

The Richlands Town Council held a regular monthly meeting in the Richlands Council Chambers on July 9, 2013 at 7:30pm with the following present:

Mayor: Jannis White  
Town Manager: Tim Taylor  
Town Clerk: Susan Whitt  
Town Attorney: Brad Ratliff  
Council Members: Joe McCracken, Rod Cury, Larry Johnson,  
Frances Meadows, Doug Ratliff

Mayor White called the meeting to order.

Phillip Horton gave the invocation.

Mayor White led the Pledge of Allegiance.

Ernie Horton, Rhonda Kay, Michael Musick, and Randy Cruely asked to be added to the agenda. Larry Johnson made the Motion to Approve the Agenda as amended, seconded by Frances Meadows. No discussion. All in favor 5/0. Motion carried.

Mayor White referred to the five sets of minutes, four public hearings and one council meeting that had been distributed prior to meeting. Joe McCracken made the Motion to approve all five sets of minutes, seconded by Rod Cury. No discussion. All in favor 5/0. Motion carried.

**Conditional Use Permit Request by Linda Dye**-Mayor White deferred to Town Manager, Tim Taylor. The town has received a zoning request to place a single-wide mobile home on a single lot on 330 North Street. Request made by Linda Dye and Norma Smith, property owner. Copies of all requests, letters and application regarding this issue are included in the Council packages. Under current Section 8-7 Zoning Ordinance, mobile homes can be placed on single lots if certain requirements are met. One of which, which is the main one, to make sure that it does not require any type of variance. This particular lot is large enough, according to the diagram submitted to Council, to meet or exceed all zoning requirements such as back yard, side yard, set-backs, etc. It did meet all of those applications, so the next part of the process for this particular single wide mobile home is a conditional use permit from Council. Basically, the request is in the hands of Council at this time.

Linda Dye-said that she already had a mobile home there and just wanted to get a bigger mobile home. Her daughter in law is purchasing it for her so that she can have a three bedroom home due to the fact that she has two grandchildren and each one of them can have a bedroom at her home.

Tim Taylor said that it meets or exceeds all set-backs required.

Larry Johnson made the Motion to Issue the Conditional Use Permit, seconded by Frances Meadows.

Rod Cury did ask about Conditional Use, what were the particular conditions. Mr. Taylor said you can place any type on constraint on it that is legal; usually time frames are something you would like to see. He asked Ms. Dye if she had a time frame in mind, she said they had not bought anything yet. Most permits have to be completed in 6 months, he asked Ms. Dye if she felt she could have it done in 6 months, to which she replied yes. If Council does not want to put any more time constraints on it, then that would be the time frame. Mr. Taylor asked Ms. Dye if this was indeed a new home purchase and she replied that it was.

All in favor of Motion 5/0. Motion carried.

**Scheduled Public Comments:** Karen Patton-President of Richlands Area Chamber of Commerce. She addressed Council and passed around photos from the Richlands Area Festival and James H. Drew Carnival. Thanked the Town of Richlands for tremendous support during the Festival and Carnival June 18-22. They had a record number in attendance. Ginger has received numerous positive comments about having this event in town. They are so appreciative of the wisdom that the Town Council has for understanding what economic effect this event has on the

community. She complimented the recent Freedom Festival and said it was a tremendous event as well. The dates for the Richlands Festival and Carnival next year are June 17-21, 2014. The Chamber requests that the Greater Richlands Area Festival and James H. Drew Carnival continue the tradition behind the Richlands Police Department. The stability in this location, year after year, only offers better opportunities in our planning. Again, we thank you very much and look forward to a favorable response.

Frances Meadows asked if Council would be able to see the financial report from the Carnival. Ms. Patton did not have those with her but would get them to the Council at a later time. Mr. Taylor said that they did pay the Police Department for their extra work and gave the Town a donation for the work they did with the electric, etc. This donation will be applied to what was actually spent. Joe McCracken asked Lt. Richard Brown if there was any trouble during the Carnival. Lt. Brown said there was a little trouble on Friday night but it wasn't from people attending the carnival. He said over all it was good. Joe McCracken said that when he visited the carnival, everything was nice and clean, everyone was courteous. Mr. Taylor said that as soon as the Chamber provides the Town a copy of the financials from the Carnival, he will forward those to the Council.

Karen Patton invited everyone to attend the next Chamber Board Meeting. Larry Johnson asked how many more people attended this year than last. Ms. Patton did not have that information with her but would see that council would get it.

**Unscheduled Public Comments:** Rhonda Kay-Tazewell ARC. Started by saying that the Freedom Festival was one of their best venues and the Festival was awesome. The Festival is what prompted the discussion among the volunteers to do something more. Tazewell ARC is requesting to have a First Annual Labor Day Car Show and Pet Parade at Critterville on Saturday, September 7, 2013 as a fundraiser for the shelter. She said the handout said Critterville but they would be open to any where. They are open to any suggestions. She said that Tazewell ARC is a new home-based animal rescue; they are going to take the Tazewell County No-Kill by 2015. They have to meet with the Board of the Animal Shelter, but every Board Member they have discussed it with so far, is very happy about it. It is going to take money, community awareness, a lot of cooperation from the citizens and we feel that events such as this will go a long way to help make people aware and excited about it. Last year, in 2012, the Tazewell Shelter took in 3,066 dogs, they euthanized 1,912 of them. That is a 62% kill rate. She believes there are enough animal lovers, advocates and movers and shakers in this community to change that. With spay/neuter and foster programs that get them out of shelters and give them a little time to find a home. We are planning to do this venue on September 7<sup>th</sup>; it's the weekend after Labor Day. All of these events, such as the car show and the music, these people came to us, and said "we want to do this, we love animals and like what you are doing and we want to help". We are turning this over to them, it is a large undertaking, and it's too big for us. We do have the community support. It may look a little bigger on paper than it will actually be. I don't expect that we will have tons of people there. It will probably be smaller the first year and then grow as time goes by. We do have some media sources that are willing to advertise, Jim Talbert and his wife are one of our foster families. So we have some ad space and some radio time.

Mayor White wanted to reaffirm that she was asking to use some Town property to hold this event. Ms. Kay said that was correct. Mayor White addressed the issues of security, clean up? The ARC volunteers will handle the cleanup; security – they do have some law enforcement officials who are volunteers who will be willing help out during their off duty hours. Rod Cury stated they should check with the Recreation Dept. to see if anything was scheduled during that time. Ms. Kay did mention if they are allowed to use Critterville, she would have to consult with the Rec. Dept. about the electricity. Fred Phillips, Rec Park Director, said he was sure there was nothing scheduled at Critterville in September and they did have electricity available. Frances Meadows suggested that she ask Chief Dorton or Lt. Brown to possibly help out during this event. Mr. Taylor asked if they had liability insurance and she assured him they were working on getting it. She said they will have it by September 7<sup>th</sup>.

Doug Ratliff made the Motion to Approve the Event at Critterville with the provision of a liability insurance certificate being presented prior to Sept. 7<sup>th</sup>, seconded by Larry Johnson. No further discussion. All in favor 5/0. Motion carried.

Ernie Horton-179 Cypress Street-Thanked the Council and the Mayor for the great success of the Carnival, thanked all public safety branches. However, he said that parking was an issue at the Carnival but the Carnival and the Festival were both good for the town. He was glad to see so many people in town. He asked council to work on better parking for next year for the Carnival.

Michael Musick-238 Vickie Drive-Has two issues. 1)-Drainage problem-Seth White property, he is getting a lot of run-off from the drain right below Seth's property. With heavy rains, the water comes down the drain, down the road, into his backyard and into his basement. The ditch line is actually a little higher than the road. He has tried to dig it out by hand, but has not had any luck. He would like for the Town to come and look at it to see what could be done. Mr. Taylor said the Town would look at it.

2) Cecil Ball's property at 209 Vickie Drive, Council took action a little less than a year ago, and they did a great job. But now it is back like it was. He is having problems with rats again, snakes, the grass is very tall. Mr. Ball is not living in the house and hasn't been for 2-3 months. He is living with his mother on Farmer Street. Nothing has been done since the Town cleaned it up last fall. There are some people that are trying to sell their homes up there; he has big rats, big snakes. He has a family, he is afraid for them to be outside. As soon as the town finished cleaning it up, Cecil Ball put all of his stuff back in his yard. He is asking Council to enforce the ordinance to make it better for everyone who lives in the area. He suggested condemning the house, it is falling over and the high grass is out of control.

Rod Cury asked about the last action that was taken. Brad Ratliff said that a lien had been placed against the property for the cost of cleaning it up. To his knowledge, the lien had not been paid. He said they could look at possible action to sell the property to satisfy the lien.

Mayor White said they would look at the property again and see what action can be taken.

Randy Cruey-1017 Kents Ridge Road-has a drainage problem also. It is getting worse. Tim Taylor said that it was on the to-do list. He apologized and said that the town has been short of operators for while now. He also enjoyed the Carnival, the Festival and the fireworks. He has another problem. He wants to know why the town news press does not cover town events such as the Carnival, etc. Larry Johnson said there had not been any coverage on anything since Council took the money away from the Chamber. Mr. Cruey said the paper is called the Richlands News Press but yet they cover Tazewell's Fireworks on the 4<sup>th</sup> of July. He is upset that our news press can't back our own town. He wondered if Council or the Mayor could possibly do something. Mayor White said they tried to get coverage even went to Bristol to get appt. with WCYB to get coverage for the Festival. Doug Ratliff suggested charging a tax on the RNP. Mayor White said that three town businesses (hers included) had to purchase a full page ad just to get coverage in the RNP. Mayor White suggested sending a letter from Council to Media General's owner to better represent our town. Doug Ratliff also suggested a letter from the Mayor, Town Manager and Town Attorney to suggest they do a better job covering the town. Tim Taylor suggested encouraging more than one person to write a letter to the Editor and put their name on it, the citizens that buy the paper that would work. Several people should write letters to the Editor.

Doug Ratliff asked for a consensus for the Mayor to write a letter to Media General. Brad Ratliff will draft the letter. Council agreed.

### **Council Member Reports:**

**Rod Cury**-This coming Thursday evening, July 11<sup>th</sup> at 6:30 pm, at the Richlands Business Incubator, the Town Council and the Planning Commission will be hosting the CDAC team from Virginia Tech, who will be presenting their first and initial conceptual design for the extension of the Walking Trail. They have a lot exciting ideas, everyone is invited. Council and the Mayor have received letters of invitation, and the general public is invited. The team from VA Tech wants input from the people of Richlands. What they do want to see, what they don't want to see, all of the things that the people want. Everyone in attendance will help the Town to meet its match. There is a grant for the conceptual design to extend the walking trail down to the old swinging bridge by the Richlands Mall. It is a part of our participation in the Clinch River Valley Initiative and probably one of the most exciting parts.

**Joe McCracken**-also encouraged everyone to attend the meeting on July 11<sup>th</sup>. It will help clean up the river, we need to get behind this project and support it.

He had spoken to Tim Taylor about some needs; one being in front of the old Riley's Grocery location there are some drainage problems. The drain pipes are stopped up and it is undermining the road. The asphalt is breaking up. Also at 1017 Kents Ridge Road-drainage problem- Randy Cruvey, Town Manager says it will be taken care of. The Freedom Festival was a lot of hard work by a lot of people. He thanked Mike Patrick for the use of his golf cart. It was greatly needed and greatly appreciated. Richard Vance did a tremendous job helping at the Section House and explaining what is going to take place there. He also thanked the Town crews, they a great job in getting what was needed at the time it was needed and for the clean-up. He thanked Rod Cury for representing the Section House during the Freedom Festival. The money has been awarded for the Section House Restoration, it is a great project and he encouraged everyone to support it.

**Frances Meadows-** Asked about the no-u turn signs that had been requested previously. Mr. Taylor said they are under review by VDOT. Sounds like it will be favorable.

Rec Park Soccer Field Light Pole-Mr. Taylor spoke with Jeff Hurst. There are number of issues, he recommended the soccer association to discuss it with the Rec Commission because removing the pole is fairly simple, the problem is the entire lighting structure for the entire facility is where this pole is also. It is ancient, so once removed; it cannot be used or relocated. If you take it out, you won't have any lights at all. So if you want to sacrifice the lights, we can take it out for very little cost (except labor) to the town. If you want the lights to function, then that will take a lot of money. That would be a new re-design. It would need to be a budgetary item. You would need to look at the use of the fields, come up with a plan. Come up with a comprehensive approach that would facilitate a multi-use field. If you take out that pole, you lose the lights. Joe McCracken asked about the cost. Tim Taylor said it would be substantial. Jim Taylor had estimated the cost to be approximately \$40,000.00.

Joe McCracken said there is still a problem at the Rec Park with the roof leaking. Fred Phillips confirmed that when there are very heavy rains, the roof does leak. Joe McCracken said it was leaking in two places the last time he was over there. Mr. Taylor said there was money in the budget to repair the roof. Mr. McCracken said he felt that the roof should be fixed before they do work on the soccer field.

Richard Brown said that his son plays in the soccer league, they have traveled over several states, and they have never played at a field that has lights. Tim Taylor mentioned that there probably were other uses for that field such as baseball, softball and they would probably need the lights. So that needed to be considered. He recommended the Rec Commission discuss this.

Doug Ratliff-asked about the PCA for the month. Tim Taylor said Prairie State Energy Campus has come on line, which is our coal fired facility in Illinois. There initial start up cost, which they call "shake-down" or "shake-down activity" for starting the coal fired plant. It is three times the size of the plant in Virginia City, it is a huge plant. They have two units. The initial operation has caused the cost to be higher because of higher start-up costs. That inflated our cost a little more than anticipated, so this month our budget, if we don't take the PCA, we will have to take \$26,000.00 out of stabilization funds to make us meet our budget. Last month we missed it by a few thousand, but this month we are looking at a \$26,000.00 shortfall. We can take it out of the fund, but it prolongs the problem and lessens the amount of money we have in the fund. If you allow us to do a PCA this month of .006, which on a household that uses 1000 kilowatts per month, it would be approximately \$6.00. Then we could generate enough to make the \$26,000.00. Doug Ratliff asked about the fund. Mr. Taylor said if you continue to take money out of the fund, you will either have to raise rates or the PCA, if you continue to make it -0- when it shouldn't be. These rates are going up. Two years out, we are not going to have these favorable rates that we have. We are working hard to figure out solutions. The current rate this month is \$80 per kilowatt hour on one of contracts. We are still looking at 8.5 cents that we have to pay and we only charge 9.8 cents to the customers; that does not take our operational costs into account. Blended, we are still around \$77 per kWh.

Rod Cury talked about the diversified investment portfolio and asked what portion Prairie State is of that portfolio? Mr. Taylor said it depends on the month. Some months we use 9.5 megawatts as far a capacity and some months less, depending on the time of year. This is a base-load plant. They fire it up and they take it off depending on how the market is. Mr. Cury asked about the outlook for Prairie State. Mr. Taylor said that is the purpose of diversification, not to depend on the market totally and have some assets, but not all the same thing. Coal, Natural Gas, Hydro that is going to be coming on line that has no carbon, no burning, that is a great free

fuel but it is high capital. Anytime you buy new, you will pay more. These haven't met their marks today because set up costs were more than expected. We bought into Prairie State back in 2008, when coal was a good thing. It meets or exceeds all pollution regulations now or in the future until they pass carbon as a pollutant. Over 1 billion dollars of the 5 billion dollar project is in pollution control.

Doug Ratliff said he thought the rate increases were based on the reserve balance and if it fell below a certain level. He said he thought there would be ample time to recognize the decrease in the fund and then raise the rates as needed. Mr. Taylor stated that is why the PCA was put into place, so that when you have unexpected costs for one month, you just take care of it.

Mayor White inquired as to what the average kilowatt usage is for a household. Mr. Taylor said the average household uses approximately 1,000 kW per month. Most fixed income families won't use 1,000 kW in a month but if you run air conditioning, it will be more. For most fixed income families it will be \$6.00 or less, depending on usage. Mr. Ratliff suggested absorbing the cost and taking the money from the fund and when we see that the fund is getting below the suggested level, we then raise the PCA. Mr. Taylor said he would like to see the rates stabilized so that the PCA would not be needed, but you have to have it just to make sure that the people we buy power from understand that we have something in place in case something really bad happens. What saved our situation was that we didn't sell a lot of power and the market is really good. As a matter of fact, if we were totally on the market, we would be making lots of money right now, but we can't take that risk. Mr. Taylor said he would not be doing his job if he didn't advise council of his thoughts on the matter. It is totally in council's power to say that \$26,000.00 is nothing to worry about and take it from the fund. Rod Cury inquired as to what the PCA would generate this month, if it were used. Mr. Taylor said it would generate around \$25,000-\$26,000. If the PCA is not used, then \$26,238.00 will be taken out of the reserve fund. Doug Ratliff reminded council that there was 1.4 million in the reserve. He wants to have 25% more than is recommended in the fund. Mr. Taylor said that is in the 5 year plan that the departments are working on. The rates going into this year are not going to be what they were last year, due to some cost increases. Mr. Taylor said the goal was around 1.2 million in the reserve. This is also a cushion for when we have to pay off MGS; whatever is left, if there is any, can stay there. There needs to be rate stabilization.

Doug Ratliff made the Motion to keep the PCA at -0-, seconded by Larry Johnson. Joe McCracken said he wanted to go with the Town Manager's recommendation. Vote 3/2. (Joe McCracken and Rod Cury voted No). Motion carried.

Doug Ratliff also brought up two houses, one at 605 Prater Drive. Mr. Taylor asked Lt. Brown if Don Sturgess, the Ordinance Officer had spoken to him about this house. He said residents are in the process of moving out. Mr. Ratliff said there were questionable issues with the house. The Casey's own the house. Mr. Ratliff spoke about the poor condition of the house, windows are falling out, and it is pretty dilapidated. People had been living there with no electricity. Mr. Taylor said the issue was no water/sewer.

Big Creek Road, house between 813-825, it is falling down; it has been there for a long time. Large white one. No one lives there. Need to find owner and get address.

Mr. Taylor brought up the issue of car decals, about how to find the owners, etc. Richard Brown said if they come through a DUI check point and they don't have a town decal, they can ticket them for that.

Mr. Taylor said that at one time they had discussed issuing something similar to a personal property tax ticket, but it would be a statement for a vehicle decal. Mail them out in summer, due in September. Doug Ratliff said that the Town does not have a personal property taxes and they do not want to impose one, but the Town is losing a lot of revenue by not having it. Mr. Taylor said with the car-relief tax, he is not sure the Town is eligible for it. Town Attorney, Brad Ratliff said that he would look into it. Doug Ratliff said it could be as much as \$100,000.00 the town is just leaving that could be captured. He suggested having a personal property tax but not charging for it and use that as a way to collect the car tax through that eliminate the stickers and catch everyone in town. Richlands never had the tax so when the tax relief was voted into law; we were carved out of it. Mr. Ratliff asked that the town attorney look into it. Due to time constraints, this year will remain the same with the stickers, they have to be ordered by August 1<sup>st</sup> and they are due in September.

Council discussed ways to enforce residents buying decals. Brad Ratliff suggested raising the penalty for the failure to purchase a sticker to \$20.00. Richard Brown said most of the time if the person comes to court with a receipt the judge waives the penalty, so they don't collect a lot of that. Mr. Ratliff objects to that when he is court. Mr. Taylor estimated that it was about \$30,000-\$40,000 that we are not collecting at this time.

More discussion ensued. Council agreed that it should be looked into by the Town Attorney.

**Larry Johnson**-Asked about the Vernon White property issue. Mr. Taylor needs to meet with Travis Hackworth, the contractor. He will coordinate that meeting with Brad Ratliff.

Mr. Johnson spoke about the new BPOL incentives, such as a technology zone. It would give the town more freedom on tax incentives. It would be multipurpose, can be technology, tourism, etc., not solely for technology. Brad Ratliff had information in the council package on this for review, Amendment to BPOL tax- Enterprise Zone.

Mr. Johnson then discussed the 2 hour parking ordinance. Joe McCracken suggested leaving it as is, Rod Cury agreed, as did the rest of council.

Mr. Johnson said he heard a lot of good comments about the Freedom Festival, saw good crowds.

Mayor White added she appreciated everyone that helped with the Festival, she had a great committee. She had not seen crowds like this in town for 30 years. There is a Festival Committee meeting tomorrow night at 7:00 pm and she invited everyone to come to and help plan the 2014 Freedom Festival.

#### **Department Supervisors:**

**Fred Phillips:** Gave his report to Council in a handout. Mr. Phillips said that around 120 kids participated in the Backpack Program Free Swimming during the Freedom Festival. Many food items were collected for the program. He mentioned that the Clinch River Soccer Association had approached them about moving the light pole and that is not a request by the Rec Park. Swimming and concession are doing very well.

**Gordon Russ-Rescue**-He also commented on how excellent the Freedom Festival was. Sent one employee last month to Rescue College to become certified in Infectious Disease Control. Not ready to sell ambulances yet. Have been having trouble with another one and that would put us short.

**Keith Reynolds-Fire Dept.**- have had Fire departments from Grundy and Tazewell in schools at the Burn Bldg. Probably going to plan the grand opening sometime in the fall, once the road is paved and everything is finished. 35 calls for the month, 15 in Richlands and 20 out in the County. Will have 2 people certified in fireworks in about a year.

**Lt. Richard Brown-Police Department-Number of Calls for June-864, calls year to date-5467 .** 1019 East First Street, Mayhorn Property. Mr. Mayhorn would like to see the house torn down. There are probably 15-20 thousand dollars in liens on the property and the owner does not have the money to pay them. Tax sale would put town ahead of liens. Town attorney will check on this.

Lt. Brown went over traffic summary for the month, detailed in the handout given to council.

**Jim Taylor-Street & Sanitation**- they have been working on Cool Down Shed for the Burn Building. Next project is bathroom area. They have been cutting brush on Cresswood, Terry, Brown Avenue, Buskill, they have been assisting the Electric Crew with this. Washed down streets twice, Front Street, all cross streets, down at the Police Dept. and Farmers' Market to get ready for the Festival. They have worked on drainage on Valley, Terry & Gary Drives. Virginia Avenue, more patching to do. Set stage 2/3 times for the Carnival and Festival. Assisted with traffic control for the 5K Race. The 2004 Grapple Truck is in, have been tearing down old house on Jabo Lane with it. Tree fell at Critterville and knocked down part of the back fence with names on it; they replaced the panels and repaired the fence but didn't have the names. Sweeper truck should be in anytime. 173 stops for junk & brush this month/ 711 for the year.

**Mayor White**- discussed the 125 Premium Only plan for Employees. Joe McCracken made a Motion to Adopt the Certificate of Resolution, seconded by Rod Cury. All in favor 5/0. Motion

Carried.

**Brad Ratliff-Town Attorney-**

Mr. Ratliff also had positive comments about the Festival, Fireworks and the Carnival, said it was all great.

Consideration to Amend Motor Vehicles and Traffic-Compression Engine Brake Ordinance-after some research, the only change suggested would be to limit it to certain time of day, certain hours. Upon further discussion by council, Larry Johnson made a Motion to Table this Ordinance, seconded by Doug Ratliff. All in favor 5/0. Motion to Table this Ordinance Carried.

Prepared the Ordinance for John Buskill-Vacation of Alleyway-he heard from Mr. Buskill's attorney, so he wants to go forward with this transaction and the document has been prepared. Mr. Ratliff's opinion is to do a Quit Claim Deed; it will keep the title records clear in the Clerk's Office.

Burnette Street Property Lots 95-96. There is an encroachment of 5 ft. on Lot 94 as identified by surveyor. It is a boundary issue that must be resolved before Town can sell property. Surveyor has prepared a couple of options on these plats. The least intrusive would be to convey 10 ft. to adjacent property owner so that they would be in accordance with zoning rules. Dwelling has been on property for 20-25 years. Town obtained this property just recently; these people have been in this position for years. This is a private ownership law.

Mayor White asked if he was saying that the Town should give them this property. She said it sounded contradictory. She then asked about the tax value of that portion of the property. Council discussed the need to be consistent and not give property to one person and charge another.

Attorney Ratliff explained that this is very different from vacation of an alley. The owner of Lot #94 can or will litigate this on basis of adverse possession and would probably win. Doug Ratliff made the Motion to clear up boundary line & convey 10 ft., seconded by Larry Johnson.

Rod Cury asked Brad Ratliff to clarify the difference between the John Buskill property and this property. The Buskills had a revocable license to use a platted street, with the full understanding that the property belonged to the Town. As a result, he didn't have grounds to meet all of the requirements for adverse possession. In this other case, we have obtained this property recently, maybe a year ago. This is private property, this building has been built across this line without any notice to us, and by what is called "packing" these folks can lay claim by adverse possession. They meet all of the requirements. This would be a law suit that we would have to fight with futility. More discussion ensued. There are 5 elements of adverse possession, one is hostility. The Burnette Street property was a gifted property from a Bank. Mayor White called for a vote, had a Motion and a Second. All in favor 5/0. Motion carried.

Mayor White addresses item #XIII-Appointments Needed-Board of Zoning Appeals, some appointments have expired. They are Bill Patton and Gene Hurst. Rod Cury made the Motion to re-appoint Bill Patton and Gene Hurst, seconded by Larry Johnson. All in favor 5/0. Motion carried.

**Tim Taylor-Town Manager comments-** discusses the bills for the month, refers to check register. Invoices totaling \$672,012.72. The AMP invoice totaled \$308,851.65, VRS \$51,285.89 and Anthem \$73,583.00. Frances Meadows makes Motion to authorize Mr. Taylor to pay the invoices, seconded by Rod Cury. Vote 5/0. Motion carried.

Proposals for the Professional Services for the Enhancement Grant Section House RFP –due on Friday, July 12, 2013. The Section House Committee will be the selection committee.

Five Year Plan-He has met with all staff members from the departments, met as a group and individually to discuss their contribution to the Plan. They are vital to the planning process. We have thoroughly discuss the scope of the plan, we want to make sure it a comprehensive plan.

Would like to incorporate the Plan into Town Planning Commission. We will establish a platform for the information. Will have templates, so that each department will be in the same order. We will make it as informative as we can to council because you are the policy makers.

We will be able to do this ourselves for most departments, some we cannot. Electrical department, we will have to have help, due the market and other factors. Organize the plan, here are some of things you will see: Need, Operational, Capital, plus the costs, based on our best guess. Help evaluate sources of revenue; staffing becomes a real issue, present and long-term. We have to look further than 5 years for staffing in certain places. A seasoned lineman, if you start from scratch right out of school, for a really seasoned lineman that can see everything that needs to be done, you need 10 years experience. It's because we don't see the construction activity here that you would see in a construction job. Water/Wastewater-Certification-there is a minimum of 5 years to get to a Class I. We are going to look at all of it. Would like to bring each department in and sit around the table and discuss these issues. Doug Ratliff discussed privatizing some the street work. Joe McCracken said we need to have people trained and ready to replace those that are preparing to retire soon. At this point, the Town isn't doing a lot of construction, we are just doing maintenance, we don't have the money to do it. It is hard to contact out maintenance work because companies may not want to do one part of the sidewalk here and there. We will look at the big picture because we have to. Mr. Taylor would like to see a rate study on the electrical.

Mayor White asked about the sidewalks, there was a resident who had some concerns about sidewalks being handicap accessible. The Town has looked at the route, it is safe to travel, will look at route again. We had made notes to change what needs to be changed when we do construction, but again we have not been doing construction. In particular, the curb at Hardee's is a concern. We do those as we can. We had looked at his previous route, which was over to Food Lion. Going across railroad tracks in a wheelchair is not recommended.

We will issue an RFP for paving (that will be a part of the revenue sharing) by the end of September. We had to name the streets that would be paved as part of the revenue share.

One other issue, back when the Town had a full staff, we had a civil engineer and electrical. With certain aspects of thing that we do, for example: by law, when you lay a water line certain number feet, you need to have an engineer sign off on it so that it is designed hydraulically to meet certain specs. We used to do that in house. So we have never done this before, because we have done most of this in house. We don't have the staff to do that now, and I can't sign off on a civil engineer project that would require a P. E. seal. They will accept some things. I would like for council to at least consider for us to put out an RFP that would allow me to solicit professional engineer firms for Water, Wastewater, Electrical, Gas and other utility owned systems that is owned by the Town of Richlands. There is a state code that would allow us to do that on a retainer. If we need something done quickly, i.e. soil analysis. You are supposed to procure that. If you get this passed as a blanket, then we would not have to come back and advertise it. There isn't much funding for it in the budget, except in utilities. I would like to get two qualified firms on board for preliminary services but it would limit them from doing any work that would go over \$100,000.00, which is what the State Law allows. Any more than that, would have to be procured. The way it is written, it would be no dollars to us, just interview the firms, get a selection committee, probably staff from Water/Sewer.

Doug Ratliff made a Motion to give the Town Manager authority to act on looking at two engineering firms, seconded by Rod Cury. All in favor 5/0. Motion carries.

Town Manager Tim Taylor spoke on a different product for diversifying the portfolio for power and supply. The market is really low right now, the lowest we have recently seen for buying power due to the aggressive drilling, cheap gas . Electricity follows gas prices, we have always seen that. What we are hoping to do is shore up some certainty through a "load following offer" product. It is basically an offer that is designed to follow after our electrical load and fill in the gaps when some of our current contracts expire. The consulting engineers are looking at this and have asked for pricing, I can't divulge the pricing obviously, since it is competitive negotiation and we can't do that in open session. But it actually looks really good, if you look at the pricing we have received from two companies. The products look really good as far as stability. We are looking to the fiscal year of 2017. Our engineers have projected what they think the cost is to invest in these products. You have given the town manager the authority to make decisions on these contracts, however we don't make any calls without the experts' opinions, and they are in favor of us looking at this. It provides certainty for 4 years. If live pricing gets so attractive between now and next council meeting, I would like to be able to act. You have already given



me the authority but I would like to have clarity on this issue.

Doug Ratliff made the Motion to give Tim Taylor Authority to Act on the Power and Supply “Load Following Offer”, seconded by Rod Cury. No discussion. All in favor 5/0. Motion carried.

Mayor White entertains Motion to adjourn. Motion made by Larry Johnson, seconded by Joe McCracken. All in favor, 5/0. Motion carried.

Meeting adjourned until next council meeting, September 10, 2013.

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Mayor

Attest:

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Town Clerk