

Town of Haysi  
Minutes of Regular Town Council Meeting  
February 6, 2018 @ 7:00 p.m.

On February 6, 2018, the regular meeting of the Haysi Town Council was held in the Council Chambers of the Haysi Town Hall Municipal Building located at 322 Main Street, Haysi, Virginia.

The following members were present:

PRESENT: Mayor Larry D. Yates  
Vice Mayor Rocky Wood

Council Members:  
Susan Tiller  
Michael Harris  
Tim Wallace  
William "Billy" Counts

ABSENT: Carter Branham

### **ITEMS # I, II, & III**

The meeting was called to order by Mayor Larry D. Yates at 7:00 p.m., and the Invocation was held by Chief George Wallace and the Pledge of Allegiance was recited.

### **ITEM # IV - APPROVAL OF THE AGENDA**

At this time Mayor Yates asked for any changes to the agenda. Vice Mayor Rocky Wood requested to add the Haysi-Clinchco Lions Club to New Business, Item VIII under Heart of Appalachia. Motion was made by Vice Mayor Rocky Wood seconded by Council Member Billy Counts to approve the agenda as presented. Let the record show the motion on the floor passed unanimously by verbal voting.

### **ITEM #V - PUBLIC COMMENT**

Mayor Yates asked Town Clerk Perrigan to read the following Public Comment Policy out loud:

A Public Comment Period will be held during the regular Town Council monthly meetings, during Special Called meetings, and Public Hearings. The Public Comment period will be on the Agenda for the meeting. The Town Council asks that speakers only comment on the items listed on the Agenda for the Town Council meeting or Special Called meeting and only comment on the specific reason for the Public Hearing. All comments made during the Public Comment period shall be subject to the following procedures:

- 1.) Anyone who wishes to make a statement during the Public Comment period will register on a sign-up sheet available 30 minutes before the start of the meeting.
- 2.) Persons who have signed the register to speak shall be taken in the order in which they are listed.
- 3.) Persons addressing the Town Council are asked to limit their comments to 3 minutes.
- 4.) Speakers will be acknowledged by Mayor Larry Yates in the order in which their names appear on the sign-up sheet. Speakers shall stand at their seat to address the Council and not approach the Mayor or Town Council members. Speakers will start their comment by stating their name and address.
- 5.) Speakers will direct comments at the Town Council as a whole and not to individuals. Public Comment is not intended to require the Town Council to provide any answer to the speaker right away. Discussions between speakers and members of the audience will not be allowed.
- 6.) Speakers will be courteous in their language, tone, and presentation.
- 7.) Only one speaker will be acknowledged at a time. If a large number of people are present to register concerns about the same subject, it is suggested that they might be acknowledged as a unified group and a designated speaker will cover the various points.
- 8.) In the event that there are more people who wish to speak than can be accommodated in the 30 minutes set aside for public comment, the Town Council may extend the period, delay it until the rest of the agenda has been completed, or continue it to the next regular council meeting.

The first person signed up for Public Comment was Tammy Owens of 534 Skyline Drive, Birchleaf, Virginia, 24220. Mayor Yates acknowledged Ms. Owens to present her comments. Ms. Owens said that she was there in regard to the Russell Fork Splashdam Property and read a quote from Winston Churchill. Ms. Owens said that she wanted to give everyone full transparency on the Splashdam Project, since several million dollars in gob has seemed to have disappeared. Ms. Owens stated that she along with the Haysi Town Council Members are fully complicit. Ms. Owens added that she had already communicated her information with lawyers, newspapers, and on social media. Ms. Owens read a portion of the Haysi Town Council November Meeting Minutes. Ms. Owens advised that the exploration done by Donner Services stated there was one hundred thousand tons of gob in Splashdam. Ms. Owens described the materials, reports, and contracts that she had available for information on the Splashdam Project. Ms. Owens' allotted time expired and Council Member Tim Wallace asked if the Mayor wanted to hear what else she had to say. Mayor Yates replied that he had already heard it all and was involved in the project. Council Member Wallace asked to clarify if Ms. Owens was trying to say that there was more gob at Splashdam than what was reported at the November meeting. Ms. Owens answered "absolutely." Ms. Owens said that there were samples taken that showed gob sufficient to sell for thirty-four dollars per ton and she has supporting documentation for proof. Council Member Wallace added that Mr. Potter told him that there was not as much

gob as everyone thought and estimated the amount to be around seventy thousand ton. Ms. Owens advised that the town had paid for work that found sixty-six thousand ton of low to medium grade gob and thirty-five thousand ton of high quality metallurgical coal, which she equated to well over four million dollars. Ms. Owens said that Mr. Dean Hill commented that the gob was no longer there only sand, slate, and red dirt. Ms. Owens stated that other organizations had used the information to write grants. Ms. Owens said “it’s still there, supposedly” and specifically noted that the metallurgical coal was located in the sediment ponds in the dry river bed. Ms. Owens said she noticed that Mr. Dean Hill wants to purchase the property for two thousand dollars per acre and she wants citizens to know that it is an asset worth ten thousand per acre, the price he paid for the front portion of the property. Ms. Owens added that she had photos, reports, and emails to document it. Ms. Owens concluded by stating to “remember that everyone here is complicit.”

#### **ITEM # VI – APPROVAL OF MINUTES**

Prior to the meeting council had received for consideration of approval a copy of the following prepared minutes:

- January 2, 2018 Regular Town Council Meeting

Motion was made by Vice Mayor Rocky Wood and seconded by Council Member Susan Tiller to approve the minutes of the meeting on January 2, 2018 as presented. Let the record show the motion on the floor passed unanimously by verbal voting.

#### **ITEM # VII – FINANCIAL REPORT**

At this time the council was presented for approval the following:

- December 30, 2017 through January 31, 2018 Financial Report listing: beginning balance, revenue, expenditures and ending balance.
- December 28, 2017 through January 31, 2018 itemized listing of expenditures including checks # 14236-14292 & deposits
- December 28, 2017 through January 31, 2018 Profit & Loss Report
- Current payables to date for review

Mayor Yates asked for any questions regarding the financial report. Motion was made by Council Member Billy Counts seconded by Vice Mayor Rocky Wood to approve the financial report. Let the record show the motion on the floor was passed unanimously by verbal voting.

#### **ITEM # VIII - NEW BUSINESS**

Audit Report from Thrower, Blanton, & Associates, P.C.

Mayor Yates welcomed Tamara Greear with Thrower, Blanton, and Associates to present the town's audit report. Copies of the Audit Report were given to the Haysi Town Council before the meeting began. Mrs. Greear began by explaining that there were no conflicts in the audit agreement and the Fire Department Audit Report was contained inside the town's audit report, but they had their own document summarized for them to give to Dickenson County. Mrs. Greear explained that on page four, the "Independent Auditor's Report", the town received an unmodified, clean opinion. Mrs. Greear moved to page six and seven, "Internal Control Over Financial Reporting and On Compliance." Mrs. Greear said there was one finding, the Clerk does all of the accounting. She informed the Town Council that the only way to change that portion of the report is to hire more people where separation of duties can be implemented. Mrs. Greear gave a summary of page nine "Statement of Net Position, Exhibit 1" and pointed out that the town had \$1,165,922.00 in assets. Liabilities reflect \$290,242.00 Virginia Retirement System, but there was no other debt except compensated absences in the amount of \$3,368.00. She also gave a summary of page ten that details the amount of expenses, grant money, and taxes, which means the town needs \$275,727.00 from taxes to handle public works. Mrs. Greear gave a summary of page eleven, which contained the same numbers in a cash basis format and mirrors the budget. Mrs. Greear also defined the restricted amount and recommended looking at the foot notes during the budget process. Mrs. Greear reviewed pages forty-two and forty-three and commented that the town had amended the budget appropriately. Mrs. Greear asked if she could answer any questions regarding the audit. Mayor Yates thanked Mrs. Greear for her time and work. Mrs. Greear said to give credit to the Town Clerk for the early audit and improvement over the years.

#### Heart of Appalachia – Kitty Barker

Mayor Yates welcomed Kitty Barker, Executive Director of Heart of Appalachia. Mrs. Kitty Barker introduced herself and described how Heart of Appalachia was created as part of the 1993 general assembly to market the coalfields area. Mrs. Barker gave a PowerPoint presentation (see attachment) then asked for questions regarding Heart of Appalachia. Mayor Yates mentioned that Nikki Hicks, an employee with Heart of Appalachian also helps with advertising on WCYB. Mayor Yates thanked Mrs. Barker for her time and work. Mayor Yates stated that the town would start the budget process next month. Mayor Yates also mentioned that he hadn't heard about the new visitor center. Mayor Yates advised that the environmental portion of the grant process should be completed this month for the equestrian trail.

#### Haysi-Clinchco Lions Club

Mayor Yates welcomed Brenda Ramey, President of the Haysi-Clinchco Lions Club. Mrs. Brenda Ramey said she was there for the Community Easter Egg Hunt and that the event couldn't be done without donations. Mrs. Ramey added that this year was the 4<sup>th</sup> annual Community Easter Egg Hunt and she requested a five hundred dollar donation. The donation request form was passed around to the Haysi Town Council Members. Donnie Harrison said the event has lost sponsorship from the American Legion and the Town of Clinchco dropped their sponsorship amount to three hundred dollars. Mrs. Ramey stated

that she was in the process of contacting local businesses. Mayor Yates suggested that she contact Southern Gap Outdoor Adventures. A general discussion was held about the event. Vice Mayor Rocky Wood asked for the date of the event. Mrs. Ramey replied that it was scheduled for March 31, 2018. Mr. Harrison said that the event had seen as many as six hundred and thirty kids attend and added that any help was welcome, especially from the police department. Mayor Yates advised that the town donated five hundred dollars last year and currently has \$1,975.00 left in the line item for donations. Motion was made by Vice Mayor Rocky Wood seconded by Council Member Billy Counts to donate five hundred dollars to the Haysi-Clinchco Lions Club for the Community Easter Egg Hunt. Let the record show the motion on the floor was passed by verbal voting, with Council Member Tim Wallace voting nay.

### **ITEM # IX – OLD BUSINESS**

#### Discussion of the Russell Fork Trail Center

Mayor Yates said he submitted the pre-application, then exchanged phone calls and met with representatives from the Virginia Tobacco Region Revitalization Commission in Richmond. Mayor Yates reported that they were very interested in the project. The grant program opens in May and the decisions are announced in September.

#### Russell Fork Splashdam Property – Dean Hill

Attorney Stephen Mullins advised that the deed was done and everything looked good, so he will prepare an ordinance. Mayor Yates suggested a public hearing prior to the March meeting. Motion was made by Council Member Billy Counts seconded by Council Member Susan Tiller to hold a public hearing on the purchase of the Russell Fork Splashdam Property on March 6, 2018 at 6:45pm. Let the record show the motion on the floor was passed unanimously by verbal voting.

### **ITEM # X – UNFINISHED BUSINESS**

#### Police Department Monthly Report-Chief George Wallace (See Attachment)

Chief George Wallace reported 30 calls for the month of January. Chief Wallace said there was a lot of traffic hazards, which was basically keeping ice and rocks out of the road. Chief Wallace pointed out a call about a suspicious person at Sandlick Elementary on January 29. Chief Wallace explained that a guy came from Bristol claiming he was being chased by people with guns. Officer Brent Wallace escorted him out of the school. Chief Wallace said the guy didn't believe that he and Officer Brent Wallace were real cops. Chief Wallace said they sent him to Brian O'Quinn and he was "sent off." Vice Mayor Rocky Wood asked how the guy got into the school. Chief Wallace answered that the guy walked in when someone opened the door. Mayor Yates asked if Principal Dennis Deel was satisfied with how the situation was handled. Assistant Chief Bobby Edwards replied "yes." Council Member Susan Tiller asked if the situation occurred in the afternoon. Chief Wallace answered that school was getting ready to release. Council Member Tiller asked

if the guy had pulled into the school parking lot. Assistant Chief Edwards replied “yes.” Chief Wallace stated that the guy couldn’t explain why he chose Sandlick, but it proves that a school resource officer is needed. Mayor Yates advised that he and Chief Wallace put the part time officers on inactive duty due to the budget restraints, but they are still on the roster. Council Member Tiller asked if the school would still have a resource officer. Mayor Yates answered “yes,” Assistant Chief Edwards adjusted his scheduled from four to five days a week.

#### Haysi Volunteer Fire Department Monthly Report-Chief Rocky Wood

Chief Rocky Wood stated that there were eight calls for January, which consisted of traffic hazards and rock slides. Mayor Yates asked about house fires. Chief Wood answered that there were none for January. Chief Wood advised that the Haysi Volunteer Fire Department had adopted a “pretty lengthy” set of Bylaws last Thursday. Chief Wood also advised that their Treasurer, Josh McGlothlin brought Clerk Amanda Perrigan paperwork that she needed. Chief Wood stated that he appreciated the town adding the fire department to their annual audit and he was pleased with the outcome. Chief Wood said as far as he knew, the Haysi Volunteer Fire Department was the only organization being added to their town’s audit.

#### **ITEM # XI - MAYOR COMMENTS**

Mayor Yates reported the following:

- Mayor Yates reported that he went to Richmond in January for Legislative Week. Mayor Yates had discussions with the Department of Conservation and Recreation about scenic designations and received good reports on the Mountains of Music Homecoming.
- Mayor Yates advised that Spearhead Trails is working on expansion and were impressed with the John Flanagan Dam. The expansion will be for equestrian and ATV riders. Vice Mayor Rocky Wood asked if ATV traffic would increase through the Spring and Summer seasons. Assistant Chief Edwards replied that there was a lot of ATV traffic now, but it should increase during the Spring and Fall seasons. Mayor Yates said Heart of Appalachia was marketing the trails and the town is partnering with Coal Canyon on upcoming events. Mayor Yates pointed out that there is a shortage of overnight housing, but the town is working to offer workshops for help on Airbnb for example. Assistant Chief Edwards said lowering the speed limits to allow for expansion would help too. Mayor Yates agreed and advised that the process start with the connector to the Breaks Interstate Park, which would allow ATV riders to travel to the lodge, restaurant, and zip line. Mayor Yates added that a trailhead connected to the Breaks Interstate Park will help too. Vice Mayor Rocky Wood asked if the ATV riders would be able to connect to the campground at the park as well. Mayor Yates answered that they will not and he said he didn’t think it will ever be connected, however, ATV riders may eventually get a new special designated campground. Mayor Yates stated that he would prefer for ATV riders to camp in Haysi.

**ITEM # XII - COUNCIL COMMENTS**

None.

**ITEM # XIII – ADJOURNMENT**

There being no other business to be brought before the Council, a motion was made by Vice Mayor Rocky Wood seconded by Council Member Susan Tiller to adjourn the meeting. Let the record show the motion was passed unanimously by verbal voting and the meeting was adjourned.

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Larry D. Yates, Mayor

Attest:

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Clerk