

**Town of Bluefield  
Town Council  
Minutes  
October 23, 2018**

The Bluefield, Virginia Town Council held a regularly scheduled Town Council Meeting on Tuesday, October 23, 2018 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  
Ron Holt, Councilmember  
Chuck Presley, Councilmember  
Anglis Trigg Jr., Councilmember  
Lee Riffe, Vice-Mayor

**ALSO PRESENT**

Mike Watson, Town Manager  
Billie Roberts, Comm. Dev. Coordinator  
Lesley Catron, Town Clerk  
Matt Freedman, Town Attorney  
Shane Gunter, Police Chief  
21 Members of Public

**CALL TO ORDER**

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

**INVOCATION AND PLEDGE**

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

**APPROVAL OF AGENDA**

Mayor Harris added a vote for the Water Capital Improvement Project to Town Managers Report.

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

**CONSENT AGENDA**

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

## **CITIZEN REQUESTS & SPECIAL PRESENTATIONS**

### ***Special Presentation: Police Officer Swearing-In – Nicholas Jonas – Mike Watson***

Mr. Watson read the following and asked Officer Jonas to repeat after him:

I, ***Nicholas Jonas***, do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the Commonwealth of Virginia, and that I will faithfully and impartially discharge the duties incumbent upon me as a ***Police Officer*** for the Town of Bluefield, Virginia to the best of my ability, so help me God.

### ***Special Presentation: Sergeant Promotion Swearing-In – Paul Rogers – Mike Watson***

Mr. Watson read the following and asked Officer Rogers to repeat after him:

I, ***Paul Rogers***, do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the Commonwealth of Virginia, and that I will faithfully and impartially discharge the duties incumbent upon me as a ***Police Sergeant*** for the Town of Bluefield, Virginia to the best of my ability, so help me God.

## **COMMITTEE REPORTS**

### ***Bailey Log House Committee Update – Lynn Burnette***

Mrs. Burnette stated that she would be stepping down but would first finish her lifework on her family in Beckley. She stated that Carl got the chimney fixed and they hoped that the building was ok. She stated that Pete had all of the trees cut down around the Log House and thanked them for that. She stated that the family was here in July. She stated that our children did not know about coal but that Bluefield, VA was not really about coal. She stated that she wrote a book for the children since we were still considered a mining county. She stated that it was too expensive to put a coal miner at the Log House but instead they had a coal bucket. She stated that they were helping Bluefield College, WVU and feeding the Town employees.

## **UNFINISHED BUSINESS & REPORTS**

None.

## **NEW BUSINESS & REPORTS**

### ***Budget Amendments, VOTE – Lesley Catron***

Mrs. Catron stated that the following Budget Amendments needed to be voted on:

**PURPOSE:** School Resource Officer Grant

<b>Revenue</b>		<b>Original Budget</b>	<b>Amended Budget</b>	<b>Change</b>
<b>Line Item</b>				
0400-0413	Misc. Law	<u>\$41,137.50</u>	<u>\$50,219.25</u>	<u>\$9,081.75</u>
	Enforcement	<u>\$41,137.50</u>	<u>\$50,219.25</u>	<u>\$9,081.75</u>

<b>Expenditure</b>		<b>Original Budget</b>	<b>Amended Budget</b>	<b>Change</b>
<b>Line Item</b>				
3110-1100	Salaries Regular	<u>\$814,000.00</u>	<u>\$823,081.75</u>	<u>\$9,081.75</u>
		<u>\$814,000.00</u>	<u>\$823,081.75</u>	<u>\$9,081.75</u>

**PURPOSE:** Security Services Payment – Highlands Fellowship

<b>Revenue</b>		<b>Original Budget</b>	<b>Amended Budget</b>	<b>Change</b>
<b>Line Item</b>				
0400-0413	Misc. Law	<u>\$50,219.25</u>	<u>\$50,467.75</u>	<u>\$248.50</u>
	Enforcement	<u>\$50,219.25</u>	<u>\$50,467.75</u>	<u>\$248.50</u>

<b>Expenditure</b>		<b>Original Budget</b>	<b>Amended Budget</b>	<b>Change</b>
<b>Line Item</b>				
3110-1200	Salaries OT	<u>\$10,887.50</u>	<u>\$11,136.00</u>	<u>\$248.50</u>
		<u>\$10,887.50</u>	<u>\$11,136.00</u>	<u>\$248.50</u>

**PURPOSE:** Security Services Payment – Graham High School & Highlands Fellowship

<b>Revenue</b>		<b>Original Budget</b>	<b>Amended Budget</b>	<b>Change</b>
<b>Line Item</b>				
0400-0413	Misc. Law	<u>\$50,467.75</u>	<u>\$53,585.00</u>	<u>\$3,117.25</u>
	Enforcement	<u>\$50,467.75</u>	<u>\$53,585.00</u>	<u>\$3,117.25</u>

<b>Expenditure</b>		<b>Original Budget</b>	<b>Amended Budget</b>	<b>Change</b>
<b>Line Item</b>				
3110-1200	Salaries OT	<u>\$11,136.00</u>	<u>\$14,253.25</u>	<u>\$3,117.25</u>
		<u>\$11,136.00</u>	<u>\$14,253.25</u>	<u>\$3,117.25</u>

**PURPOSE:** Community Foundation Grant

<b>Revenue</b>		<b>Original Budget</b>	<b>Amended Budget</b>	<b>Change</b>
<b>Line Item</b>				
0400-0413	Misc. Law	<u>\$53,585.00</u>	<u>\$56,356.82</u>	<u>\$2,771.82</u>
	Enforcement	<u>\$53,585.00</u>	<u>\$56,356.82</u>	<u>\$2,771.82</u>

**Expenditure**

<b>Line Item</b>		<b>Original Budget</b>	<b>Amended Budget</b>	<b>Change</b>
3110-8100	Grants	\$0	\$2,771.82	\$2,771.82
		<u>\$0</u>	<u>\$2,771.82</u>	<u>\$2,771.82</u>

Mr. Holt made a motion to approve the Budget Amendments. Mr. Trigg seconded the motion.

**ROLL CALL VOTE**

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

The motion passed unanimously by Roll Call Vote.

**CITIZENS COMMENTS**

Gail Cook thanked everyone for their support for the Twisted History and stated that 250 plus people came through on Saturday night. She stated that the following was coming up at the Sanders House:

- November 3<sup>rd</sup> & 4<sup>th</sup> - Holiday Bazaar
- November 10<sup>th</sup> – Grand Opening of the Railroad Museum. She stated that it was being redone by Larry Akers.

Dave Wohlford, Sedgewood stated that he had talked to Mr. Freedman concerning the \$20 car tax instituted by Tazewell County.

Mr. Freedman stated that we did not drop the license decal fee, we dropped the requirement for the stickers.

Mr. Wohlford stated that Bluefield, WV was dumping into our landfill and he recently discovered that the county no longer ran our landfill. He stated that this concerned him because the landfill had a limited amount of space and this needed to be addressed.

**TOWN MANAGER'S REPORT**

***BB&T Financing Resolution, VOTE (attached at the end of the minutes)***

Mr. Watson stated that the BB&T Financing Resolution was for equipment in the amount of \$130k for 4 years at 3.65%. He stated that they had purchased 2 pieces of

equipment and were in the process of getting final bids on the 3<sup>rd</sup> piece. He stated it was equipment budgeted in this fiscal year and the payment had already been budgeted as well. He stated in order to get the rate they would need to go ahead and approve it. He asked for a vote to approve the BB&T Financing Resolution.

Mr. Holt made a motion to approve the BB&T Financing Resolution. Mr. Presley seconded the motion.

**ROLL CALL VOTE**

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

The motion passed unanimously by Roll Call Vote.

***Time-Off Request, VOTE***

Mr. Watson asked council for the following days off for staff: the Friday after Thanksgiving, the Wednesday after Christmas and the Monday before New Year's.

Mr. Trigg made a motion to approve the time off request. Mr. Holt seconded the motion. The motion passed unanimously by voice vote.

***12-25-18 Council Meeting***

Mr. Watson asked that the December 25<sup>th</sup> Council Meeting be cancelled due to it falling on Christmas Day.

Mr. Trigg made a motion to cancel the December 25<sup>th</sup> Council Meeting. Mr. Jones seconded the motion. The motion passed unanimously by voice vote.

***Water Capital Improvement Project, VOTE***

Mr. Watson stated that they talked about the Water Capital Improvement Project during the Work Session and the need for financing. He stated we were given 4 offers through VDH which would require us to raise rates in order to receive \$256k in grant money and an additional quarter of a percent off of the 30 year loan by raising water rates 2% for the next 5 years. He stated that the increase for the average customer would be \$3.72. He stated that it would be his recommendation to go with Option #1 removing the other three options from the list.

Mr. Presley made a motion to approve Option #1 financing for the Water Capital Improvement Project. Mr. Holt seconded the motion.

**ROLL CALL VOTE**

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

The motion passed unanimously by Roll Call Vote.

***Student Government Day***

Mr. Watson stated that Student Government Day was on Wednesday, October 24<sup>th</sup> at 9 a.m. at Town Hall and invited everyone to come out.

***Fall Leaf Pick-Up***

Mr. Watson stated that the Fall Leaf Pick-Up would begin on Monday, October 29<sup>th</sup>.

Mr. Presley asked when it would end.

Mr. Watson stated that they would continue to pick them up.

***Town Offices Closed***

Mr. Watson stated that Town Offices would be closed on Monday, November 12<sup>th</sup> in observance of Veterans Day. He stated that Monday's trash would be picked up on Friday, November 9<sup>th</sup>.

***Town's Annual Christmas Tree Lighting Celebration***

Mr. Watson stated that the Town's Annual Christmas Tree Lighting Celebration would be on Saturday, November 17<sup>th</sup> in downtown Bluefield, VA. He stated from 4-6 p.m. would include ice skating, hay rides, pics with the Elves and Little Town of Bethlehem and from 6-8 p.m. would be the Tree Lighting Event with Santa.

### *Town's Christmas Parade*

Mr. Watson stated that the Town's Christmas Parade would be on Saturday, December 15<sup>th</sup> at 11 am. in downtown Bluefield, VA with lineup at 10 a.m. He stated that theme was "The Elf Express: Return of the Elves".

### **COUNCIL COMMENTS**

Mr. Trigg stated that he had visited a lot of places and our workers were always working and doing a good job whenever he passed them so he did not mind giving staff extra days off.

Mr. Presley stated that Sedgewood told him they would buy the cameras if the Town would put them up. He gave a shout out to the Police, Fire and staff and thanked Gail for her work.

Mr. Holt had none.

Mr. Jones had none.

Mr. Riffe stated that the Town had a vehicle tax on their tax receipt of \$10 per vehicle. He invited everyone to come out on Thursday for the last Twisted History Tour from 6-9 p.m. He stated that elections were coming up and wished everyone that was running good luck. He invited everyone to come out on October 31<sup>st</sup> at 11:30 a.m. and encouraged them to get out and talk to everyone they could and let them know who they were.

Mr. Watson stated that the Chamber was holding a Meet the Candidates at Bluefield College on October 31<sup>st</sup> at 11:30 a.m. He stated that the Chamber was overseeing it that it was not Town related.

Mayor Harris asked his fellow councilmen to approve sending a letter of appreciation to the Mayor of Hampton, VA for the VML Conference.

Mr. Riffe made a motion to send a letter of appreciation to the Mayor of Hampton, VA. Mr. Presley seconded the motion. The motion passed unanimously by voice vote.

### **ATTORNEY REPORT**

None.

**EXECUTIVE SESSION**

Councilmember Holt 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 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 Presley seconded the motion. The motion passed unanimously by voice vote.

Council entered into Executive Session 8:14 p.m.

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

Councilmember Holt 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 23<sup>rd</sup> day of October.

Councilmember Trigg seconded the motion.

**ROLL CALL VOTE**

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

The motion passed unanimously by Roll Call Vote.

**ADJOURN**

Mr. Holt made a motion to adjourn the meeting at 8:47 p.m. Mr. Presley 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

Resolution Approving Financing Terms

**WHEREAS:** The Town of Bluefield, Virginia ("Town") has previously determined to undertake a project for the lease purchase of Town vehicles, and the Finance Officer has now presented a proposal for the financing of such Project.

**BE IT THEREFORE RESOLVED, as follows:**

1. The Town hereby determines to finance the Project through Branch Banking and Trust Company ("BB&T"), in accordance with the proposal dated October 18, 2018. The amount financed shall not exceed \$130,000.00, the annual interest rate (in the absence of default or change in tax status) shall not exceed 3.65%, and the financing term shall not exceed (4) four years from closing.

2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the Town are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution. The Financing Documents shall include a Financing Agreement and a Project Fund Agreement as BB&T may request.

3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by Town officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.

4. The Town shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The Town hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).

5. The Town intends that the adoption of this resolution will be a declaration of the Town's official intent to reimburse expenditures for the project that is to be financed from the proceeds of the BB&T financing described above. The Town intends that funds that have been advanced, or that may be advanced, from the Town's general fund, or any other Town fund related to the project, for project costs may be reimbursed from the financing proceeds.

6. All prior actions of Town officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2018

\_\_\_\_\_  
(Clerk)  
SEAL

\_\_\_\_\_  
(Mayor/Manager)