

TOWN OF CLINCHCO
COUNCIL MEETING
MINUTES OF MEETING ON JANUARY 19, 2023

MEMBERS PRESENT: Vice Mayor Jelane Mock, Herbert Branham, Stearl Branham, Trevor Counts

MEMBER'S ABSENT: Mayor Jarvis Deel, Ruby Coleman, Cynthia Ellis

TOWN CLERK: Tina Deel (Absent)

TOWN ATTORNEY: Greg Baker (Via Telephone)

Call to Order & Welcome by Vice Mayor:

Vice Mayor Jelane Mock called the meeting to order, and asked for everyone to stand for the pledge of allegiance; (everyone stood towards the flag). Vice Mayor Jelane Mock asked for a moment of silence.

Approval of Minutes;

Consent Expenditures:

Vice Mayor Jelane Mock asked for council to look at the expenditure report and if there was any discussion; no discussion was made; Stearl Branham made a motion to approve the consent expenditures; Herbert Branham seconded the motion; a vote was taken and all members were in favor.

Additions to the Agenda:

Vice Mayor Jelane Mock asked for any additions to the agenda; No additions were added. Vice Mayor Jelane Mock stated he wanted to adjust the agenda. Moved the Wolf pack softball to the top of new business so we can get them out of here.

Approval of the Agenda:

Vice Mayor Jelane Mock asked for a motion to approve the agenda; Stearl Branham made a motion to approve the agenda with the modification; Herbert Branham seconded the motion; a vote was taken and all members were in favor.

Old Business:

FEMA:

Vice Mayor Jelane Mock stated just as an update on the FEMA project, all the letters have been mailed out to the land owners for the abandoned homes. We haven't had a meeting with the Olson group since then to see where we are on that. I know a couple of them have contacted me so they have received their letters. We are just waiting on those packages to come back in and wait to hear from the Olson group to find out what the next steps are.

Trailer on Carson Street:

Vice Mayor Jelane Mock stated he wasn't sure what Tina was wanting to discuss on that, Can I get a motion to table the topic until next month; Stearl Branham made a motion to table the discussion until next month; Herbert Branham seconded the motion; a vote was taken and all members were in favor.

Car Wash:

Vice Mayor Jelane Mock stated just as an update on the car wash; it is almost all the way down. They did work on it some more today they hauled off some parts they already had down. He will come back next week to haul off some more of it then after he gets that hauled off, all that will be left will be getting the concrete pad up. Hopefully it will not be to long and we can move forward with the pocket park.

New Business:

Wolfpack Softball:

Vice Mayor Jelane Mock stated we have the ladies here from the Wolfpack softball team they have put in their donation request form, I just handed it out to you all and we will give them the floor. The team explained that they were asking for a donation to purchase batting helmets for the team and the total was \$821.09, and they are going to do a fundraiser. Jelane stated we do have \$1,000.00 for donation so what ever you all are fine with donating then so am I. Other discussion was made of making a donation; Herbert Branham made a motion to make a donation of \$300.00; Stearl Branham seconded the motion; a vote was taken and all members were in favor.

Safe – ARPA

Vice Mayor Jelane Mock stated that Tina has printed off a safe it is a 37X22 inch safe. The safe she has in there is becoming extremely hard to open. Today she asked me to open it for her and it took me about 15 mins to get it open. Herbert Branham stated he had bought one about three years ago at Sams Club and it is fire proof. Jelane stated this one is fire proof and water proof, set your own digital combination, and it weighs 217 lbs. other discussion was made of the safe. Trevor Counts made a motion to table to discussion and to check at Sams Club for prices as well; Herbert Branham seconded the motion; a vote was taken and all members were in favor.

Clinchco Greenspace Master Plan:

Vice Mayor Jelane Mock stated CDAC has sent us some proposals to do a concept master plan like they done with the down town area for the greenspaces that will be left after the FEMA project. For those proposals they will be broke up into two different grants one that they have now and one that starts on February 20th. the one that is running now will require a cash match of \$300.00 from us and the one that is running February 20th – May will require a cash match of \$2,000.00 if we want them to come do all the site inventory, base mapping, create concepts of what we can do with the greenspace after the FEMA grant demos those homes. We probably need to do this in two separate votes, is that right Greg

since this is two different proposals; Greg Baker stated yes, that is what I would do. Jelane stated the first one that is running now would require \$300.00 cash match from the town, and what they would do on that is their information gathering, site inventory and analysis, create concepts for us, and have meetings with us showing what the concepts came up with that on will run through February 17th. Stearl Branham made the motion to go forwards with the \$300.00 match funds; Herbert Branham seconded the motion; a vote was taken and all members were in favor.

Vice Mayor Jelane Mock stated the second one will be a \$2,000.00 match. This one will run from Feb to May. Vice Mayor Jelane Mock asked for a motion to allow them to continue their work from Feb – May with a \$2,000.00 cash match. Herbert Branham made the motion to move forwards with the \$2,000.00 cash match that will allow their work to continue from Feb – May; Stearl Branham seconded the motion; a vote was taken and all members were in favor.

2023 Events:

Vice Mayor Jelane Mock stated the county has started a planning group and I have attended the meetings. Where they want to try to promote all events going on around the whole county. They are going to start their county wide calendar with every locality event they will list them on the website and promote them through tourism pages. They have asked for us to identify that we as a town are going to do in 2023, Haysi has already turned in their list, I can't remember if I have seen Clintwood's or not. I know a few things that I was wanting to do. One was to do an easter thing, JR said the Kiwanis will be doing an easter egg hunt so I wouldn't mind partnering with them. We need to work around the other places having easter egg hunts. Herbert Branham asked if JR said the Loins Club would be helping; Jelane stated yeah, he said you all were partnering. The Breaks will be doing their easter egg hunt on April 8th. Haysi Ridgeview trails will be having an event that day so that's not a good date. I would think about moving it if I was you all, but regardless I would like the town to partner with you all on that. Herbert Branham stated that's when we do it at the Sandlick School. Discussion was made if the Loins Club and Kiwanis has already put their date out for the easter egg hunt. Herbert Branham stated we will have a meeting Monday night. Other discussion was made of having the easter egg hunt on April 8th. Jelane stated he felt they would have a better crowd if they done it on a different date. Jelane asked what other events were we planning on having; he said sometime the first of June the Kiwanis is going to the out of school bash. We had discussed Clinchco Days what are we going to do about that; Jelane asked if council wanted to continue Clinchco Days; Stearl Branham stated I think so as a town; Jelane agreed. The next question is do you want to keep it the same day, because if we keep it the same day we are competing Haysi. Discussion was made of changing the date for Clinchco Days. Council decided to have Clinchco Days on October 7th. The town will partner with the Loins and Kiwanis Club for the easter egg hunt. Jelane stated we will do the Christmas Parade again. Discussion was made of changing the time of the Christmas Parade. Council decided to have the Christmas Parade on December 9th and to begin at 4 pm. October 14th is the Zombie Thon event. Discussion was made of different dates for trick or treating. Council decided to have trick or treating Monday October 30th.

Surplus:

Vice Mayor Jelane Mock stated he had a guy approach him wanting to know what we were going to do with that chain link fence sitting down there; do we have any plans for that and if not do we want to surplus and auction it, also if we are going to surplus and auction that we do more than that. Jelane stated wait a couple weeks get a list together and go from there. Jelane stated that to Greg do we want to do the surplus ad once we compile a list or do we have to specifically name what we want to auction;

Greg Baker stated we need to get together like you all are doing and decide what you want to keep and then make a list, and it doesn't have to be every single thing. Make a list of everything you want to call surplus items that you want to sell. Once you have the list, here is what needs to happen at the next meeting that list needs to be ready. The council then needs to declare everything on that list as surplus property of the town. Once that list is down there and you have voted all the list and classified it as surplus then you can vote to advertise it, to sell it. You can sell it, you can say you reserve the right to sell it in one entire lot, in several lots, or by item. So that gives you flexibility to get the most out of here. Jelane stated that Tina said the bleachers was down there as well; Stearl Branham stated he would go down there and check it out. Vice Mayor Jelane Mock stated that if they were he would like to donate them to the fair for the truck pull area. Council agreed, if they can find them.

Christmas Decoration Quotes:

Vice Mayor Jelane Mock stated he did have some quotes for Christmas decorations and Christmas Tree. Jelane read the quote to council out loud. Council made discussion of the quotes. Herbert Branham made a motion to table the quotes; Trevor Counts seconded the motion; a vote was taken and all members were in favor.

Executive Session:

Vice Mayor Jelane Mock stated he would like to ask for a motion to go into executive session pursuant to Virginia code 2.2-3711 for the matters of discussing personnel matter A1 and legal consultation A8; Herbert Branham made the motion; Stearl Branham seconded the motion; a vote was taken and all members were in favor.

Herbert Branham made a motion to return in open session; Stearl Branham seconded the motion; a vote was taken and all members were in favor.

Vice Mayor Jelane Mock asked for a motion pursuant to Virginia code 2.2-3712 certifying only public business matters presented and identified to go into closed session were discussed or considered by town council; Stearl Branham made that motion; Roll Call vote: Trevor Counts yes, Stearl Branham yes, Herbert Branham yes, Jelane Mock yes.

Public Comments:

Vice Mayor Jelane Mock asked for public comments; no comments were made.

Council Comments:

Trevor Counts stated that Tina the Clerk from November to October she made over \$5,000.00. Vice Mayor Jelane Mock stated \$3,600.00 in three months, from the 22nd of November to 13th of January. Trevor Counts stated to me I don't know; I don't come down here to see what she is or is not doing. But I don't think she should be working no more than three days a week. Jelane stated, I will tell you since I have taken over, I have kept her busy. Especially with these grants she has been a rock star. Really is isn't even her clerk job to be doing all that she is doing on these grants, but we don't have anyone else hired for it. She has taken on a lot of responsibility. Stearl stated that stuff she has never had to do. Jelane stated with this FEMA grant she has pretty much done all of it all I do is sit in on it, the calls.

Jelane stated at times when we don't have projects going on she doesn't need to work the full 40. But when we do have projects going on she has definitely worked for her money.

Jelane stated to the town attorney, how can we change our policy on attendance for council meetings. Greg Baker stated council meetings; Jelane stated yeah. Greg Baker stated well you know Jelane that is a really bad situation and you know like we have talked before we don't have, under the Virginia law council doesn't have authority, and council doesn't have the authority for anyone to retain their seat for council. The Virginia law to remove a public official is to have at least 10 % of the registered voters that voted in the last election for the person you are seeking to remove from office that they would have to sign a petition to seeking to remove them and the basis they would be seeking to remove has to be specifically stated. In this case it would be lack of participating in council meetings since whatever. Once that 10% of those signatures is confirmed by the registrar that they are in fact you have got the 10% then it is sent to the circuit court to the commonwealth attorney office for trial. Basically, the circuit court issues what is called a rule to show cause and that is basically summons the person into court and there to be a trail and the common wealth states on the case of why it is the citizens are removing this individual, and then they are removed by the judge. I know we are battling all the time to have 4 people to make a quorum. Greg stated he didn't know if anyone could talk to them out of council closed session due to personal matters to be here or to resign. If they did resign then council could go ahead and appoint someone. If anybody has any thoughts or influence with any of the ones who have an attendance problem to be able to talk with them and explain the difficulty of not having them there, you want them there because they were elected, but on the other hand if they aren't able to come because of family reason, lost interest, I don't know the reason maybe. But it would really be helpful if they would consider resigning so council could get someone on that could be there. Short of there, I really don't know what else to say.

Trevor Counts stated one of our council members have moved out of town to Bristol. Greg Baker stated he had heard that, that has been the rumor and if that be the case then that would be one of them that someone could talk to and say we understand you have moved to better your self and working out of town and you're probably not going to be able to come to the meetings would you consider resigning so we can get somebody on in your place so we can have a little bit of cushion with a quorum.

Adjournment:

Trevor Counts made a motion to adjourn; Herbert Branham seconded the motion; a vote was taken and all members were in favor.