

MINUTES
Town of Clintwood
Regular Town Council Meeting
August 9, 2022
6:00 p.m.

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
Officer Chris Yates

Citizens: Mildred Books, Patricia Stanley Layne, and Susan Mullins

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

Agenda item - Approval of minutes of July 12, 2022

Motion was made by Councilman Childress and second by Councilman Mullins to approve the minutes as presented. Motion passed unanimously.

Additions to Agenda - Vice Mayor Kendrick added he would like to have a close session in regards to the Clintwood Rescue Squad for legal, and contract and Council Bolling asked to go into Closed Session for Personnel.

Hearing no other additions to agenda, a motion was made by Councilwoman Rife and second by Councilman Bolling to approve the agenda with the additions. Motion passed unanimously.

Public Hearing - Ordinance Amending the Town of Clintwood, Virginia Ordinance requiring the removal of trash, garbage, refuse, litter, clutter, and compelling the owner of the property to remove such trash, etc.

Motion was made by Councilman Bolling and second by Councilwoman Rife to open the public hearing for comments. Motion passed unanimously.

Mayor Lambert declared the public hearing open and asked for any comments. Mildred Brooks said she was for the beautification of the town and had the following

suggestions on things she has noticed that needs to looked at: water is draining out of a pipe in front of the Dollar Store and at times it is discolored; water is coming out of a pipe on the lot onto the curb beside of the Dollar Store and it stays there most of the time, on Market Street there is a trailer with several cars parked which blocks her view when she tries to pull out onto the street; the bank along the curve going out of town at Johnson's Chevrolet needs to be trimmed at least every year, and the bank at the curb the top of hill coming into Clintwood needs to be trimmed also. Mayor Lambert said she had brought some good points up and he would look into her suggestions. Mayor Lambert said this was not a new ordinance, just an amendment. Susan Wood said this is just amending the entire ordinance to make it more specific and set out the civil penalties. Councilwoman Rife said there are several places in town that needs to be cleaned up. Mayor Lambert asked the town attorney at what point can you hold the owner of the property responsible when a renter will not clean up the property. Ms. Wood said you could probably charge both the renter and the owner and see what the court would do. Councilman Bolling asked if you are required to send a certified letter and what if they do not pick it up and Ms. Wood said you still have to send the letter.

Motion was made by Councilman Bolling and second by Councilwoman Rife to close and adjourn the public hearing. Motion passed unanimously.

Motion was made by Councilman Childress and second by Councilman Mullins to adopt the ordinance as presented. Motion passed unanimously.

Agenda Item - Patricia Layne- Ordinance dog running at large

Patricia Layne stated that the issue with the dog has been going on for several years. The dog has actually chased her grandson and attempted to attack him. Nothing was done. An officer spoke to them and they hid the dog for a while and started letting the dog run at night. The same thing happened to her daughter with the dog chasing her. Now the dog lays at the end of her driveway. She would like it resolved before school starts and he has to catch the bus. Councilman Mullins asked who owns the dog and Ms. Layne said she believes it is Paul Buchanan's granddaughter, Lexie. She believes an officer has spoken to them. Discussion was held concerning the best way to deal with this situation. Officer Yates said he must see the dog not on a leash to write a ticket. Councilman Bolling told Ms. Layne to call dispatch the next time the dog is off a leash and out and they will send a town officer.

Agenda Item - Resolution - Recognition and Appreciation for Sister Bernadette "Bernie" Kenny.

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Motion was made by Councilman Bolling and second by Councilman Kendrick to adopt the Resolution as presented. Motion passed unanimously.

Agenda Item - Appointment to Planning Commission to serve the remaining term of Joe Fuller whose term expires 3-12-2023

This was tabled until the end of the meeting to be able to contact Harry Childress to see if he would agree to serve on the planning commission.

Agenda Item - Servline Utilities Protection Proposal

Councilman Bolling said he was okay with the water protection, but not the sewer. Councilman Childress said he was not against it. His concerns were the number of calls the office might have if this is put into place. Councilman Bolling said they would have to have a policy in place if a customer does not take the insurance then there would be no exception, they could not get an adjustment. Judy Steele said if a customer takes the coverage and they have a leak and the insurance covers only one adjustment a year and then they have another leak, the town has the option of adjusting the leak for them under the same policy we do now. If they are not in the program, then they do not get an adjustment. Mayor Lambert asked Susan Wood if they would have to have a public hearing.

Motion was made by Councilman Childress and second by Councilwoman Rife to table the Servline Utilities Protection Proposal until next meeting. Motion passed unanimously.

Other Business - None
Citizens Comments - -None

Reports and Communications

Town Attorney - None

Town Council -

Doris Rife - None

Talbert Bolling - There is a pot hole in the three lane coming into town and Mayor Lambert said one of the men was going to take care of that. A street light is out at the

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old 911 building that needs to be reported. He asked Mayor Lambert if he knows anything about being able to park in front of the house he lives in and Mayor Lambert said he was still waiting on the VDOT engineer to come by. He asked about the fire hydrant at the fire department. He really would like to put one back up there. The Community Relations Committee at the Red Onion Prison did not have a checking account, so he has returned the check to the town which was for the golf tournament that the Sheriff's office is going to hold in October. He requested the donation be redirected to the Sheriff's office for the golf tournament.

Motion was made by Councilwoman Rife and second by Councilman Childress to redirect the donation funds given to the Red Onion Prison to the Sheriff's Office for the golf tournament. Motion passed unanimously.

Ron Kendrick - On a personal note, he thanked the council and the town for everything they did and their support at the funeral service for his mom.

Jim Childress - He said he had looked at the new sewer press and it is a big improvement. There are some holes that need to be fixed at Walnut Street and Jonah Drive when there is paving being done.

Shelly Mullins - On Market Street, gravels have washed down to the intersection when it flooded and they need to be cleaned up and some bushes need to be trimmed back next to the Phipps house. There is a dilapidated house behind the Green Wave car wash that needs to be looked at and another one across from Johnson Chevrolet. He still would like to see a street light at the McDonald intersection. He asked Officer Yates what the ordinance was on abandoned vehicles. Susan Wood said that she had a good ordinance on abandoned vehicles that she just did for the Town of Haysi that she could let the council review. The council asked that it be sent to them to review.

Mayor Lambert

Virginia Commission of the Arts notified the town that they had received the Community Partnership Grant for \$4,500 which the town matches and gives to Pro Art. The man taking down the bleachers has about half the work done and the money for the bleachers will be deposited in the bank on Monday. The rain has caused some delay in getting the mowing done. The community center has been painted and the Jettie Baker Center will be painted next. The Jettie Baker Center did get flooded and all the wood flooring had to be taken up. The new thermostats have been installed at the Jettie Baker Center.

Mayor Lambert asked for a motion for executive session.

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Motion was made by Councilman Bolling and second by Councilman Childress to go into a closed meeting pursuant to Virginia Code Section 2.2-3712 (A) for the purpose of discussing Section 3711A (1) Personnel and Section 2.2-3711A(8) consultation with legal- Rescue Squad and Section 2.2-3711 (3) Real Estate-Historical Society Lease. 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 a closed session and only such public matters as were identified in the motion convening the closed session was heard, discussed, or considered by the Town Council.

Roll Call Vote:

Doris Rife – Aye
Talbert Bolling - Aye
Ron Kendrick - Vice Mayor - Aye
Jim Childress -Aye
Shelly Mullins - Aye

Motion Passed Unanimously.

Mayor Lambert asked for any motions.

Motion was made by Councilwoman Rife and second by Councilman Bolling to appoint Harry Childress to the Planning Commission. Motion passed unanimously.

Motions from the Closed Meeting.

Motion was made by Councilman Bolling and second by Councilwoman Rife to schedule a public hearing for September 13 on the lease agreement for the field house contingent upon the Historical Society is in agreement with the lease agreement. Motion passed unanimously.

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Motion was made by Councilman Bolling and second by Councilwoman Rife to give the Clintwood Volunteer Rescue Squad Fifteen Thousand Dollars (\$15,000) out of the ARPA Funds. Motion passed -4 votes aye Ron Kendrick- abstained

Motion was made by Councilwoman Rife and second by Councilman Kendrick to increase Sara Phillips hourly rate to \$12.00 (twelve dollars). Motion passed 4- aye Jim Childress abstained.

Motion was made by Councilman Bolling and second by Councilman Kendrick to recess the meeting until August 24 at 6:00 p.m. and to pay the bills and the overtime. Motion passed unanimously.

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Danny Lambert, Mayor

Attest:



Judy Steele, Clerk