

TOWN OF CLINCHCO
COUNCIL MEETING
MINUTES OF MEETING ON 11/18/2021

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

MEMBER'S ABSENT: Mayor Jarvis Deel, Jelane Mock

TOWN CLERK: Tina Deel

TOWN ATTORNEY: Greg Baker (Via Telephone)

Call to Order & Welcome by Vice Mayor:

Vice Mayor Ruby Coleman called the meeting to order, and asked for everyone to stank 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 to take a look at their minutes; Herbert Branham made a motion to approve the minutes; Stearl Branham seconded the motion; a vote was taken; Stearl Branham voted yes, Herbert Branham voted yes, Vice Mayor Ruby Coleman voted yes, Trevor Counts voted yes, Cynthia Ellis voted no.

Consent Expenditures:

Vice Mayor Ruby Coleman asked for council to look at the expenditure report and if there was any discussion; Herbert Branham asked about the transfer from the Money Market account to the General Account; Tina Deel stated that was part of the budget and council voted on in June to have the transfers made. Herbert Branham made a motion to approve the consent expenditure report; Stearl Branham seconded the motion; a vote was taken; Herbert Branham voted yes, Stearl Branham voted yes, Vice Mayor Ruby Coleman voted yes, Trevor Counts abstained from voting; Cynthia Ellis abstained from voting.

Additions to the Agenda:

Vice Mayor Ruby Coleman asked for any additions to the agenda; no additions were made.

Approval of the Agenda:

Stearl Branham made a motion to approve the agenda; Herbert Branham seconded the motion; a vote was taken; Herbert Branham voted yes, Stearl Branham voted yes, Vice Mayor Ruby Coleman voted yes, Trevor Counts abstained from voting; Cynthia Ellis abstained from voting.

Old Business:

Trailer:

Vice Mayor Ruby Coleman stated as soon as our attorney calls in, we will revisit this subject. The town attorney is now present; Vice Mayor Ruby Coleman stated Tina can get the home owner on the telephone now. Ruby stated to the home owner that the attorney will explain the logistics behind the property, what we can and cannot do. Discussion was made over the property changing hands from the school board to the town. Greg explained to the home owner what the deed stated regarding the property and how the town can't legally let the trailer just sit on the property. The home owner stated she did understand and at this time there was no way she could move it and she would have to speak with her sister again. Is there no way to pay the town lease or rent to let the trailer stay there until she could figure it out. Greg stated the town would not be able to accept rent legally because of the stipulation that is in the deed that it has to be used for recreational purposes only. Greg explained legal actions that could be taken by the town. The home owner asked to call her attorney tonight. Greg stated that he does believe council wants to give her every opportunity to get the trailer off the property. Greg asked how long it would be before she could come and get the stuff inside the home; The home owner stated who could change the stipulations that is in the deed; Greg stated it cannot be changed, it was a stipulation that was put in the deed when they gave it to the town. Other discussion was made of the stipulations in the deed. Other discussion was made of moving the trailer off the property. The homeowner stated right now at this moment there is no way she could make a decision. She will have to talk with her sister and her attorney. Ruby stated as a reminder to Greg that the county has given the town \$51,000.00 for play ground equipment. Other discussion was made of legal actions that the town could take. Ruby asked the home owner if she had any family members here that could go in and retrieve the belongings out of the trailer; the home owner stated yes there is, but would prefer to do it herself. The home owner stated she would like to speak with her attorney tonight and asked how long the meeting would be lasting; Ruby stated between 8 – 8:30 tonight. The home owner stated she would try to get up with her attorney and sister tonight and call back later.

The clerk passed down the master plan for council to be viewing while they wait for the home owner to get back in contact with council.

ARPA Budget:

Vice Mayor Ruby Coleman stated let's revisit the APRPA Budget; the Clerk asked the town attorney to look at lost revenue. That was probably the topic council wanted to talk about. Greg stated that is certainly is not a good thing, the Clerk stated it was quite a bit. Tina asked Greg if the amount could be justified; Greg stated he believed that it could be. Greg stated he has looked at the guidelines and his answer was yes. Greg stated the way it is written, is that it is so general and his answer was yes, all lost revenue. Herbert Branham made a motion to accept the proposed 2021-22 ARPA Budget; Stearl Branham seconded the motion; a vote was taken; Vice Mayor Ruby Coleman voted yes, Herbert Branham voted yes, Stearl Branham voted yes, Trevor Counts voted yes, Cynthia Ellis abstained.

Shed Materials:

Vice Mayor Ruby Coleman stated as an update: the information was sent to the paper and they made a mistake. They contacted the clerk and it wasn't put in the news paper as expected, but they will run it next go around.

Tiny Business Village:

Vice Mayor Ruby Coleman stated we do have an update on the business village; Tina stated we had a zoom meeting with four DHCD people. What we were discussing was funding for the Tiny Business Village. They wanted a more detailed description of the business village. They were very receptive about the idea and there was discussion of the town applying for ARC funding. That funding should open up in a couple weeks. I have been working with People Inc. to write the grant and we also discussed a CPROP application for matching funds. We have contacted Chris with the Lane Group to give us a detailed description in writing for the Tiny Business Village and it will be submitted to the papers asking for letters of interest to be sent to the town hall.

New Business:

Friends of the River:

Vice Mayor Ruby Coleman stated we need to table the Friends of the River subject. The guy we were supposed to talk to today called last minute and said he wasn't available tonight, but will call in for the December meeting.

Christmas:

Vice Mayor Ruby Coleman stated we will be having our parade on November 27th. Line up will be at 5, the parade will be at 6. Ruby stated so far, we have 22 entries. We are looking for volunteers someone to help line up the parade. Discussion was made of volunteers to help line up the parade. Herbert Branham stated he felt as far as the Christmas decoration we have on the light poles the town could use 6 more, and maybe the year after that get some more. Discussion was made regarding the Christmas light pole decoration. Herbert Branham made a motion to allow the Clerk talk to talk to the contact guy and see if we can work out a deal on the town purchasing 6 more in January; Stearl Branham seconded the motion; a vote was taken; Vice Mayor Ruby Coleman voted yes, Stearl Branham voted yes, Herbert Branham voted yes, Trevor Counts voted no, Cynthia Ellis abstained from voting.

Apple Shop:

Vice Mayor Ruby Coleman stated we came in contact with an Apple Shop representative. Ruby stated this had been discussed before but we needed a master plan before anything like this could take place first. Apple shop is wanting to include Clinchco in with three other towns that apple shop is guiding. Ruby stated this puts us in the same realm as Lynch Ky, Whitesburg, and Pound. Ruby stated how exciting this is for Clinchco to be included in having Apple Shop help guide and look for funding for Clinchco.

SWVA Rally:

Vice Mayor Ruby Coleman stated SWVA Rally reached out to Clinchco. We will have to do a commitment letter for the Rally project. Ruby explained the commitment letter states that they

will do a \$3,000.00 for a small community project, we will have to do workshops and things of that nature. The money can be matched with other funds. Other discussion was made of what type of project and how to get the citizens opinion of a project as well. Greg Suggested to invite our contact to the next town council meeting to discuss issues that we don't really have the answers to.

Clinchco Police Department:

The Clerk stated to council that she had applied for a gift card from Harbor Freight for the PD and was notified the PD was approved and we will be receiving it soon.

C.O.A.L.:

Vice Mayor Ruby Coleman stated we have a representative from C.O.A.L. here with us. Jesse McCauley stated I am president of the youth organization C.O.A.L. this helps keeps the youth really active and keeping them out of trouble. Jesse made other discussion of what projects they have been working on. Jesse asked council if C.O.A.L. could use the meeting hall room for meeting and projects from time to time. Trevor Counts stated to the town attorney if they use the building shouldn't council know that they are using the building; Greg stated that protocol should be if anyone wishes to use town property that it would need to be approved by town council. Other discussion was made of use of the Town Hall. Ruby stated to Greg as a reminder that when we were having an issue with the Democratic Party and if you remember that was an issue that someone wanted to make it difficult for them to use the town hall. Greg stated I believe you all voted to allow them to use it. Ruby stated and what we said is we would not disseminate against any group that wanted to use it and the only stipulation was is that a council had to be with them. Greg stated so what you are saying is that council has already voted to allow other people to use the town hall. Ruby stated yes, as long as it was worked around schedules and not double book and a council member be present. Greg stated he didn't recall that part of it. But it sounds like you all have pretty much allowed that to happen, but I think Trevor is wanting to change that. I do remember the discussion about the Democratic Party, I do remember you all voting to allow them to use the town hall. I don't recall the rest of the vote or motion off the top of my head. Greg stated his question is; how do we satisfy.....is the majority of council still in favor of doing what your doing with building or is the majority in favor of changing that tonight; Stearl stated to Greg that he felt the kids are the issue, its not the Lions Club or Kiwanis Club it's the kids that is the issue. Ruby stated the only difference between the groups is that this is youth. Greg asked which council member is here when the youth group meets; Ruby stated she was present. Greg stated ok, is there a problem with that; Stearl stated he had no problem with that as long as a council member is here; Herbert Branham stated he agreed with Stearl and had no problem as long as a council member was here. Trevor stated she didn't mind the youth group having a meeting here, I am glad the kids have someone like Jesse. Trevor stated my question is why was town council not advised of it. Other discussion was made of the youth group and the town hall. Trevor stated to Greg she had another question; was they allowed to have two Vice Mayors. Greg stated no, you only have one. But in this case what you have is you have a Vice Mayor under the charter that fills in under the absence of the Mayor. The Mayor has been absent for a long time. So, the Vice Mayor acts in place of the Mayor and now you are allowed to have another Vice Mayor in the event of Ruby's absence. Trevor asked

Greg if there was any way he could meet with her in his office; Greg stated I can't meet with individual council members about town business, we have to meet together about town business. Cynthia stated that the way they treat the building, the doors wide open and heat flying out the door and that was no way to be. Ruby stated the heat wasn't on and the doors were open because it was warm out. Ruby asked Jesse to explain to council what goes on in the building while he is here with the youth group; Jesse stated we are conducting business, vote on activities, and when projects are going on. Jesse stated usually the latest we are here is 8 pm except when we had the escape room and haunted forest set up. Cynthia stated if kids are going to be in here.....I think no one should be in the town hall after hours. If the kids want to meet.....then meet on a Saturday. Ruby stated that was after hours to on a Saturday. Other discussion was made of the use of the town hall. Cynthia stated that Jesse got in her face when she approached him about it. Tina stated no, he did not. Cynthia stated how he talked down to her. Tina stated that she was here and never saw anything like that. Other discussion was made on Cynthia discussion with Jesse. Discussion was made of how many times the youth group might would meet. Jesse stated once a week right now until a project happens and he had 19 kids involved. Jesse stated they usually start their meeting around 5 or 6 and the ending will depend on what is being discussed and how long the discussion lasts. Trevor Counts made a motion that we allow the youth group have their meeting at the town hall. Herbert Branham seconded the motion; a vote was taken; Vice Mayor Ruby Coleman voted yes, Herbert Branham votes yes, Stearl Branham voted yes, Trevor Counts voted yes, Cynthia Ellis abstained from voting. Vice Mayor Ruby Coleman stated that #7) Use of Meeting Hall/ Cardinal Youth Alliance League. Since it was discussed already, that topic will not be addressed.

Public Comments:

Vice Mayor Ruby Coleman asked for public comments; Don Hill addressed council that he felt it was a wise decision for council to make as far as use of the town hall. If anyone wants to use the building then they need to sign off and be responsible for it. Don stated what he saw last meeting was personal feelings, I do think you have a personal problem and that needs to be resolved some other place other than here. How we need to be adults enough to handle town business. Don made other discussion of how any type of personal stuff going on needs to be left out of town business. Jesse also talked about keeping personal issues out of town business.

Closed Session:

Vice Mayor Ruby Coleman made a motion to go into executive session under Virginia Code 2.2-3711, A1 Personnel Matters, A7 Legal Matters and consultation with Legal Counsel, A3 Acquisition of Real Property. Herbert Branham seconded the motion; a vote was taken and all members were in favor.

Vice Mayor Ruby Coleman asked to certify closed session; Cynthia Ellis made a motion that the only things discussed in closed session were personnel matters, legal matters and acquisition of real property; Stearl Branham seconded the motion; a vote was taken; Cynthia Ellis voted yes, Trevor Counts voted yes, Vice Mayor Ruby Coleman voted yes, Stearl Branham voted yes, Herbert Branham voted yes.

Council Comments:

Vice Mayor Ruby Coleman asked for council comments. Vice Mayor Ruby Coleman made a motion to appoint Pierston Hobbs as the new volunteer liaison and abide by the same job responsibilities that was previously adopted by council; Cynthia Ellis seconded the motion; a vote was taken and all members were in favor.

Adjournment:

Cynthia Ellis made a motion to adjourn; Stearl Branham seconded the motion; a vote was taken and all members were in favor.