

Town of Clintwood  
Town Council Recessed Meeting  
248 Clintwood Main Street -Clintwood Town Hall  
January 29, 2024  
6:00 p.m.

Record of Attendance:

Council Members:

Danny Lambert – Mayor  
Ron Kendrick – Vice Mayor  
Doris Rife  
Talbert Bolling  
Jim Childress  
Andy Rose

Others Present

Greg Baker – Town Attorney  
Judy Steele - Clerk

Citizens: - None

Mayor Lambert called the meeting to order and asked for a moment of silent prayer.

**Agenda Item - Additions to the agenda**

Mayor Lambert said he would like to add a close session for personnel.

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

Greg Baker addressed the council concerning FOIA guidelines. Every two years at least every town, city, and county are required to review the Freedom of Information Act Rules and Meeting Protocols. He went over the enactment of the Act and how it has changed over the years. When in doubt about disclosing something, check with your attorney. The council members can wind up in court for violating the Freedom of Information Act. You can be fined individually, or as a group and even have to pay the other side's attorney fees. If you have enough violations, you can be removed from the office.

1. Meetings – Meeting dates are set at the organizational meeting. Unless the date is in the Charter and because the election has been moved to November you will be having new people or re-elected people that start in January. Most towns are changing their organizational meeting to January unless the town charter says otherwise. Meetings are to be posted on the Website and the Front Door of the town hall is required.
2. (Special Meetings) When adding an item to the agenda, all council members must be present, and all council members must vote in favor of adding an item to the agenda before it can be added.  
(Regular Meetings) When adding an item to the agenda, a quorum must be present and

you must have a majority vote of the council. He suggested to put on every agenda a closed meeting (session) and if you do not need it then you wouldn't use it. A packet must be available to the public for inspection.

3. When you do a motion to go into a closed meeting (session) you must be specific for what reason you are going into closed session. For example, if it is for personnel, you must say the department and if it is more than one department then one you must say every department.
4. Discussion on things not on the agenda that may be brought up in council comments, you must remember this is just for comments. If it is something that needs to be discussed, then you put it on the agenda for the next month. If you want to discuss an act of policy like fixing a road, then you cannot use council comments as a way to add to the agenda. During the meeting you must be careful not to stray off into areas that are not on the agenda. That is something that is easy to do. In Citizens Comments, if a citizen brings up something and wants to know what the council can do about it, you can discuss an item, but you cannot vote on it that night. If it requires a vote of the council, then it should be an agenda item and needs to be put on the next month's agenda.
5. Certifying the Closed Meeting (Session) - You must be careful about not talking about anything in the closed meeting that was not identified in the motion to go into the closed meeting.
6. Events - When the council is at an event you must be careful not to discuss any town business. If someone approaches you concerning what would be town business, then you would let them know they must attend the council meeting because there are five members that must vote on the request.
7. The town manager runs the day-to-day operations of the town. The town council makes the policy. If someone ask something in the Citizen Comments and it is something the town manager can take care that would not require a vote, then the council would just refer it to the town manager as part of his day-to-day operations of town business.
8. Texting and Emailing - You cannot discuss business and you cannot take a poll. You can provide information and reminders of meetings.
9. Adoption of FOIA Fees- The town has adopted fees and posted them on their website.
10. Public Procurement - Since the town has a population under 3,500, the town is not required to public procurement. If it is a state or federal project, then you must do public procurement.

Mayor Lambert asked for a motion for a closed meeting to discuss possible part time employment.

Motion was made by Councilman Bolling and second by Councilman Childress to go into Closed Session pursuant to Virginia Code Section 2.2-3712(A) for the purpose of discussing personnel pertaining to the police department pursuant to Virginia Code Section 2.2-3711(A) Subsection 1-Personnel. Motion passed unanimously.

Mayor Lambert asked for a motion to reconvene back into 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 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
Andy Rose	Aye

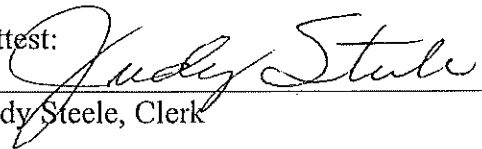
**Motion Carried**

Mayor Lambert asked for any motions from the Closed Session.

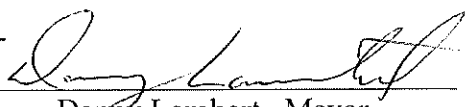
Motion was made by Councilman Childress and second by Councilman Rose to hire Tim Neece as a parttime police officer at an hourly rate of twenty dollars (\$20). Motion passed unanimously.

Motion was made by Councilman Bolling and second by Councilman Childress to adjourn.

Attest:

  
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Judy Steele, Clerk

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Danny Lambert, Mayor