

**Town of Bluefield
Town Council
Minutes
October 12, 2021**

The Bluefield, Virginia Town Council held a regularly scheduled Town Council Meeting on Tuesday, October 12, 2021 at 7:30 p.m. in the Council Chambers of the Town Hall located at 112 Huffard Drive, Bluefield, Virginia.

PRESENT

Donnie Linkous, Mayor
Anglis Trigg, Councilmember
Chuck Presley, Councilmember
Cathy Payne, Councilmember
Ron Holt, Vice-Mayor
Rick Holman, Councilmember

ALSO PRESENT

Trent Crewe, Manager/Town Attorney
Kim Hernandez, Town Clerk
James Hampton, Asst. Mgr./Treasurer/Transit Dir.
Shane Gunter, Police Chief
Kris Williams, Zoning & Property Maint. Official
19 members of public

ABSENT

Jarrold Bailey, Councilmember

CALL TO ORDER

Mayor Linkous called the meeting to order at 7:30 p.m.

INVOCATION AND PLEDGE

Steve Branch, Destiny Outreach Ministries led the Invocation. Mayor Linkous led the Pledge of Allegiance.

APPROVAL OF AGENDA

Councilmember Trigg made a motion to approve the agenda. Councilmember Presley seconded the motion. The motion passed unanimously by voice vote.

CONSENT AGENDA

Councilmember Presley made a motion to approve the consent agenda. Councilmember Payne seconded the motion. The motion passed unanimously by voice vote.

CITIZEN REQUESTS & SPECIAL PRESENTATIONS

None.

COMMITTEE REPORTS

None.

UNFINISHED BUSINESS AND REPORTS

None.

NEW BUSINESS AND REPORTS

Simple Subdivision (412 Fincastle Heights), ROLL CALL VOTE – Kris Williams

Mr. Williams stated that he had received a simple subdivision preliminary plat from April Christian for property located at 412 Fincastle Heights. He stated that she was selling the guest house and that the proposed simple subdivision would establish new lot lines that would better serve the current property owners. He stated that it would be his recommendation to approve the simple subdivision.

Mr. Holt made a motion to approve the Simple Subdivision (412 Fincastle Heights). Mr. Presley seconded the motion.

Mayor Linkous asked the Clerk to do roll call and report.

ROLL CALL VOTE

Councilmember Bailey:	Absent
Councilmember Holman:	Yes
Vice-Mayor Holt:	Yes
Councilmember Presley:	Yes
Councilmember Payne:	Yes
Councilmember Trigg:	Yes
Mayor Linkous:	No Vote Permitted

Mrs. Hernandez stated that it was 5-0 in favor.

CITIZEN COMMENTS

Dave Wohlford stated that he had heard about a halfway house being located in Sedgewood. He stated that he had missed the last meeting and after watching the video that he was not impressed and said you could not hear them. He told them that they needed to use their microphones. He stated that his next complaint was concerning Friday's and no one being here. He stated that last Friday it was a ghost town and everyone quit at 3:30 p.m. He stated that he could not get anyone on the phone either and there needed to be an operator option. He stated at the corner of Fairway and Summit in front of the old pool was a patch in the road of a water line that was fixed every year. He stated that we put more asphalt in the hole a few months ago and it was sinking again. He stated that the water line needed to be relocated and asked that Trent look into it and that it be dealt with.

Mayor Linkous stated that he assumed the majority of the citizens were there regarding the rumor at Sedgewood. He stated that the Town did not know anything about it. He stated that it was put on Facebook and blown up and that the Town Manager and the Zoning Administrator had received several phone calls regarding this but that no one had an answer and we did not know where it started from.

Mr. Wohlford asked if it was zoned to allow.

Mr. Williams stated no that it was zoned R1.

Mayor Linkous stated that his daughter had drove him nuts concerning this and he told her to call Kris. He stated that our zoning did not permit for such use but that the federal law may.

Mr. Crewe stated that he saw it on Chuck's Facebook Saturday night and he had reached out to him on Sunday. He stated that he had been told that the property was for sale and someone was looking at a multifamily dwelling. He stated that Kris was right in that the zoning did not allow for a multifamily dwelling and that Sedgewood also had restricted covenants. He stated that no permits had been drawn and that it would take a lawsuit under federal law that our zoning was not valid and to overturn it. He stated that he did not see that happening and they were extremely unlikely to overturn our zoning and restrictive covenants by the property owners. He stated that our zoning was strong and this was only a rumor and speculation.

A citizen asked if the zoning at Rolling Meadows would be the same.

Mr. Williams stated that all of Sedgewood was R1.

Mr. Holt stated that it was the same the last time he looked at the map.

Mayor Linkous asked if they had any information that we may not have.

Mr. Holt stated that he would forward a Facebook post to Trent where this all started.

A citizen stated that they had driven by before the meeting and there was some construction work going on.

Mr. Williams stated that it depended on what they were doing.

Mr. Crewe stated that they did not need a permit for everything.

Mayor Linkous stated that the Zoning Administrator and the Building Official would go up tomorrow and check. He thanked everyone for coming and encouraged all to speak even if it were not regarding this issue.

Karen Shott, Fairlane stated that she had heard it was a 5 acre property and asked if it would follow the same principal as R1.

Mr. Crewe stated that it was not related to the property but to the zone.

Mr. Williams stated that the property in question was R1.

Mr. Presley stated that he had heard it was the property above it.

Mr. Wohlford stated that they could not get water pressure there.

Bronwyn Owen stated that council should have received a letter from her and that she had an Art Studio downtown and wanted to put a face to her business.

Mayor Linkous thanked her for coming and asked that they all come to the meetings and give their input. He stated that it was needed and he wanted them to feel comfortable coming in to speak and would be allowed to speak.

Debbie Romano stated that she had reviewed the fair housing act and asked if the federal government could override it.

Mr. Crewe stated no but there was a process that they could do if acting under the federal law. He stated that they had to prove arbitrary and capricious. He stated that in the 1950's in Wytheville there was an issue where no lot could be owned by African descent. He stated that the US Supreme Court stated that it was illegal and interfered with constitutional rights.

Mr. Holman stated that it had been challenged.

Mr. Crewe stated yes in four states, two the zoning was destroyed and the other two it was upheld. He stated that picking a particular spot was not the case here.

Mayor Linkous stated at one time there was a suboxone clinic trying to locate in the Town but zoning said no because it was within certain footage to a church. He stated afterwards that Council and Planning Commission along with the Zoning Administrator wrote more language to prohibit this. He stated that this was the first time to his knowledge that anything like this had

come up. He stated that they needed to get with Planning Commission and the Zoning Administrator to make sure this could not happen in any other areas.

Mr. Holman stated that they were allowed in R2 & R3 zoning.

Mr. Crewe stated yes that multifamily was.

Mr. Wohlford stated that the property adjoined his son and Rajeev's properties and was zoned without anyone knowing about it. He stated that there were issues regarding zoning that needed to be looked at.

POLICE CHIEF'S REPORT

None.

TOWN MANAGER'S/ATTORNEY'S REPORT

Mr. Crewe stated that Dr. Ramakrishnan presented a medical clinic at a prior council meeting. He stated that we had an application ready to be sent that day but that we did not qualify because our median to income exceeded the guidelines for Rural Development. He stated that we looked at surrounding neighborhoods such as Pocahontas which would qualify but it required a statement from the Health Department (responsible state agency) certifying the proposed health care facility and a statement from the Regional Department of Health and Human Services certifying that the proposed facility met the standards set forth in the federal law. He stated that they would not do this which went back to the certificate of need and was dead for now but rumors were the program may be extended to cover such as this later. He stated that Pete was retiring at the end of November but that he had received a request from him to take the month of November off which he had enough vacation time to do so. He stated that he did not want a celebration of any kind and refused to come to a council meeting and may not even come to something during the day. He stated that we had received quotes on paving from \$314k to \$372k. He stated that we had \$175k from this year's budget for paving that had not been spent and we could cut streets out to afford what we could. He asked council to let him know of any street that was in dire need of paving. He stated that both the Fincastle and Harmony Acres pool had been closed and that repairs would be begin at Harmony Acres during winter/spring. He stated that this was a dry run for Fincastle this year and that they were looking to put in a kiddie pad in the spring. He stated that the Recreation Department was doing quite a few things and told council to check out their Facebook and website. He stated that the drive-in movies were going well and they would have the Haunted Hayride on the 16th which would not be received well by the smaller kids. He stated that they were wanting to unveil the historical marker at the cemetery on the day after Thanksgiving, November 26th at 2 p.m. He stated that all were invited to attend. He stated that the benches and fence had been ordered along with the 3 granite markers which would not be here until May. He stated that two were out in Public Works, one was exposed to COVID and one was positive. He stated that Planning Commission would meet on November 8th regarding the sign

ordinance and manufactured houses and invited council to attend. He stated that if 3 showed up then we would have to advertise as a meeting.

Mayor Linkous stated that it could be advertised as a joint meeting.

Mr. Crewe stated that it could, that it would be just to discuss ideas and suggestions. He stated that he had met with the IDA and they had voted to negotiate with the general contractor on the outstanding invoices. He stated that the auditors were asking for information that was missing, etc. regarding the IDA and would send us a list of things needed. He stated that the fall leaf pickup would begin on October 18th, the new transit bus was here and being put into service thanks to James. He stated that we were still in the running for the VDOT funding on the sidewalks, thanked Lee Riffe for his work on the sound system and stated that the reason he was not there was that he was sick but that Kim was running the sound from the iPad tonight. He stated that she was doing a very good job on a lot of things and was the reason we received \$40k from the Cumberland Plateau Planning District for lead joints. He stated that she had done the proposal and the paperwork for it. He stated that he had given permission to allow GHS to have their homecoming parade after working with Chief and Public Works and they had also worked with Bluefield University on their homecoming events. He stated that Trick or Treat would be October 30th from 6-8 p.m. to correspond with our neighbors. He asked for guidance on a former employee that was discussed during a previous meeting and stated that he had heard from a couple of them but his understanding was that nothing had changed in the instructions he had been given. He stated that he would be talking with them in the next day or so.

Mr. Holman asked about the VDOT funding for sidewalks and when we would receive an answer.

Mr. Crewe stated that it would not be done until the spring if funded but we should know by the end of the year.

Mr. Holman stated that he assumed some of the money would be used for College Avenue. He stated that there were some main line replacements that needed to be done and he would like to have a Work Session to discuss these things and what the Town would be responsible for.

Mr. Crewe asked if he were talking about a sewer line and that could be discussed. He stated that he believed what Mr. Wohlford was talking about was also a sewer line. He stated that they could coordinate but that most would have to wait until the spring to be fixed.

Mr. Holman asked if they had identified any other areas where the ARPA money could potentially be used.

Mr. Crewe stated not exactly that VML had hired a consultant to come out with a "how to book". He stated that they had moved the deadline from October 31st to the end of the year.

Mr. Holman stated it looked like there was a lot of latitude of how to use those funds.

Mr. Crewe agreed but said we needed the details interpreted.

Mr. Holman stated that it was worth exploring for bigger projects.

Mr. Crewe stated that they had met with Thompson & Litton three times and were working on getting numbers and RFP's. He stated that they had also met with VDH who had their own money to give away which could be through grant funding or a forgivable loan. He stated that VDH had not gotten their funding yet but we would have it ready to go.

Mr. Holman stated that he would like to see a Work Session around details and a wish list vs. must do. He stated that water and sewer were issues.

Mr. Crewe stated that he would send them the list from Thompson & Litton. He stated that they would need to prioritize projects.

Mr. Holman asked if he was working with the Thompson & Litton engineers on any water.

Mr. Crewe stated yes and that VDH could break it into two phases where we would apply separately but it was possible that we may lose to Hurley because of their needs due to the recent flooding.

Mr. Holt asked if the ranking of projects had been done.

Mr. Crewe stated no.

Mr. Holt stated that after pricing the project they needed to have a Work Session.

Mr. Crewe stated that a Work Session was not needed.

Mr. Holt asked what the projects were.

Mr. Crewe stated a backwash basin that was a 5 year project, 17 large lead joints, separate lines across the creek, telemetry at the pump station for Pocahontas, upsizing lines from the Water Plant, etc. He stated that he would send the list to them.

Mr. Holman stated that he would like to see that list as well and that main line replacements were critical.

Mr. Crewe stated that the weather changes caused issues as well.

Mr. Holman agreed that they needed to adjust it for capacity and to plan ahead.

Mrs. Payne asked what the burn policy was.

Mr. Williams stated that they followed the state guidelines.

Mr. Crewe stated the only restrictions were unless it was on a windy day, near a structure and they did not have a water source if needed.

Mayor Linkous asked if paving First Street was on the list because it was in bad shape.

Mr. Presley stated that he had a whole list of streets.

COUNCIL COMMENTS

Mr. Holman stated that he was glad to be back.

Mr. Holt thanked everyone for coming out and stated that he was blindsided on Facebook and did not know any information but that it turned nasty on social media. He stated that people were asking what they had against those who had addictions and that was not what he heard there tonight. He stated that he understood their concerns and had family members who were deeply affected by addictions. He encouraged them to email or call him and that all of council's contact information was on the website and that they would get them the best information that they could get.

Mr. Trigg thanked everyone for coming out as well and asked that they call him and he would find an answer.

Mrs. Payne stated that she agreed with Mr. Trigg and that they were there for the public.

Mr. Presley gave a shout out to the Police Chief, James and thanked all for coming. He asked to have a Work Session in November in the place of a meeting. He stated that he started receiving phone calls on Friday regarding Sedgewood and had put it on social media asking about it. He stated that he hoped they could hold to the R1 zoning that they did not need to bring problems there.

Mayor Linkous asked that Greg come in and do an update on Harmony Acres. He stated that James was not only our assistant town manager but took care of Transit and got a lot of money. He stated that he was valuable to them. He asked for an update on High Street.

Mr. Crewe stated that things were shut down after Cleco hit a gas line and bent it. He stated that the gas company was saying that it would take 450ft to replace it in two different directions and that was something between them and not us. He stated that the gas company had independent contractors who were supposed to have been working on this 3 weeks ago but the third week stated that they could not due to COVID, he stated that they had been out for the past 8 days working on it and it should be fixed within 4-5 days. He stated that Cleco would not be able to meet the deadline now of October 22nd and it would cost \$500 per day after that. He stated that they were allowed to work in areas away from the section damaged and were about a month behind schedule.

Mayor Linkous stated that he would like to see us do something regarding the hole at Sedgewood. He stated while attending VML last week in Leesburg that he attended a meeting

regarding distractions in council meetings. He stated that council would not like it but the consensus was that social media was the biggest enemy and that nothing should be put on social media until it was cleared through an IT person and the other thing was dress code. He stated that there were several locations smaller than us that talked about professionalism and being what you project. He stated that as council they needed to try their best. He thanked everyone for coming out. He stated that Planning Commission and Council would be meeting to discuss manufactured homes and made it clear that they were not talking about them being in Sedgewood or Brierwood but in other areas of town. He stated that they would also be talking about the sign ordinance and that no one knew what was downtown because there was no signage/billboards, etc. He stated that no billboards would be in neighborhoods but they would like to show what the town had to offer especially to the ATV riders. He stated that Rajeev Chopra wanted to be able to put SWVCC on his board but our ordinance did not allow that and it made no sense. He stated that all were welcome to attend that meeting and that nothing would be done without a Public Hearing. He encouraged them to call the Town Manager or council with any questions.

Mr. Wohlford asked about the bathhouses at Fincastle if they would be reopened.

Mr. Crewe stated yes if they finished the repairs.

Mr. Wohlford asked for an update on the fire hydrants.

Mr. Crewe stated that they were doing 3 each Wednesday and mapping as they went.

Mr. Holman asked if they were tagging them as they went.

Mr. Crewe stated that they were doing address/location.

Mr. Wohlford stated that there should be an ordinance on fire hydrants and if there was one in front of your house then you would be required to maintain accessibility to it and keep it clear. He asked that something be included in the newsletter concerning this. He stated that he did not know the pipe he was talking about was a sewer and water line together. He stated on private property that was not allowed and this needed to be looked at.

Mr. Crewe stated that he was going off of memory and may be wrong.

Mr. Wohlford stated that the water lines had already been replaced.

ADJOURN

Mayor Linkous asked for a motion to adjourn the meeting.

Mr. Holt made a motion to adjourn the meeting. Mr. Presley seconded the motion. The motion passed unanimously by voice vote.

Mayor Linkous adjourned the meeting at 8:53 p.m.

D.S. Linkous, Mayor

Kim Hernandez, Town Clerk