

Town of Haysi
Minutes of Regular Town Council Meeting
April 5, 2016 @ 7:00 p.m.

On April 5, 2016, 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
William "Billy" Counts
Tim Wallace
Susan Tiller
Barry Whitt

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 Chief George Wallace and the Pledge of Allegiance was recited.

ITEM # IV - APPROVAL OF THE AGENDA

At this time Mayor Yates asked the Council to add under New Business VDOT Resolution for Land Use Permit and Sandlick Elementary Home to School Folder and under Old Business 2016 Alternative Spring Break Project. Motion was made by Council Member Barry Whitt seconded by Vice Mayor Rocky Wood 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 - APPROVAL OF MINUTES

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

- March 1, 2016 Regular Town Council Meeting

Motion was made by Vice Mayor Rocky Wood and seconded by Council Member Billy Counts 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:

- February 25, 2016 through March 30, 2016 Financial Report listing: beginning balance, revenue, expenditures and ending balance.
- February 25, 2016 through March 30, 2016 itemized listing of expenditures including checks # 13212-13273 & deposits
- February 25, 2016 through March 30, 2016 Profit & Loss Report
- Current payables to date for review

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

ITEM # VIII - NEW BUSINESS

Connecting Communities – Town of Haysi, St. Paul, and Breaks Interstate Park

Mayor Yates welcomed Kathy Stewart, Manager for St. Paul Tomorrow. Ms. Stewart gave the town council some handouts. Ms. Stewart explained that St. Paul and Haysi are designated as Appalachian Gateway Communities. Ms. Stewart said that she attended a workshop in December to increase tourism and a team was developed consisting of members from page three and she read page four. Ms. Stewart summarized the Pilot Program Bus Tour on page five. She stated that the tour would include a forty-five minute stop in Haysi along the river, at which time the town could provide information to the tourists about the town and invite them to return. Ms. Stewart said that if seventeen people registered for the bus tour their profit would be six dollars. Ms. Stewart requested that the town consider becoming a financial partner. Reservations for the bus tour are being taken by phone and online. Ms. Stewart said that the program was developed to bring people into the communities and inform local citizens. She stated that the first reservation was made today. Ms. Stewart explained that the Breaks Interstate Park was providing the bus and liability insurance. She asked that the town post the flyer she handed out on its website. Ms. Stewart encouraged the council to work on a presentation letter and have someone available to greet tourists when they arrive. Mayor Yates said that the town was happy to build a partnership with St. Paul and encouraged everyone to share the information about the bus tour.

Spearhead Trails

Mayor Yates welcomed Chris Sturgill and Billie Campbell. Chris Sturgill said that he was there to share some exiting news; Spearhead Trails is close to construction on both the ATV trail and the equestrian trail. Mr. Sturgill stated that Spearhead Trails had already received all the funding to construct those trails and are finishing up “industry sign-offs.”

Most of those have been completed, but as soon as all of them are “in hand” construction will begin. Mr. Sturgill explained that he will need to work with the local fire department and rescue squad to develop a rescue plan. Mr. Campbell noted that Terra Tech is working on easements to connect the town and to cross Route 80. There will be three levels of trails: easy, mid-level, and experienced. The Forestland Group owns the property that connects to the river and town property. Mayor Yates announced that the ATV Trail name will be called Haysi’s Ridgeview Trail. Mr. Sturgill added that Spearhead Trails is accepting logo ideas and those can be submitted to Mayor Yates. Mr. Sturgill said that he appreciated the communities’ patience up to now and noted that it takes a long time to get a trail opened. Mr. Sturgill also mentioned that they had worked wonderfully with Alpha Natural Resources. Mr. Campbell stated that the local businesses need to work on their part to build opportunity. Mayor Yates mentioned that he had delivered the signed agreement with EnerVest to cross the large gas pipeline. Mr. Sturgill advised that the construction would not stop until the trail was complete and mentioned that the town council could schedule a time to oversee the construction if they wanted. Council Member Barry Whitt asked about the trail map. Mayor Yates said that the Haysi Kiwanis will be the trailhead. Mr. Sturgill said that the construction would take place on one side of Route 80 until completed and then move across Route 80 to finish. Vice Mayor Rocky Wood asked when the trail would be opened. Mr. Sturgill said that Spearhead Trails hopes to open the trail this summer. Vice Mayor Wood asked about the size of the trail. Mr. Campbell said that there would be about twenty miles before crossing Route 80. Mayor Yates asked about the levels for the equestrian trail. Mr. Sturgill replied that the equestrian trails would all be green easy level trails, however, in the future there will be opportunity for higher levels depending on the demand. Mayor Yates stated that the trails would open with a good number of miles, but that would be just the beginning. Mr. Sturgill stated that the ATVs would cross Route 80 just above Superior Fabrication. ATVs and Horses will be using separate trails. Mayor Yates thanked Mr. Sturgill and Mr. Campbell for attending the meeting. Mayor Yates extended an invitation to everyone to attend the SRRA Board Meeting on April 25, 2016 at five o’clock in the evening at the Haysi Town Hall. Mr. Campbell advised that maps would be available for public viewing at that meeting. Mayor Yates mentioned that the town would need to work on getting the Land Use Permit with VDOT. Mr. Sturgill also mentioned that they had worked well with VDOT. Mayor Yates asked about signs for the trails. Mr. Sturgill said that typically the town furnishes the signs in town and Spearhead Trails takes care of the signs outside of town. Mr. Campbell stated that VDOT has data in place for the location of the signs. Mr. Sturgill again advised that the local businesses needed to get prepared.

May Meeting Date Change

Mayor Yates advised that May 3, 2016 is the town election and the Dickenson County Electoral Board has requested that the meeting be rescheduled. Everyone agreed that the meeting be held on the alternative meeting date already set by the town council, which in this case would be May 10, 2016 at 7 o'clock in the evening.

2016-2017 Budget Workshop

Mayor Yates explained that Clerk Amanda Perrigan and Special Projects Coordinator Kirsten Deel will go to the Water Is Life Conference in Roanoke on April 19, 2016 and asked that the budget workshop be rescheduled. After a brief general discussion the town council decided that the budget workshop will be held on April 21, 2016 at half past six o'clock in the evening. Mayor Yates said that the conference in Roanoke was hosted by SERCAP. He added that a copy of the thank you note to the town was included in the board packs. Mayor Yates thanked those who helped with the Alternative Spring Break Program and asked that everyone express their appreciation to Matthew Owens, for everything he did to make it success.

VDOT Resolution for Land Use Permit

Mayor Yates read the following resolution:

WHEREAS, it becomes necessary from time to time for the Town of Haysi to obtain land use permits from the Virginia Department of Transportation to install, construct, maintain and operate certain public works and public utilities projects along, across over and upon highway systems of the Commonwealth of Virginia; and,

WHEREAS, expense, damage or injury may be sustained by the Commonwealth of Virginia growing out of granting to the Town of Haysi by the Virginia Department of Transportation of said permits for the work aforesaid;

NOW, THEREFORE, BE IT RESOLVED by the Haysi Town Council this fifth day of April, 2016:

Section 1: That in accordance with the provisions of Section 24VAC30-151-720 of the Land Use Permit Regulations of the Virginia Department of Transportation, the Town of Haysi does hereby grant assurances to the Virginia Department of Transportation (VDOT) that it shall in all respects comply with all of the conditions of the permit or permits that have been, or will be, granted to the Town of Haysi and that said jurisdiction does hereby certify that it will carry liability insurance for personal injury and property damage that may arise from the work performed under permit and/or from the operation of the permitted activity as follows: up to one-million dollars (\$1,000,000) each occurrence to protect the Commonwealth Transportation Board members and the Virginia Department of Transportation's agents or employees; seventy-five thousand dollars (\$75,000) each occurrence to protect the Commonwealth Transportation Board,

the Virginia Department of Transportation or the Commonwealth of Virginia in the event of suit.

Section 2: That the Town Mayor, or their designee, be, and hereby is authorized to execute on behalf of the Town of Haysi all land use permits and related documents of the Virginia Department of Transportation.

Section 3: That this resolution shall be a continuing resolution and shall not be revoked unless and until sixty (60) days written notice of any proposed revocation be submitted to the Virginia Department of Transportation.

Section 4: That the Town of Haysi shall, if requested by the Virginia Department of Transportation, provide a letter that commits to using the surety provided by its contractor or to have the contractor execute a dual obligation rider that adds the Virginia Department of Transportation as an additional obligee to the surety bond provided to the locality, with either of these options guaranteeing the work performed within state maintained right-of-way under the terms of the land use permit for that purpose.

BE IT STILL FURTHER RESOLVED that the Town Mayor, or their designee, be, and hereby is authorized and directed to procure insurance required by Section 1 herein. The foregoing Resolution was adopted by the Haysi Town Council at its regular meeting held on April 5, 2016 in Haysi, Virginia.

Mayor Yates asked for a roll call vote to approve the resolution. Council Members Barry Whitt, Susan Tiller, Billy Counts, Michael Harris, Tim Wallace and Vice Mayor Rocky Wood voted aye. Let the record show the resolution was passed unanimously by verbal voting.

Sandlick Elementary Home to School Folder

Mayor Yates said that he was approached by Kids First Community about advertising in a two year program at Sandlick Elementary School for Home to School Folders. The folders are what each student uses on a daily basis to communicate papers between parents on one side and teachers on the other side at no charge. The advertisement would include the town logo on the folder for each student. Assistant Chief Edwards said that he discussed the program with Principal, Dennis Deel. Assistant Chief Edwards stated that it may be more beneficial for the town to take over the project to complete on its own. Assistant Chief Edwards said that he found a company that would print five hundred vinyl folders for one dollar and twenty-five cents each. There are other options ranging from one to three dollars. Mayor Yates said that the representative from Kids First Community told him that she already had businesses committed to the program. Assistant Chief Edwards said that Mr. Deel didn't think that enough businesses would participate in the program for it to be funded. Council Member Susan Tiller asked if the folders from Kids First Community would be vinyl. Mayor Yates said that they would be vinyl as well. Council Member Tiller stated that the folders for the students needed to be vinyl. Assistant Chief Edwards suggested tabling the topic to see what transpires with Kids First Community. There is no

urgency since the folders would be for the 2016-2017 school year. Assistant Chief Edwards will stay up to date on the issue.

ITEM # IX – OLD BUSINESS

Police Department Monthly Report-Chief George Wallace (See Attachment)

Chief Wallace reported thirty calls for the month of March and briefly described the calls on the March Monthly Report. Chief Wallace said that the police department was fairly busy during the month. On March second there were eleven warrants written at the jail and a shoplifting case at E&S Grocery which has been taken over by the state police. A drug deal was called in at the Splashdam apartments on March fourth, but there was no one there when the Assistant Chief Edwards arrived. The household goods in that area are gone after the owner got what she wanted, Chief Wallace called to have the rest of the trash picked up. On March seventh, there was a diesel spill at the end of a bridge in town that was cleared up with oil dry. There was another shoplifter case on March fourteenth, which was taken over by the county based on the video surveillance. A military plane crash was reported on March fifteen, but no evidence of a crash was found. A child at Sandlick Elementary School suffered from seizures on March seventeenth and the parents were called to get the child medical attention. There was an accident at FasMart on March twenty-fourth when a lady pushed the gas pedal instead of the brake. There was another shoplifter on March thirtieth at Jones and County Pharmacy, but the situation cleared itself up. Assistant Chief Edwards is working on an EMS grant for up to three defibrillators. The Haysi Police Department currently only has one and it is over fifteen years old. Haysi Police Department is also working on the Bullet Proof Vest Program, which is a fifty percent match program. The program would allow the department to purchase four vests for the price of two.

Update on Splashdam Property

Mr. James Potter said that he brought a contact to the town for review. Mr. Potter stated that the contact did not include the four percent and he would like for the town council to approve the contract. Mayor Yates acknowledged the time and effort Mr. Potter has spent on the Splashdam Project and explained that he had sent the contract to Attorney Derrick Yates for review. Mayor Yates summarized Attorney Yates email response that was handed out to the Haysi Town Council prior to the meeting beginning with point number one. Mr. Potter said that it was written that way because that it how the permit is required for it to read. Mayor Yates advised that agreeing to the contract may not be in compliance with procurement laws and he would need to research it further. Mayor Yates went on to summarize point numbers two and three of the email response from Attorney Yates. Mr. Potter said that the agreement would allow him to subcontract. Mayor Yates summarized point number four and noted that there was still work to do on the contract and research that the town needed to perform. Mr. Potter asked that the town vote on the four percent. Mayor Yates said that he could not recommend for the town council to agree to anything right now. Mayor Yates stated that he can't speak for the council, but the town needed to

explore the situation some more. Mr. Potter said that the agreement was a standard coal contract. Mayor Yates stressed the legality of the situation. Vice Mayor Rocky Wood asked how long it would take to review the law. Mayor Yates explained that he usually works with the lawyer at VML for information on the Virginia State Code, but VML has undergone personnel change due to the retirement of Mark Flynn. Mayor Yates said that he contacted the new lawyer, Michelle Goode, but hasn't gotten a reply. Mr. Potter noted that the town was released from liability in the contract. Mayor Yates said that he was not trying to "kill the deal", but the town needed more time. Motion was made by Vice Mayor Rocky Wood seconded by Council Member Barry Whitt to table the Splashdam Project until more research can be conducted on procurement laws. Let the record show the resolution was passed unanimously by verbal voting. Mayor Yates told Mr. Potter that he would keep in touch with him.

2016 Alternative Spring Break Project

Mayor Yates explained that adjustments will be made to the project started by the 2016 Alternative Spring Break Students. The town didn't receive all the material needed and was shorted on the amount of certain types of block. EDillion will be working with Matthew Owens to make the adjustments.

ITEM # X - MAYOR COMMENTS

Mayor Yates reported the following:

- The Economic Summit will be held on May 12, 2016 at University of Virginia's College at Wise.

ITEM # XI - COUNCIL COMMENTS

Council Member Susan Tiller stated that there is a bear problem in town. She noted in the summer there will be kids outdoors more. The bear was seen at the Haysi Community Library on Friday and had also been seen by her neighbors recently. Council Member Tiller asked if the bear could be relocated. Mayor Yates said that the bear wouldn't be relocated unless it became a nuisance. Council Member Michael Harris said that the bear had been on his property as well. Mayor Yates advised that the town had posted awareness on the Haysi Partners Facebook page with contact information including phone numbers. Mayor Yates said that maybe if the Department of Game and Inland Fisheries had received a lot of complaints they would do something. Chief George Wallace stated that the bear was seen below the Haysi Kiwanis on Easter weekend. Assistant Chief Edwards mentioned that the bear would boost tourism. Mayor Yates also advised that Superior Fabrication was working on trash bin covers for some dumpsters in town.

Council Member Billy Counts advised that he knew someone interested in cleaning the Town Hall if someone had not already been hired. Mayor Yates asked Council Member Billy Counts to send them to the Town Hall to discuss it with the Town Clerk or himself. Vice Mayor Rocky Wood advised that rock climbing would begin in the Breaks Interstate Park on May 1, 2016.

Mayor Yates reminded everyone about The Breakdown on April 16, 2016 and the Town Wide Cleanup on April 8, 2016.

ITEM # XII – ADJOURNMENT

There being no other business to be brought before the Council, a motion was made by Council Member Barry Whitt 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