

Town of Haysi
Minutes of Regular Town Council Meeting
August 3, 2021 @ 7:00 p.m.

On August 3, 2021, 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
Tim Wallace
Carter Branham

ABSENT: Susan Tiller
William "Billy" Counts

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 Vice Mayor Rocky Wood and the Pledge of Allegiance was recited.

ITEM # IV – APPROVAL OF THE AGENDA

At this time Mayor Yates asked to add Transient Occupancy Tax Ordinance to the agenda under Old Business. Motion was made by Council Member Tim Wallace seconded by Council Member Carter Branham to approve the agenda as amended. Let the record show the motion on the floor passed unanimously by verbal voting.

ITEM #V – PUBLIC COMMENT

Reva Hill of 1129 Lazarus Branch, Haysi, Virginia was signed up for public comment, but she accepted Mayor Yates offer to speak during the Transient Occupancy Tax Ordinance item that had just been added to the agenda.

ITEM # VI – APPROVAL OF MINUTES

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

- July 6, 2021 Regular Town Council Meeting

Motion was made by Vice Mayor Rocky Wood seconded by Council Member Tim Wallace to approve the minutes of the regular town council meeting on July 6, 2021 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:

- July 1, 2021 through July 30, 2021 Financial Report listing: beginning balance, revenue, expenditures and ending balance.
- July 1, 2021 through July 29, 2021 itemized listing of expenditures including checks # 15935-15950 & deposits
- July 1, 2021 through July 29, 2021 Profit & Loss Report
- Current payables to date for review

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

ITEM # VIII - NEW BUSINESS

Appalachian Voices – Abandoned Mine Land Economic Revitalization Program

Mayor Yates welcomed Katie Moody from Appalachian Voices. Ms. Moody advised that Appalachian Voices was a non-profit organization in Norton and described their purpose including assisting with grant projects. Ms. Moody said she wanted to “spread the word” about opportunities for Abandoned Mine Land grants, which is a Department of Mines, Minerals, and Energy program with ten million dollars in funding to award in southwest Virginia. Ms. Moody stated eligibility would depend on a location on or next to a mine land feature with projects tied to economic development and job creation. Ms. Moody said that DMME favors energy and agriculture projects. Ms. Moody gave examples of three grant awards locally including: a trails grant in Dante, removal of a high wall in Norton, and the Thunder River Campground Water Line extension. Ms. Moody stated that Appalachian Voices could also offer assistance with the Brownfields grant. Mayor Yates asked about the amount of funding available for applicants. Ms. Moody answered that the amount varied between two hundred and fifty thousand dollars and two million dollars. Mayor Yates asked about smaller projects. Ms. Moody said that smaller projects were eligible as well. Mayor Yates stated that the town has mine portals that need to be sealed and reclaimed. Ms. Moody said that Appalachian Voices could help with resources in the application process. Mayor Yates asked about the Cumberland Plateau Planning District. Ms. Moody responded they would provide extra capacity. A general discussion was held about potential projects. Mayor Yates will keep in touch with Appalachian Voices.

Donation Request from Dickenson County Fair

Mayor Yates looked for Jason Deel to present the request, but Mr. Deel was not in attendance and Mayor Yates said that an answer on the request would be needed prior to the next meeting. Council Member Carter Branham stated that the fair needed support or it will “be gone.” Motion was made by Council Member Carter Branham seconded by Vice Mayor Rocky Wood to approve the five hundred dollar donation request from the Dickenson County Fair for the Horse Show. Allision Mullins is the President of the Dickenson County Fair Committee, but Jason Deel is in charge of the Horse Show. Vice Mayor Wood wanted to be clear that the donation was specifically for the Horse Show. Clerk Amanda Perrigan will work with Jason Deel to make sure that the funds are directed to the Horse Show. Let the record show the motion on the floor passed by verbal voting with Vice Mayor Rocky Wood, Council Member Carter Branham, and Council Member Michael Harris voting aye and Council Member Tim Wallace voting nay.

ITEM # IX – OLD BUSINESS

Transient Occupancy Tax Ordinance

Mayor Yates welcomed Reva Hill to begin the discussion. Mrs. Hill stated that she had talked to Mayor Yates over the weekend about her position on the tax. Mrs. Hill advised that Thunder River Campground began collecting the tax for the town and had already been collecting tax for the county and then last week she was told of an additional two dollar tax per night. Mrs. Hill handed out some statistics she had researched (see attachment) and went over the data. Mrs. Hill explained that fifty percent of their bookings were residents of Haysi and Clintwood because the campground was “just getting off the ground when COVID hit.” Mrs. Hill expressed concern over their top competitors; Cranesnest and Lower Twin not having to pay any taxes as well as having lower rates. Mrs. Hill also expressed concerns of scaring off new customers when they were investing in the development of new sites which would “lockdown” their prices and opportunity of changing rates for riverfront locations. A general discussion was held about Thunder River Campground and their future plans. Mayor Yates said he appreciated Mrs. Hill and her family coming forward with their concerns. Vice Mayor Rocky Wood asked about the Kiwanis Campground. Mrs. Hill answered that the Kiwanis charge the same amount with the exception of the monthly rate and they offer discounts. Mayor Yates said that he thought Virginia Code Section 58.3711 was the correct area to site where the campground shouldn’t have to pay a county tax in addition to the town tax. Vice Mayor Wood advised that there was a big discussion in the past about businesses not being taxed instead of the county, not in addition to it. Mayor Yates replied that spoke with the County Administrator who referred him to their attorney William Sturgill. Attorney Taylor Hay said she was not prepared to discuss the matter tonight, but would be available to talk to Mr. Sturgill. Attorney Hay added that the town ordinance was based on the Virginia Code and what other towns have approved. Mayor Yates suggested that Mrs. Hill speak to Commissioner of Revenue Mike Yates regarding the matter as well. Vice Mayor Wood commented that he understood the lodging tax would work like the meals tax. Mayor Yates clarified that the two dollar hotel fee was in the original ordinance, but was overlooked when the form was developed. Mrs. Hill stated that in her research the hotel fee was typical of tourist places such as Pigeon Forge and Myrtle Beach. Mayor Yates stated that he did not want to

damage business. Vice Mayor Wood asked why the Corp of Engineers didn't require taxes. Clerk Amanda Perrigan explained that as a government agency; they are tax exempt. Mayor Yates said he consulted with other town managers on the ordinance and the two dollar hotel fee was to balance out the amount collected. Clerk Perrigan advised that the town's form was based on the form for Clintwood, so the hotel fee was not on their form. Mayor Yates said that he would advise not collecting the hotel fee and changing the ordinance to reflect that. Clerk Perrigan said a public hearing would have to be scheduled. Vice Mayor Wood stated that Attorney Hay could rewrite the ordinance, but he still wanted to check on the double tax. Mrs. Hill stated that she didn't have a problem paying the taxes. Mayor Yates said he appreciated what Thunder River Campground has accomplished with the Splashdam property. A general discussion was held about the new bath house and primitive camping. Mayor Yates emphasized that he was going along with what he thought other localities were doing. Attorney Hay said the county could give an exemption and she was willing to have the discussion with the county's attorney. Mayor Yates suggested waiving the hotel fee now and setting a public hearing to amend the ordinance for September 7. A general discussion was held about the Corp of Engineer's campgrounds. Motion was made by Vice Mayor Rocky Wood seconded by Council Member Carter Branham to waive the hotel fee and prepare to amend the Transient Occupancy Tax Ordinance. Let the record show the motion on the floor passed unanimously by verbal voting.

ITEM # X – UNFINISHED BUSINESS

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

Chief Bobby Edwards reported 32 calls and read off the hours worked for the month of July. Chief Edwards said there were a couple of vandalisms and thefts of which confessions had been obtained for two. Mayor Yates asked about the nature of the vandalism. Chief Edwards answered that a local car wash sustained around one thousand eight hundred dollars in damage. Chief Edwards said that the vandal work their work shirt that had their name on it. Chief Edwards advised that he had picked up an eighty-five thousand watt generator, which should be able to power the new town hall building. Chief Edwards expressed his dissatisfaction with work on the new Police Tahoe, so he had the company redo the work and hopes to get the vehicle soon.

Haysi Volunteer Fire Department Monthly Report

Chief Rocky Wood reported 13 calls including: one structure fire, one brush fire, two utility pole fires, one fire alarm, one assist motorist, two landing zones, one lift assist, and four motor vehicle accidents.

ITEM # XI - MAYOR COMMENTS

Mayor Yates reported the following:

- Mayor Yates reported that he continues to attend management team meetings for the grant projects.

- Mayor Yates reported that the Corp of Engineers held a town hall meeting last month with good attendance, but no new news.

ITEM # XII - COUNCIL COMMENTS

Vice Mayor Rocky Wood reported that the Board of Zoning Appeals would have their first meeting early next week with the Dickenson County Building Inspector. The board has received a variance request from Viers Medical Clinic.

ITEM # XIII – EXECUTIVE SESSION

Mayor Yates stated that he would like to invite Clerk Amanda Perrigan, Police Chief Bobby Edwards, and Attorney Taylor Hay to join the Executive Session. Motion was made by Council Member Carter Branham and seconded by Vice Mayor Rocky Wood to adjourn into Executive Session pursuant to Virginia Code Section 2.2-3711A3 & A5 for the discussion of Real Property and Prospective Business. Let the record show the motion on the floor passed unanimously by verbal voting.

Only public business matters lawfully exempted from open meeting requirements under this chapter, and only such public business matters as were identified in the motion by which the closed meeting was convened were heard discussed or considered in the meeting by the public body.

Upon motion made by Vice Mayor Rocky Wood and seconded by Council Member Carter Branham the Council was now convened in Open Session. Let the record show the motion on the floor passed unanimously by verbal voting

Mayor Yates asked for a roll call vote to certify the statement:

Rocky Wood	Yes	Michael Harris	Yes
Tim Wallace	Yes	Carter Branham	Yes

ITEM # XIV – 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 Michael Harris 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