

Town of Clintwood, Virginia
Joint Public Hearing
Clintwood Town Council
and Clintwood Planning Commission
March 14, 2023
5:30 p.m.

Record of Attendance:

Council Members:

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

Planning Commission Members

T.J. Fryatt - Chairman
Andrew Rose - Vice Chairman
Doris Rife
Norma Patton
Harry Childress
Gary Hull - Absent
Jarrod Salyers - Absent

Present - Judy Steele -Clerk and Secretary of Planning Commission
Susan Wood - Attorney

Citizens: Terry Ramey, Candice Ramey, Clint Vance, Bobby Garrett

Chairman Fryatt called the public hearing to order and stated the purpose of the public hearing was to have public comment on locating an indoor flea market in the business district. A roll call vote was taken of the Planning Commission Members and a quorum was present with Gary Hull and Jarrod Salyers being absent and a quorum present of the Town Council Members with all members present.

Chairman Fryatt opened the floor for public comment. Terry Ramey stated that he wanted to do an indoor flea market to bring in new and different businesses and he believes it will open more tourist attractions for the businesses that are already in town. He was not sure what all the vendors will be bringing, but they will be new and different. Doris Rife asked if he was going to separate the space into units. He said it would have weekly and monthly rentals. Norma Patton asked if they have to build their on unit and Terry said he would measure the unit off and if they agree to rent it then he would build up the walls for them. Doris Rife asked if there were different rates for different sizes and Terry said yes. Harry Childress asked how many vendors he might have in the building and Terry said it was a big building. Andrew Rose asked if there would be prohibited items such as live animals and Terry said there would be no live animals. Andrew said a concern would be the parking and how he was going to handle that and Terry said it would be about the same as with Dollar General which was in front and next to it. Norma Patton asked what days it would be opened and he said Tuesday

through Saturday. Shelly Mullins said his concern was with the parking. If you have twenty (20) vendors then that is twenty (20) vehicles plus the customers. When the Dollar Store was there, they had maybe three (3) employees and maybe no more than five (5) to eight (8) people in the store at a time. Shelly said another concern was for taxes and how would taxes be controlled. Terry Ramey asked if there was parking below Hancock Lambert and Mayor Lambert said there are some available. Jim Childress said you could encourage your vendors to park there. Terry said that all the vendors would probably not be there at the same time. Harry Childress asked the hours he would be open and Terry said he was looking at 10 a.m. to 8 p.m. Ron Kendrick asked if everything is confined indoors with nothing out on the sidewalk and Terry said that is correct. Talbert Bolling asked who owns the building and Terry said that he was not sure because he is dealing mainly with a manager that rents it for the owner. Talbert Bolling asked if he had signed a lease and Terry said that he had signed a lease. Harry Childress asked about the restroom facilities and Terry said there would be two bathrooms available. He said there would be no food maybe some drinks. Harry Childress asked the council how they would deal with the taxes. Jim Childress said he would have to buy a business license and the complaint might be if they start to sell new stuff. Susan Wood said if it is someone that is going to be set up there and not move around that it could potentially be looked at as their primary, but if it is going to be somebody that comes and goes that would make it much more difficult. Candice Ramey said isn't it the responsibility of the vendor to file their own taxes. Mayor Lambert said each vendor that will be down there should get a sales tax license and report their sales tax. Talbert Bolling asked if he has a Business LLC and Terry said not yet. Candice Ramey said they have insurance for their Handyman business.

Chairman Fryatt asked for any other public comment and hearing none he asked for a motion from the Planning Commission to adjourn the public hearing.

Motion was made by Harry Childress and second by Andrew Rose to adjourn the Planning Commission part of the public hearing. Motion passed unanimously.

Mayor Lambert asked if the town council had any other questions or comments and hearing none, he asked for a motion to adjourn the public hearing.

Motion was made by Talbert Bolling and second by Jim Childress to adjourn the town council's part of the public hearing. Motion passed unanimously.

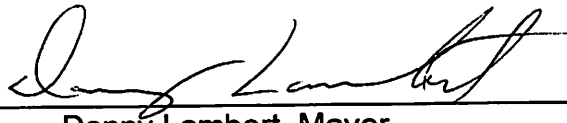
Chairman Fryatt asked if the Planning Commission had a motion with their recommendation for the town council.

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Motion was made by Harry Childress and second by Andrew Rose to recommend to the Town Council that the application be approved. Motion passed unanimously.

Motion was made by Doris Rife and second by Harry Childress to adjourn the Planning Commission meeting. Motion passed unanimously.

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Danny Lambert, Mayor

T.J. Fryatt, Chairman

Attest:



Judy Steele, Clerk

Town of Clintwood, Virginia
Regular Town Council Meeting
March 14, 2023

Record of Attendance:

Council Members:

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

Others Present:

Susan Wood - Attorney
Judy Steele - Clerk

Chief Rick Mullins

Citizens: Clint Vance, Bobby Garrett, Harry Childress, Andrew Rose, TJ Fryatt,
Mildred Brooks

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

Agenda Item - Approval of minutes of February 14 and February 28, 2023

Motion was made by Councilman Mullins and second by Councilman Bolling to approve the minutes of February 14 and February 28, 2023 as presented. Motion passed unanimously.

Agenda Item - Additions to the Agenda

Mayor Lambert added #5 - Chief of Police, #6 - Consideration of Planning Commission Recommendation and # 7 -Closed Session for Contracts, Personnel, and Real Estate.

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

Agenda Item - Chief Rick Mullins

Chief Mullins said that at the last meeting they had discussed the purchased of a new police vehicle on a grant that had been approved. He has checked with Freedom Ford

and Johnson Chevrolet. He presented the council with two quotes for a Police Pursuit Vehicle from each of those dealers. Councilman Mullins asked when the deadline was to have the grant submitted and Chief Mullins said the grant needed to be submitted by March 24. Mayor Lambert asked if this was ARPA Funds and Chief Mullins said yes. Chief Mullins said you did not have to advertise for bids, but he went ahead and got two bids. Councilman Bolling asked if the vehicle is being equipped with stickers and radios. Chief Mullins said that at this time the stickers were not to be put on it, but will be equipped with radios, lights, and radar in the bid. Stickers are not being placed on the vehicle so it could be used for two or three different things and it will be white so in case they decide to use stickers, then it will match everything else.

Motion was made by Councilman Bolling and second by Councilwoman Rife to purchase a Police Pursuit Vehicle from Johnson Chevrolet. Motion passed unanimously.

Agenda Item - Recommendation from the Planning Commission on the application for an Indoor Flea Market

Councilwoman Rife said as for herself she does not see any problem with it right now. She stated she wanted any business that can locate in our town and county. Councilman Childress agrees, but may see a problem with the parking. Councilman Bolling suggested the vendors park at the bottom of the Jettie Baker Center parking lot. Councilman Kendrick said that he was in agreement with the rest of the council, but he still has questions about how the vendors will be charged a permit fee because some of the vendors will be selling new items. All the businesses need to be treated fairly.

Motion was made by Councilwoman Rife and second by Councilman Childress to accept the recommendation of the Planning Commission and approve the application for an Indoor Flea Market. Motion passed. Councilman Mullins voted no.

Old Business - to be discussed in a closed session

Citizens Comments -

James Andrew Rose said he was the President of the Clintwood Kiwanis and they had discussed last week the activities for July Fourth. Last year they set up in the Community Park and done activities for the children and they were thinking along the same line for this year. They usually do the pancake breakfast, but there are not any activities in town of the morning. He thought if the parade could be started at 3 p.m. and then open the park at 3:30 so everyone could come over to the park and everything would be set up. He would like to close the road between the Kids Park and the Walking Track and the first row of parking in front of the post office and let food trucks

set up. He wanted to do small town stuff and make the event as free as possible for the children and try to get people in town from about 3 p.m. until the end of the fireworks. Councilwoman Rife asked if she could be involved with that because she has a few ideas that we can do better and bigger at the football field once the splash pad is open. The Lion's Club is going to put some money in doing something for the kids. She said she is working with Camp Jacob with things they can set up for the children. She offered to get with Andy to discuss it or come to a Kiwanis meeting and he said that the Kiwanis is willing to support it any way possible.

Clint Vance asked if he could open a thrift store in town and not pay taxes. Councilman Childress said he would have to buy a business license. Clint Vance said is that not the same thing as these people sitting up booths inside selling used items. He said they are doing it for a profit. Mayor Lambert said they will have check to see what other localities are doing. He sees what Clint was saying.

Harry Childress said the band boosters were having a golf tournament at Ravin Rock on May 10. He is looking for hole sponsors for one hundred dollars (\$100) or teams. The band has a concert band with about forty (40) children. They have gone to a competition at Virginia High. Ridgeview Band got a Superior Rating and also, a Division II Excellent Rating. On May 21, the band will be doing a Spring Concert. The band children sold strawberries to take a trip to Orlando- Universal Studios. They will also be doing concert in Universal Studios. Mayor Lambert asked if they had thought about doing a concert at the Jettie Baker Center.

Reports and Communications:

Town Attorney - none

Doris Rife - None

Talbert Bolling -

Motion was made by Councilman Bolling and second by Councilwoman Rife to give the Ridgeview Band a donation of one hundred dollars (\$100) as a hole sponsor. Motion passed unanimously.

Councilman Bolling expressed his appreciation to the town employees and the Planning Commission for their work.

Ron Kendrick - He said he had received a complaint about a dog not on a leash that is coming onto the Sleep Inn parking lot and bothering the people that are staying there. They are looking at extending the fence on down to the sidewalk to try to keep the dogs

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from going onto the parking lot. Mayor Lambert said he would talk to the county administrator to see if animal control could take care of this.

Jim Childress - He said that he hates that the band and the other clubs have to try to raise money. You would think there would be money for these and not have to get out and raise money. He also has had a complaint about dogs in the walking park.

Shelly Mullins - Town is looking good. He is thankful for the town employees and all that they do.

Mayor Lambert asked for a motion for a closed session for contracts, real estate, and personnel.

Motion was made by Councilman Bolling and second by Councilman Kendrick to go into a closed meeting pursuant to Virginia Code Section 2.2-3712(A) for the purpose of discussing Section 3711A (1) Personnel, (3) Real Estate, (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 business matters as were identified in the motion convening the closed session was 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

Mayor Lambert asked for any motions from the Closed Session.

Motion was made by Councilman Bolling and second by Councilwoman Rife to pay 1 percent of the financial advisor's fee contingent upon the attorney's review that the percentage will not change at any given time without proper notice and to allow the mayor and the clerk to sign the necessary documents. Motion passed unanimously.

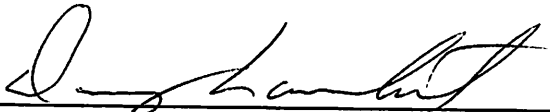
Motion was made by Councilman Bolling and second by Councilman Childress to renew the health insurance with The Local Choice Group unless there are major changes to the coverage or there is an increase of 9 percent or more and to allow the mayor and clerk to sign the necessary documents. Motion passed unanimously.

Motion was made by Councilman Bolling and second by Councilwoman Rife to pay the part time seasonal workers thirteen dollars (\$13) per hour. Motion passed unanimously.

Hearing not further business to come before the council, Mayor Lambert asked for a motion to adjourn.

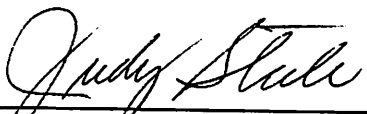
Motion was made by Councilman Bolling and Councilman Childress to pay the bills, the overtime, and adjourn. Motion passed unanimously.

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Danny Lambert, Mayor

Attest:



Judy Steele, Clerk