye.

## **PUBLIC COMMENT**

None.

## **EXECUTIVE SESSION**

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

Manager Day invited Zoning and Property Maintenance Official, Chris Hurley to the executive session.

### RESOLUTION

Motion made by: Murray

Resolution Number: ES171212

Motion Seconded by: Brown

Meeting Date: 17 December 12

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

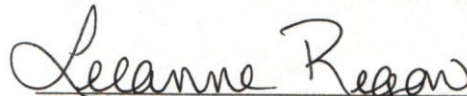
Ayes: Brown, Fox, Catron, Boyd, Murray, Mullins

Nays: none

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

Absent during vote:

Absent during meeting:

  
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Leeanne Regan, Clerk

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

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

Motion was made by Councilmember Catron for Zoning and Property Maintenance Official, Chris Hurley to appeal the decision of the BZA for the Mitchem Walker variance granted by the BZA Board. Motion was seconded by Councilmember Murray. On vote, Councilmember Catron, aye; Councilmember Brown, aye; Vice Mayor Mullins, aye; Councilmember Murray, aye; Councilmember Fox, aye; Councilmember Boyd, aye.

## **ADJOURNMENT**

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

Mayor Buchanan adjourned the meeting at 9:11 pm.