

TOWN OF CLINCHCO
COUNCIL MEETING
MINUTES OF MEETING ON 7/15/2021

MEMBERS PRESENT: Vice Mayor Ruby Coleman, Herbert Branham, Stearl Branham, Trevor Counts, Jelane Mock, Cynthia Ellis

MEMBER'S ABSENT: Mayor Jarvis Deel

TOWN CLERK: Tina Deel

TOWN ATTORNEY: Greg Baker (Via Telephone)

Call to Order & Welcome by Vice Mayor:

Vice Mayor Ruby Coleman stated the meeting of town council will be called to order; a quorum is present. At this time can we stand for the pledge of allegiance; (everyone stood towards the flag). Vice Mayor Ruby Coleman asked for a moment of silence.

Approval of Minutes:

Vice Mayor Ruby Coleman asked council if they had a chance to review the minutes; Jelane Mock made a motion to approve the minutes; Herbert Branham seconded the motion; a vote was taken and all members were in favor.

Approval of the Bills:

Consent expenditures:

Vice Mayor Ruby Coleman asked council if they have had a chance to look at their consent expenditures and asked if there was any discussion; Trevor Counts asked how much money was in the Savage account last month. Tina went to print her off a previous report for Trevor to view. No other questions were asked. Jelane Mock made a motion to approve the consent expenditure report; Stearl Branham seconded the motion; a vote was taken and all members were in favor.

Additions to the Agenda:

Vice Mayor Ruby Coleman asked for any additions to the agenda: Ruby asked to add the Clinchco Police Department.

Approval of the Agenda:

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

New Business:

Appalachian Voices:

Katie with Appalachia Voices explained to council what exactly the Appalachian Voices was and how they can help communities and in what areas they focus on for repurposing projects.

Clinchco Kiwanis:

JR with Clinchco Kiwanis addressed council regarding the building and how COVID interfered with them working on the building. We did have some money and we ended up spending more than what we thought. Because of insurance we had to have a second door in the back and a ramp and we replaced the whole roof. We want to get that building open we are at a dead stop with our food pantry because we have no place to store it. JR discussed his concerns with council of not being able to have a place to store the things they need to so they can give it away to the citizens. JR explained how the building could never be sold but handed over to another non-profit entity. JR stated the reason he was here tonight was to ask council for help. \$10,000.00 will make that building immaculate, but we can get moved in the building for \$5,000.00. Other discussion was made over the building.

Clinchco Police Department:

Chief of Police, Richard Thacker let council know that he has applied for a couple grants and was awarded: three tactical Flash Lights and spikes for the police vehicles.

Election of 2nd Vice Mayor:

Greg Baker addressed council regarding the importance of having a 2nd Vice Mayor. He read the code to council that in the absence of the Mayor the Vice Mayor will step up in the elected Mayor's absence. Now the Vice Mayor is acting Mayor in Jarvis absence, it seems to me if she isn't available or if something happened to her it would make sense that you all would need another person as a 2nd Vice Mayor. Discussion was made of an early election and the process of removing an elected official in Virginia. Ruby Coleman made a nomination Jelane Mock; Tina Deel asked if there were any other nominations; no other nominations were made. Herbert Branham made a motion for Jelane Mock to be the 2nd Vice Mayor; Stearl Branham seconded the motion; a vote was taken and all members were in favor.

QuickBooks:

Tina Deel stated that she had contacted QuickBooks today to get a quote on the full version. It would be around \$1,200.00 to get stated and every year there after it would run \$1,200.00 yearly. Discussion was made of QuickBooks and the town needing some sort of accounting system. Jelane Mock made a motion to table the subject and let Tina find out what the neighboring towns use. Herbert Branham seconded the motion; a vote was taken and Herbert Branham voted yes, Stearl Branham voted yes, Cynthia Ellis voted yes, Jelane Mock voted yes, Vice Mayor Ruby Coleman voted yes, Trevor Counts voted no.

Acceptance of Quit Claim Deed for the Mill Street Playground:

Jelane Mock made a motion to accept and give Ruby Coleman and Greg Baker the authority to sign the Quit Claim Deed from the Board of Supervisors for the Playground, seven lots; the

basketball court, playground, the one lot where the trailer is. Herbert Branham seconded the motion; a vote was taken and all members were in favor.

Executive Session:

Jelane Mock made a motion to go into executive session pursuant to Virginia Code 2.2-3711 A1 Personnel matters, A7 for Legal matters, and A3 for Acquisition of Real Property. Vice Mayor Ruby Coleman stated she would like to invite Tina Deel and our officers to stay for the executive session; an audience member asked why; Jelane Mock responded due to personnel matters. An audience members asked if that was all they were going to talk about. Jelane stated again the subjects that would be discussed in the closed session. Herbert Branham seconded the motion; a vote was taken and all members were in favor.

Certification and Reconvene into Open Session:

Jelane Mock stated we are back into open session; Cynthia Ellis made a motion pursuant to Virginia Code 2.2-3712 certifying that only public business matters exempted and identified in closed session were discussed and considered by the town council; Herbert Branham seconded the motion; a vote was taken and all members were in favor. **Roll Call Vote:** Trevor Counts voted yes, Herbert Branham voted yes, Stearl Branham voted yes, Jelane Mock voted yes, and Vice Mayor Ruby Coleman voted yes. Vice Mayor Ruby Coleman declared council back into open session.

Clinchco Police Department:

Vice Mayor Ruby Coleman made a motion to pay the police officer a one time \$200.00 essential worker pay; Herbert Branham seconded the motion; a vote was taken and all members were in favor.

Greg Baker Town Attorney:

Trevor Counts made a motion to pay our attorney, Greg Baker \$600.00 a month (Legal Retainer) starting as of August and will last for two years and then council will revisit; Jelane Mock seconded the motion a vote was taken and all members were in favor.

Old Business:

Approval of Utility Vehicle Ordinance:

Jelane Mock made a motion to approve the Utility Vehicle Ordinance; Stearl Branham seconded the motion; a vote was taken and all members were in favor.

Roll Call Vote: Trevor Counts yes, Stearl Branham yes, Herbert Branham yes, Cynthia Ellis yes, Jelane Mock yes, Vice Mayor Ruby Coleman yes.

Approval of the Golf Cart Ordinance:

Jelane Mock made a motion to approve the Golf Cart Ordinance with the amendment of the duplicate paragraph and change the violation from a class 3 to a class 4 misdemeanor with a maximum fine up to \$250.00; Herbert Branham seconded the motion; **Roll Call Vote:** Trevor Counts yes, Herbert Branham yes, Stearl Branham yes, Cynthia Ellis yes, Jelane Mock yes, Vice Mayor Ruby Coleman yes.

Update on the American Rescue Fund:

Vice Mayor Ruby Coleman stated as an update on the ARFP, at the last meeting we had discussed what we thought we may receive. We have received \$22,912.50. We will receive a duplicate amount of this in the next year, 2022. We also received paper work from the state that would allow us to send back some information that we could potentially get around \$10,000.00 more. That isn't guaranteed that is just paper work we filled out and hoping for. If we do receive more, we may receive it in August.

Update Clinchco School Property:

Vice Mayor Ruby Coleman stated three letters of interest was sent to the school board to let them know the town is interested in the property. The attorney had indicated he was speaking with Lemman and he was going to have to find out what the property could be used for. He did indicate that he didn't have a problem with returning all the school properties back as surplus, but work would have to be done on their part. That isn't no guarantee that anything will happen that is only an update of what happened at their board meeting.

Update on the BOS Funding, Letter and Playground Equip Request:

Vice Mayor Ruby Coleman stated a letter was sent to request funds for the Clinchco Days and Shifty Powers Days. Jelane Mock stated that he also sent a letter to request money to upgrade the playground since it has been turned over to the town, I haven't heard anything yet. Peggy Kiser stated she thought that the letter of request over the playground equipment would fall under the ARFP, but there hasn't been any actual voting on anything yet. It has been discussed though. Peggy Kiser spoke about the reasons of why the money was sent to the town this time around and the importance of record keeping and book keeping purposes. Trevor Count made discussion regarding the planning committee and then stated she wants an audit from 2016-July 2021. Greg Baker stated right now at this time the agenda has been approved and that topic will have to be on next month's agenda.

Readoption of Rules and Procedures:

Vice Mayor Ruby Coleman asked if everyone has had a chance to look over the rules and procedures; Greg Baker explained to council that the general assembly changed the cycle of elections for towns in Virginia. As you all recall the town election would be in May, this will no longer be the case. All elections from now on will be in November. The town election will no longer be in May. If you choose to run again for reelection you will no longer run in May, you will run in November. The four-year term would begin in the following January. This is the only change in the rules and procedures and it needs to be readopted. Jelane Mock made a motion to readopt the rules and procedures; Cynthia Ellis seconded the motion; a vote was taken and all members were in favor.

Public Comments:

Vice Mayor Ruby Coleman asked for public comments; a citizen stated the importance of trying to help the Clinchco Kiwanis Club. Vice Mayor Ruby Coleman stated yes, we are working very hard to help them and we have not forgotten about them, and how important they are to our community.

A citizen asked about the monthly deposit from Savage wasn't listed on the treasurer's report; Tina stated that we haven't received it yet. It comes by automatic deposit; it just hasn't hit the account just yet. Discussion was made of when and the time frame. Discussion was also made of using the Savage money. Discussion was made of the dumpster fees and council explained what the money was used for (upkeep of the dumpsters).

Question was asked about a four-wheeler trail; council answered they do believe it could bring revenue to the town.

Other discussion was made of Clinchco Days/Shifty Powers Days.

Discussion was made of auction properties the town was interested in purchasing.

It was stated a lot of people were interested in a register for the money market account. Tina made available for everyone a copy.

Peggy Kiser made everyone aware when the corp of engineers would be available at the town hall for people with questions.

Council Comments:

Vice Mayor Ruby Coleman asked for Council Comments; Council discussed the UTV Ordinance, and how they want growth in Clinchco. Herbert Branham made a motion to donate \$5,000.00 to the Clinchco Kiwanis (motion failed). Greg Baker intervened to give council direction of how they should handle council comments and how any motions need to be put on the agenda as an item for discussion and a vote. Jelane Mock made a motion to put a play ground grant committee on the next agenda, Vice Mayor Ruby Coleman seconded the motion a vote was taken and all members were in favor.

Vice Mayor Ruby Coleman stated just as an update the Lane Group is finished with the feasibility study and will be presenting it to me and Tina. After we find out we will update everyone.

Recess:

Jelane Mock made a motion to recess the meeting until July 21st at 5:00 pm. Herbert Branham seconded the motion; a vote was taken and all members were in favor.