

Council Meeting Minutes

July 11, 2023

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

Present:

Mayor Michael Hoops

Councilmember Jonathan Hankins

Councilmember Zach Cline

Councilmember David Fox

Councilmember Joe Beasley

Absent:

Vice Mayor Glenn Catron

Councilmember Emily Davis

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

CALL TO ORDER

Mayor Hoops called the meeting to order with the pledge of allegiance. Invocation by Nathan Thomas.

SPECIAL PRESENTATIONS/REQUEST

INTRODUCTION OF NEW POLICE OFFICERS SHANNON SKEENS, STACY WHITTAKER, AND MEGAN KITTLE

Police Chief Mills introduced the newest member of his department. Shannon Skeens has worked with SWAT and Task Force and he has been a field training officer. Megan Kittle has had a couple years experience in corrections. She will go to the academy in January. She is very knowledgeable and personable. Stacy Whittaker is from Tazewell and she will begin the academy next Wednesday. She has the willingness to do whatever it takes to do the job.

Chief Mills also stated that they have all been involved with community service in the Town. He stated that he wants the best candidates for the Town and he thanked the manager and council for the salary increases.

APPALACHIAN VOICES

Amanda Killen came before council to tell them about Appalachian Voices. She stated that she is the New Economy Coordinator. Their aim is to support coal impacted communities. They are funded by private donations and grants. She discussed the CBDG for North Tazewell and stated that they would be working through HUD. They had a meeting and discussed funding opportunities. She stated that there will be a community listening meeting on July 27th at the Train Station. She would like to ask for a resolution for this CBDG from council. Mayor Hoops asked when it was due. She answered September. Councilmember Fox asked if this would be in North Tazewell at the post office area. It was stated yes. He said that will be great and good job.

NEW BUSINESS RECOGNITION

MISS SCARLET'S RIVER COTTAGE -999 RIVERSIDE DRIVE

Mayor Hoops introduced Ramona Simmons, owner of Miss Scarlet's River Cottage. She thanked council and stated that it was so nice to be recognized and she really appreciated it. Mayor Hoops presented her with a small gift from the Town and welcomed her and congratulated her.

APPROVAL OF MINUTES

Motion was made by Councilmember Fox, seconded by Councilmember Beasley to approve the minutes of June 13, 2023 and June 22, 2023. On vote, Councilmember Hankins, aye; Councilmember Cline, aye; Councilmember Fox, aye; Councilmember Beasley, aye.

APPROVAL OF FINANCIAL STATEMENTS

Motion was made by Councilmember Hankins and seconded by Councilmember Cline to approve the financial statements for June 2023. On vote, Councilmember Hankins, aye; Councilmember Cline, aye; Councilmember Fox, aye; Councilmember Beasley, aye.

PLANNING COMMISSION COMMITTEE

Zoning & Property Maintenance Official, Chris Hurley stated that Planning Commission discussed rehabilitation clinics and they will have a resolution to discuss later in the meeting.

OLD BOWLING ALLEY RECOMMENDATION FROM I/EDA

Manager Day stated that the I/EDA has a recommendation for the bowling alley. They think that we should take advantage of working with Karen Weber with DEQ for the remediation of asbestos at no cost to the Town. He stated that demo is off the table right now. If we want to do it, we will have to readvertise it. Councilmember Cline stated that he sat in that meeting and the

IEDA wanted to move forward with removing the asbestos and begin that process. Councilmember Beasley believes we could go ahead and do this step to work toward progress. Councilmember Cline stated that if DEQ does the removal, it is a cost savings to the Town. Councilmember Fox stated if DEQ does remove it, then what. He does not think it is fair when someone has already asked about the building. Councilmember Beasley stated that no one is saying a person can't have it. Councilmember Fox wants the person that offered \$25,000 to have the building. Manager Day stated that if that person got the building, they would be going through the exact same process as far as getting the asbestos out of the building. IEDA Chair Nancy Brooks stated that she was at the IEDA meeting and the majority chose to postpone where it ends up and to accept the opportunity from the government funds and get the asbestos out. Sharon Thomas asked if she could speak. Council said yes. Mrs. Thomas stated that she was the party that offered \$25,000. She stated that the DEQ is going to pay for the asbestos removal and it is the IEDA's property. If we are going to try and get a block grant and improve the area we need to move ahead on the project. Councilmember Fox stated that it was not fair if someone offers \$25,000 for the building and we are not doing it. It's not fair to the citizens.

DONATION REQUEST FROM NO OFF SEASON

Manager Day stated that he has received a donation request from No Off Season which is indoor softball training. There are numerous kids involved. The donation would go toward rent payments. Councilmember Cline asked if we could get items listed that the donation would go toward. Is it rent, or electric, etc. What specifically is it for, the request is not clear. Manager Day stated that he will write back and ask for clarity.

BUDGET AMENDMENTS

Treasurer Regon stated that she has prepared several pages of budget amendments for them to review and approve. This was an audit recommendation in a previous audit. This is being done to realign the budget. She has used funds in the budget to get expenses back in budget. Manager Day stated that the June 30 reports look good. The General Fund looks good. He stated that it is not illegal to have budget overages but we just try to align the budget so it looks better to present. There are not any newly created line items, it is just unforeseen expenses that cause overages. Councilmember Cline asked if doing budget amendments helped us get closer in our original budgeting. Manager Day stated yes it does help but when you are preparing a budget some lines are still hit or miss. Treasurer Regon stated that by doing the budget amendments it has removed that comment from the final audit. Motion to approve amendments made by Councilmember Cline. Motion was seconded by Councilmember Hankins. On vote, Councilmember Hankins, aye; Councilmember Cline, aye; Councilmember Fox, aye; Councilmember Beasley, aye.

APPROVE RURAL DEVELOPMENT RESOLUTION FOR FUNDING & CODE OF CONDUCT FOR NEW POLICE CRUISER

Manager Day stated that each year council has approve Rural Development giving us free money. Manager Day read the resolution. Councilmember Beasley made a motion to accept. Motion was seconded by Councilmember Fox. On vote, Councilmember Hankins, aye; Councilmember Cline, aye; Councilmember Fox, aye; Councilmember Beasley, aye.

Manager Day read the Code of Conduct. Councilmember Fox made a motion to accept. Motion was seconded by Councilmember Hankins. On vote, Councilmember Hankins, aye; Councilmember Cline, aye; Councilmember Fox, aye; Councilmember Beasley, aye.

UPDATE ON SOLAR FARMS

Treasurer Regon stated that there had been talk of solar farm interest in the Town. Zoning & Property Maintenance Official, Chris Hurley stated that there is no application yet but we are trying to be proactive and educate ourselves. Treasurer Regon stated that this is the information she has gathered so far, she had given each councilmember a handout to follow. She stated that peak production is made in four to six hours depending on the amount of sun you get. She discussed how energy is measured. She stated that it would take an estimated 21,000 solar panels to make five megawatts of energy. Five megawatts of energy would need an average of 30-40 acres to produce. It would supply power to hundreds of homes.

Solar farms would pay real estate taxes. The real estate would be assessed at a commercial rate. Farms that produce under five megawatts of energy are exempt from personal property tax. Solar farms that produce over five megawatts of energy will pay personal property tax. However, they have the following exemptions on personal property: 80% exempt for the first five years, 70% exempt for the next five years, 60% exempt for each year thereafter. The Town could adopt a revenue share ordinance that would totally exempt the five megawatt and above from personal property tax and it would require the company to pay \$1,400 per megawatt per year. (VA Code § 58.1-2636) That would equal out to \$7,000 in tax revenue.

Manager Day stated that there would be fields of glass and no where to expand our retail areas if they came in. He would like to try and hold it off in our jurisdiction as long as we can. It could happen overnight if we don't have protections for our town. Attorney Pyott stated we should have a way to regulate it. Councilmember Cline asked what zone it would be in. Zoning & Property Maintenance Official, Chris Hurley stated that it is on the agenda next and it is recommended that we put them in the industrial zone.

METHADONE CLINICS DISCUSSION

Manager Day stated that he does not condone this practice. He does have knowledge of the atmosphere around these clinics. We need to be proactive and discuss the issue now. It would have to be so many feet away from a school or daycare. We are trying to provide an area for it.

Councilmember Fox asked if there was a clinic in the old Dr. Murray office on the four lane. It was answered that it was a suboxone clinic. He stated that he is against this issue. Councilmember Hankins stated that there is an increased risk with these clinics. Councilmember Fox stated that when he was an officer he would get a lot of people for DUID. Councilmember Hankins stated that it was a public safety hazard. Councilmember Cline asked if it should be just methadone or should we address suboxone as well. Attorney Pyott stated that the ordinance has treatment clinic in it that way it covers both. Councilmember Cline asked about wind turbines and if we needed to be proactive with them as well. Manager Day stated that we will see what the county has for wind turbines, there may already be something in place.

SET PUBLIC HEARING FOR AUGUST 8, 2023 AT 7:15PM TO AMEND EXISTING ORDINANCE TO ALLOW SUBSTANCE ABUSE TREATMENT CLINIC AND PRIVATE SOLAR ENERGY FACILITY (WITH SPECIAL EXEMPTION PERMIT) IN AN INDUSTRIAL, GENERAL M-1 ZONE

Mayor Hoops read the draft. Attorney Pyott stated that he will get wordage together to advertise for a public hearing. It will be a special exception permit through the Planning Commission. Zoning & Property Maintenance Official, Chris Hurley stated that he will notify everyone in the M1 zone, this will be Walnut Street and the industrial park. Motion to set public hearing was made by Councilmember Fox. Motion was seconded by Councilmember Beasley. On vote, Councilmember Hankins, aye; Councilmember Cline, aye; Councilmember Fox, aye; Councilmember Beasley, aye.

SET LINCOLNSHIRE LAKE FISHING HOURS

Manager Day stated that in 2018 we looked at the hours for fishing. There were concerns voiced and discussions about the misuse of the property in the dark. There were concerns about the inflatables. Councilmember Fox asked if there were any lights at the lake. Chief Mills answered no, it was as dark as it could be and there's a lot of meanness that could happen up there in the dark. Mayor Hoops stated that citizens have asked if we could mimic what the county has for Lake Witten. Manager Day asked Councilmember Hankins if the sheriff's office had a lot of calls for Lake Witten. He answered no not many, but they also have cameras up there and there is more lighting. Chief Mills stated that he didn't like the idea of having it open at night. If they want to hold a tournament there at night that's fine but not every night. Councilmember Beasley asked is it possible to have one night a month or one weekend a month to give people the opportunity to have night fishing. Councilmember Hankins stated that there is an inherent risk such as people could fall in, or drown, etc. Chief Mills suggested having a night tournament and see how many shows up and see what kind of interest there is. Manager Day suggested having it open one night a month for the rest of fishing season and see if there is any interest and then increase it from there. Motion was made by Councilmember Fox to approve one night a month.

Councilmember Cline asked if they wanted to set dates that way we could let the public know. He stated that he is for having public land where the public can use it. Manager Day stated that there should be discussion with the police chief and recreation director and discuss town nights per month. Councilmember Fox resends his motion. Councilmember Fox makes a motion to have Lincolnshire Park open two nights a month for night fishing. Motion was seconded by

Councilmember Cline. On vote, Councilmember Hankins, aye; Councilmember Cline, aye; Councilmember Fox, aye; Councilmember Beasley, aye.

DISCUSS SHIRT PURCHASE

Manager Day stated that in the past we have ordered shirts and provided shirts for council to wear to events representing the Town. He will send out an email to get sizes.

COMMITTEE DISCUSSION

Manager Day stated that there were a lot of topics on the table right now. Over the next month he wants to establish a communication level with committees. We would all work together in one direction. There would be a finance committee, an EMS committee, and a recreation committee. There can't be more than two elected officials on each committee. Councilmember Fox stated that he was concerned there would be a conflict, such as if Councilmember Hankins was on the police committee, would it be a conflict. Manager Day stated that anything that came out of these committees would come back to the whole council. Manager Day stated that he will bring more information on the committees.

MISCELLANEOUS PUBLIC COMMENT

None.

EMS Administrator Saleem stated that this morning one of their EMT's was on their way to work and they were in a really bad accident. They were taken to the ER and found to have a brain bleed. They were then transferred out. She asked that everyone keep this employee in their thoughts.

COUNCIL COMMENTS

Councilmember Hankins asked how the splash pad was doing. Manager Day said it was a home run. There have been a few complaints but we are trying to address those. It was stated that they did over \$2,000 in one day. It was a big project for us and it has been a great addition.

ADJOURNMENT

Councilmember Beasley made a motion to adjourn. Motion was seconded by Councilmember Cline. On vote, Councilmember Hankins, aye; Councilmember Cline, aye; Councilmember Fox, aye; Councilmember Beasley, aye.

Meeting adjourned at 8:48pm.