

Town of Haysi
Minutes of Regular Town Council Meeting
December 13, 2016 @ 7:00 p.m.

On December 13, 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:
William "Billy" Counts
Barry Whitt
Tim Wallace
Michael Harris

ABSENT: Susan Tiller

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 Haysi Police Department Request for New Police Cruiser. Council Member Barry Whitt asked the Council to add Haysi Volunteer Fire Department Roof to the agenda. Mayor Yates advised the Council to add it under Unfinished Business. Motion was made by Vice Mayor Rocky Wood seconded by Council Member Billy Counts 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:

- November 1, 2016 Regular Town Council Meeting

Motion was made by Council Member Barry Whitt and seconded by Council Member Tim Wallace 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:

- October 25, 2016 through November 30, 2016 Financial Report listing: beginning balance, revenue, expenditures and ending balance.
- October 25, 2016 through November 30, 2016 itemized listing of expenditures including checks # 13589-13649 & deposits
- October 25, 2016 through November 30, 2016 Profit & Loss Report
- Current payables to date for review

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

ITEM # VIII - NEW BUSINESS

Haysi Police Department Request for New Police Cruiser

Mayor Yates asked Assistant Chief Bobby Edwards to present the information to the Haysi Town Council. Assistant Chief Edwards explained that the 2010 Ford Explorer had miles, the 2005 Ford Crown Victoria had miles, and the 2012 Dodge Charger had miles. Assistant Chief Edwards said that the Ford Crown Victoria had accumulated around two thousand dollars in repair cost in the past year and didn't expect the vehicle to be used for police business much longer. Assistant Chief Edwards went on to say that the Ford Explorer had experienced a lot of repair issues as well. Mayor Yates said that the proposed plan would be to discontinue use of the Ford Crown Victoria and use the Ford Explorer in its place. Assistant Chief Edwards advised that the next funding cycle for the United States Rural Development grant is March, but the town cannot be expected to receive funding until the September cycle. Mayor Yates said that the application would be turned down one, then funding upon the second request. Assistant Chief Edwards advised that the maximum grant amount is \$25,000.00. Assistant Chief Edwards said that he requested multiple bids, from locations as far as Texas and the lowest price is \$37,600.00, so the town would need about \$15,000.00 in a loan for a new police vehicle. Mayor Yates noted that the grant may change in the meantime. Vice Mayor Rocky Wood asked about a match. Assistant Chief Edwards said that not much match was needed and based on the guidelines that he received the town should be in "good shape." Mayor Yates stated that this grant program is the best funding for vehicles. Assistant Chief Edwards said that the vehicle that the Police Department is interested in is a Dodge Ram Special Service Vehicle with the

Police Package. Mayor Yates said that the Police Department needed a four wheel drive. There was a general discussion about vehicle types. Assistant Chief Edwards said that he asked for quotes of all name brand, top of the line vehicles. Motion was made by Council Member Tim Wallace seconded by Vice Mayor Rocky Wood to approve a grant application for \$25,000.00 and loan application up to \$15,000.00 if needed to start the process of purchasing a new Haysi Police Department Cruiser. Let the record show the motion on the floor was passed unanimously by verbal voting.

ITEM # IX – UNFINISHED BUSINESS

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

Chief Wallace reported nineteen calls for the month of November. Chief Wallace noted that the Police Department also worked on the Christmas lights and parade. Then, he described the calls on the November Monthly Report. Some of the calls included a wanted person that turned themselves in to the Police Department, a vehicle with a dead battery at the coal tipple, and putting oil dry on gas in the parking lot for BB&T. The more notable calls were Assistant Chief Bobby Edwards working on a lockout for about three hours, James Gilbert backing into a vehicle in the town maintenance truck, and watching a surveillance video for a vehicle that never appeared at E&S Grocery. Mayor Yates advised the Haysi Town Council that Assistant Chief Edwards had turned down the job offer and will remain with the Haysi Police Department. Mayor Yates also advised that Police Chief George Wallace is now Chief of the Haysi Volunteer Fire Department too. Chief Wallace reported that the fire department responded to twelve calls and had a total of 26.75 man hours in November. Chief Wallace explained that there were a variety of calls, not just house fires. Mayor Yates asked if one of the calls was for the Mayor of Clinchco's home. Chief Wallace said it may have been, but Assistant Chief Edwards said that the Clinchco Mayor's house fire was more recent.

Ordinance for the Sale of Property at Splashdam

Mayor Yates explained that the town held a public hearing last week and no public comments were received. Mayor Yates said that Attorney Stephen Mullins had approved for the town to move forward. Mayor Yates read the following ordinance:

AN ORDINANCE approving and authorizing the sale of property owned by the Town of Haysi, Virginia, located at Splashdam Road, Haysi, Virginia 24256 in the Town of Haysi, Virginia to Electric Hardwood Inc.

The proposed ordinance authorizes the sale of the referenced real property and authorizes the Town Mayor to enter into all appropriate agreements to complete the sale.

WHEREAS, the Town of Haysi owns the real property located at Splashdam Road in Haysi, Virginia, having acquired it as open space in 2006; and

WHEREAS, the Town Council has decided that certain portions of property at Splashdam Road to be surplus property and authorized the Mayor to negotiate for the potential sale of the property; and,

WHEREAS, the Town Council is of the opinion that the sale of this property is in the best public interest and will otherwise advance the Towns land use goals; preserve and improve economic growth now and in the future and,

WHEREAS, the Town has received an offer from Electric Hardwoods Inc. to purchase a part of the Splashdam Road Property and,

WHEREAS, the Town Council has recommended the sale of this property to Electric Hardwood Inc. for the sum of \$4,000.00 per acre and other terms and conditions as set forth more specifically in the Deed.

BE IT ORDAINED BY THE TOWN COUNCIL OF HAYSI, Va.:

That the sale of the real property described below to Electric Hardwoods Inc. for the sum of \$4,000.00 per acre is as follows:

Being a boundary survey of a 6.469 acre parcel being part of the Town of Haysi Parcel (Deed Book 442, Page 433 & Deed Instrument Number 070001668) situated on the waters of the Russell Fork River in the Sandlick Magisterial District of Dickenson County, Virginia and further described with the Virginia State Plane Coordinate System South Zone (1983 NAD) bearings as follows: Beginning at an iron pin found in the eastern right-of-way of a forty foot right-of-way at a common corner of the Electric Hardwoods, Inc. Parcel (Deed Book 512, Page 132 & Deed Instrument Number 130001435) and the Town of Haysi Parcel (Deed Book 442, Page 433 & Deed Instrument Number 070001668); thence with two lines creating a division line through the Town of Haysi Parcel (Deed Book 442, Page 433 & Deed Instrument Number 070001668) using the Virginia State Plane Coordinate System South Zone (1983 NAD) bearings S 11° 49' 27" E 40.00' to an iron pin set in the western right-of-way line of said forty foot right-of-way; thence S 18° 03' 54" E 179.66' to a point in the center of the Russell Fork River; thence six lines with the Russell Fork River S 71° 56' 06" W 66.83'; thence N 85° 22' 37" W 228.48'; thence N 57° 42' 46" W to 105.89'; thence N 32° 41' 25" W 348.53'; thence N 09° 16' 42" W 261.89'; N 04° 06' 15" W 349.47'; thence leaving the river and with two lines creating a division line through the Town of Haysi Parcel (Deed Book 442, Page 433 & Deed Instrument Number 070001668) N 74° 17' 22" E 220.41' to a point in the eastern right-of-way line of the aforementioned forty foot right-of-way; thence N 74° 17' 22" E 153.57' to an iron pin found at a corner of the Electric Hardwoods, Inc. Parcel (Deed Book 512, Page 132 & Deed Instrument Number 130001435); thence five lines with the boundary line of the Electric Hardwoods, Inc. Parcel (Deed Book 512, Page 132 & Deed Instrument Number 130001435) S 14° 38' 41" W 522.15' to an iron pin found in the eastern right-of-way line of the aforementioned forty foot right-of-way; thence four lines with the eastern right-of-way line of said forty foot right-of-way S 19° 47' 09" E 228.56' to an iron pin (found); thence S 39° 27' 56" E 134.51' to an iron pin (found); thence S 63° 34' 08" E 80.95' to an iron pin (found); thence N 82° 34' 29" E 109.93' to the point of beginning containing 6.469 acres more or less as shown on a "Plat Prepared For: Electric Hardwoods, Inc." by Roy K. Balthis, Virginia Land Surveyor Number 1449 on 15 November, 2016.

A forty foot right-of-way from Route 613 through the Town of Haysi Parcel (Deed Book 442, Page 433 & Deed Instrument Number 070001668) into the above described 6.469 acre parcel is conveyed. The eastern right-of-way of said forty foot right-of-way is Curve 1 and Line 19 as shown on a "Plat Prepared For: Electric Hardwoods, Inc." by Roy K. Balthis, Virginia Land Surveyor Number 1449 on 15 November, 2016.

A forty foot right-of-way is reserved from the above described 6.469 acre parcel. The eastern right-of-way line of said forty foot right-of-way is Line 13, Line 14, Line 15, Line 16, Line 17, and Line 18as shown on a “Plat Prepared For: Electric Hardwoods, Inc.” by Roy K. Balthis, Virginia Land Surveyor Number 1449 on 15 November, 2016.

That the above described is a part of the same property as set forth in Deed Book 442, page 433 , among the land records of the County of Dickenson, Va. and being a part of a tract conveyed to the Town of Haysi by The Forestland Group LLC.

That the Mayor is hereby authorized to carry out on behalf of the Town of Haysi, Va. all things necessary and desirable to carry out the sale of the real property described including, but not limited to, the execution and delivery of deed and other appropriate documents to Electric Hardwood Inc.

That the Town Clerk be and is hereby authorized to attest to the execution of the deed and other necessary documents executed by the Mayor.

That this ordinance shall become effective upon the date and at the time of its final passage.

Mayor Yates asked for a roll call vote:

Wm. “Billy” Brice Counts	Yes	Michael Harris	Yes
Tim Wallace	Yes	Barry Whitt	Yes
Rocky Wood	Yes		

Let the record show the ordinance was passed unanimously by verbal voting.

Mr. Dean Hill questioned the amount of the acreage on the deed prepared by Attorney Stephen Mullins and said that it should be 5.499 acres once the forty foot right-of-way was subtracted. Mayor Yates said that he would check with Attorney Mullins and amend the deed, but that would not affect the ordinance that was passed. Mayor Yates calculated the total cost at \$21,996.00. Mr. Hill said that he was going to pay an even \$22,000. Mayor Yates confirmed that the town wanted to retain the forty foot right-of-way. Mr. Hill thanked the Haysi Town Council and said that he would try to bring more people into town. Mayor Yates said that the trails were expected to open in ninety to one hundred and twenty days. Mr. Hill explained that he is currently working on the septic and had two or three loads of gob to get rid of as well.

Haysi Volunteer Fire Department Roof

Council Member Barry Whitt said that the Haysi Volunteer Fire Department’s roof needs to be replaced and the town owns the building. Council Member Whitt advised that the fire department had installed a new heating system in the building. He also said that with the upcoming season and snow that damage to the vehicles would be possible. Council

Member Barry Whitt said that not having a fire department would affect the town's charter. Mayor Yates said that he would need to research it, but he said he knew that the town was required to have a police department. Mayor Yates said that the town didn't have the money in this year's budget to pay for the roof, but could help some in conjunction with Dickenson County. Vice Mayor Rocky Wood asked if there were any estimates. Chief Wallace said that there were three estimates. Mayor Yates said that Supervisor Ron Peters took the matter to the county and they plan to take action after the spending freeze. There are no guarantees but the spending freeze ends December 31, 2016. Mayor Yates explained that if the town had known about the issue, then the amount could have been budgeted. At this point the town would have to amend the budget. Mayor Yates said that the county is expecting to pay on it and even though the town owns the building, the fire department operates independently. Mayor Yates stated that if the town takes on the responsibility of the fire department then more funding would be needed and he isn't sure where the money would come from. Council Member Tim Wallace asked how much money was left in the donation line item. Council Member Wallace also pointed out that the town would receive \$22,000.00 from the sale of the Splashdam Property now. Council Member Wallace stated that if the county doesn't pay for the roof that the town should pay for it. Mayor Yates said that he agreed. Council Member Wallace said that he didn't mind if the town waited to see how the county handled it, but that ceiling damage, etc. should be included. A general discussion was held about additional damage and costs. Council Member Tim Wallace asked if the fire department got a loan could the county reimburse them. Mayor Yates advised that the question would need to be directed to the County Administrator. Vice Mayor Rocky Wood said that the county would be less likely to fund it if it was already done. Mayor Yates recommended that the fire department patch the roof then wait for the county's decision. Vice Mayor Wood said that Chris Edwards said that he would patch the roof. Chief Wallace said that the fire department hasn't done anything yet. Council Member Billy Counts asked about the age of the roof. Vice Mayor Wood said that it was around twenty-two years old and that he may have some shingles that the fire department could have to keep it from leaking. Council Member Wallace suggested revisiting the matter in February. Mayor Yates explained that the town planned to update the council on the budget in January and could place the matter back on the agenda then. Mayor Yates asked for the low bid. Chief Wallace said that it was \$5,350 with ten pieces of plywood. Chief Wallace also mentioned that a local company would supply the metal to the fire department at a discount. Council Member Wallace stated that the fire department could have gotten materials from the theater building. Mayor Yates agreed that the material from theater building if they were still available would have been good to patch the roof. Chief Wallace asked the council for permission to take the police car on Haysi Volunteer Fire Department business tomorrow. Mayor Yates said that he had no problems with that if there were no objections from the council.

ITEM # X - MAYOR COMMENTS

Mayor Yates reported the following:

- Mayor Yates stated that he was busy last month. He thanked everyone for their work on the parade and the tree lighting. Mayor Yates said that he thought the town had an excellent parade. A general discussion was held about the parade and tree lighting.
- Mayor Yates advised that there was still a battle over the new elementary school. He asked everyone who wants the new elementary school built in Haysi to encourage the local boards and voice their opinion. Council Member Barry Whitt asked where else they would build the new school. Mayor Yates said that some people think that there is more land that could be used at the Ridgeview site, but there is not enough suitable land. The school must be built on land that hasn't been mined under and the Dickenson County School Board must sanitize the land. Mayor Yates said that some people mentioned Clinchco, but there isn't a site there either. A general discussion was held about the new elementary school.

ITEM # XI - COUNCIL COMMENTS

Vice Mayor Rocky Wood asked if Jewell Ridge was part of Spearhead Trails. Mayor Yates explained that Jewell Ridge is privately owned by Buddy Fuller and has a direct link to Hatfield and McCoy Trail System. Spearhead Trails was contacted about Jewell Ridge, but couldn't work anything out due to the agreements already in place. Mayor Yates advised that Spearhead Trails has a new Executive Director, Mr. Shawn Lindsey. Charlotte Mullins will be there to assist with the transition until February.

Mayor Yates also noted that the Virginia Coalfields Economic Development Authority will meet on Thursday and discuss the town's grant application for \$150,000.00 on the Haysi Russell Fork Trail Center.

ITEM # XII – EXECUTIVE SESSION

Motion was made by Council Member Billy Counts and seconded by Vice Mayor Rocky Wood to adjourn into Executive Session pursuant to Virginia Code Section 2.2-3711A1 for the discussion of Personnel. Let the record show the motion on the floor passed unanimously by verbal voting.

Only public business matters lawfully exempted from open meeting requirements under this chapter, and only such public business matters as were identified in the motion by which the closed meeting was convened were heard discussed or considered in the meeting by the public body.

Mayor Yates asked for a roll call vote to certify the statement:

Wm. "Billy" Brice	Counts	Yes	Michael Harris	Yes
Tim Wallace		Yes	Barry Whitt	Yes
Rocky Wood		Yes		

Upon motion made by Council Member Billy Counts and seconded by Vice Mayor Rocky Wood the Council was now convened in Open Session. Let the record show the motion on the floor passed unanimously by verbal voting.

Motion was made by Council Member Billy Counts and seconded by Vice Mayor Rocky Wood to give a two percent raise to full-time police department employees, a fifty cent hourly increase to James Gilbert, a two percent raise to Amanda Perrigan, \$467.50 Christmas bonus for administration, \$467.50 Christmas bonus for full-time employees \$225.00 Christmas bonus for Brent Wallace and Grant Garrett, \$175.00 Christmas bonus for Kirsten Deel, and \$275.00 Christmas bonus for James Gilbert. Let the record show the motion on the floor passed unanimously by verbal voting.

ITEM # XIII – 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 Barry Whitt 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