Town of Bluefield
Town Council
Minutes
July 28, 2020

The Bluefield, Virginia Town Council held a regularly scheduled Town Council Meeting on Tuesday, July 28, 2020 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 Jr., Vice-Mayor
Chuck Presley, Councilmember
Ron Holt, Councilmember
Jarrod Bailey, Councilmember

ALSO PRESENT
Mike Watson, Town Manager
Shane Gunter, Police Chief
Kim Hernandez, Town Clerk
Billie Roberts, Comm. Dev. Coordinator
Rachel Looney, Administrative Asst.
Paul Cassell, Town Attorney
7 Members of Public

ABSENT
Jimmy Jones, Councilmember

CALL TO ORDER

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

INVOCATION AND PLEDGE

Jerry Manning, Fincastle Presbyterian Church led the Invocation. Mayor Harris led the Pledge of Allegiance.

APPROVAL OF AGENDA

Mayor Harris added the IDA Loan Request Vote under New Business and Reports. He removed the High Street Discussion, Council Retreat Discussion and the Fincastle Roof Bid Discussion all from Town Manager's Report.

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

Vice-Mayor Trigg:	Yes
Councilmember Presley:	Yes
Mayor Harris:	No Vote Permitted
Councilmember Bailey:	Yes
Councilmember Holt:	Yes
Councilmember Jones:	Absent

CONSENT AGENDA

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

Vice-Mayor Trigg:	Yes
Councilmember Presley:	Yes
Mayor Harris:	No Vote Permitted
Councilmember Bailey:	Yes
Councilmember Holt:	Yes
Councilmember Jones:	Absent

CITIZEN REQUESTS AND SPECIAL PRESENTATIONS

None.

COMMITTEE REPORTS

None.

UNFINISHED BUSINESS AND REPORTS

Proposed Sign Ordinance, 2nd Reading (by title only), ROLL CALL VOTE – Kim Hernandez

Mrs. Hernandez stated that this would be the 2nd Reading by title only for the Proposed Sign Ordinance. She asked for a motion and a ROLL CALL VOTE to approve the 2nd Reading by title only.

Mr. Presley made a motion to approve the Proposed Sign Ordinance, 2nd Reading by title only. Mr. Holt seconded the motion.

ROLL CALL VOTE

Vice-Mayor Trigg:	Yes
Councilmember Presley:	Yes
Mayor Harris:	No Vote Permitted
Councilmember Bailey:	Yes
Councilmember Holt:	Yes
Councilmember Jones:	Absent

The motion passed unanimously by Roll Call Vote.

She read: A RESOLUTION TO RECOMMEND THE AMENDMENT AND REENACTMENT OF ATIVLE IX (SIGNS) OF CHAPTER 74 (ZONING) OF THE CODE OF ORDINANCES, TOWN OF BLUEFIELD, VIRGINIA.

NEW BUSINESS AND REPORTS

Council Agenda Times/Format Discussion, POSSIBLE ROLL CALL VOTE – Kim Hernandez

Mrs. Hernandez stated that it was talked about during the Work Session to remove the times from the agenda and move the Executive Session up from the end of the agenda to the beginning. She asked for a motion and a ROLL CALL VOTE to approve.

Mr. Holt made a motion to approve the Council Agenda Times/Format. Mr. Presley seconded the motion.

ROLL CALL VOTE

Vice-Mayor Trigg:	Yes
Councilmember Presley:	Yes
Mayor Harris:	No Vote Permitted
Councilmember Bailey:	Yes
Councilmember Holt:	Yes
Councilmember Jones:	Absent

The motion passed unanimously by Roll Call Vote.

Budget Amendments, ROLL CALL VOTE – Kim Hernandez

Mrs. Hernandez went over the following Budget Amendments:

PURPOSE: Grant Money Received (Ice-Skating Rink)

Revenue

Line Item		**Original Budget**	**Amended Budget**	**Change**
3108-9903	Gifts/Donations	$23,598.00	$29,793.00	$6,195.00
		$23,598.00	$29,793.00	$6,195.00

Expenditure

Line Item		**Original Budget**	**Amended Budget**	**Change**
8120-5657	Special Events	$10,000.00	$16,195.00	$6,195.00
		$10,000.00	$16,195.00	$6,195.00

PURPOSE: Appalachian Amateur Golf Tournament Sponsorships (Fincastle)

Revenue

Line Item		**Original Budget**	**Amended Budget**	**Change**
3501-1512	Fincastle	$0.00	$5,000.00	$5,000.00
	Prior Year Reserves	$0.00	$5,000.00	$5,000.00

Expenditure

Line Item		**Original Budget**	**Amended Budget**	**Change**
1220-8203	Appalachian Golf	$0.00	$5,000.00	$5,000.00
	Tournament	$0.00	$5,000.00	$5,000.00

Revenue

Line Item		**Original Budget**	**Amended Budget**	**Change**
3501-0507	Fincastle Gifts	$10,000.00	$10,270.00	$270.00
	and Donations	$10,000.00	$10,270.00	$270.00

Expenditure

Line Item		**Original Budget**	**Amended Budget**	**Change**
1220-8203	Appalachian Golf	$5,000.00	$5,270.00	$270.00
	Tournament	$5,000.00	$5,270.00	$270.00

She asked for a motion and a Roll Call Vote to approve.

Mr. Bailey made a motion to approve the Budget Amendments. Mr. Presley seconded the motion.

ROLL CALL VOTE

Vice-Mayor Trigg:	Yes
Councilmember Presley:	Yes
Mayor Harris:	No Vote Permitted
Councilmember Bailey:	Yes
Councilmember Holt:	Yes
Councilmember Jones:	Absent

The motion passed unanimously by Roll Call Vote.

Amendment to the Transportation Section of the 2016 Comprehensive Plan, ROLL CALL VOTE – Billie Roberts

Mrs. Roberts stated that she had talked to Planning Commission about adding the proposed future transportation projects to the Transportation Section of the 2016 Comprehensive Plan. She asked for a motion and a ROLL CALL VOTE to approve.

Mr. Holt made a motion to approve the Amendment to the Transportation Section of the 2016 Comprehensive Plan. Mr. Presley seconded the motion.

ROLL CALL VOTE

Vice-Mayor Trigg:	Yes
Councilmember Presley:	Yes
Mayor Harris:	No Vote Permitted
Councilmember Bailey:	Yes
Councilmember Holt:	Yes

Councilmember Jones: Absent

The motion passed unanimously by Roll Call Vote.

COVID19 Care Grant Discussion – Billie Roberts

Mrs. Roberts stated that the CARES Act Fund distributed the following amounts to the Town:

$12k expenses before 7/1
$18k expenses after 7/1
$14k for retail
$30k for restaurants
$12k non-specific other than for retail/restaurants

She stated that draft applications would be done soon and it would require a committee to be established to approve the applications and guidelines and approve the amount for each business. She stated that it would be a committee of 5 which would include a councilmember, herself, an IDA member and someone from the community. She asked if they had any recommendations.

Mayor Harris stated that they would take her recommendation.

Mrs. Roberts stated that she would keep them updated and form a committee.

Mr. Presley stated that he would be on the committee and asked if this was something he could share on his council page.

Mr. Watson stated that there was a 20 pg. guideline and the draft application would be sent out by the end of the week.

Mr. Holt asked for something to be emailed out that was shareable.

IDA Loan Request, ROLL CALL VOTE

Mr. Holt made a motion to approve a $30k loan requested by the IDA for the purposes of 103 Spring Street renovations with repayment no later than 90 days after the disbursement of the loan. Mr. Presley seconded the motion.

ROLL CALL VOTE

Vice-Mayor Trigg:	Yes
Councilmember Presley:	Yes
Mayor Harris:	No Vote Permitted
Councilmember Bailey:	Yes
Councilmember Holt:	Yes
Councilmember Jones:	Absent

The motion passed unanimously by Roll Call Vote.

TOWN MANAGER'S REPORT

Depot Street Event Discussion, ROLL CALL VOTE

Mr. Watson stated that the Depot Street Event has happened over the last 15-20 years. He stated that they were not able to do it this year but would still like for the Town to contribute and buy the gifts so that they could be handed out as in the past. He stated that it was not a cash donation and that an employee went with someone to buy the gifts to be distributed.

Mr. Presley made a motion to approve the purchasing of items for the Depot Street Event. Mr. Trigg seconded the motion.

Mayor Harris stated that he had attended this event for the past several years and it was a homecoming done after the Graham/Beaver game. He stated that hundreds of people came in as far away as North Dakota. He invited everyone to attend the next one that was held.

ROLL CALL VOTE

Vice-Mayor Trigg:	Yes
Councilmember Presley:	Yes
Mayor Harris:	No Vote Permitted
Councilmember Bailey:	Yes
Councilmember Holt:	Yes
Councilmember Jones:	Absent

The motion passed unanimously by Roll Call Vote.

Fincastle Golf Renovations Update

Mr. Watson stated that he had signed the agreement to begin the Golf Renovations which should start in December. He stated that this was being paid through grant money received and we had received our first $200k installment. He stated that they were working to close the bond which was $1 million and it would be over 5 years with a cosigner on the loan. He stated that they hoped to do the renovations without any closures.

Water CIP Update

Mr. Watson stated that the Water Capital Improvements Project should be complete in October. He stated that as of now, 1200 new meters had been installed and next week they would be working on the tower. He stated that the first payment was not due until 6 months after completion and that we would pay off a bond in February and would keep the same payment amount which would be used for this payment.

VML Conference

Mr. Watson stated that staff would work on a council retreat.

Car Show

Mr. Watson stated that there was a car show that wanted to set up at the Graham Rec Park on August 8th and they would be done by 4 p.m. He stated that he checked with the Little League and it would not interfere.

CITIZEN COMMENTS

David Wohlford, Sedgewood stated concerning the IDA request and if the Town was going to put money into it then the work needed to go out to bid. He stated that there may be a contractor locally who would like to bid and asked if they did not let the local contractors know then how could they even bid on projects. He stated that the next thing was and he had given Jarrod a piece of paper for Chuck and Ron and he gave one to Mr. Trigg and the Mayor but for the past 5-6 months since the purchase of Fincastle that he had been watching and the roof bid was the biggest "can of worms" that he had seen in the past 25 years. He stated that there was inadequate information and that the bid bond and the bid requirements should have never been put in. He stated that it looked to him as though someone was involved in writing the proposal who wanted to bid on it. He stated that he understood there were 3 bids (1-local, 1-Tazewell, 1-somewhere else) and that we had 2 Lexus bids with the skills of a Lexus builder and 1 Hugo bid with Hugo parts. He stated that the way it had been quoted was as a Grade A and a Grade C Contractor and this particular contractor had never put on a PVC roof before. He stated that we did not need a Cadillac roof and he knew PVC was resistant to grease but we were not Burger King although we had a little restaurant there that generated some grease that it was better to put on a black rubber roof which was less expensive and easier to fix. He stated that a PVC roof was difficult to repair and someone who did not have the experience putting on that type of roof did not need to be doing the job. He stated one thing that was done during pre-bid was when the contractors were told that they may or may not be required to have a bid bond.

Mr. Watson stated that was incorrect that it was ad performance bond.

Mr. Wohlford stated that once they were told that a lot of the contractors may be able to get a bid bond if they knew they did not have to produce the performance bond. He stated that it should have never been done until the low bid was determined and the performance bond cost a lot of money so they would not produce it if they did not have too. He stated that there was too much diversity on what had been bid. He suggested that they patch it and let it go until the HVAC work had been done.

Mr. Watson asked if he felt it was unethically bid.

Mr. Wohlford stated that he did not know.

Mr. Watson stated that was what it sounded like he was accusing them of.

Mr. Wohlford stated that he was not accusing but was saying someone had a lot of knowledge.

Mr. Watson stated that it seemed like he was inferring that it was done unofficially and improperly and wondered if he was accusing the Town or himself.

Mr. Wohlford stated that he was not accusing anyone but it looked like somebody knew what was going on up there.

Mr. Watson stated that they had gotten quotes and it was bid out twice.

COUNCIL COMMENTS

Mr. Holt stated that right now with the COVID that it was discouraging and he had noticed a lot of attacking each other. He stated that he would like to see everyone start encouraging others and not attacking them and he would start doing so on his Facebook page. He stated that their guidance was to protect the citizens. He stated that the BVLL district tournament was coming up and asked that everyone come out and support them if they could.

Mr. Bailey had none.

Mr. Presley gave a shout out to the Police and Fire Department along with staff. He welcomed the new attorney. He stated that he had gotten his EMT License and would volunteer his time if needed. He stated that Facebook was full of arguments but a good thing was it looked like we would have football in the spring which was a positive.

Mr. Trigg stated that the parks in Town were beautiful and all looked great but asked if the grass got high before it was cut that it be raked so it would look better.

Mayor Harris stated that this was the first year they had any problems getting the grass cut in Town.

Mr. Holt stated that would not be a problem once the pay went to $15/hr.

ATTORNEY'S REPORT

Purdue Pharma Bankruptcy Lawsuit, ROLL CALL VOTE

Mr. Cassell stated that there was a bankruptcy filing in NY regarding the Purdue Pharma Bankruptcy and the deadline to file a claim was July 1st. He stated that if we did not file a proof of claim then we could be excluded. He stated that it was not a lawsuit but a proof of claim and they had been bringing it before all of their localities to see if it was something they would like to do before the deadline. He stated that the numbers used had been provided.

Mr. Holt made a motion to approve filing the proof of claim regarding the Purdue Pharma Bankruptcy Lawsuit. Mr. Presley seconded the motion.

ROLL CALL VOTE

Vice-Mayor Trigg:	Yes
Councilmember Presley:	Yes
Mayor Harris:	No Vote Permitted
Councilmember Bailey:	Yes
Councilmember Holt:	Yes
Councilmember Jones:	Absent

The motion passed unanimously by Roll Call Vote.

EXECUTIVE SESSION

Mayor Harris asked Mrs. Hernandez to read the 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) (1, 29) of the Code of Virginia as amended, The specific purpose for this motion is to discuss the following matter(s):

Discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body with such closed meeting being confined to the following subjects: regarding the ownership of the water system, fire contract and the BVLL Lease Agreement.

Councilmember Bailey made a motion to enter into Executive Session as described above. Councilmember Presley seconded the motion. The motion passed unanimously by voice vote.

Vice-Mayor Trigg:	Yes
Councilmember Presley:	Yes
Mayor Harris:	No Vote Permitted
Councilmember Bailey:	Yes
Councilmember Holt:	Yes
Councilmember Jones:	Absent

Councilmember Holt made a motion to enter back into regular session. Councilmember Presley seconded the motion. The motion passed unanimously by voice vote.

Vice-Mayor Trigg:	Yes
Councilmember Presley:	Yes
Mayor Harris:	No Vote Permitted
Councilmember Bailey:	Yes
Councilmember Holt:	Yes
Councilmember Jones:	Absent

CERTIFICATION OF EXECUTIVE SESSION

WHEREAS, the Town Council of Bluefield, Virginia convened a closed meeting on July 28, 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 July 28, 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 July 28, 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
Mayor Harris:	No Vote Permitted
Councilmember Bailey:	Yes
Councilmember Holt:	Yes
Councilmember Jones:	Absent

The motion passed unanimously by Roll Call Vote.

ADJOURN

Councilmember Holt made a motion to adjourn the meeting at 8:56 p.m. Councilmember Presley seconded the motion. The motion passed unanimously by voice vote.

Vice-Mayor Trigg:	Yes
Councilmember Presley:	Yes
Mayor Harris:	No Vote Permitted
Councilmember Bailey:	Yes
Councilmember Holt:	Yes
Councilmember Jones:	Absent

Don Harris, Mayor

Kim Hernandez, Town Clerk