

Council Meeting Minutes

February 8, 2022

The Tazewell Town Council met for an executive session at 6:00 p.m. in the Town Hall Council Chambers.

Present:

Mayor Michael Hoops

Councilmember Joe Beasley

Vice Mayor Terry Mullins

Councilmember Emily Davis

Councilmember Glenn Catron

Councilmember David Fox

Staff present were: Town Manager, Todd Day; Executive Assistant, Robin Brewster; Clerk/Treasurer, Leanne Regon; Town Attorney, Brad Pyott

Absent:

Councilmember Chris Brown

EXECUTIVE SESSION

Motion was made to go into executive session by Councilmember Catron. Motion was seconded by Councilmember Fox. On vote, Councilmember Catron, aye; Vice Mayor Mullins, aye; Councilmember Davis, aye; Councilmember Fox, aye; Councilmember Beasley, aye.

RESOLUTION

Motion made by: Catron

Resolution Number: ES220208

Motion Seconded by: Fox

Meeting Date: 22 February 08

Vote: All voted Aye

Purpose: Personnel Matters (I/EDA Vacancy), Consultation with Legal Counsel Pertaining to Actual or Probable Litigation (Update on Main Street Mini-Park Issue), Award of Public Contract Involving the Expenditure of Public Funds (Town Property)

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

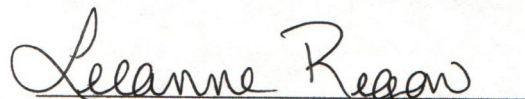
Ayes: Catron, Davis, Mullins, Beasley, Fox

Nays: none

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

Absent during vote: Brown

Absent during meeting: Brown



Leeanne Regon, Clerk

Motion to come out of executive session was made by Councilmember Catron and seconded by Councilmember Fox. On vote, Councilmember Catron, aye; Vice Mayor Mullins, aye; Councilmember Davis, aye; Councilmember Fox, aye; Councilmember Beasley, aye.

Mayor Hoops stated the reason they went into executive session was for Personnel Matters (I/EDA Vacancy), Consultation with Legal Counsel Pertaining to Actual or Probable Litigation (Update on Main Street Mini-Park Issue), Award of Public Contract Involving the Expenditure of Public Funds (Town Property). He then read the resolution for Certification of Executive Session. On a roll call vote Councilmember Catron, aye; Vice Mayor Mullins, aye; Councilmember Davis, aye; Councilmember Fox, aye; Councilmember Beasley, aye.

JOINT PUBLIC HEARING

SPECIAL EXCEPTION PERMIT FOR 168 MAIN STREET

Mayor Hoops called the public hearing to order at 7:15 p.m. The Town of Tazewell held a public hearing for a special exception permit for 168 Main Street. Mayor Hoops read the notice of public hearing. Mayor Hoops asked if anyone would like to speak for or against this matter.

Felicia de Courcy business owner of 172 Main Street, right next door. She stated that she did receive a letter but she has not had an opportunity to review the application. She stated that she had a general question, if they could answer it. She said, they talk about the zoning rules and we have to have these zoning rules and then how many exceptions are we going to have. She stated the last time she was here it was because we wanted to put more zoning rules on and she had not heard anything more from that, it seems to have died off. But the whole concept was to make everything have more zoning and now it seems like people are asking for a lot of exceptions. She again stated that she had not been able to review the application because she had been busy but she would like to question why do we have zoning rules if we are just going to make exceptions, in the general concept with the idea of Airbnb's. She stated that there are parking problems on Main Street. She is concerned on how that will be dealt with. She wonders how out of town people will address parking. She also stated that there is a personal problem and there is a lawsuit that will be filed against that building for the way the owner has built over top of her building and violated some things. She stated that lawsuit will be pending and probably creating more problems because the structure that's there, that they are talking about making into an Airbnb and it is actually an inappropriate structure but that will be handled through the court system. But it is the concern that we are talking about making an exception, she wants to know what's the rule, and why are we making an exception? Is there a plan for parking? She also stated again that on a personal note, there is a problem with the owner, or builder or corporation that they violated some things and built their structure over top of her property and she has concerns about that.

Sharon Thomas owner of 171 Main Street, the building across the street stated that she had some of the same questions. She is also concerned with parking and asked where the renters would park while they stay. She also asked will there be a back entrance to the Airbnb. She just doesn't want it to cause parking problems for businesses on Main Street.

With no other public comments, Mayor Hoops closed the public hearing.

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

Present:

Absent:

Mayor Michael Hoops

Vice Mayor Terry Mullins

Councilmember Emily Davis

Councilmember Joe Beasley

Councilmember Glenn Catron

Councilmember Chris Brown

Councilmember David Fox

Staff present were: Town Manager, Todd Day; Executive Assistant, Robin Brewster; Town Attorney, Brad Pyott; Clerk/Treasurer, Leeanne Regon; Zoning & Property Maintenance Official, Chris Hurley; Police Chief, David Mills; Fire Chief, Jason Hodge; EMS Administrator, Syndee Saleem

CALL TO ORDER

Mayor Hoops called the meeting to order with the pledge of allegiance. Invocation by Todd Day.

SPECIAL PRESENTATION/REQUESTS

BLACK HISTORY MONTH

Vera Mitchell came before council and stated that she is honored and privileged to make this presentation. She stated that black history is a time to reflect on what is, what was, and what is to come. She thanked her ancestors for laying it out for her, for us all. She stated that we think about the good and the bad but we fail to look at all the good because of all the bad. She stated that this month provides exploration of how different we are. But still we are all the same. She looks at a person for who they are and not their color. We are each so unique. Wouldn't it be boring if we were all the same. She said that Ola Joseph said it best, diversity is not about how we differ but diversity is about embracing one another's uniqueness.

She stated that she was the first female deputy hired at the Tazewell County Sheriffs Office. Her dad didn't want her to. He wanted to know why she wanted to. She said it was time for change. She always wanted to be an officer. She followed her dream. Her dad didn't speak to her for a year. Change comes with hurt. We have to step out of our comfort zone. She was promoted at work and her dad told her he was proud of her for sticking with it.

While she worked in the jail, she met a guy that was Aryan Nation. He had a problem with her, yet she made him a trustee. He did his job. One day he put in a request to speak with her and she agreed. He thanked her for showing him that she treated him like he was someone and taught him people are the same and he asked to hug her and she allowed him. She said it was all about

heart. She ended her presentation with the following question, what legacy are you going to leave?

INTRODUCE VANESSA REBENTISCH

Manager Day stated that Tazewell Today was stated in 2013. We have been blessed to work with Amanda Killen and now we are excited to work with Vanessa Rebentisch. He stated that he met her last week and she has lots of ideas already. He introduced her to the council. She thanked Vera Mitchell for her presentation and then thanked the Town for the opportunity to come before them. She stated that she would like to discuss the 1.6 acres beside 329 Main Street. There could be a small children's playground, green space, relaxation areas, a children's community garden, picnic tables, a parking area, food trucks could set up, and they could hold pop up events there. She thinks there is an importance for this space. She has five kids and it would be great to have a place for them to have fun on Main Street as well.

She also reminded everyone to come out to the Polar Plunge on February 26th and she hopes to see everyone there.

PRESENTATION BY BOB LAUTERBURG & TAYLOR BRYANT WITH VML/VACO

Manager Day introduced Bob Lauterberg to the council. Mr. Lauterberg stated that it was a pleasure to work with Manager Day and staff over the last year. He gave a brief introduction of VML/VACO. He stated that they were established in 2003 by VML and the Virginia Association of Counties. They have assisted localities in investments and have been advisors on financial projects.

He has reviewed the water and sewer fund to see if they will meet the requirements from VRA. He has found that we do have the funds in water and sewer to sustain as VRA would like. He also looked at our general fund as well. VRA wanted to know, is there enough revenue to cover the debt. He stated that net revenue available for debt service coverage exceeds 115%. He reviewed data from the last five years and they gave a forecast. He stated that some of the data that was given seems erratic and he feels the data given for 2017 was very odd compared to the rest of the data he was given. It was hard for them to see a trend line for forecasting.

He stated that the Town has been proactive to prepare for this upcoming debt by having rate increases in place. With the rate increases that we had we have already been improving our position. Their findings have been positive and the town is meeting or exceeding VRA's requirements. We are making good progress. They were pleasantly surprised and the town should be commended.

APPROVAL OF MINUTES

Motion was made by Councilmember Fox, seconded by Councilmember Catron to approve the minutes of January 11, 2022. On vote, Councilmember Catron, aye; Councilmember Brown, aye; Vice Mayor Mullins, aye; Councilmember Davis, aye; Councilmember Fox, aye; Councilmember Beasley, aye.

APPROVAL OF FINANCIAL STATEMENTS

Motion was made by Councilmember Beasley and seconded by Councilmember Fox to approve the financial statements for January 2022. On vote, Councilmember Catron, aye; Councilmember Brown, aye; Vice Mayor Mullins, aye; Councilmember Davis, aye; Councilmember Fox, aye; Councilmember Beasley, aye.

PLANNING COMMISSION COMMITTEE

Councilmember Davis stated that the Planning Commission did not meet this month.

UPDATE ON SPORTS COMPLEX

Manager Day stated that the final rule came out in January for the APRA funds. They are not in effect until April. They have made a standard deduction for local governments of \$10 million. Our auditors have reviewed and we are more on target with our project now than we were before with this new setup. Next Tuesday we will get an unsolicited PPP proposal and will review and update. We have been trying to get grants and funds for this project to keep our cost requirements lower.

UPDATE ON TAZEWELL CINEMA & ENTERTAINMENT

Manager Day stated that he spoke to Sharon Thomas yesterday and she provided drawings for the cinema. She stated that by October 2022 it will be nearing completion of construction.

DEMOLITION BID RESULTS

Manger Day stated that they opened bids today at 2:00pm for the three buildings that will be demolished. The bids were as follows:

Reclaimed Company \$180,000.00

Taft & Frye \$124,000.00

Empire Salvage \$97,000.00

C & S Construction \$140,000.00

This again is for the front three buildings. He stated that he would send out a recommendation after he has more time to really sit and review them.

SPECIAL EXCEPTION PERMIT FOR 168 MAIN STREET

Councilmember Brown made a motion to approve the special exception permit for 168 Main Street. Councilmember Beasley seconded the motion. Councilmember Davis stated that she would like to address some of the questions that were brought up in the public hearing. There will be parking for the Airbnb behind the building and it does have designated spots. She also stated it was one bedroom and the most that would be staying there would be 3 or 4 people. On

vote, Councilmember Catron, aye; Councilmember Brown, aye; Vice Mayor Mullins, aye; Councilmember Davis, aye; Councilmember Fox, aye; Councilmember Beasley, aye.

MISCELLANEOUS

Manager Day stated that the playground project is on target to be remodeled for the 1st of March. We will salvage as much as we can.

For the splash pad project, we have removed the kiddie pool. Water line has been hard to get. This factor is also concerning because we have a water line extension project coming up and he thinks it will be pushed back because we are unable to get supplies.

LAND LEASE TAX

Manager Day stated that he had always thought that if a locality owned a property, tax did not apply. The Code says it could have a real estate tax based on land lease taxes.

TRANSIENT OCCUPANCY TAX

Manager Day stated that each year we try to pick an area we do as public servants and try to improve on it. One year it was cigarette tax, last year it was hair salon requirements. This year it is transient occupancy tax. We will be sending a packet to each business owner that operates this type of business and include various information for their business operation.

FYI-FUNDING REQUEST FROM CRAB ORCHARD MUSEUM -TO BE CONSIDERED IN BUDGET WORK SESSION

This item was just for information purposes we will table it until our budget work session where it can be discussed.

FYI-FUNDING REQUEST FROM TAZEWELL HIGH SCHOOL PROJECT GRADUATION -TO BE CONSIDERED IN BUDGET WORK SESSION

Karen Ross and several members of the senior class came before council to request the annual donation for project graduation. Mrs. Ross stated that they are trying plan an event for them to have after graduation. They would like to ask for a donation toward this event. Motion was made by Councilmember Fox to donate \$1,000.00 to THS project graduation. Motion was seconded by Vice Mayor Mullins. On vote, Councilmember Catron, aye; Councilmember Brown, aye; Vice Mayor Mullins, aye; Councilmember Davis, aye; Councilmember Fox, aye; Councilmember Beasley, aye. They thanked council for their donation.

FYI- FUNDING REQUEST FROM BRAIN INJURY SERVICES-TO BE CONSIDERED IN BUDGET WORK SESSION

This item was just for information purposes we will table it until our budget work session where it can be discussed.

EMS UPDATE

EMS Administrator Syndee Saleem, stated that revenue is picking up. They had a back up and had some delay of payments and those are starting to come in now. They have signed up with Motive Care and they have seen an increase in call volume for that. Covid definitely hurt them and has caused prices of supplies etc. to go up as well. Hopefully the new ambulance will be here soon. Manager Day stated that they have put so many miles on our new ambulances that we are going to have to implement a system for getting new rescue squads.

FIRE DEPARTMENT UPDATE

Fire Chief Jason Hodge, stated that they now have 20 active members. All their members have fire certifications expect the newest ones. They have recently gotten all new breathing apparatus. They have ordered a new rescue boat due to the damages they have had to theirs. He stated that the roof at the fire station leaks during heavy rainstorms. They have been putting buckets down to try and catch the water. He stated this has been an on-going issue for about five years. He also stated that the asphalt of the parking lot needs attention because it is deteriorating.

He gave updates on all trucks and discussed issues with the truck if it had any. He discussed issues with getting parts and discussed the age of the trucks. He also gave an update on if each truck passed inspections and tests. He stated that the ladder truck is 45 years old and stated that we have spent \$40,000.00 trying to keep it in working order. He has submitted quotes for new trucks and stated that we have support from the Board of Supervisors of \$250,000.00 toward this. The most recent quote that he has for a ladder truck is \$1.4 million and a pumper truck for \$800,000.00. He stated that we do have a pumper truck that is out of service. He would also like to see the fire department get on a rotation plan for replacing trucks.

Manager Day asked if the ladder truck failed inspection. It was stated yes it did. Then it was asked if we have addressed the issues to fix it. It was answered yes we have and they are corrected now. Manager Day stated that he has spoken to Eric Young and they have offered \$250,000.00 in support, but he has not gotten any request from the county to provide anything to them as of yet.

Councilmember Brown asked if Richlands had a ladder truck. It was answered no they do not, just Bluefield and Tazewell do. Manager Day stated that Eric Young had told him of a grant for the ladder truck. Chief Hodge stated that he had talked to FEMA about assistance and they did not think they would be funding a million-dollar ladder truck. Councilmember Brown asked if they take the ladder truck to calls in the county when they request it. It was answered yes. He then stated that the county should offer more support toward it.

SET BUDGET WORK SESSION

Manager Day stated that there would be a Doodle Poll sent out for us to determine the day and time for the meeting. He encouraged everyone to participate in the poll.

PUBLIC COMMENT

Amanda Killen of 116 English Street came before council and thanked the them for their support of her new business. She also stated that she liked the new packet that had come out for the businesses with transient occupancy tax. She also stated that she is concerned over what she just heard about fire protection. She has her buildings on Main Street and she is also property manager of another building on Main Street and it concerns her.

COUNCIL COMMENTS

Councilmember Fox stated that he thinks the police department has done a good job and he commends the chief for a job well done.

ADJOURNMENT

Motion to adjourn was made by Councilmember Brown and seconded by Councilmember Fox. On vote, Councilmember Catron, aye; Councilmember Brown, aye; Vice Mayor Mullins, aye; Councilmember Davis, aye; Councilmember Fox, aye; Councilmember Beasley, aye.

Meeting adjourned at 9:05pm.