

**WISE TOWN COUNCIL
TUESDAY, MAY 24, 2022; 7:00 P.M.
WISE MUNICIPAL BUILDING COUNCIL CHAMBERS
501 WEST MAIN STREET - WISE, VIRGINIA 24293**

MINUTES

MEMBERS PRESENT:

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

MEMBERS ABSENT:

Laura Taylor, Vice-Mayor

PLEDGE OF ALLEGIANCE / INVOCATION:

Councilman Dotson led the Pledge of Allegiance. Adrian Dale, Town of Wise Street Superintendent, provided the invocation.

AMENDMENT TO THE AGENDA:

Laura Roberts, Town Manager, informed that the agenda was revised to correct the heading of a proclamation and the addition of a resolution and appointee report.

CONSENT CALENDAR:

Caynor Smith, Jr. made a motion to approve the consent calendar, which included the minutes of the April 26, 2022 regular Council meeting, the May 9, 2022 Special-Called Meeting, the January, 2022 Treasurer's Financial Report, the April, 2022 Police, Water Plant, and Fire Department Reports, and the May, 2022 Planning Department and Recreation Specialist Reports. Ben Conway seconded the motion that passed 4-0.

PUBLIC EXPRESSION:

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

PUBLIC HEARING ON PROPOSED FY 2022-23 TOWN OF WISE BUDGET:

Tow Manager Laura Roberts advised that the public hearing on the proposed budget was advertised as required. She noted that the budget amendments requested during the budget workshop had been incorporated in the advertised budget. Mayor Adkins opened the public hearing. There being no one from the public audience wishing to comment, Mayor Adkins closed the public hearing.

DISCUSSION OF DESIGNATED OUTDOOR REFRESHMENT AREA:

Natasha Proulex, Community Event Coordinator, provided additional information on the Virginia ABC Board's Designated Outdoor Refreshment Area (DORA) license. A designated outdoor refreshment area license authorizes the licensee to permit the consumption of alcoholic beverages within the area designated by the Board. Proulex noted that alcoholic beverages purchased from permanent retail on-premises licensees located within the designated area may be consumed. She advised that both El Dorado and 110 @ The Inn were receptive to the idea of the DORA. Proulex stated that in order to obtain a DORA license, the Town would submit an application to the Virginia ABC Board for review. She added that the application fee was \$195

and if approved, the licensing fee would be an additional \$300. She advised that the license would allow a maximum of 16 events. She further noted, that once the application was approved, the Town Council would be required to adopt an ordinance outlining the size and boundaries of the DORA, a public safety plan, and any other considerations deemed necessary by the ABC Board. Proulex requested authorization to submit the DORA application to the ABC Board, with the required fees totaling \$495 to be paid from the Cultural Enrichment Contract Services line item. Following a brief discussion, Councilman Conway made a motion to approve the submittal of the application and fees totaling \$495. Councilman Smith seconded the motion, which required a roll call vote:

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

PROCLAMATION #6, 2022:

Councilman Jeff Dotson made a motion to adopt “A PROCLAMATION BY THE MAYOR OF THE TOWN OF WISE, VIRGINIA DESIGNATING JUNE 5-11, 2022 AS NATIONAL GARDEN WEEK. Councilman Ben Conway seconded the motion that passed 4-0.

RESOLUTION #13, 2022:

Laura Roberts explained that the Town of Wise Water Treatment Plant had been operating under a conditional permit for the Bear Creek Reservoir Dam since November, 2021. She further explained the Town was required to have a professional engineer update a portion of their Emergency Action Plan, conduct a field inspection of the dam, prepare and submit an annual inspection report for the dam in accordance with the Virginia Dam Safety Requirements, prepare an Operations and Maintenance Certificate of the dam, and submit all of the documents to the Virginia Dam Safety office for approval. Roberts added that Thompson & Litton submitted a proposal to provide the professional services outlined above for a lump sum fee of \$26,300. Caleb Ramsey, Chief Operator, noted that the permit would be valid for a period of six years. Councilman Caynor Smith made a motion to approve “A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WISE, VIRGINIA AWARDED A CONTRACT TO THOMPSON & LITTON, INC. FOR REQUIRED PROFESSIONAL SERVICES ASSOCIATED WITH OBTAINING THE PERMIT FOR THE BEAR CREEK RESERVOIR DAM”. Councilman 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 GOLF CARTS AND ATVS ON TOWN STREETS:

Police Chief Danny French informed that Mayor Adkins requested that he look into the possibility of allowing golf carts and ATVs on Town streets. He reported that his research found that Virginia Code allowed off road vehicles only under certain conditions, such as association with a trail head and only on roads with a maximum speed of 25 mph. Chief French stated that after

speaking with VDOT official, Joseph Mullins of the Wise Residency, he learned that golf carts were not recommended on higher volume roads. He said that Mullins emphasized that golf cart traffic on Main Street would likely impede the safe and efficient flow of motor vehicle traffic. Chief French noted that there were certain exemptions including police, fire, and rescue personnel. Mayor Adkins, responding to a question regarding what prompted the request for this information, informed that her personal interest, as well as inquiries from others was the basis for requesting that Chief French conduct the research.

DISCUSSION OF PATRIOT DRIVE UTILITIES:

Leonard Rogers, Town Attorney, informed that the Wise County Industrial Development Authority had recently deeded property behind the Wise County Justice Center for the new Health Wagon dental clinic, and the County needed the Town of Wise to extend water and sewer service to the property. Town Manager Roberts explained that in researching the line extension request, it was discovered that Wise County had never conveyed to the Town, the water and sewer lines that had been installed for the Health Wagon, located adjacent to the County's Justice Center. She added the Town could not therefore, authorize extension of lines that were not owned by the Town of Wise. Following the discussion, Rogers stated that he would work with the Town Manager and the Utilities Superintendent Jerry Kilgore, and have a report and recommendation for Council's consideration at their June meeting.

CLOSED SESSION:

On a motion made by Caynor Smith, Jr. and a second by Ben Conway the Wise Town Council moved to convene into closed meeting for the purpose of and including:

***Personnel** – Discussion, consideration, or interviews of prospective candidates for employment, assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body as permitted by Virginia Code §2.2-3711(A) (1).*

***Acquisition or Disposition of Real Property** – Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, as permitted by Virginia Code §2.2-3711(A) (3).*

***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 Smith made a motion to reconvene in open session. Ben Conway seconded the motion that carried 4-0.

CERTIFICATION OF CLOSED SESSION – CM RESOLUTION #4, 2022:

Robin Meade, Town Clerk/Treasurer, read Closed Meeting Resolution #4, 2022, "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 #14, 2022

Chief French informed that in November, 2020, Governor Northam appropriated funding for law enforcement agencies for the recruitment and retention of law enforcement officers. He said that funding received by the Town of Wise Police Department had been carried forward for a couple of fiscal years and he had received notification that the funds were either to be used or lost. There being no additional questions or comments, Councilman Smith made a motion to adopt “A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WISE, VIRGINIA AUTHORIZING A ONE TIME LAW ENFORCEMENT RETENTION STIPEND FROM FUNDS RECEIVED FROM THE VIRGINIA DEPARTMENT OF CRIMINAL JUSTICE SERVICES IN JANUARY, 2021 TO BE USED FOR THE PURPOSES OF ATTRACTING AND RETAINING THE MOST QUALIFIED LOCAL POLICE DEPARTMENT SWORN PERSONNEL AND SUPPORT THE COSTS ASSOCIATED WITH CRIMINAL JUSTICE REFORM”. Councilman Dotson seconded the motion, with the vote recorded by roll call:

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

APPOINTEE REPORTS (Informational Purposes Only) – Acknowledgement of Receipt:

Caynor Smith, Jr. made a motion acknowledging receipt of the Cumberland’s Airport Commission report from May 19, 2022. Ben Conway seconded the motion that carried 4-0.

COUNCIL COMMENTS:

Jeff Dotson congratulated the Water Treatment Plant for award of the Virginia’s Optimization Program for 2021.

Caynor Smith, Jr. announced that he had decided to run again for the Wise Town Council.

Mayor Adkins encouraged the citizens to remain patient and stay positive during the road construction projects on Norton Road.

STAFF/MANAGER COMMENT:

Laura Roberts advised that she had received an email from W-L Construction, Inc. requesting a seven-day extension on their contract considering the recent inclement weather and the upcoming holiday. Following a brief discussion, Jeff Dotson moved to approve the request from W-L Construction. 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”

Town Manager Roberts notified that she had received notice that the Town’s first Abandoned Mine Land Economic Revitalization (AMLER) grant in the amount of \$371,000 was approved. She reminded that the grant funding was for lighting at the Town of Wise Sports Complex.

Natasha Proulex, Recreation Specialist, informed that the Town of Wise would be hosting a State of Virginia Softball Tournament from June 29 – July 3, 2022. She stated that the Town would be showing a movie at Big Glades on Friday, July 1st, which participants would be invited to attend, but the Town’s staff was requesting additional funding for a “Fourth of July Glow Dance” to be held on Saturday, July 2nd from 7-9 p.m. Proulex explained that the free event would be open to participants of the state softball tournament, as well as the general public. She requested funding in the amount of \$350 for decorations from the General Fund Contingency line item. Following a brief discussion, Councilman Smith made a motion authorizing an amount not to exceed \$1,000 for the dance event to be funded from the General Fund Contingency line item. Councilman Dotson seconded the motion and the vote was recorded by roll call:

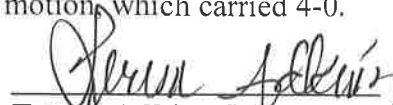
Teresa Adkins, Mayor	“Aye”
Ben Conway	“Aye”
Jeffery Dotson	“Aye”
Caynor Smith, Jr.	“Aye”

Jerry Kilgore, Utility Superintendent, provided a schedule for the porting of telephone service to the new public works facility on June 14th and the transfer of all employees to the facility by July 21st.

ADJOURNMENT:

There being no additional business to come before the governing body, the meeting was adjourned on a motion made by Jeff Dotson. Ben Conway seconded the motion, which carried 4-0.


Robin R. Meade, Town Clerk/Treasurer


Teresa Adkins, Mayor