

Town of Haysi
Minutes of Regular Town Council Meeting
September 5, 2017 @ 7:00 p.m.

On September 5, 2017, 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

Council Members:

William "Billy" Counts

Susan Tiller

Michael Harris

Tim Wallace

ABSENT: Vice Mayor Rocky Wood

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 Clerk Amanda Perrigan and the Pledge of Allegiance was recited.

ITEM # IV - APPROVAL OF THE AGENDA

At this time Mayor Yates asked add Vacant Council Seat as Item 6 on the agenda and move the other items down. Motion was made by Council Member Billy Counts seconded by Council Member Susan Tiller to approve the agenda as amended. Let the record show the motion on the floor passed unanimously by verbal voting.

ITEM #V - PUBLIC COMMENT

None.

ITEM #VI - VACANT COUNCIL SEAT

Mayor Yates explained that Council Member Barry Whitt had submitted his resignation and last month he had asked the remaining council members for names of town citizens to be considered to fill the vacant seat until May. Mayor Yates said the two names given for consideration are Tracie Wallace and Carter Branham and both are willing to serve on the town council. Mayor Yates called for any other names to be brought forward. With no response, Mayor Yates opened the floor for motions. Council Member Tim Wallace announced that he would abstain from this portion of the meeting due to conflict of interest. Mayor Yates advised that the town was under a deadline to have the vacant seat filled by

majority vote of the Haysi Town Council or the vacant seat would be filled by judge appointment. Motion was made by Council Member Billy Counts seconded by Council Member Susan Tiller to have Carter Branham fill the vacant Haysi Town Council Seat for the remaining term. Mayor Yates asked for a roll call vote. Council Member Tim Wallace chose to abstain, Council Members Susan Tiller, Michael Harris, and Billy Counts voted yes. Let the record show the motion on the floor was passed by verbal voting. Mayor Yates thanked Mrs. Tracie Wallace for her interest and mentioned the election in May.

ITEM # VII – APPROVAL OF MINUTES

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

- August 1, 2017 Regular Town Council Meeting
- August 14, 2017 Emergency Town Council Meeting

Motion was made by Council Member Billy Counts and seconded by Council Member Tim Wallace to approve the minutes of the meeting on August 1, 2017 and August 14, 2017 as presented. Let the record show the motion on the floor passed unanimously by verbal voting.

ITEM # VIII – FINANCIAL REPORT

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

- July 27, 2017 through August 31, 2017 Financial Report listing: beginning balance, revenue, expenditures and ending balance.
- July 27, 2017 through August 31, 2017 itemized listing of expenditures including checks # 13997-14057 & deposits
- July 27, 2017 through August 31, 2017 Profit & Loss Report
- Current payables to date for review

Motion was made by Council Member Susan Tiller 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 # IX - NEW BUSINESS

None.

ITEM # X – OLD BUSINESS

USDA Loan/Grant Project

Mayor Yates advised that the council members had been given copies of information pertaining to the procurement of the new police vehicle to review. Assistant Chief Edwards summarized the information on those copies. The low bidder was Blue Ridge Chrysler, but their bid was received 41 minutes late and was for a 2017 model truck, whereas the other bids were for 2018 models. It was agreed that the low bid should not be considered since it was received late. Assistant Chief Edwards ordered the bids with the first being the one from Johnson Chevrolet, the second being Auto World, then the Ford truck that didn't include a console, which would be an added expense. Assistant Chief Edwards said he would answer any questions. Mayor Yates asked if Johnson Chevrolet was the lowest bid for consideration. Assistant Chief Edwards answered that was correct if the turn key option was selected. Assistant Chief Edwards mentioned the delivery charge on the option from Missouri. Mayor Yates asked about a delivery fee from Arkansas. Assistant Chief Edwards replied that delivery from Arkansas was free. Mayor Yates asked if there would be enough funds to purchase the radar and radio needed. Assistant Chief Edwards explained that there was enough equipment needed to spend all forty thousand dollars such as radar, radio, safe, and gun rack. Mayor Yates asked about warranties. Assistant Chief Edwards said a three year/36,000 mile warranty was standard on all the options. Mayor Yates asked if the Ford truck had an aluminum bed. Assistant Chief Edwards replied that it did and an aluminum frame as well. Mayor Yates stated that he appreciated the work Assistant Chief Edwards had done. This USDA project will consist of a \$25,000 grant and \$15,000 loan with a 3.25% interest rate and payment of \$272. There is no fine for early payoff. Mayor Yates said that local businesses had never been sourced and buying local allowed the money to change hands several times. Mayor Yates advised that once a vehicle was selected then the paperwork would need to be completed. Mayor Yates noted that Dwight Pierson assisted the Haysi Police Department in obtaining the Ford Explorer from the Stimulus Package. The Crown Victoria will need to be auctioned, the new truck will be operated by Assistant Chief Edwards, Chief Wallace will continue to operate the Dodge Charger, and the part time officers will operate the Ford Explorer. Mayor Yates also noted that the Crown Victoria is not worth repairing any longer and the department expects to receive between six and eight hundred dollars at auction once the equipment has been removed. Assistant Chief Edwards stated the Crown Victoria had high maintenance costs associated with it. Council Member Susan Tiller asked if the department would have to get aluminum on the Ford truck option. Assistant Chief Edwards replied "that's the way they are made." Council Member Tim Wallace asked if the best option was the turn key truck from Johnson Chevrolet. Assistant Chief Edwards replied that the option was "more bang for the buck" and it is built better. Assistant Chief Edwards also stated that Dodge removed a lot of options to get their bid down, so ram boxes and towing package for example weren't included. Mayor Yates asked about the town stripe kit on the vehicle from Johnson Chevrolet. Assistant Chief Edwards replied that it does not come with the stripe kit. Mayor Yates asked about other items pertaining to the vehicle being installed locally. Assistant Chief Edwards said that VA-KY Communications would install the radio, but he could install most everything himself. Mayor Yates asked about a laptop mount. Assistant Chief Edwards said a laptop mount would not be included, because the laptop mounts cost more than the laptops are worth. Mayor Yates asked if the police department needed new laptops. Assistant Chief Edwards answered that they did. Mayor Yates advised that he would look into funding for new laptops. Council Member Susan Tiller asked if the vehicle would be

white. Assistant Chief Edwards said it would be silver and glow at night like the other police vehicles. Assistant Chief Edwards pointed out that the equipment quote was cheaper though EVO Professional Communications in Blacksburg, but the equipment wasn't the same; it was less expensive equipment. Assistant Chief Edwards also mentioned that they would have to make trips to Blacksburg to have the work completed. Mayor Yates stated that the police department has always used Whelen in the past. The Whelen equipment comes on the turn key quote from Johnson Chevrolet. Motion was made by Council Member Susan Tiller seconded by Council Member Tim Wallace to approve the purchase of the turn key Silverado police truck from the bid provided by Johnson Chevrolet for \$34,846.08. Let the record show the motion on the floor was passed unanimously by verbal voting.

--Mayor Yates read the following Resolution of Governing Body of the Town of Haysi, Virginia:

The governing body of the Town of Haysi, Virginia consisting of ____ members, in a duly called meeting held on the ____ day of _____, 2017, at which a quorum was present RESOLVED as follows:

BE IT HEREBY RESOLVED that, in order to facilitate obtaining financial assistance from the United States of America, United States Department of Agriculture, Rural Development (the Government) to provide funding for police vehicles and equipment, the governing body does hereby adopt and abide by the covenants contained in the agreements, documents, and forms required by the Government to be executed.

BE IT FURTHER RESOLVED that _____ or _____ be authorized to execute on behalf of the Town of Haysi, the above-referenced agreements and to execute such other documents including, but not limited to, debt instruments and security instruments as may be required in obtaining the said financial assistance.

This Resolution, along with a copy of the required documents, is hereby entered into the permanent minutes of the meeting of the Governing Body of the Town of Haysi, Virginia.

Motion was made by Council Member Billy Counts seconded by Council Member Susan Tiller to approve the Resolution of Governing Body of the Town of Haysi, Virginia. Let the record show the motion on the floor was passed unanimously by verbal voting.

Mayor Yates read the following Code of Conduct:

No employee, officer or agent of the owner shall participate in the selection, award, or administration of a contract supported by Rural Housing Service funds if a conflict of interest, real or apparent, would be involved.

The above Code of Conduct was approved at a meeting held on _____, 2017, and ____ members of the Governing Body were present which represents a quorum. A

vote was held on this resolution and the resolution was adopted by a vote of ____ yeas and ____ nays with ____ abstaining.

Motion was made by Council Member Billy Counts seconded by Council Member Susan Tiller to approve the Resolution of Governing Body of the Town of Haysi, Virginia. Let the record show the motion on the floor was passed unanimously by verbal voting.

Mayor Yates summarized the Loan Resolution. Motion was made by Council Member Billy Counts seconded by Council Member Susan Tiller to approve the Resolution of Governing Body of the Town of Haysi, Virginia. Let the record show the motion on the floor was passed unanimously by verbal voting.

ITEM # X – UNFINISHED BUSINESS

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

Assistant Chief Bobby Edwards reported that most call weren't notable for the month of August. Assistant Chief Edwards said that the Crown Victoria broke down and had to be pushed out of the road on August 15. Assistant Chief Edwards said that there was a case of high quality counterfeit this month, one side of the bill had a lighter color, but the weight was most noticeable. Mayor Yates asked about the denomination of the bill. Assistant Chief Edwards answered the bill was a twenty. Assistant Chief Edwards pointed out the call on August 30, which an intoxicated person with theft that led to an arrest. Mayor Yates asked about the severe laceration on the report. Assistant Chief Edwards said that he didn't know any information on that call. Assistant Chief Edwards read the hours worked for each officer and noted that Officer Brent Wallace was helping at the school, so he was using his own vehicle. Mayor Yates thanked Assistant Chief Edwards for the report and the work of the department.

Haysi Volunteer Fire Department Monthly Report-Assistant Chief J.F. Barton

Assistant Chief J.F. Barton reported the fire department to have a slow month for August with five motor vehicle accidents and one house fire. Assistant Chief Barton said there were pending charges from the house fire, so it was turned over to be investigated by the state police. The department worked on a rockslide in the road at the end of town. Assistant Chief Barton said they reported to false alarms at Pizza Plus and determined that their alarm is faulty. Mayor Yates asked about the house fire. Assistant Chief Barton said that it was located on Crooked Branch, but the department had two with the possibility of one more that they would be going to court about. Assistant Chief Barton reported that the truck was two weeks out due to the tests being conducted on it. Assistant Chief Barton reported that the other truck was having the bed replaced and should be back in three weeks. Mayor Yates asked to clarify that the fire department would have their new pumper in two weeks. Assistant Chief Barton confirmed that was correct, things had been tight since the department had been down two vehicles. Mayor Yates thanked Assistant Chief Barton and the Haysi Volunteer Fire Department for their work.

ITEM # XI - MAYOR COMMENTS

Mayor Yates reported the following:

- Mayor Yates said that the plans for the autumn fest were going well. Spearhead Trails has been heavily involved in the process and plans to hold the grand opening of the connector between Haysi's Ridgeview Trail and Coal Canyon, which will total over 300 miles of trail. Dean Hill was awarded a permit to allow camping that weekend as well. Dickenson County Tourism visited the campground and Rita Surratt posted photos on Facebook, which has caught the interest of visitors. Mayor Yates advised that more lodging would help the town. Mayor Yates stated that there will be a three day ride event that weekend, with a free ride day on Saturday, and poker run with a \$1,000 prize. There will be music in town and on a new stage being constructed at the campground.
- Mayor Yates announced the opening of the zip line at the Breaks Interstate Park will be September 16, 2017. Assistant Fire Chief J.F. Barton said the Haysi Volunteer Fire Department is working on getting more tactical training with Red River Gorge and the Breaks Interstate Park.

ITEM # XII - COUNCIL COMMENTS

Council Member Susan Tiller asked since the fire department needed a vehicle, why was it not on the agenda last month. Clerk Amanda Perrigan replied that the agenda had already been printed by the time it was brought to her attention. Council Member Tiller asked to clarify that the board packs had already been sent. Clerk Perrigan answered that board packs had already been sent and she tries to have them delivered on either Thursday or Friday mornings prior to the meeting. Council Member Tiller commented that it didn't give the council much time to consider the situation before making a decision. Council Member Tiller asked if the money they approved for the fire department came from coal severance. Mayor Yates explained that the town spends a lot on maintenance and can use some of Mr. James Gilbert's salary for street maintenance. Council Member Tiller asked to clarify that the Virginia Code specifies street. Mayor Yates said that he felt comfortable and that the town was fine with its action. Attorney Stephen Mullins was asked if he saw a problem with it. Attorney Mullins replied that he didn't think there was a problem. Mayor Yates explained that a lot of Mr. Gilbert's work is street maintenance and noted that the auditor didn't have a problem with it. Mayor Yates stressed that he was careful not to violate laws and a good way to accomplish that was to keep our auditor involved. Mayor Yates stated that the issue wasn't something that could have been foreseen and steps are now being taken to "bring in the fire department." Mayor Yates clarified that the town was not taking over the fire department, but taking more of an active interest in the department and funding from the town would continue. Mayor Yates mentioned several items that would be needed from the fire department to begin the process including policies and procedures, bank statements, check registers, bylaws, minutes, resolutions, organizational chart, and cash/checks on hand. Mayor Yates said that the town had to "bring them in" or the fire department has to obtain their own financial status. Mayor Yates added that Clerk Perrigan had worked hard to make sure

that the town didn't have any deficiencies. The town has to have a clean audit and gives copies of their audit to grantors such as Appalachian Regional Commission, Virginia Department of Housing and Community Development, Department of Conservation and Recreation, and Virginia Coalfield Economic Development Authority. Mayor Yates said that the town would help the fire department all it can and is dedicated, but there are limits. Mayor Yates concluded that a more active role from the town would help improve the fire department.

ITEM # XIII – ADJOURNMENT

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

Larry D. Yates, Mayor

Attest:

Clerk