

**Town of Bluefield  
Town Council  
February 9, 2016**

The Bluefield, Virginia Town Council held a regularly scheduled Town Council Meeting on Tuesday, February 9, 2016 at 7:30 p.m. in the Council Chambers of the Town Hall located at 112 Huffard Drive, Bluefield, Virginia.

**PRESENT**

Don Harris, Mayor  
Anglis Trigg, Councilmember  
Donnie Linkous, Councilmember  
Jimmy Jones, Vice Mayor  
Lee Riffe, Councilmember  
Steve Danko, Councilmember

**ALSO PRESENT**

Mike Watson, Town Manager  
Shane Gunter, Police Chief  
Kim Hernandez, Executive Assistant  
Lesley Catron, Town Clerk  
Matt Freedman, Town Attorney  
Billie Roberts, Comm. Dev. Coordinator  
Chad Lambert, Building Inspector  
2 Members of Public  
1 Member of Media

**CALL TO ORDER**

Mayor Harris called the meeting to order at 7:34 p.m.

**INVOCATION AND PLEDGE**

Chad Lambert, East End Baptist Church led the Invocation. Mayor Harris led the Pledge of Allegiance.

**APPROVAL OF AGENDA**

Vice-Mayor Jones made a motion to approve the agenda. Councilmember Danko seconded the motion. The motion passed unanimously by voice vote.

**CONSENT AGENDA**

Mayor Harris stated that there was one correction to the minutes that he had already discussed with staff.

Councilmember Linkous made a motion to approve the consent agenda. Councilmember Trigg seconded the motion. The motion passed unanimously by voice vote.

## **CITIZEN REQUESTS & SPECIAL PRESENTATIONS**

None.

## **COMMITTEE REPORTS**

### ***Building Department Update – Chad Lambert***

Mr. Lambert stated that from July 1, 2015 to date there had been 50 permits issued and that each permit was a minimum of 7 inspections. He stated that total cost of construction for these was around \$1 million which was shared with the County for upgrades, new building, etc. He stated that one advantage was that permits issued had a 2% fee added which was paid to the Department of Housing and Community Development which helped to pay for their continuing education classes and travel expenses. He stated that there were 6 properties that were condemned or unfit by VA Code that he would be bringing back to council for a vote.

Mr. Danko asked how much money we received for these permits.

Mr. Lambert stated \$5,665.29. He stated that they had lowered the fees since his last update.

Mayor Harris asked if any of the properties were occupied.

Mr. Lambert stated no.

## **UNFINISHED BUSINESS & REPORTS**

None.

## **NEW BUSINESS & REPORTS**

### ***Resolution: Supporting Limited Access/Control Change, VOTE – Billie Roberts***

Mrs. Roberts asked council to approve the Resolution: Supporting Limited Access/Control Change on US 460, Opposite Commerce Drive.

Mayor Harris stated that there was one slight change and asked Mrs. Roberts to read the 3<sup>rd</sup> paragraph.

Mrs. Roberts read the following: WHEREAS, the Leatherwood Property is owned by Leatherwood Development.

Mr. Jones made a motion to approve the Resolution: Supporting Limited Access/Control Change on US 460, Opposite Commerce Drive. Mr. Danko seconded the motion. The motion passed unanimously by voice vote.



## **TOWN OF BLUEFIELD RESOLUTION**

### **“Approval of Limited Access Control Change on US 460, Opposite Commerce Drive”**

WHEREAS, the Commonwealth Transportation Board has requested approval of a limited access control change on U.S. Route 460 opposite Commerce Drive; and

WHEREAS, approval of the limited access control change would permit construction of access into the 1,079 acres development, referred to as the Leatherwood Property; and

WHEREAS, the Leatherwood Property is owned by Leatherwood Development; and

WHEREAS, the areas of Leatherwood Property that have been developed in earlier years along U.S. Route 460, have created hundreds of jobs for area residents and helped energize the town's economy.

WHEREAS, the proposed development of Leatherwood Property could potentially lead to growth opportunities, similar to Leatherwood's last development, which would be very beneficial to the town's economy, as well as the regional economy; and

WHEREAS, limited access control change on U.S. 460, opposite Commerce Drive would help access a new development and allow the town to offer new businesses to the region, including a movie theater, several restaurants, a community / convention center, hotels and retail shopping.

NOW THEREFORE BE IT RESOLVED, THAT THE TOWN COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA, hereby approves and supports the limited access control change on U.S. Route 460, opposite of Commerce Drive, by the Commonwealth Transportation Board.

Adopted this 9<sup>th</sup> day of February 2016.

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Donald R. Harris, Mayor of Bluefield, VA

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Lesley L. Catron, Town Clerk of Bluefield, VA

### ***Square Foot Community Gardening – Billie Roberts***

Mrs. Roberts stated that there would be a new project starting soon when the weather broke with Sue Carr and Greg Quesenberry. She stated that it would consist of square foot gardening and straw bales and would be located in the area downtown behind

the church that the Town owned. She stated that it would be built as 4X4 squares with 1ft sections inside and bottoms. She stated that each square would have 4 sets of 3 and that a small box would cost \$10 and they would discount if you had more than 1 box. She stated that it would be a great activity for senior citizens, kids, etc. to do because areas such as Deerfield did not allow gardens. She stated that the biggest concern was critter control which they were talking about now. She stated that Sue was very knowledgeable in such things and was researching it.

Mr. Riffe asked if what was grown would be sold at the Farmer's Market or kept.

Mrs. Roberts stated that they could do whatever they would like to do with it.

Mayor Harris stated that he thought it would be good.

Mrs. Roberts agreed.

***Gas Company Rates & Charges Discussion – Mayor Harris***

Mrs. Catron stated that she was asked to contact the Bluefield Gas Company about certain charges. She stated that she had spoken to two different people about the rates for Virginia. She stated that the customer charge of \$11.50 was for maintaining the lines up to the meter and that you were charged this amount whether or not you used the gas. She stated that the inventory carrying cost was a fee for inventory and that both individuals she had spoken with said the fees had been in place for a long time but they had gotten a new computer system in October 2014 that now showed the itemized charges. She stated that the bad debt and inventory fees were as old if not older than 2006. She stated that it cost \$95 for them to come and light your pilot light or \$148 if it was after hours.

Mr. Danko asked if this had been approved by the SCC.

Mayor Harris stated that he did not know.

Mrs. Catron stated that the rates changed quarterly.

Mayor Harris stated that the Town had not received notifications and that we had the right to oppose rate increases in Richmond. He asked Mrs. Catron if in her mind she felt like she had received an answer to her questions.

Mrs. Catron stated that from what they could tell it was 2006/2007 with the last report in 2014 becoming effective 6/30/2014 for those charges.

Mr. Danko suggested that they invite someone to come in and talk to them about this.

Mr. Linkous stated that it was a disgrace that these fees were hidden.

Mr. Watson stated that the rates they were seeing were similar to AEP because a utility company had a guaranteed certain rate of return and that AEP filed a fuel factor to adjust their rates every year. He stated now that the gas company was itemizing their bills, the customers were seeing these charges. He stated that they had to pay a certain rate to get the gas plus the add ons to get their return. He stated that staff could find out more if they wanted.

Mr. Danko asked if anyone had looked at past records to see what they were paying.

Mr. Watson stated that they charged a certain amount for so many therms and then bumped it up.

Mr. Linkous stated that the coal industry had been destroyed because they were never guaranteed a return.

Mayor Harris stated that they were elected to look out for the best interest of their residents and that he does not mind going to oppose rate hikes because it lets the citizens know that they are looking out for them. He stated that it was wrong when they were not made of aware of such fees.

Mr. Linkous stated that the Town had asked them years ago to inform us of rate hikes.

Mayor Harris stated that we have never received anything. He stated that it cost \$300 to reconnect plus \$95 to light your pilot. He stated that he had a 90 year old widow who needed help because she could not take care of the things herself and that it was their responsibility to help these residents. He stated that a letter needed to be sent to SCC to inform us of any utility rate hikes to allow us to oppose them.

Mr. Riffe asked if the bad debt fee was a percentage of the Town or all of Virginia.

Mr. Watson stated that staff could find out.

### **TOWN MANAGER'S REPORT**

#### ***VHDA Letter of Support (Harman Heights), VOTE***

Mr. Watson stated that there was a letter of support in council's packet for Harman Heights which allowed them to apply for a tax credit.

Mr. Linkous made a motion to approve the VHDA Letter of Support for Harman Heights. Mr. Jones seconded the motion. The motion passed unanimously by voice vote.

### ***ATV Trails***

Mr. Watson stated that there was a copy of an article concerning the ATV Trails in council's packet and its benefits for the area.

### ***Upcoming Events***

Mr. Watson stated that there was a copy of upcoming events in the area and that no one could say there was nothing going on in our area.

### ***Adult Daycare***

Mr. Watson stated that staff had met with the Appalachian Agency for Senior Citizens who were looking to put an Adult Daycare in the old Falls Mills School. He stated that it would have to be torn down and rebuilt and that they were applying for grants. He stated that it would be an adult daycare, assisted living and delivering meals and helping with medications. He stated that they offered over 20 programs and would meet at Town Hall on the first Thursday of every month to advise citizens of what they had to offer.

### **CITIZEN COMMENTS**

None.

### **COUNCIL COMMENTS**

Mr. Riffe stated that he would be putting In God We Trust on his personal facebook account and would probably get some negativity because of it. He stated that he would also like to see our Police Department join in with the surrounding areas and put it on their vehicles.

Mr. Linkous stated that he had something pop up on his computer advising him to contact Comcast. He stated that he could not get out of it and that he called the 800 number for help. He stated that he asked the employee where he was located and was told in California. He stated that he could not understand why we could not have a local representative here.

Mr. Trigg had none.

Mr. Jones had none.

Mr. Danko had none.

Mayor Harris had none.

## **ATTORNEY REPORT**

### ***VDOT Conveyance of Right of Way "Bullet Bill Drive", VOTE (to accept realty and authorize mayor's execution of the document)***

Mr. Freedman asked for a motion to accept the realty and authorize the mayor to sign the VDOT Conveyance of Right of Way for Bullet Bill Drive.

Mr. Linkous made a motion accept the realty and authorize the mayor to sign the VDOT Conveyance of Right of Way for Bullet Bill Drive. Mr. Riffe seconded the motion. The motion passed unanimously by voice vote.

### ***2016 Comprehensive Plan, VOTE***

Mr. Freedman stated that there was a resolution from the Planning Commission to adopt the 2016 Comprehensive Plan.

Mr. Linkous made a motion to adopt the 2016 Comprehensive Plan. Mr. Danko seconded the motion. The motion passed unanimously by voice vote.

## **EXECUTIVE SESSION**

Councilmember Trigg made a motion to enter into Executive Session pursuant to *Code of Virginia Section 2.2-3711-A-1.3 and Section 2.2-3711-A-1.7* and Mrs. Catron read:

Discussion or consideration of the acquisition of real property for public purpose, or of the disposition of publicly held real property, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body; and consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel.

Councilmember Danko seconded the motion. The motion passed unanimously by voice vote.

Council entered into Executive Session at 8:16 p.m.

Councilmember Linkous made a motion to enter out of Executive Session. Councilmember Riffe seconded the motion. The motion passed unanimously by voice vote.

Councilmember Danko made a motion to adopt the following resolution certifying the Executive Session and Mrs. Catron read:

WHEREAS, the Town Council of Bluefield, Virginia has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with provisions of the Virginia Freedom of Information Act; and WHEREAS, Section 2.2-3712-D of The Code of Virginia requires a certification by the Town Council of Bluefield, Virginia that such session was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of Bluefield, Virginia hereby certifies that, to the best of each members knowledge, (I) only public business matters lawfully exempted from open meeting requirements under this chapter and (ii) 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 Town Council.

Adopted this 9<sup>th</sup> day of February.

Councilmember Linkous seconded the motion.

**ROLL CALL VOTE**

Councilmember Riffe:	Yes
Councilmember Linkous:	Yes
Councilmember Trigg:	Yes
Mayor Harris:	Yes
Vice Mayor Jones:	Yes
Councilmember Danko:	Yes

The motion passed unanimously by Roll Call Vote.

**ADJOURN**

Mr. Jones made a motion to recess the meeting at 8:50 p.m. Mr. Danko seconded the motion. The motion passed unanimously by voice vote.

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Don Harris, Mayor

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Lesley Catron, Town Clerk