

Town of Clintwood, Virginia  
Organizational Meeting  
Regular Town Council Meeting  
January 10, 2023

Record of Attendance

Council Members:

Danny Lambert - Mayor/Town Manager  
Ron Kendrick - Vice Manager  
Doris Rife  
Talbert Bolling  
Jim Childress  
Shelly Mullins

Others Present:

Susan Wood - Attorney  
Judy Steele - Clerk  
Chief Rick Mullins  
Officer Lester Turner

Citizens: Larry Barton, County Administrator, Rhonda Sluss -Board of Supervisors, Paul O'Quinn- AppSOL, Solutions

Mayor Lambert asked for a moment of silent prayer.

Motion was made by Councilman Childress and second by Councilman Mullins to open the Organizational meeting. Motion passed unanimously.

**Agenda Item - Adoption of the Rules of Procedures**

Motion was made by Councilwoman Rife and second by Councilman Kendrick to adopt the Rules of Procedures. Motion passed unanimously.

**Agenda Item - Elect or Re-Elect Vice Mayor**

Motion was made by Councilman Bolling and second by Councilwoman Rife to reelect Ronald Kendrick as the Vice Mayor. Motion passed unanimously

**Agenda item - Appoint/ Re-Appoint Town Clerk, Treasurer, Zoning Administrator**

Motion was made by Councilman Kendrick and second by Councilman Childress to Reappoint Judy Steele as Clerk, Treasurer, and Zoning Administrator. Motion passed unanimously.

**Agenda Item - Adopt the place, time, and date of council meetings**

Motion was made by Councilman Mullins and second by Councilwoman Rife to adopt the meeting date to be held on the second Tuesday of every month to be held at the Clintwood Town Hall at 6:00 p.m. Motion passed unanimously.

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Motion was made by Councilman Bolling and second by Councilwoman Rife to adjourn the Organizational Meeting. Motion passed unanimously.

Mayor Lambert called the Regular Town Council Meeting to order.

**Agenda Item - Approval of the Minutes of December 13, 2022**

Motion was made Councilwoman Rife and second by Councilman Kendrick to approve the minutes of December 13, 2022 as presented. Motion passed Councilman Bolling abstained.

**Agenda Item - Agenda Additions**

Mayor Lambert asked for any additions to the agenda. Councilman Mullins added a request for an update on the Splash Pad, Mayor Lambert added under Old Business a request from the fire department, and executive session for personnel matters and contracts, and Councilman Bolling would like to add Speed Limits.

Motion was made by Councilman Bolling and second by Councilwoman Rife to approve the agenda and the agenda additions. Motion passed unanimously.

**Agenda Item - Award Contract for the Splash Pad Project.**

Mayor Lambert read the two bids on the project. One bid was from McFall Excavating for \$172,500 and the second bid was from Boyd's Construction for \$162,000. Councilman Bolling asked about the difference in the size of the site pad. Are both pads the same in comparison? Larry Barton, County Supervisor, said that he and Mayor Lambert met with Chris Mullins with Lane Engineering and compared both contracts and there were some differences for example in the McFall Contract it did not include anything for electrical and Boyd's had everything in there on the electrical and everything was turn key on that and there was confusion on Boyd's bid concerning the pad size. Boyd's bid is still the best contract. Once the bid is awarded there will have to be Change Order done to replace the differences.

Motion was made by Councilman Bolling and second by Councilman Mullins to go with Boyd's Construction bid for \$162,000. Motion passed unanimously.

Councilman Mullins asked about the start date on the Splash Pad and Larry Barton said that the contract is a 150-day contract. The first is to secure the plumbing and maybe doing the in ground plumbing starting the end of February and by May to do the above

ground features. The projected day to open is Memorial Day. The in ground material is in storage in Foxtown and the above ground material has not been shipped. Budget wise there are four (4) different funding sources . County has \$100,000 and the town has \$100,000 from VCEDA which is \$50,000 with a match of \$50,00. Then the County has \$200,000 from their VCEDA account going toward the splash pad. Columbus Phipps foundation funds are \$25,000. These funds total \$425,000 for the project. The town employees are doing some work at the location as far as removing one building and getting the roof off another building. Chris Rakes has drawn up some preliminary plans for the bathrooms which the town and county employees will do. Councilman Bolling asked if he knew the figures on the above ground fixtures and Mr. Barton said he thought about \$80,000. He believes there will be about \$75,000 left to do the bathrooms and maybe a shed. Mayor Lambert said hopefully the power poles will be set soon by the power company. Councilman Bolling thought if everyone could work together with Mark Vanover and Rapha Foundation to secure some funding. Rhonda Sluss said she has been to some splash pads and you need to have some time of shelter. She feels like the splash pad has economic value.

Councilwoman Rife thanked Larry Barton for getting everyone involved coming out to the meeting the other night about organizing the county events.

#### Citizens -

Paul O'Quinn, AppSOL Solutions, said he wanted to come and introduce himself to the council and give them a little background on himself. He grew up in Dickenson County and moved away after graduation and spent the next 35 years living outside of the county. He did manufacturing for a long time and then did process engineering for a few years. After that he decided to go into health care and went back to school and got a degree in Industrial and Systems Engineering from Virginia Tech and worked in health care on how to improve work flow quality and improve efficiency and effectiveness and worked in that field for 15 years in Pennsylvania, Roanoke, and in Chattanooga before moving back to Dickenson County. He has spent time talking to different people and organizations in the community to try to get a feel of what some of the needs are in the area. He thought to improve the standard of living you need to have economic development and public health. He said he has recently started a consulting service based on a lot of his experience and his education offering support for strategic planning, work flow, process flow, improvement expertise, and looking at if you have a good accountability framework set up. His website is AppSOL Solutions. He volunteers a lot around the county and sets in on a lot of other meetings.

**Agenda Item - Cigarette Tax Ordinance**

Judy Steele, Clerk, said that there have been some changes in the state code since the cigarette tax ordinance was adopted and it probably needs to be updated. Susan Wood said the current ordinance refund amount is 90% and in the state code 58.1-3832 it does say the purchase price of any type stamp purchased under this section shall be refunded without a penalty or additional fees upon verification by the county, city, or town when the stamps are returned. You will now need to give back the full 100%. Mayor Lambert asked if this will have to be advertised and Susan said yes, advertised for a public hearing. Mayor Lambert asked if this would be a good time to increase the cigarette tax if the council wanted to consider doing that. Councilman Bolling said he felt the town loose revenue to some the places that aren't as high as the town's tax. Discussion was held concerning the tax of the surrounding area.

Motion was made by Councilman Mullins to increase the cigarette tax to twenty cents (.20). Hearing no second, the motion dies.

Motion was made by Council Kendrick and second by Councilwoman Rife to consider the options and discuss next month. Motion passed unanimously.

Councilman Childress said he was in favor increasing just not sure of how much at this time.

**Agenda item - Speed Limit Change**

Councilman Bolling said he wanted the speed limit at the top of the hill across from McDonald's be changed to 55 mph down the hill to the Valero. Mayor Lambert said he thought that would have to be a VDOT decision. Chief Mullins said coming up the hill it needs to change to 35 mph across from Pizza Plus on the main road. Councilman Mullins said the speed limit needs to remain the same. Mayor Lambert said he would contact VDOT to see what the procedure would be to change the speed limit.

**Old Business - Fire Department**

Mayor Lambert said that Robert Stanley had let him know the turn out gear would remain at \$4,000-\$5,000 until February and then it would increase 10 percent (10%). He has spoken to Larry Barton and the casino money is suppose to come through in August and he would like to dedicate a portion of the money to the fire department and the rescue squad if the board agrees. The fire department is wanting the council to

approve purchasing two sets of turn out gear. Mayor Lambert said we could look to see if this could be taken out of the ARPA funds.

Motion was made by Councilman Childress and second by Councilman Bolling to purchase two sets of turn out gear for the Clintwood Volunteer Fire Department. Motion was unanimously.

### **Reports and Communications:**

Town Attorney - Susan Wood said that Dove had spoken to Will Sturgill about making the changes to the Water Agreement with Wise County PSA and they should have a new contract soon.

Doris Rife - She said she would like to see the town somewhere down the road look at getting an ice-skating rink. It comes in large pieces, maybe acrylic, that they bring in for ice skating. They have done it in Norton this year. Someone sets up and rents the ice skates and she would keep trying to get more information. She asks about the lights at the football field. Mayor Lambert said the ones there now will be taken down and some new ones will be put up.

Talbert Bolling - He asked about the marquee at the Jettie Baker Center and Mayor Lambert said he had contacted the sign company and hopefully they will be over soon. He appreciated the employees for all their work and the men that had to come out during the Christmas Holiday.

Ron Kendrick - He reiterated what Talbert said concerning the outstanding job done by the water department on Christmas Eve. He recognized the police department for their support to the county and state police on the incident that involved a chase through town. The three departments working together protected the citizens.

Jim Childress - None

Shelly Mullins - He said he was glad to see Ron back. There is too much mud coming out on the roadway from the trucks coming from the Food City Project. The streets need to be swept from one end of town to the other. Mayor Lambert said he would speak to Ben about the mud on the highway.

Mayor/Town Manager - The Christmas decorations have all been taken down. The sweeper has been used to sweep some of the streets. The curb and guttering have been cleaned going down Brush Creek. Councilman Childress mentioned the curb next to the nursing home needs to be cleaned.

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Officer Turner said the beer garden at the Jettie Baker Center seemed to go really good. There were no disturbances that he had to take care of.

Mayor Lambert asked for a motion for executive session for personnel and contracts.

Motion was made by Councilman Bolling and second by Councilwoman Rife to go into a closed meeting pursuant to Virginia Code Section 2.2 - 3712(A) for the purpose of discussing Section 3711A (1) Personnel Matters and Section 3711A (8) Legal. Motion passed unanimously.

Mayor Lambert asked for a motion to reconvene back into a regular session.

**RE: Certification for Closed Meeting**

Motion was made by Councilman Bolling and second by Councilwoman Rife to certify that the Town Council to the best of their knowledge that only such public business matters as lawfully exempted from the open meeting requirements of Virginia Law were discussed in the closed meeting and only such public matters as were identified in the motion convening the closed session were heard, discussed, or considered by the Town Council.

Mayor Lambert asked for a roll call vote.

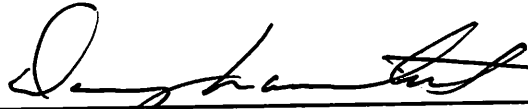
Doris Rife - aye  
Talbert Bolling -aye  
Ron Kendrick - aye  
Jim Childress - aye  
Shelly Mullins - aye

Motion Carried

Hearing no motions from the closed meeting, Mayor Lambert asked for a motion to pay the bills, the overtime, and adjourn.

Motion was made by Councilman Bolling and second by Councilwoman to pay the bills, the overtime, and adjourn. Motion passed unanimously.

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Danny Lambert - Mayor

**ATTEST:**

  
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Judy Steele, Clerk