

**Town of Bluefield  
Town Council  
Minutes  
January 14, 2020**

The Bluefield, Virginia Town Council held a regularly scheduled Town Council Meeting on Tuesday, January 14, 2020 at 7:30pm in the Council Chambers of the Town Hall located at 112 Huffard Drive, Bluefield, Virginia.

**PRESENT**

Don Harris, Mayor  
Anglis Trigg Jr., Vice-Mayor  
Chuck Presley, Councilmember  
Jimmy Jones, Councilmember  
Ron Holt, Councilmember  
Jarrod Bailey, Councilmember

**ALSO PRESENT**

Mike Watson, Town Manager  
Kim Hernandez, Town Clerk  
Matt Freedman, Town Attorney  
Billie Roberts, Comm. Dev. Coordinator  
Rachel Looney, Administrative Asst.  
James Hampton, Treasurer Transit Director  
5 Members of Public

**ABSENT**

Shane Gunter, Police Chief

**CALL TO ORDER**

Mayor Harris called the meeting to order at 7:30pm.

**INVOCATION AND PLEDGE**

Jim Drake, Parkview Baptist Church led the invocation. Mayor Harris led the Pledge of Allegiance.

**APPROVAL OF AGENDA**

Councilmember Holt made a motion to approve the agenda. Councilmember Presley seconded the motion. The motion passed unanimously by voice vote.

Vice-Mayor Trigg:	Yes
Councilmember Presley:	Yes
Councilmember Bailey:	Yes
Mayor Harris:	Yes
Councilmember Jones:	Yes
Councilmember Holt:	Yes

## **CONSENT AGENDA**

Councilmember Jones made a motion to approve the agenda. Councilmember Presley seconded the motion. The motion passed unanimously by voice vote.

Vice-Mayor Trigg:	Yes
Councilmember Presley:	Yes
Councilmember Bailey:	Yes
Mayor Harris:	Yes
Councilmember Jones:	Yes
Councilmember Holt:	Yes

## **CITIZEN REQUESTS AND SPECIAL PRESENTATIONS**

None.

## **UNFINISHED BUSINESS & REPORTS**

None.

## **NEW BUSINESS & REPORTS**

### ***Fiscal Year June 30, 2019 Audit Report – Scott Wickham Robinson, Farmer, Cox Associates, PLLC***

Scott Wickham handed out an audit presentation to council but first went over the larger audit book that council already had a copy of.

Pg. 2 showed an unmodified opinion which was the best audit you could get. He stated that it also showed changes in the accounting principle, GASB 89, a few more disclosures and correcting some balances. He stated overall it was a good clean unmodified opinion.

Pg. 5 summarized all debt for the year.

Pg. 18 showed the balance sheet of the Town and a \$9 million net worth, \$5.5 million being in buildings, etc., \$3.4 million in disposal.

Pg. 20 Government Activities cash and short term receivable/payable was \$3.5 million.

Pg. 22 Income Statement showed a \$400k increase in the General Fund.

Pg. 24 Water Fund he stated that the Town needed to work on building it up and the water rate increase would help.

Pg. 26 Cash Flow increase of \$171k this year.

Mr. Watson asked if it showed any of the CIP money that was being spent.

Mr. Wickham stated that it showed a little bit of the engineering.

Pg. 70 showed the new GASB 84 and 87, changes in leases to report as a liability.

Pg. 99 was the opinion on compliance and the main thing was not having enough employees for checks and balances.

He went over the handout next.

Pg. 2 showed a 4.8% increase per year which was good growth in the General Fund. He stated that interest income went up due to the rate increase. He stated that the General Fund was healthy with 1.8% expenditures.

Pg. 3 Ending Unassigned FB as a % of Operating/Debt Expenditures, GFOA recommended 16.67% and we were growing 2.5% each year.

Pg. 4 was almost flat over a 10 year period.

Pg. 5 showed all financial debt including accrued sick leave, vacation leave, etc. Debt per capita was 1,174 which was below the state average and did not include Fincastle or the Fire Truck.

Pg. 8 showed an upward trend in investments and a downward trend in debt which was good.

Pg. 9 Water Fund showed the revenue flat over the past 10 years.

Pg. 11 VRS net liability calculator in accordance with GASB 68 which was a required calculation but a big asset (all localities were in the same boat).

Pg. 12 Health and Group Life Insurance for retirees.

Pg. 13-14 leases changing in accounting.

Pg. 15-16 clean testing, no issues reported to the State.

Pg. 17-18 Annual Management Recommendations, not enough staff for checks and balances.

Pg. 19 showed the two new standards GASB No. 88 and 89. He stated that staff was all great to work with and the audit went well. The General Fund looked good and he suggested that they keep working on the Water Fund.

### ***IDA Re-Appointment Resolution, Motion to Adopt, ROLL CALL VOTE – Billie Roberts***

Mrs. Roberts stated that two members of the IDA were up for re-appointment, Wayne Blevins and E. Stephen Lilly. She asked council for a motion to adopt the attached Resolution to Re-appoint and a Roll Call Vote.

Mr. Trigg made a motion to adopt the Resolution of Re-Appointment. Mr. Presley seconded the motion.

### **ROLL CALL VOTE**

Vice-Mayor Trigg:	Yes
Councilmember Presley:	Yes
Councilmember Bailey:	Yes
Mayor Harris:	Yes
Councilmember Jones:	Yes
Councilmember Holt:	Yes

The motion passed unanimously by Roll Call Vote.



Night Stick, etc.	<b><u>\$12,000.00</u></b>	<b><u>\$19,048.65</u></b>	<b><u>\$7,048.65</u></b>
-------------------	---------------------------	---------------------------	--------------------------

**PURPOSE:** Technology Grant used to purchase 2 new Tasers

**Revenue**

Line Item		Original Budget	Amended Budget	Change
0400-0413	Misc. State Law	<b><u>\$85,875.75</u></b>	<b><u>\$87,964.75</u></b>	<b><u>\$2,089.00</u></b>
	Enforcement	<b><u>\$85,875.75</u></b>	<b><u>\$87,964.75</u></b>	<b><u>\$2,089.00</u></b>

**Expenditure**

Line Item		Original Budget	Amended Budget	Change
3110-6010	Guns, Ammo,	<b><u>\$19,048.65</u></b>	<b><u>\$21,137.65</u></b>	<b><u>\$2,089.00</u></b>
	Night Stick, etc.	<b><u>\$19,048.65</u></b>	<b><u>\$21,137.65</u></b>	<b><u>\$2,089.00</u></b>

**PURPOSE:** Security Services

**Revenue**

Line Item		Original Budget	Amended Budget	Change
0400-0413	Misc. State Law	<b><u>\$87,964.75</u></b>	<b><u>\$89,633.25</u></b>	<b><u>\$1,668.50</u></b>
	Enforcement	<b><u>\$87,964.75</u></b>	<b><u>\$89,633.25</u></b>	<b><u>\$1,668.50</u></b>

**Expenditure**

Line Item		Original Budget	Amended Budget	Change
3110-1200	Salaries-Overtime	<b><u>\$37,672.50</u></b>	<b><u>\$39,341.00</u></b>	<b><u>\$1,668.50</u></b>
		<b><u>\$37,672.50</u></b>	<b><u>\$39,341.00</u></b>	<b><u>\$1,668.50</u></b>

**PURPOSE:** Fire Department Donation

**Revenue**

Line Item		Original Budget	Amended Budget	Change
3108-9903	Gifts & Donations	<b><u>\$14,438.72</u></b>	<b><u>\$16,938.72</u></b>	<b><u>\$2,500.00</u></b>
		<b><u>\$14,438.72</u></b>	<b><u>\$16,938.72</u></b>	<b><u>\$2,500.00</u></b>

**Expenditure**

Line Item		Original Budget	Amended Budget	Change
3220-6007	Repair and	<b><u>\$2,000.00</u></b>	<b><u>\$4,500.00</u></b>	<b><u>\$2,500.00</u></b>
	Maintenance Supp	<b><u>\$2,000.00</u></b>	<b><u>\$4,500.00</u></b>	<b><u>\$2,500.00</u></b>

**PURPOSE:** Fire Department Donation

**Revenue**

<b>Line Item</b>		<b>Original Budget</b>	<b>Amended Budget</b>	<b>Change</b>
3108-9903	Gifts & Donations	<u>\$16,938.72</u>	<u>\$19,438.72</u>	<u>\$2,500.00</u>
		<u>\$16,938.72</u>	<u>\$19,438.72</u>	<u>\$2,500.00</u>

**Expenditure**

<b>Line Item</b>		<b>Original Budget</b>	<b>Amended Budget</b>	<b>Change</b>
3220-6011	Wearing Apparel	<u>\$1,500.00</u>	<u>\$4,000.00</u>	<u>\$2,500.00</u>
		<u>\$1,500.00</u>	<u>\$4,000.00</u>	<u>\$2,500.00</u>

She stated if council was good with the Budget Amendments then she would need a motion to adopt and a Roll Call Vote.

Mr. Trigg made a motion to adopt the Budget Amendments. Mr. Bailey seconded the motion.

**ROLL CALL VOTE**

Vice-Mayor Trigg:	Yes
Councilmember Presley:	Yes
Councilmember Bailey:	Yes
Mayor Harris:	Yes
Councilmember Jones:	Yes
Councilmember Holt:	Yes

The motion passed unanimously by Roll Call Vote.

***FOIA Discussion – Kim Hernandez***

Mrs. Hernandez stated that it was mentioned by a member of council to have a discussion concerning FOIA Requests and the costs associated with them. She stated that included in Council’s Packet was the Code of VA and the VA Freedom of Information Advisory Council’s Advisory Opinion on such request and read the highlighted areas from both:

F. A public body may make reasonable charges not to exceed its actual cost incurred in accessing, duplicating, supplying, or searching for the requested records. No public body shall impose any extraneous, intermediary, or surplus fees or expenses to recoup the general costs associated with creating or maintaining records or transacting the general business of the public body. Any duplicating fee charged by a public body shall not exceed the actual cost of duplication. All charges for the supplying of requested records shall be estimated in advance at the request of the citizen.

3. FOIA states in subsection F of § 2.2-3704 that a public body may make reasonable charges incurred in accessing, duplicating, supplying, or searching for the requested records. Charges must be reasonable and not exceed the actual cost incurred.

Mr. Holt stated he was the one who had mentioned it and that his only concern was that the Town was charging a reasonable rate for lengthy FOIA requests.

### **CITIZEN COMMENTS**

David Wohlford, Sedgewood stated that he was once again there over contractors with no VA license. He stated that gas lines were being put in without a license and a General Contractor's License would not cover it. He stated that being that they were here with no license they were obviously not registered with the State and probably not with the Town. He stated that a contractor comes to the Town for a business license if they are over \$25k and it would be illegal for the Town to issue that business license without them having a contractor's license. He stated that Section 54.1-1111 showed they were personally liable now that they knew this was taking place and was punishable with a Class III Misdemeanor. He stated that he did not want to do that but just wanted it fixed and we had some people over the years that were required to have a business license and some that were not. He stated that when the work was available that it should be out for all to get and they should not have to fight with the ones illegal coming in and doing it. He stated that it should be out there for them to bid on before giving to someone illegal. He stated that he would like to see them enforcing the code how it was supposed to be enforced. He stated that he did not have time to research but stated that council could google the Highway and Heavy Endorsement and it would explain it to them. He asked that council get the project stopped because if they got one contractor in without a license then another one would come in because nothing was ever enforced. He stated that DPOR said it was up to them to enforce it.

Mr. Watson stated that was not true.

### **TOWN MANAGERS REPORT**

#### ***Water CIP Update***

Mr. Watson stated that the Water CIP had kicked off and the substantial completion date was June with a final completion date of July 1<sup>st</sup>. He stated that the contract was extended and that we would be installing new meters. He stated that it followed the wage laws, permits, etc. and that 2,000 meters would be installed and could be read by touch button. He stated that the accounting would be better and it would help the citizens with long-term leaks.

#### ***Legislative Trip***

Mr. Watson stated that the Legislative Trip was January 21<sup>st</sup> - 23<sup>rd</sup>. He stated that the afternoon events were limited spacing and asked that council let staff know as soon as possible if there were planning to attend any of them.

#### ***Statement of Economic Interests/Disclosure of Real Estate Holdings***

Mr. Watson stated that the Statement of Economic Interests/Disclosure of Real Estate Holdings were due by February 3<sup>rd</sup>.

***Letter of Support***

Mr. Watson stated that he had sent out an email to council regarding the Power Grant. He stated that it was a Federal Grant that supplied federal funding for Economic Goals in more than one municipality. He stated that he had received a request letter of support from Charlie Stacy and it would include four agencies (Tazewell County, Bluefield, VA, Mercer County and Bluefield, WV) with the application being submitted through Bluefield, WV. He stated that it would be a feasibility study for the consideration of a Regional Hotel/Conference Center located in the City Park. He stated that this concept may open up opportunities for access to federal funding as an ARC Regional Project and the opportunity may make funds available for the construction. He stated that Mr. Stacy would like for council to vote to send a letter of support.

Mr. Presley stated that it was worth looking into.

Mr. Holt asked if there were any issues or pitfalls.

Mr. Watson stated that it would not cost us anything and it would be the same as writing a letter to another agency in support. He stated this would allow them to apply for the money to do the study.

Mr. Presley made a motion to approve sending a letter of support. Mr. Trigg seconded the motion.

**ROLL CALL VOTE**

Vice-Mayor Trigg:	Yes
Councilmember Presley:	Yes
Councilmember Bailey:	Yes
Mayor Harris:	Yes
Councilmember Jones:	Yes
Councilmember Holt:	Yes

The motion passed unanimously by Roll Call Vote.

Mr. Holt stated that he had talked to Amanda Hoops, wife of Tazewell Mayor about the Polar Plunge to benefit the Clinch Valley Community Action which helped all of Tazewell County. He stated that they were asking for others to participate and help support this benefit. He stated that he would not be able to attend but made a motion that the Town donate \$100.

Mr. Presley seconded the motion. The motion passed unanimously by voice vote.

Vice-Mayor Trigg:	Yes
Councilmember Presley:	Yes
Councilmember Bailey:	Yes
Mayor Harris:	Yes
Councilmember Jones:	Yes
Councilmember Holt:	Yes

## **COUNCIL COMMENTS**

Mr. Trigg thanked Mr. Hampton and staff for the work on the audit and stated job well done.

Mr. Presley stated that the Town's website needed to be updated. He stated that he had talked with other council members about the Police and Public Safety, fire hydrants, etc. He stated that the trees near Classic Coal were leaning. He stated that the Town needed an Assistant Town Manager and he would like for it to be Mrs. Roberts if she was willing.

Mr. Bailey had none.

Mayor Harris asked about the new fire truck.

Mr. Watson stated that he would check and let council know.

Mr. Jones stated that he liked the idea of the hotel/conference center.

Mr. Holt had none.

## **ATTORNEY REPORT**

### ***Sign Ordinance Update***

Mr. Freedman stated that he was close to having a rough draft of the Sign Ordinance to present to Planning Commission at their next meeting in February.

Mr. Holt asked when he anticipated it would be finished.

Mr. Freedman stated that it would depend on Planning Commission but a Public Hearing could be done in March.

Mr. Holt asked that it be done as quickly as it could be.

### ***Public Nuisances Discussion***

Mr. Freedman stated that he had been working with Mr. Chopra, his attorney and the Animal Advocacy Organization and that Mr. Watson and Ms. Looney had also met with the organization and that he would like to incorporate Mr. Chopra's concerns in along with the Mercer Spay Organization and he thought this ordinance was a good start to try and solve these problems. He stated that they could go ahead and proceed with this ordinance and look into another one later on if there were more issues.

**EXECUTIVE SESSION**

**MOTION FOR CLOSED MEETING**

It is hereby moved that the Council of the Town of Bluefield, Virginia enter into a closed meeting pursuant to Section 2.2-3711 (A) (3) of the Code of Virginia as amended, The specific purpose for this motion is to discuss the following matter(s):

Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, with such closed meeting being confined to the following subjects: conveyance of a lease to a local non-profit.

Councilmember Presley made a motion to enter into Executive Session as described above. Councilmember Jones seconded the motion.

The motion passed unanimously by voice vote.

Mr. Bailey made a motion to enter back into regular session. Mr. Holt seconded the motion.

**CERTIFICATION OF EXECUTIVE SESSION**

WHEREAS, the Town Council of Bluefield, Virginia convened a closed meeting on January 14, 2020 pursuant to a duly adopted motion, attached hereto, and such closed meeting was convened in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, the Town Council of Bluefield, Virginia returned to its open meeting held on January 14, 2020.

NOW, THEREFORE, THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA HEREBY CERTIFIES that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were discussed in the closed meeting held on January 14, 2020, to which this certification applies and (ii) only such public business matters as were identified in the motion convening such closed meeting were heard, discussed, or considered by the Council of the Town of Bluefield, Virginia in such closed meeting.

**ROLL CALL VOTE**

Vice-Mayor Trigg:	Yes
Councilmember Presley:	Yes
Councilmember Bailey:	Yes
Mayor Harris:	Yes
Councilmember Jones:	Yes
Councilmember Holt:	Yes

The motion passed unanimously by Roll Call Vote.

**ADJOURN**

Mr. Bailey made a motion to adjourn the meeting 9:38 pm. Mr. Presley seconded the motion. The motion passed unanimously by voice vote.

Vice-Mayor Trigg:	Yes
Councilmember Presley:	Yes
Councilmember Bailey:	Yes
Mayor Harris:	Yes
Councilmember Jones:	Yes
Councilmember Holt:	Yes

---

Don Harris, Mayor

---

Kim Hernandez, Town Clerk

VIRGINIA: AT A REGULAR MEETING OF THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA HELD AT THE COUNCIL CHAMBERS OF THE TOWN HALL IN BLUEFIELD, VIRGINIA ON THE 14TH DAY OF JANUARY, 2020.

**A RESOLUTION TO RE-APPOINT WAYNE BLEVINS & E. STEPHEN LILLY TO BE DIRECTORS OF THE INDUSTRIAL DEVELOPMENT AUTHORITY OF THE TOWN OF BLUEFIELD, VIRGINIA**

BE IT RESOLVED BY THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA that **WAYNE BLEVINS & E. STEPHEN LILLY** are hereby re-appointed to serve as directors of the Industrial Development Authority of the Town of Bluefield, Virginia, with terms of office ending on **NOVEMBER 27, 2023**.

BE IT FURTHER RESOLVED BY THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA that this resolution is hereby adopted on this 14th day of January, 2020, and, to the extent permitted by law, shall be effective as of November 28, 2019, at 12:00 a.m.

BE IT FURTHER RESOLVED BY THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA that Donald R. Harris, the Mayor of the Town of Bluefield, Virginia, shall execute this resolution on behalf of the said Council, and the Town Clerk of the Town of Bluefield, Virginia shall attest the same.

IT IS SO RESOLVED BY THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA on this 14th day of January, 2020.

(REMAINDER OF PAGE INTENTIONALLY LEFT BLANK)

MOTION TO ADOPT MADE BY:  
MOTION TO ADOPT SECONDED BY:

Presley  
Bailey

ADOPTION DATE:  
EFFECTIVE DATE:

January 14, 2020  
November 28, 2019

Name of Councilman	Attendance (Present or Absent)	Vote (Aye, Nay, Abstain, or Absent)
Angela Trigg, Jr.	Present	Aye
Charles Presley	Present	Aye
Garrad Bailey	Present	Aye
Don Harris	Present	Aye
Ron Helt	Present	Aye
Gaming Jones	Present	Aye

RESULT OF VOTE:      6                      0                      0  
   AYES                      NAYES                      ABSTENTIONS

COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA

BY: Donald R. Harris                      1-14-20  
DONALD R. HARRIS, MAYOR                      DATE  
TOWN OF BLUEFIELD, A VIRGINIA MUNICIPAL CORPORATION



ATTEST:  
Kim Hernandez                      1/14/2020  
KIM HERNANDEZ, TOWN CLERK                      DATE  
TOWN OF BLUEFIELD, A VIRGINIA MUNICIPAL CORPORATION