

Town of Haysi
Minutes of Regular Town Council Meeting
April 3, 2012 @ 7:00 p.m.

The April 3, 2012 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 Yates
Vice Mayor Mike Harris

Council Members: Susan Tiller, Johnnie Branham, Diana Reedy and Rocky Wood.

Absent: Barry Whitt

ITEMS # I & II

The meeting was called to order by Mayor Yates. Pledge of Allegiance.

ITEM # III-Invocation-Chief George Wallace

ITEM # IV - APPROVAL OF THE AGENDA

At this time Mayor Yates asked Council for any additions or changes to the agenda.

The following was changes were requested:

- Move Item 4 under New Business, between Approval of Agenda and Approval of Minutes.
- Add Haysi Fire Department Billing Ordinance to New Business
- Add Animal Control Ordinance to Old Business
- Add Discussion Meal Tax-Old Business

With no further additions or changes the motion was made by Council Member Rocky Wood, seconded by Council Member Susan Tiller to approve the agenda with additional changes. Let the record show the motion on the floor passed unanimously by verbal voting.

NEW BUSINESS ITEM IV-2010/2011 AUDIT REVIEW-TAMERA GREEAR, THROWER, BLANTON & ASSOCIATES

Tamera Greear, Thrower Blanton & Associate reviewed the 2010/2011 audit report. She stated in the Independent Auditors report in their opinion the financial statements for the Town of Haysi, in all material respects, the respective financial position of the governmental activities, the business-type activities, and each major fund of the Town of Haysi, Virginia as of June 30, 2011, and the respective changes in financial position cash flows, where applicable, thereof for the year then ended in conformity with accounting principles generally accepted in the United States of America. This is a clean opinion, which is the best opinion you can receive, and this is the opinion the town receives. In evaluation the Internal Control Over Financial, the town received a significant deficiency, which is a deficiency, or combination of deficiencies, in internal control that is less than a material weakness, yet important enough to merit attention by those charged with governance. She said there were two findings separation of duties, and budgetary controls the same as last year. Ms. Greear stated separation of duties would be hard to correct with the amount of staff the town has. The budgetary controls are in the process of being corrected. She

said any time a budget item is over spent by 1% then the town would hold a public hearing to amend the budge. She asked if there were any questions.

With no further discussion the motion was made by Council Johnnie Branham and seconded by Council member Rocky Wood to approve the 2010/2011 Audit report. Let the record show the motion on the floor passed unanimously by verbal voting.

ITEM # V – APPROVAL OF MINUTES

Prior to the meeting, Council had received for consideration of approval a copy of the minutes for the, March 6, 2012, regular meeting of the Town Council Meeting. Mayor Yates entertained a motion to accept the minutes as presented. A motion was made by Council Member Rocky Wood and seconded by Council Member Diana Reedy to approve the minutes. Let the record show the motion on the floor passed unanimously by verbal voting.

ITEM # VI – FINANCIAL REPORT

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

- Current listing of payables due for April 2012
- March 2012 Financial Report listing: beginning balance, revenue, expenditures and ending balance (check-register)
- March 2012 Profit & Loss Report

After inspection of the March 2012 financial report, a motion was made by Council Member Johnnie Branham and seconded by Council Member Rocky Wood to approve the financial report as presented. Let the record show the motion on the floor passed unanimously by verbal voting.

VII. NEW BUSINESS

Donation for Kids Fishing Day

The Town of Haysi received a letter from Mr. Wesley Thomas, Event Coordinator, Dickenson County Kids' Fishing Day. The purpose of the letter was to seek a donation from the town to help sponsor the event. After a general discussion the motion was made by Council Member Johnnie Branham, and seconded by Council Member Rocky Wood to donate \$360.00 to the Dickenson County Kids Fishing Day Fund. Let the record show the motion on the floor passed unanimously by verbal voting.

Donation-Haysi Girls Basketball Team 6th/7th grade team

Debbie Fields came before the council seeking a donation for the Haysi Girls 6th/7th grade basketball team. The team will be participating in the Subway Commonwealth Games of Virginia held July 20-July 22, 2012 in Roanoke, Virginia. She said the money would be used to help with registration fees, hotel expense, meals, etc...

Mayor Yates asked how many would attend.

Debbie Fields replied, ten.

With no further discussion the motion was made by Council Member Rocky Wood and seconded by Council Member Diane Reedy to donate \$500.00 to the Haysi Girls 6th/7th grade basketball team. Let the record show the motion on the floor passed unanimously by verbal voting.

Donation-Haysi/Clinchco Loin's Club-Easter Egg Hunt

Ann Branham representative from Haysi/Clinchco Lion's Club was present to seek a donation for the 1st Annual Easter Egg Hunt for the Town of Haysi held at the Haysi Kiwanis Park, on April 7th at 2:00 PM. Ms. Branham stated the club as to date has spent \$1441.80, but additional funds are needed to finish purchasing prizes and candy for event.

Brenda Ramey stated the clubs did not get enough money from local business, so the clubs ventured outside of the area to help with funding of the event.

Mayor Yates asked are plans being made for this event for 2013.

Ann Branham stated any monies left from this event will go toward the 2013 event. She said the Haysi Kiwanis will work the concession on Saturday with all proceeds going to the event.

With no further discussion the motion was made by Council Member Johnnie Branham and seconded by Council Member Rocky Wood to donate \$360.00 to the 1st Annual Easter Egg Hunt for the Town of Haysi. Let the record show the motion on the floor passed unanimously by verbal voting.

Billing Ordinance for Volunteer Fire Departments

Haysi Volunteer Fire Department Chief, Rock Wood asked the town council to pass an ordinance allowing the Haysi Volunteer Fire Department to bill for services. He said HB-1202 Fire policy; shall provide coverage for cost charged by volunteer fire department, etc. HB-2012 requires fire insurance policies to provide coverage, with limits no less than \$250.00, for the cost charged by a volunteer fire department that is not fully funded by property taxes in certain instances when the fire department is called in to save or protect property insured under the policy. Higher coverage limits may be offered for an additional premium. The amount billed shall not exceed the limit of coverage. This bill is identical to SB 140. He said he thought Dickenson County would do an ordinance, but also wanted the town to do an ordinance.

Mayor Yates stated he would try to have the ordinance ready by the May meeting, and if so a Public Hearing will need to be held to adopt the ordinance.

With no further discussion the motion was made by Council Member Diana Reedy, seconded by Johnnie Branham to prepare a billing ordinance for Haysi Volunteer Fire Department, and to have a public hearing on the ordinance at the May meeting at 6:45 PM to receive public comment and to adopt the ordinance. Let the record show the motion on the floor passed unanimously by verbal voting.

May Meeting Change

After a general discussion the motion was made by Council Member Rocky Wood and seconded by Johnnie Branham to move the May 1st meeting to May 8th (Alternative date) due to 2012 town election. Let the record show the motion on the floor passed unanimously by verbal voting.

ITEM # VI – OLD BUSINESS

A. POLICE REPORT

Chief Wallace gave an oral summary of the calls for service and investigations for the month of March (Report attached) He reported in the month of March the department answered approximately 36 calls. He said on the March report total hours worked for officer 981 should have been 173 hours.

Chief Wallace state on the DMV grant overtime he worked 11 hours and Patrolman Bobby Edwards worked 6 hours all OT hours will be reimbursed to the town. He asked are there any questions.

Mayor Yates asked about the incident on March 13th missing child at Sandlick Elementary,

Chief Wallace explained the child was not actually missing, he/she had wondered into a different area of the school.

Mayor Yates asked about the alarm at Greenbriar on March 19th.

Chief Wallace responded this was at the grocery store approximately ¼ mile on route. He said the business is apparently having alarm problems, because on March 14th the town also responded.

Mayor Yates said on March 19th prosecution declined at the Dollar General Store. He asked did the store decline the prosecution or was it an individual.

Chief Wallace replied in this case it was the victim.

ANIMAL CONTROL

Mayor Yates reported he has language he thinks will help enforce the towns Animal Control Ordinance. He said by changing the last paragraph of the ordinance state the following: "An animal shall be deemed to be at large when it is off the property of its owner and not under physical restraint of some competent person." He said the council would have to vote to amend the ordinance and then schedule a public hearing.

With no further discussion the motion was made by Council Member Diana Reedy and seconded by Johnnie Branham to amend the Animal Ordinance and schedule a public hearing for May 8, 2012 at 6:30 PM. Let the record show the motion on the floor passed unanimously by verbal voting.

MEAL TAX

Mayor Yates reported he has read the meal tax code and there is nothing in the code and no provision for making allowances for schools. He said if there was a non-profit organization making the purchases in their name, then they could be exempt.

Council Member Johnnie Branham said is a school not considered a non-profit organization. He said the state does not charge a tax and I do not think the municipal should charge meal tax.

Mayor Yates said since the town has an ordinance in place, we could then amend the ordinance allowing schools to be exempt from meal tax.

With no further discussion the motion was made by Council Member Johnnie Branham and seconded by Council Member Diana Reedy to amend the town's Meal Tax Ordinance to exempt schools from the meal tax when items are being purchased for resale and schedule a public hearing for May 8 at 6:15 PM to receive public comment on the amendment. Let the record show the motion on the floor passed unanimously by verbal voting.

MAYORS COMMENTS

Mayor Yates reported the following:

- Attending the Dickenson County Chamber of Commerce regular meeting on March 13th

- Crooked Road Board of Directors Meeting on March 13th in Abingdon
- March 4-9 hosted Indian State University Students
- March 2nd met with Matt Powers, Dickenson County Education Research, David Moore, Administrator, Dickenson County, and Freddie Mullins on ways to connect the town's website with the new county website.
- March 25th attended the Cumberland Plateau Planning District Board of Directors annual meeting. He mentioned Dickenson County's David Yates was elected Chairman of this commission.
- March 26th attended a Southwest Regional Recreational Authority Meeting in St. Paul.
- March 27th attended the Dickenson County Tourism Meeting in Clintwood.
- March 28th attended the Dickenson County School Board Meeting.
- March 29th Joy Rumley, DHCD was in town to conduct a review on the Downtown Revitalization Project.
- April 2 met with Gary Hall, Supervisor, and Dickenson County to discuss support of funding for our police department.
- April 3rd met with John Mooney, LRP-Shell Company owned by Alpha Natural Resources, Forest Land Group regarding the Splashdam property and the project with Ecosystem LPR Group and ATIN Company who own gas and mineral rights on the property which the town owns the surface rights on, so in order for the project with the Nature Conservancy to move forward the gas and mineral rights have to be relinquished. He said the meeting with Mr. Mooney was very positive.
- April 5th meeting with a company working for the Corp of Engineers in Dickenson County on the proposed Haysi Elementary School.

X. COUNCIL COMMENTS

Council Member Johnnie Branham asked when sidewalk repairs in town will begin.

Mayor Yates replied hopefully this spring, and hopefully the town will receive additional funding from the Coal Severance Committee.

XI-PUBLIC COMMENTS

Amanda Sammons extended a thank you to James Gilbert, Maintenance for helping with the tree planting project.

Delmon Ramey inquired about a privacy fence at Brad's Auto to help hide the view of the junk vehicles.

XII ADJOURN

With no further business the motion was made by Council Member Johnnie Branham, seconded by Council Member Diana Reedy, to adjourn. Let the recorded show the motion on the floor passed unanimously by verbal vote. Meeting closed at 8:45 PM

Larry D. Yates, Mayor

Attest: