

**WISE TOWN COUNCIL MEETING
TUESDAY, AUGUST 24, 2021; 7:00 P.M.
WISE MUNICIPAL BUILDING COUNCIL CHAMBERS
501 WEST MAIN STREET - WISE, VIRGINIA 24293**

MINUTES

Members Present:

Teresa Adkins, Mayor
Jeffery Dotson
Caynor Smith, Jr.
Ben Conway

Members Absent:

Laura Taylor-Baugh

Pledge of Allegiance / Invocation:

Councilman Smith led the Pledge of Allegiance. Reverend Jim Collie provided the invocation.

Agenda Amendment:

Town Manager Beverly Owens advised that, at the request of one or more council members, a resolution changing the November Council meeting date was added to the agenda for discussion. Councilman Smith made a motion that the agenda be amended to include discussion of the November meeting date. Councilman Dotson seconded the motion. The vote was recorded by roll call:

Teresa Adkins, Mayor	“Aye”
Ben Conway	“Aye”
Jeffery Dotson	“Aye”
Caynor Smith, Jr.	“Aye”

Consent Calendar:

Jeff Dotson made a motion to approve the consent calendar, which included the minutes of the July 27, 2021 regular Council Meeting, the July 2021 Police, Water Plant, and Fire Department Reports, and the August 2021 Planning Department Report. Ben Conway seconded the motion that passed 5-0.

Public Expression:

There being no one from the public audience wishing to comment, Mayor Adkins closed the public expression.

Public Hearing - Resolution #27, 2021:

Laura Roberts, Assistant Town Manager, presented a brief summary of the conditional use permit application submitted by the Town of Wise for the use of 1.477 acres of land that would provide an additional 258 burial plots in the town’s cemetery. She noted that the Town’s planning commission held a public hearing on the proposal, and no comments were made. Councilman Smith stated that the town would have to decide whether it wanted to search for land to continue expanding the cemetery beyond this last section. There was a public hearing held on “A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WISE, VIRGINIA APPROVING THE CONDITIONAL USE PERMIT APPLICATION AND SITE PLAN

SUBMITTED BY THE TOWN OF WISE FOR USE OF 1.477 ACRE PARCEL AS AN ADDITION TO THE 1987 TOWN OF WISE CEMETERY LOCATED IN AN R-B MEDIUM DENSITY RESIDENCE ZONING DISTRICT". There being no one from the public audience wishing to speak, the public hearing was closed. Following the discussion, Jeff Dotson moved to adopt Resolution #27, 2021 as presented. Ben Conway seconded the motion and the vote was recorded by roll call:

Teresa Adkins, Mayor	"Aye"
Ben Conway	"Aye"
Jeffery Dotson	"Aye"
Caynor Smith, Jr.	"Aye"

Public Hearing – Ordinance #8, 2021:

Town Attorney Leonard Rogers stated that the ordinance under discussion was presented at the last council meeting and a public hearing and adoption of the ordinance were the next steps. Mayor Adkins opened the floor for the public hearing on "AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF WISE, VIRGINIA REQUIRING THE CUTTING OF GRASS, WEEDS, AND OTHER FOREIGN GROWTH; CIVIL PENALTY; NOTICE OF COMPELLING OWNER OF PROPERTY TO ABATE SUCH GROWTH; REMOVAL AT OWNER'S EXPENSE; LIEN". There being no one from the public audience wishing to speak, the public hearing was closed. Following the discussion, Jeff Dotson moved to adopt Ordinance #8, 2021 as presented. Ben Conway seconded the motion and the vote was recorded by roll call:

Teresa Adkins, Mayor	"Aye"
Ben Conway	"Aye"
Jeffery Dotson	"Aye"
Caynor Smith, Jr.	"Aye"

Public Hearing – Ordinance #9, 2021:

Leonard Rogers explained that the ordinance under discussion was simply to repeal all other versions of the mowing ordinance adopted earlier. Mayor Adkins opened the floor for a public hearing on "AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF WISE, VIRGINIA REPEALING AN ORDINANCE DATED AUGUST 21, 1978, ORDINANCE NO. 9, 1998 AND ORDINANCE NO. 12, 2009". There being no one from the public audience wishing to comment, the public hearing was closed. There being no additional discussion, Jeff Dotson moved to adopt Ordinance #9, 2021 as presented. Ben Conway seconded the motion and the vote was recorded by roll call:

Teresa Adkins, Mayor	"Aye"
Ben Conway	"Aye"
Jeffery Dotson	"Aye"
Caynor Smith, Jr.	"Aye"

Ordinance #10, 2021:

Town Clerk/Treasurer Robin Meade submitted, for Council review and acknowledgement, a list of deceased taxpayers with delinquent taxes as of June 30, 2021, pursuant to Virginia Code §58.1-3924. She explained that when the other lists were presented in July, the data for the deceased taxpayers had not been confirmed. She noted that the deceased taxpayer list was being provided within the required 60 days of the end of the fiscal year, and adoption of the ordinance would authorize the removal of the delinquent taxes from the tax roll. There being no additional discussion, Ben Conway moved to adopt “AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF WISE, VIRGINIA ADOPTING THE PROCEDURES FOR UNCOLLECTIBLE TAXES AND DELINQUENTS AS PROVIDED IN VIRGINIA CODE SECTION 58.1-3921 AND 58.1-3924, REQUIRING PREPARATION AND SUBMISSION OF CERTAIN LISTS AND DIRECTING THE REMOVAL OF NAMES AND AMOUNTS ON THE LIST FROM THE TAX ROLL.” Jeff Dotson seconded the motion. The vote was recorded by roll call:

Teresa Adkins, Mayor	“Aye”
Ben Conway	“Aye”
Jeffery Dotson	“Aye”
Caynor Smith, Jr.	“Aye”

Resolution #28, 2021:

Laura Roberts, Assistant Town Manager, explained that the resolution being discussed established conditions, of the USDA, which must be understood and agreed to by the Town of Wise before further consideration could be given to the grant application applied for. She reminded that the proposed project was to develop a comprehensive economic development strategic plan to attract new businesses and retain current businesses for the Town of Wise. Following a brief discussion, Jeff Dotson moved to adopt “A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WISE, VIRGINIA ACCEPTING THE TERMS AND COMMITMENTS REQUIRED BY THE UNITED STATES DEPARTMENT OF AGRICULTURE (USDA) RURAL DEVELOPMENT TO FACILITATE FINANCIAL ASSISTANCE FOR DEVELOPMENT AND PREPARATION OF AN ECONOMIC DEVELOPMENT STRATEGIC PLAN FOR THE TOWN OF WISE, VIRGINIA”. Ben Conway seconded the motion and the vote was recorded by roll call:

Teresa Adkins, Mayor	“Aye”
Ben Conway	“Aye”
Jeffery Dotson	“Aye”
Caynor Smith, Jr.	“Aye”

Authorization to Award Surplus Property Bids:

Beverly Owens provided a summary of the bids received from the recently advertised surplus sale and requested authorization to award purchase contracts to the highest bidders. She added that items for which no bid was received would be donated to area schools or public service groups,

and the remainder would be disposed of. Councilman Dotson made a motion to authorize the award of surplus property bids (including the control panel that was part of the old Nortel phone system) and disposal of equipment as requested. Councilman Conway seconded the motion. The vote was recorded by roll call:

Teresa Adkins, Mayor	“Aye”
Ben Conway	“Aye”
Jeffery Dotson	“Aye”
Caynor Smith, Jr.	“Aye”

Cemetery Committee Meeting:

- *Pricing of Burial Lots* - Jeff Dotson, Chair, reviewed the Cemetery Committee report and the recommendation to increase burial plots from \$500 to \$1000, considering the price was comparable with surrounding municipal cemeteries and privately owned cemeteries.
- *Expansion* – Ben Conway, appointee, noted that the committee discussed the possibility of cemetery expansion in the event the two houses located at the cemetery became available, but no decision was made.
- *Committee Appointment* – Conway added that the committee acknowledged the need to replace Bob Nixon on the committee, due to his declining health. Conway notified that Mayor Adkins recommended Greg Widener as a replacement and Mr. Widener had agreed to serve as appointee on the committee, if Council wished to make the appointment.

Caynor Smith, Jr. questioned if the increase in the cost of burial lots pertained only to the new section or to all remaining lots. Councilman Dotson responded that he preferred that the increase would only apply to the burial lots sold in the new section. Councilman Conway, appointee, commented that he had no preference. Town Manager Beverly Owens explained that a public hearing would need to be held in order to increase the cost of the burial lots. Mayor Adkins commented that considering that there were only four lots remaining in the old section of the cemetery, action would need to be taken prior to Council’s next meeting. Owens stated that tonight’s meeting could be continued to a later date in order to hold the public hearing. There being no additional comments, Caynor Smith, Jr. made a motion to accept the committee’s report and recommendation and authorize the advertisement for a public hearing at a later date. Ben Conway seconded the motion. The vote was recorded by roll call:

Teresa Adkins, Mayor	“Aye”
Ben Conway	“Aye”
Jeffery Dotson	“Aye”
Caynor Smith, Jr.	“Aye”

Discussion of Amendments to VA Code §15.2-1400 as it Relates to Local Elections:

Leonard Rogers, Town Attorney, explained that the 2021 General Assembly had changed the date

and location of local elections. He added that all municipal elections for city and town councils would change from May to November, beginning with elections after January 1, 2022 and the polling place would no longer be at the Wise Municipal Building. Rogers provided information from Allison Robbins, General Registrar, which explained that the Department of Elections had indicated that it was possible for a Town to move the Municipal Elections to either November 2022 or to November 2023, meaning that Council had the option of choosing to hold elections on either odd or even years. Following a brief discussion, Jeff Dotson suggested the elections continue to be held on even years and other members of Council concurred. Rogers noted that the terms of office for Teresa Adkins, Caynor Smith, Jr., and Laura Taylor-Baugh were set to expire 06/30/22, but with the new legislation, their terms would be extended until December 31, 2022.

Closed Session:

On a motion made by Jeff Dotson and seconded by Ben Conway, the Wise Town Council moved to convene into closed meeting for the purpose of and including:

Legal Matters – Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel as permitted by Virginia Code §2.2-3711(A) (8).

Open Session:

Councilman Dotson made a motion to reconvene in open session. Councilman Conway seconded the motion that carried 4-0.

Certification of Closed Session – CM Resolution #8, 2021:

Town Clerk/Treasurer Robin Meade, read Closed Meeting Resolution #8, 2021, “Resolving and certifying that to the best of each member’s knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applied, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by the Town Council of the Town of Wise,” and the vote was recorded by roll call:

Teresa Adkins, Mayor	“Aye”
Ben Conway	“Aye”
Jeffery Dotson	“Aye”
Caynor Smith, Jr.	“Aye”

Resolution #29, 2021:

Mayor Adkins informed that Council’s November meeting would fall during the week of the Thanksgiving holiday, which conflicted with the schedules of one or more members of Council. Following a brief discussion, Jeff Dotson made a motion to approve Resolution #29, 2021,

changing the November regular council meeting from November 23, 2021 to November 30, 2021. Caynor Smith, Jr. seconded the motion, and the vote was recorded by roll call:

Teresa Adkins, Mayor	“Aye”
Ben Conway	“Aye”
Jeffery Dotson	“Aye”
Caynor Smith, Jr.	“Aye”

Council Comment:

Ben Conway questioned the timeframe for soil replacement and reseeding property acquired through FEMA’s Hazard Mitigation Project, once the structures were removed. Town Manager Owens responded that land restoration was included in the structural removal contract.

Caynor Smith, Jr. made a motion to adopt a “Nepotism Policy” for full-time employees as presented to the Wise Town Council. Ben Conway seconded the motion. The vote was recorded by roll call:

Teresa Adkins, Mayor	“Aye”
Ben Conway	“Aye”
Jeffery Dotson	“Aye”
Caynor Smith, Jr.	“Aye”

Councilman Smith requested a Recreation Committee meeting be held on August 31, 2021 at 7:00 p.m. in the Wise Municipal Building Conference Room, for discussion of the 2021 Recreation Season. He also recommended that the Personnel Committee meet to discuss the Dotson Park Field Coordinator position. Smith stated that Doug Bates was doing much more than originally agreed to.

Jeff Dotson thanked everyone who worked during the “UVA-Wise Welcome Back Party” at Big Glades. He offered condolences to the family of Eugene Yates, who was a former Town of Wise Police Officer.

Mayor Adkins commended town employees who had worked on the many community activities. She stated that a good time was had by all at the recently held employee pool party.

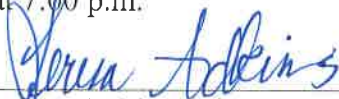
Staff / Manager Comment:

Laura Roberts, Assistant Town Manager, provided a brief summary of the upcoming projects and events.


Leonard Rogers voiced his concerns with the tree cutting on Norton Road. Laura Roberts explained that the work was being completed by Old Dominion Power Company for power pole relocation.

Continuance:

There being no additional discussion by the Wise Town Council, Mayor Adkins announced the meeting would be continued until Tuesday, September 7, 2021, at 7:00 p.m.



Teresa Adkins, Mayor



Robin R. Meade, Town Clerk/Treasurer