

Town of Haysi
Minutes of Regular Town Council Meeting
April 3, 2018 @ 7:00 p.m.

On April 3, 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:
Michael Harris
Susan Tiller
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. The Invocation was held by Matthew Owens 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. Motion was made by Vice Mayor Rocky Wood seconded by Council Member Susan Tiller to approve the agenda as presented. Let the record show the motion on the floor passed unanimously by verbal voting.

ITEM # V - PUBLIC COMMENT

None.

ITEM # VI - APPROVAL OF MINUTES

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

- March 6, 2018 Regular Town Council Meeting

Motion was made by Council Member Billy Counts and seconded by Vice Mayor Rocky Wood to approve the minutes of the meeting on March 6, 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:

- March 1, 2018 through March 30, 2018 Financial Report listing: beginning balance, revenue, expenditures and ending balance.
- March 1, 2018 through March 28, 2018 itemized listing of expenditures including checks # 14328-14342 & deposits
- March 1, 2018 through March 28, 2018 Profit & Loss Report
- Current payables to date for review

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

ITEM # VIII - NEW BUSINESS

None.

ITEM # IX – OLD BUSINESS

Russell Fork Splashdam Property – Dean Hill

Mayor Yates welcomed Dean Hill to speak about the Russell Fork Splashdam Property. Mr. Hill shared a photo he had taken of the property showing the damage with the river at flood level. Mr. Hill explained that the water level had been up caused damage twice already this year. Mr. Hill said he had replaced the top soil, but the water had washed it off again. He noted that nothing could be built or put into place on the property. Council Member Billy Counts asked about the island area in the river. Mr. Hill replied that it washed out and was still full. Mr. Hill stated that he had never hauled coal out from the property. He advised that he had done some grade work, but still hasn't gotten the septic permits that he needs for the campground. Mr. Hill explained that they had dug down three feet into the gob rock and located slate then all sand built up under that. Mr. Hill said he can't put a septic system in that area. Mr. Hill pointed out that there was now trash all over including tires, timber, and metal. Mr. Hill stated that the property would only be suitable for tents. Mr. Hill said he appreciated the time to speak and hoped the council would approve the sale. Mayor Yates stated that the gob was not profitable. Mr. Hill added that the gob was not profitable because for ten thousand dollars in gob the cost to extract it would be fifteen thousand dollars. Mr. Hill also noted that if the gob was valuable that the Forestland Group wouldn't have given up their rights to it.

Purposed Property Ordinance

Mayor Yates read the following ordinance:

AN ORDINANCE approving and authorizing the sale of property owned by the Town of Haysi, Virginia, located at Splashdam Road, Haysi, Virginia 24256 in the Town of Haysi, Virginia to Electric Hardwood Inc.

The proposed ordinance authorizes the sale of the referenced real property and authorizes the Town Mayor to enter into all appropriate agreements to complete the sale.

WHEREAS, the Town of Haysi owns certain real property located at Splashdam Road in Haysi, Virginia, having acquired it as open space in 2006; and

WHEREAS, the Town Council has determined that certain portions of the real property at Splashdam Road to be surplus property and authorized the Mayor to negotiate for the potential sale of the property; and,

WHEREAS, the Town Council is of the opinion that the sale of this property is in the best public interest and will otherwise advance the Town's land use goals; preserve and improve economic growth now and in the future and,

WHEREAS, the Town has received an offer from Electric Hardwoods Inc. to purchase a part of the Splashdam Road Property and,

WHEREAS, the Town Council has recommended the sale of this property to Electric Hardwood Inc. for the sum of \$15,940.00 and other terms and conditions as set forth more specifically in the Deed.

BE IT ORDAINED BY THE TOWN COUNCIL OF HAYSI, Va.:

That the sale of the real property described below to Electric Hardwoods Inc. for the sum of \$15,940.00 is as follows:

All that certain tract or parcel of land, with the improvements thereon and all rights, privileges and appurtenances thereunto belonging situate, lying and being on the waters of the Russell Fork River, in the Sandlick Magisterial District of Dickenson County, Virginia, and being more particularly bounded and described as follows:

BEGINNING at an iron pin found in the western right-of-way line of the CSX Railway at a corner of the Electric Hardwoods, Inc. Parcel (Deed Book 512, Page 132 & Deed Instrument Number 130001435); thence with the boundary line of the Electric Hardwoods, Inc. Parcel (Deed Book 512, Page 132 & Deed Instrument Number 130001435) using the Virginia State Plane Coordinate System South Zone (1983 NAD) bearings S 73°51'48" W 75.00' to an iron pin found at a corner of the Electric Hardwoods, Inc. Parcel (Deed Book 544, Page 38 & Deed Instrument Number 160001532); thence with the boundary line of the Electric Hardwoods, Inc. Parcel (Deed Book 544, Page 38 & Deed Instrument Number 160001532) S 74°17'22" W 373.98' to a point in the center of the Russell Fork River; thence five lines with the Russell Fork River N 02°57'22" W 408.00' to a point in the center of the

Russell Fork River; thence N 00°44'04" W 307.35' to a point in the center of the Russell Fork River; thence N 05°19'43" E 468.81' to a point in the center of the Russell Fork River; thence N 01°01'26" E 104.28' to a point in the center of the Russell Fork River; thence N 03°55'17" W 133.44' to a point in the center of the Russell Fork River in the western right-of-way line of the CSX Railway; thence leaving the river and four lines with the western right-of-way line of the CSX Railway S 28°56'43" E 83.95' to a point not set in the edge of the river; thence S 23°58'44" E 155.29' to an iron pin (found); thence S 17°47'14" E 137.03' to a point not set; thence S 16°08'12" E 990.02' to the point of **BEGINNING**, containing 7.970 acres, more or less, as shown on the attached plat dated December 15, 2017, entitled "Plat Prepared For: Electric Hardwoods, Inc.", as prepared by Roy K. Balthis, VLS, and being a portion of the same property conveyed unto The Town of Haysi, VA, by Deed dated August 24, 2007, and of record in Deed Book 442, page 433 in the Circuit Court Clerk's Office for Dickenson County, Virginia.

That the above described is a part of the same property as recorded in Deed Book 442, Page 433, in the Office of the Circuit Court Clerk of Dickenson County, Virginia, and being a part of a tract conveyed to the Town of Haysi by The Forestland Group LLC.

That the Mayor is hereby authorized to execute all necessary documents on behalf of the Town of Haysi, Virginia to convey the herein described real property, including, but not limited to, the execution and delivery of deed and other appropriate documents to Electric Hardwood Inc.

That the Town Clerk be and is hereby authorized to attest to the execution of the deed and other necessary documents executed by the Mayor.

That this ordinance shall become effective upon the date and at the time of its final passage.

Mayor Yates asked for a roll call vote. Vice Mayor Rocky Wood and Council Members Susan Tiller and Billy Counts voted yes. Council Members Michael Harris and Tim Wallace voted no. Let the record show the ordinance was passed by verbal voting.

ITEM # X – UNFINISHED BUSINESS

Police Department Monthly Report-Assistant Chief Bobby Edwards (See Attachment)

Assistant Chief Bobby Edwards pointed out a few calls on the report including breaking and entering at Haysi High School. Assistant Chief Edwards said two hidden cameras were located inside the school and they are working to identify the individual. Assistant Chief Edwards said the call regarding the traffic hazard for BVU cables involved a fiber line down, so there was no internet service for the Haysi Regional Jail and Hillcom customers. Assistant Chief Edwards said that Chief George Wallace's hours should have been 144.75 instead of 122.5 as shown on the report. Assistant Chief Edwards advised that he had written another grant for barricades to handle road closures and crowd control, pet shelters, and a scene light in the amount of sixteen thousand dollars through Emergency Management. The supplies would be stocked at Richard Thacker's home. Mayor Yates asked about the scene light. Assistant Chief Edwards answered that the scene light is battery powered and will stay lit for up to ten hours. Mayor Yates asked about the call

regarding phony money. Assistant Chief Edwards said it was movie money that looks very real and can be purchased online. Vice Mayor Rocky Wood asked if they caught the individual. Assistant Chief Edwards replied “not yet.” Mayor Yates asked about the UTV request on March 23. Assistant Chief Edwards said an elderly person had fallen close to their house.

Haysi Volunteer Fire Department Monthly Report-Chief Rocky Wood

Chief Rocky Wood stated that there were fifteen calls over the last month including four structure fires, rekindles, brush fires, and motor vehicle accidents. Chief Wood advised that there is an arsonist in the Sandlick area and asked for everyone to keep a look out. Chief Wood said the county didn’t let him know about the fire department budget hearing in time for him to attend, so he went Monday and asked for seventeen sets of turnout gear. Chief Wood seemed to think that the fire department will get the requested gear. These new seventeen turnout gears sets will replace all the old sets. Chief Wood noted that the fire department had changed out lights, got a new computer, and will be changing the locking system at the fire hall.

ITEM # XI - MAYOR COMMENTS

Mayor Yates reported the following:

- Mayor Yates advised that the Breaks Interstate Park voted on March 8, to allow ATV’s to connect to the park. The trail is currently under construction and will be limited to the lodge and zip line areas. Council Member Billy Counts commented that Kentucky is trying to connect Elkhorn City to Haysi. Council Member Tim Wallace asked about ATV’s in the campground. Mayor Yates answered that the park wants to keep the campground quiet, so ATV’s will not be allowed. Council Member Wallace suggested camping at the Garden Hole. Mayor Yates advised that the Haysi to Breaks hiking, biking, and equestrian trail will go through the Garden Hole area.
- Mayor Yates reported that he and Clerk Amanda Perrigan met with Valerie Falconieri of SERCAP and will be working with churches and other organizations county wide on the Alternative Spring Break Program.
- Mayor Yates reported that the work is continuing on the Rally Grant, which will meet again on Thursday evening.
- Mayor Yates reported that he attended the 50th Annual Meeting and Banquet for the Cumberland Plateau on March 23.
- Mayor Yates stated that on March 24, he attended the Breaks Interstate Park LoveWorks unveiling and saw the documentary at Grundy Community Center.

Vice Mayor Rocky Wood asked if any progress had been made on flood proofing the trail center with the historical society. Mayor Yates said that he is waiting on the grant opening with the Virginia Tobacco Region Revitalization Commission. Mayor Yates explained that he had talked to Building Inspector Chris Rakes, but asked if Vice Mayor Wood could

offer assistance. Vice Mayor Wood agreed and answered that he had talked to the building inspector some already. Mayor Yates stated that he was not sure about the validation. Vice Mayor Wood stated that he would try to help. Mayor Yates will arrange the meeting.

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.

Larry D. Yates, Mayor

Attest:

Clerk