

**Town of Bluefield
Town Council
Minutes
January 24, 2017**

The Bluefield, Virginia Town Council held a regularly scheduled Town Council Meeting on Tuesday, January 24, 2017 at 7:30 p.m. in the Council Chambers of the Town Hall located at 112 Huffard Drive, Bluefield, Virginia.

PRESENT

Don Harris, Mayor
Jimmy Jones, Councilmember
Lee Riffe, Vice-Mayor
Chuck Presley, Councilmember
Ron Holt, Councilmember
Steve Danko, Councilmember

ALSO PRESENT

Mike Watson, Town Manager
Matt Freedman, Town Attorney
Shane Gunter, Police Chief
Lesley Catron, Town Clerk
Kim Hernandez, Executive Assistant
Billie Roberts, Comm. Dev. Coordinator
Kris Williams, Zoning Administrator
James Hampton, Treasurer/Transit Director
15 Members of Public

CALL TO ORDER

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

INVOCATION AND PLEDGE

Pastor Steve Branch led the Invocation. Mayor Harris led the Pledge of Allegiance.

APPROVAL OF AGENDA

Councilmember Holt made a motion to approve the amended agenda. Vice-Mayor Riffe seconded the motion. The motion passed unanimously by voice vote.

CONSENT AGENDA

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

CITIZEN REQUESTS & SPECIAL PRESENTATIONS

Presentation: Resolution for Juanita Sheppard – Mayor Don Harris

Mayor Harris asked Juanita Sheppard to come forward. Mrs. Catron read the following resolution and the Mayor presented the resolution to her along with a framed picture collage.



TOWN OF BLUEFIELD

RESOLUTION

RECOGNITION OF JUANITA SHEPPARD

WHEREAS, Juanita Elizabeth Moore Sheppard was born in Marytown, West Virginia, in December of 1933 and became a long time resident of Bluefield, Virginia, after moving with her family and siblings to Bluefield in the late-1930s; and

WHEREAS, Juanita has happily spent the majority of her life in this area, graduating from Bluefield High School in 1954, then marrying her husband, Curtis Oscar Blair Sheppard in 1956; and

WHEREAS, Juanita and Curtis had three children, Jeffrey, Vanessa, and Teresa, as well as two grandchildren, Christopher and Justin, and two great grandchildren, Hailey and Aubrey; and

WHEREAS, the couple purchased their home on Gurney Street in Bluefield, Virginia in the mid-1960s and Juanita worked two jobs during her working career, before retiring in 1996; and

WHEREAS, she has been a community volunteer for many years, joining the Bluefield, Virginia VFW Post 9696 Women's Auxiliary in 1972 and still serving forty-five years later; and

WHEREAS, she was Treasurer of the Bluefield, Virginia VFW Post 9696 Women's Auxiliary for many years; and

WHEREAS, Juanita was the leading force behind obtaining a grant that helped the VFW and the American Legion restore the Veteran's Memorial Monument located in downtown Bluefield, Virginia; and

WHEREAS, her name is the only female name engraved on both granite slabs that adorn the monument's face; and

WHEREAS, she has also been an active volunteer for some thirty years with the Bluefield, Virginia Autumn Jamboree, attending numerous meetings, providing decorations, working on the "Hide the Needle" event during the Jamboree, and helping set up and beautify the grounds before each annual event; and

WHEREAS, Juanita has always given back to the community and the people she loves.

NOW THEREFORE BE IT RESOLVED, THAT THE TOWN COUNCIL OF BLUEFIELD, VIRGINIA, hereby recognizes and distinguishes Juanita Sheppard as an outstanding citizen and volunteer of her community. Her hard work and dedication is appreciated and hereby applauded by this Council, for the Town of Bluefield, Virginia.

Adopted the 10th day of January 2017. Presented this 24th day of January 2017.

Donald R. Harris, Mayor

Lesley L. Catron, Town Clerk

Presentation: Check of Police Department/Chief Gunter – Mike Dennis

Mike Dennis stated that it was good to come and be able to recognize law enforcement. He stated that the Town of Bluefield's Police Department had a terrible tragedy and that the officers did a fantastic job. He presented Chief Gunter with a check in the amount of \$24,882 to assist in purchasing needed equipment.

Presentation: GHS Cheer Team Donation Request – Debbie Brewster

Mayor Harris stated that council recognized the cheerleaders at the last council meeting by giving each a plaque. He stated that they put in a request for a donation to pay for championship rings. He stated that it was well deserved and that the request had been delayed until the new councilmember's could hear the request.

Mrs. Brewster stated that Leslie Rhudy had made the request and at the time of the request, they did not know how much it would cost. She stated that they did not anticipate this or they would have fundraised harder. She stated that all of the money that was raised was spent to keep the program running and to be able to go to state. She stated that they had girls who could not afford to participate and that they also shared a bus with the band so they would not have that added expense on them. She stated that the girls worked hard for this and that they tended to be overlooked. She stated that the county gave them money and that they also had received so small donations and that she was asking and making a formal request. She stated that they were the 1st team west of Roanoke to win and that it was physically competitive. She stated that they had helped with community service and asked that council consider this request since it was the first time they had asked for money.

Mrs. Rhudy stated that they did not have money for this and that it would mean a lot to the girls.

Mr. Riffe stated that they did a great job and brought pride to Bluefield, VA. He stated that as a Town they could only do such much and that they needed to look at the future and grow so that they could support more things.

Mrs. Rhudy stated that they were our future.

Mr. Riffe agreed and commended them for all they did. He stated that whatever council chose to do that he would go with.

Mr. Presley stated that he was the 1st male cheerleader at Graham High School and that he knew she had put in a lot of hard work.

Mr. Holt stated that Mr. Riffe's concerns were warranted and that they were currently talking about the budget. He agreed that they did get overlooked and stated that they were athletes.

Mr. Jones stated that the county gave them \$4,750 which left them with a balance of \$2,700 and that he would make a motion to approve giving them the remaining \$2,700 that they needed. He stated that they had given to others and that they needed to sit down and make a budget for donations.

Mr. Danko asked if they had looked at doing something else besides rings.

Mrs. Brewster stated that rings were typically what were given and that they were sterling silver.

Mr. Danko asked if the seniors would wear 2 rings.

Mrs. Rhudy stated that the class ring was optional.

Mrs. Brewster stated that class rings were not the thing anymore.

Mr. Danko asked if they had asked anyone else for money.

Mrs. Brewster stated that they had but had not received them all yet. She did say that the Bluefield, WV Rescue Squad gave them \$100. She stated that she had been coaching for 16 years and had never asked for anything that they did all of their fundraising without asking. She stated that she had a really good group of girls and that some had gone on to good things and that this was one time.

Mayor Harris asked for a motion to approve the \$2,700.

Mr. Jones stated that he had already made a motion.

Mayor Harris asked for a second.

Mr. Holt seconded the motion.

Mr. Riffe asked Mr. Watson what the donation for the gymnasium/community center on Page 17 was for.

Mr. Watson stated that it was donated to the BVLL.

Mr. Riffe asked without the Little League was there funds anywhere that could be allocated for this and asked before voting if he could send out a text.

Mayor Harris stated yes.

Mr. Watson stated that there was nothing in the upcoming budget that an organization would not ask for the money.

Mayor Harris asked for a Roll Call Vote.

ROLL CALL VOTE

Vice-Mayor Riffe:	No
Councilmember Presley:	Yes
Councilmember Holt:	Yes
Mayor Harris:	Yes
Councilmember Jones:	Yes
Councilmember Danko:	Yes

The motion passed 5-1 by Roll Call Vote.

Presentation: Audit Report – Robinson, Farmer, Cox Associates

Scott Wickham stated that he had done the Town's audit for 3 years. He gave out a copy of the audit presentation to council and went over it. He went over the big book that council already had:

Pg. 2-4: he stated was the Independent Audit Report or Opinion and that the Town had gotten the best it could with an unmodified opinion.

Pg. 5-12: he stated was a general summary of audit report written by James Hampton and was more for the citizens to read.

Pg. 13: he stated showed our net worth of \$7.8 million (\$5.2 million tied up in building, vehicles, etc. and \$2.6 million available to spend).

Pg. 15: he stated was short term funds and showed \$3.6 million in unassigned general fund.

Pg. 21: he stated was the water fund and showed the statement of cash flows with a \$53k decrease in cash.

In the Audit Presentation Book he went over the following:

Pg. 2: he stated showed the annualized growth rates. The total revenue growth was .79% over 10 years and expenses had not grown either which was impressive. He stated that the Fund Balance had grown over 8% in 10 years.

Pg. 3: he stated that the Town had 300 days in reserves to pay bills and that is what they liked to see for a Town of this size.

Pg. 4: he stated showed very little increases in 10 years.

Pg. 5: Debt Summary showed \$6.9 million in obligations with 1,268 per debt capita which we were in the right range. He stated that the projected debt went down by paying stuff off.

Pg. 9: he stated showed the 10 year trend for the water fund. He stated that the revenues were down 1.97% and that the town was doing a good job on the operating expenditures. He stated that the net ending was 21% and that was due to a drop off of cash in the water fund.

Pg. 11: VRS, he stated the Town created a net pension liability as of 6/30/15 and that during the year had paid which decreased that liability. He stated that this put it on their records because some localities were not funding at all. He stated that VA was in the middle of the percent funded.

Pg. 12-13: he stated that they checked to make sure the employee information was correct and all came back good.

Pg. 14-15: he stated that he had discussed with Mike and James. He stated that they needed to be sure to get the Statement of Economic Interest done on time.

Pg. 16-18: he stated was a letter written about changes and new standards.

Mr. Wickham stated that they did not have any issues and that the Town was great to work with. He stated that he felt good about the Town and that we were in good shape but needed to look at the water fund.

Mayor Harris thanked him for coming.

EXECUTIVE SESSION

Mayor Harris asked Mr. Freedman to explain the process of an Executive Session for the new councilmember's and those in attendance.

Mr. Freedman stated that under FOIA the Town was required to keep a meeting open and to take minutes unless there was a need for an Executive Session. He stated that there were certain exceptions where council could meet in private and without minutes and if so then they would go thru a process of someone making a motion, the purpose and specific exemptions of the code read and then they could enter into which was usually held in the board room. He stated that a certification was read when they came out of Executive Session that nothing else was discussed. He stated that it was confidential and private and remained in the Executive Session room. He stated that

under FOIA, they could be fined or reprimanded should council use information not available to the public.

Mr. Jones stated that they could be dismissed from council because of such.

Mr. Freedman agreed and stated that there were penalties and that it would be the court's decision.

Mayor Harris stated that Charlie Stacy and Barry Brooks would also be going into Executive Session.

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

Consultation with legal counsel and briefings by staff members of 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 Presley seconded the motion. The motion passed unanimously by voice vote.

Council entered into Executive Session at 8:25 p.m.

Vice-Mayor Riffe made a motion to enter out of Executive Session. Councilmember Holt 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 24th day of January.

Councilmember Jones seconded the motion.
ROLL CALL VOTE

Vice-Mayor Riffe:	Yes
Councilmember Presley:	Yes
Councilmember Holt:	Yes
Mayor Harris:	Yes
Councilmember Jones:	Yes
Councilmember Danko:	Yes

The motion passed unanimously by Roll Call Vote.

COMMITTEE REPORTS

IDA Update – Billie Roberts

Mrs. Roberts stated that the IDA met today and had talked about the funding agreement for the enterprise zone which would give the Town Manager permission to give IDA funds. She stated that they were waiting for the property to be conveyed on the Visitor's Center and that they were also looking for another member. She stated that they approved a \$500 matching grant for Dale Financial.

Mr. Riffe asked for a Field Fest update.

Mrs. Roberts stated that they had not started discussing it yet but that she had 2 inquires for food vendors.

UNFINISHED BUSINESS & REPORTS

None.

NEW BUSINESS & REPORTS

Budget Amendments, VOTE – Mike Watson

Mr. Watson stated that the following budget amendments were in council's packet and asked for a vote to approve them:

**BUDGET AMENDMENTS
 2016 / 2017**

PURPOSE: Police Dept. Security Reimbursement for Graham High School Basketballs Games

Revenue		Original Budget	Amended Budget	Change
Line Item				
0400-0413	Misc. State Law	<u>\$40,250.00</u>	<u>\$42,418.00</u>	<u>\$2,168.00</u>
	Enforcement	<u>\$40,250.00</u>	<u>\$42,418.00</u>	<u>\$2,168.00</u>

Expenditure		Original Budget	Amended Budget	Change
Line Item				
3110-1600	Investigative OT/	<u>\$20,000.00</u>	<u>\$22,168.00</u>	<u>\$2,168.00</u>
	Police	<u>\$20,000.00</u>	<u>\$22,168.00</u>	<u>\$2,168.00</u>

PURPOSE: Police Dept. Security for Wal-Mart during Black Friday / Christmas Events

Revenue		Original Budget	Amended Budget	Change
Line Item				
0400-0413	Misc. State Law	<u>\$42,418.00</u>	<u>\$43,731.50</u>	<u>\$1,313.50</u>
	Enforcement	<u>\$42,418.00</u>	<u>\$43,731.50</u>	<u>\$1,313.50</u>

Expenditure		Original Budget	Amended Budget	Change
Line Item				
3110-1600	Investigative OT/	<u>\$22,168.00</u>	<u>\$23,481.50</u>	<u>\$1,313.50</u>
	Police	<u>\$22,168.00</u>	<u>\$23,481.50</u>	<u>\$1,313.50</u>

PURPOSE: VFW Rails

Revenue		Original Budget	Amended Budget	Change
Line Item				
3108-9901	General Fund	<u>\$130,267.00</u>	<u>\$137,567.00</u>	<u>\$7,300.00</u>
	Miscellaneous	<u>\$130,267.00</u>	<u>\$137,567.00</u>	<u>\$7,300.00</u>

Expenditure		Original Budget	Amended Budget	Change
Line Item				
9100-5850	Contingency	<u>\$38,497.00</u>	<u>\$45,797.00</u>	<u>\$7,300.00</u>
		<u>\$38,497.00</u>	<u>\$45,797.00</u>	<u>\$7,300.00</u>

PURPOSE: Outdoor Ice-skating Rink Setup during Christmas Tree Lighting Event

Revenue		Original Budget	Amended Budget	Change
Line Item				
3108-9901	General Fund	<u>\$137,567.00</u>	<u>\$143,662.00</u>	<u>\$6,095.00</u>
	Miscellaneous	<u>\$137,567.00</u>	<u>\$143,662.00</u>	<u>\$6,095.00</u>

Expenditure		Original Budget	Amended Budget	Change
Line Item				
8120-5657	Special Events	<u>\$10,000.00</u>	<u>\$16,095.00</u>	<u>\$6,095.00</u>

\$10,000.00 \$16,095.00 \$6,095.00

PURPOSE: Police Dept. Replacement of In- Car Computers

Revenue		Original Budget	Amended Budget	Change
Line Item				
0100-0509	Prior Year's	<u>\$68,000.00</u>	<u>\$90,571.00</u>	<u>\$22,571.00</u>
	Reserves	<u>\$68,000.00</u>	<u>\$90,571.00</u>	<u>\$22,571.00</u>
Expenditure				
Line Item		Original Budget	Amended Budget	Change
3110-8106	Grants	<u>\$30,400.00</u>	<u>\$52,971.00</u>	<u>\$22,571.00</u>
		<u>\$30,400.00</u>	<u>\$52,971.00</u>	<u>\$22,571.00</u>

PURPOSE: Tactical Gear, Gas Masks, Etc. for Police Dept.

Revenue		Original Budget	Amended Budget	Change
Line Item				
0100-0509	Prior Year's	<u>\$90,571.00</u>	<u>\$92,260.99</u>	<u>\$1,689.99</u>
	Reserves	<u>\$90,571.00</u>	<u>\$92,260.99</u>	<u>\$1,689.99</u>
Expenditure				
Line Item		Original Budget	Amended Budget	Change
3110-8106	Grants	<u>\$52,971.00</u>	<u>\$54,660.99</u>	<u>\$1,689.99</u>
		<u>\$52,971.00</u>	<u>\$54,660.99</u>	<u>\$1,689.99</u>

PURPOSE: Patrol Rifles for Police Dept.

Revenue		Original Budget	Amended Budget	Change
Line Item				
0100-0509	Prior Year's	<u>\$92,260.99</u>	<u>\$98,731.09</u>	<u>\$6,470.10</u>
	Reserves	<u>\$92,260.99</u>	<u>\$98,731.09</u>	<u>\$6,470.10</u>
Expenditure				
Line Item		Original Budget	Amended Budget	Change
3110-8106	Grants	<u>\$54,660.99</u>	<u>\$61,131.09</u>	<u>\$6,470.10</u>
		<u>\$54,660.99</u>	<u>\$61,131.09</u>	<u>\$6,470.10</u>

Mr. Holt made a motion to approve the Budget Amendments. Mr. Jones seconded the motion. The motion passed unanimously by voice vote.

TOWN MANAGER'S REPORT

Playground Equipment Discussion

Mr. Watson stated that staff was looking at prices and that it would be better to buy now and pay for it since it was off season and it would be cheaper. He stated that it would be taken from prior year and would require a budget amendment.

Business Cards for Town Council

Mr. Watson stated that with the 2 new councilmember's that he needed to order business cards and asked if council wanted it to have the Town's information and council's information as well. He stated that the last cards had council's contact information on the back. He stated if they did it that way, then all of the cards would have to be changed.

Mayor Harris stated that the advantage of putting it on the back was that a person could have all of council's contact information.

Council agreed and Mayor Harris asked that they be printed professionally.

Legislative Visit to Richmond

Mr. Watson stated that the Legislative Visit to Richmond would be January 25th – 27th. He stated that he would not be attending because he had something to come up.

CITIZEN COMMENTS

David Wohlford, Fairway Street stated that he had spoken with the Mayor after the last council meeting and was concerned about the bridge being replaced at the old Kroger. He stated that the abutment that was against the highway was broken on both sides and was not stable. He stated that it moved when weight hit it and that the Town was responsible to the public to determine that it was safe. He stated that another concern was on the Lowe's property there were 2 pedestals where lights once were that had been knocked down years ago. He stated that they had bare wires and he was not sure if they were live or not but that they needed to be covered. He stated that his biggest concern was the abutment because it moved every time a big truck went over it. He stated that his next concern was at the Quarry and all of the rock dust. He stated that he could not open his windows because they did not control the dust. He stated that he had filed complaints with the DEQ in Abingdon and that the Quarry was talked to but have yet to be fined. He stated that their excuse was that something was broken. He stated that the results of the DEQ were nothing and that the fine was \$250. He stated that the Town needed to put pressure on them. He stated that his next concern was the Staples building and the Town allowing companies to place restrictions on who could come in next to them. He stated that the Town needed to introduce some type of ordinance when the lease was up or when a new building was built not to allow this to happen and that Mr. Freedman could look into this to see if it could be done. He stated that he knew contractors that have worked in Town that did not have a license and that the Town needed to start requiring them to show it and not just look on the internet to verify it. He stated that staff needed to call and get information on them first.

Mayor Harris stated that he had conveyed all of his concerns to the Town Manager.

Mr. Wohlford stated that the Town also needed to be more thorough on issuing permits.

COUNCIL COMMENTS

Mr. Riffe stated that he had heard back from the Little League Board and they voted no to giving up their donation for the cheerleaders.

Mr. Presley stated that he would like to go over why the water fund is losing money.

Mr. Watson stated that they could discuss it in a Work Session. He stated that they would need a sizeable increase to even see a difference.

Mr. Holt stated that since Chief Gunter was present that he would like to reiterate what he said in the last meeting. He thanked them for a great job and stated that they had been hit hard with some tough cases recently. He stated that he hoped council would take that into consideration during budget discussions.

Mr. Jones had none.

Mr. Danko had none.

Mayor Harris had none.

ATTORNEY REPORT

None.

ADJOURN

Mr. Holt made a motion to adjourn the meeting at 9:43 p.m. Mr. Presley seconded the motion. The motion passed unanimously by voice vote.

Don Harris, Mayor

Lesley Catron, Town Clerk