

Town of Haysi  
Minutes of Regular Town Council Meeting  
September 1, 2015 @ 7:00 p.m.

On September 1, 2015, the regular meeting of the Haysi Town Council was held in the Council Chambers of the Haysi Town Hall Municipal Building located at 322 Main Street, Haysi, Virginia.

The following members were present:

PRESENT: Mayor Larry D. Yates

Vice Mayor Rocky Wood

Council Members:

Michael Harris

Susan Tiller

Barry Whitt

Tim Wallace

William "Billy" Counts

ABSENT: None.

### **ITEMS # I, II, & III**

The meeting was called to order by Mayor Larry D. Yates at 7:00 p.m., and the Invocation was held by Vice Mayor Rocky Wood and the Pledge of Allegiance was recited.

### **ITEM # IV - APPROVAL OF THE AGENDA**

At this time Mayor Yates asked the Council for any additional changes to the agenda. Motion was made by Council Member Billy Counts seconded by Vice Mayor Rocky Wood to approve the agenda as presented. Let the record show the motion on the floor passed unanimously by verbal voting.

### **ITEM #V - PUBLIC COMMENT**

Mayor Yates asked Town Clerk, Amanda Perrigan to read the following Public Comment Policy out loud:

A Public Comment Period will be held during the regular Town Council monthly meetings, during Special Called meetings, and Public Hearings. The Public Comment period will be on the Agenda for the meeting. The Town Council asks that speakers only comment on the items listed on the Agenda for the Town Council meeting or Special Called meeting and only comment on the specific reason for the Public Hearing. All

comments made during the Public Comment period shall be subject to the following procedures:

- 1.) Anyone who wishes to make a statement during the Public Comment period will register on a sign-up sheet available 30 minutes before the start of the meeting.
- 2.) Persons who have signed the register to speak shall be taken in the order in which they are listed.
- 3.) Persons addressing the Town Council are asked to limit their comments to 3 minutes.
- 4.) Speakers will be acknowledged by Mayor Larry Yates in the order in which their names appear on the sign-up sheet. Speakers shall stand at their seat to address the Council and not approach the Mayor or Town Council members. Speakers will start their comment by stating their name and address.
- 5.) Speakers will direct comments at the Town Council as a whole and not to individuals. Public Comment is not intended to require the Town Council to provide any answer to the speaker right away. Discussions between speakers and members of the audience will not be allowed.
- 6.) Speakers will be courteous in their language, tone, and presentation.
- 7.) Only one speaker will be acknowledged at a time. If a large number of people are present to register concerns about the same subject, it is suggested that they might be acknowledged as a unified group and a designated speaker will cover the various points.
- 8.) In the event that there are more people who wish to speak than can be accommodated in the 30 minutes set aside for public comment, the Town Council may extend the period, delay it until the rest of the agenda has been completed, or continue it to the next regular council meeting.

The first person signed up for Public Comment was James Potter of 276 Haysi, Virginia. Mayor Yates said that he had not addressed the council with the matter that Mr. Potter wished to discuss. Mr. Potter introduced himself and said that he had been working on the Splashdam project for months now. Mr. Potter advised that he is interested in removing the refuge at the Splashdam property owned by the town and had an engineer look at the site. Mr. Potter stated that he wants to turn the property into a primitive camping site with a portion of the project geared toward beautification. Mr. Potter said that he met with DMME and the Corp of Engineers to discuss the project already and may need permits to conduct the work. Mr. Potter stated that there was a market for the refuge and he would be willing to pay the town four percent of the anticipated four million in gross receipts. Mr. Potter said that an estimated eight hundred thousand dollars would be used for the purchase of permits. Mr. Potter said that there would be no cost to the town for the project. He also stated that he would not be able to conduct any more work without an agreement with the town since he had already invested some of his own time and money. Mr. Potter stated that he would prefer a two year no circumvent agreement. He estimated that 1,200 tons could be moved each day, which would translate to around sixty trucks traveling through town to the Virginia City Power Plant. Mr. Potter said he expected to maintain the site a required

five years after the refuge is moved. He said that a lot of work needs to be completed including a biological study. Mr. Potter said that he was offering the town four percent of the gross receipts, which he estimated to be one hundred sixty thousand dollars since he will be paid by the BTU the amount could vary. Mayor Yates asked Mr. Potters who is partners were in the project. Mr. Potter said that he is scheduled to meet with Terrance Gray of Appalachian Voices next week to present the engineers work and proposal. Mr. Potter said that he does not expect to do AML compliance. Mayor Yates asked about Ecosystems. Mr. Potter said that he looked into it, but either they didn't have money or the money wasn't available to invest in the project. Mayor Yates said that he didn't think they were interested in Splashdam, but he would like them to be informed if the project moves forward. Mr. Potter said that he would work with them as he could. Mayor Yates made sure there would not be any permits in the town's name. Mr. Potter stated there would not be any permits in the town's name. Vice Mayor Rocky Wood asked if the project included all the gob. Mr. Potter said that the project would include all the refuge and he is trying to work with government agencies including DEQ, Corp. of Engineers, and DMME. Mr. Potter explained that it will take up to two years to "get the ball rolling." Mayor Yates asked if he had contacted the joining property owner. Mr. Potter said that he had not contacted him, but believed that he could go around his property. Mayor Yates asked if the cut off channel would be filled. Mr. Potter said that involving the river in the project was not a possibility, but it would be kept from interfering with work to be done. Mayor Yates asked Attorney Derrick Yates for his comments. Attorney Yates said that he had none at this time. Mayor Yates stated that he wanted to be removed from the project as much as possible, so he recommended a committee be formed to oversee it. Mayor Yates requested that Vice Mayor Rocky Wood, Council Member Michael Harris, and Council Member Tim Wallace serve on the committee.

The second person signed up for Public Comment was Matt Owens of P.O. Box 743, Haysi. Mr. Owens introduced himself as President of the Haysi Partners and advised that he was assisting with the planning of the Haysi Russell Fork Autumn Fest. Mr. Owens requested the \$500 appropriation for the autumn fest. Mr. Owens reported that the Haysi Partners should have the 501(c)3 designation by October 1, 2015. The appropriation would be used for entertainment, vendors, and beautification during the festival. Motion was made by Vice Mayor Rocky Wood and seconded by Council Member Billy Counts to approve the \$500 donation to the Haysi Partners for use during the Haysi Russell Fork Autumn Fest. Let the record show the motion on the floor passed unanimously by verbal voting. Mayor Yates advised that in April of 2013 that the Haysi Town Council approved money for the Haysi Partners use, however, that money has not been completely spent. Mayor Yates said that some of it would be spent soon to help the Haysi Partners obtain the 501(c)3 status.

There was no else registered for Public Comment.

#### **ITEM # VI – APPROVAL OF MINUTES**

Prior to the meeting council had received for consideration of approval a copy of the following prepared minutes:

- August 4, 2015 Regular Town Council Meeting

Motion was made by Vice Mayor Rocky Wood and seconded by Council Member Barry Whitt to approve the minutes as presented. Let the record show the motion on the floor passed unanimously by verbal voting.

### **ITEM # VII – FINANCIAL REPORT**

At this time the council was presented for approval the following:

- July 30, 2015 through August 26, 2015 Financial Report listing: beginning balance, revenue, expenditures and ending balance.
- July 30, 2015 through August 26, 2015 itemized listing of expenditures including checks # 12906-12943 & deposits
- July 30, 2015 through August 26, 2015 Profit & Loss Report
- Current payables to date for review

Motion was made by Vice Mayor Rocky Wood seconded by Council Member Billy Counts to approve the financial report. Let the record show the motion on the floor was passed unanimously by verbal voting.

### **ITEM # VIII - NEW BUSINESS**

None.

### **ITEM # IX – OLD BUSINESS**

Police Department Monthly Report-Assistant Chief Bobby Edwards (See Attachment)

Assistant Chief Edwards reported forty-one calls for the month of August and briefly described some of the calls on the August Monthly Report. Assistant Chief Edwards said that there was a theft from the AEP substation valued at over eleven thousand dollars. Area logging sites had been checked, but nothing was found. Assistant Chief Edwards reviewed the hours worked for each officer and noted that Officer Grant Garrett is working one day a week. Officer Brent Wallace has accepted a new position with Red Onion State Prison, but will continue to work for the town. Assistant Chief Edwards advised that since school started the only issues have been concerning the bus schedules. Assistant Chief Edwards informed everyone that the DMV Safety Grant application had been approved for around

\$750 for training and around \$6,000 in overtime pay for the officers. Mayor Yates asked if there was an update on the VML Risk Management Grant. Assistant Chief Edwards said he did not have an update.

#### Community Development Block Grant

Mayor Yates said that the project was almost ready to be closed, with an official deadline of October 20, 2015. After the roof replacement is completed there will be \$12,256.36 left to spend on the old theater building. A sprinkler system will be an estimated \$15,000 cost. The water line to the building must be replaced and the quote for the work is \$25,000. VDOT requires that the street be milled down and repaved, so that along with a “saddle” piece to tap into the water main are the big costs for the project. Mayor Yates informed everyone that a public utility connection doesn’t require a bid and the project had been cleared. Vice Mayor Wood said that the work had to be done. Motion was made by Vice Mayor Rocky Wood seconded by Council Member Barry Whitt to move forward with the water line project with Buchanan County PSA and supplement the cost with coal severance funds. Let the record show the motion on the floor was passed unanimously by verbal voting. Mayor Yates advised that the town would issue the Notice to Proceed. Mayor Yates advised that the pre-construction meeting was held and work should start on the roof next week. Mayor Yates said the contractor, Sander Altman with Paisley Kerr, volunteered to be gentle with the old roof material. Mayor Yates asked if sealed bids would be required to sell the material. Attorney Derrick Yates said that the county is required to take sealed bids, but he will research if the town is required to take bids. Assistant Chief Edwards suggested the use of GovDeals, the same website that was used for the sale of the ATV. Council Member Tim Wallace asked about the condition of the roof on the Fire Department. Mayor Yates asked if the town could donate the roof material. Attorney Derrick Yates said that the town could donate it. Vice Mayor Wood said that he would check on some things regarding the roof material.

#### **ITEM # X - MAYOR COMMENTS**

Mayor Yates reported the following:

- Mayor Yates advised that there was some “push back” from Alpha Natural Resources on the ATV trail. A meeting is scheduled for September 23, with Terra Tech to discuss a work around to get started on the trail.

Attorney Derrick Yates advised that the town owns the alley beside the old theater building as best he could tell and he has been “playing phone tag” with State Farm over the fence issue.

#### **ITEM # XI - COUNCIL COMMENTS**

None.

**ITEM # XII – ADJOURNMENT**

There being no other business to be brought before the Council, a motion was made by Vice Mayor Rocky Wood seconded by Council Member Susan Tiller to adjourn the meeting. Let the record show the motion was passed unanimously by verbal voting and the meeting was adjourned.

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Larry D. Yates, Mayor

Attest:

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Clerk