

The Richlands Town Council held a regular monthly meeting in the Richlands Council Chambers on September 9, 2014 at 7:30 pm 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, Mary Ann Strong

Mayor White called the meeting to order, gave the invocation and led the Pledge of Allegiance.

Mayor White asked if there were any additions or deletions to the Agenda.

Wanda Lowe and Dale Shreve asked to be added.

Joe McCracken made the Motion to Approve the Agenda as amended, seconded by Frances Meadows. Vote, all in favor, 6/0. Motion carried.

Mayor White asked for any additions, corrections or deletions from any of the three sets of minutes (Public Nuisance Hearing, Joint Public Hearing with Planning Commission and regular Council meeting) that had been distributed earlier for review. Rod Cury made the Motion to approve all 3 sets of minutes as presented, seconded by Joe McCracken. Vote, all in favor, 6/0. Motion carried.

Scheduled Public Comments: Robin McGlothlin and Danny Underwood were not present.

Unscheduled Public Comments:

Wanda Lowe, 292 Plantation Drive, Richlands, VA- spoke on behalf of the Tazewell County Republican Party. We just went through a special election for the U. S. State Senate and we had a lot of signs removed from public property and some on private that were close to the roads. We have another election coming up in November and are getting ready to put signs up again. I am wondering what the Town's ordinance is or if you have one concerning this. We did have policemen that removed our signs and took them to the police department. We don't want to be in violation but we would like to have our rights also. We just really didn't know what the Town ordinance is. Tim Taylor deferred this matter to Chief Dorton. Chief Dorton said you cannot post any type of sign on public property, utility poles, etc. Mrs. Lowe asked if you are allowed to put them beside the road and Chief Dorton said no. She asked the Council to consider an Ordinance that would enable us to put signs out. It is an act of democracy. We have always been able to do that in the past. In the ordinance you could have a time limit; signs can be put out so many days before the election and have to be removed sometime after the election. I think it is a great way to show democracy. I don't see that it has caused a problem in the past that I know of. If there are complaints, I would think that our party would be notified of that to where we would be able to handle it. I have had an x-town cop that took signs down twice. It actually causes people to be mad at each other. It shouldn't because it is democracy. I would like to ask this board to consider an ordinance that we would be able to do that; to put up our signs and if there is a time limit as to when we can put them up and then after the election, we can take them down. Mayor White asked if she was asking to put them on public property. Ms. Lowe said that she knew with VDOT, you had to be off the road so many feet and they had tried to do that. I can't say that everyone did, because a lot of individuals would come by and pick up signs and go put them out, but as far as us as a party that gets out and puts up signs, we try to keep them off the road or put them so many feet off the road so that they are not a problem. I see this in a lot of towns and I don't know what the Town's thinking is on it. I don't know why we don't have an ordinance to provide that to the people as we are a democracy.

Tim Taylor said we have handled this in different ways through the years, the folks that put the signs up in a public area that would be a public street, but if someone doesn't want it there, sometimes that will create a fuss. We encourage whoever is putting up the signs to ask the folks, because often times all it takes is moving it back 6 feet to be on private property. When it is there, we don't mess with those. Even though we have an ordinance against signage, those we understand as political signs are not part of the signs. If they are back on private property, away

from public property, we should not mess with those. So if anyone says you can put a sign in my yard, we don't make them have a permit. If they were advertising for a business, that is different. So there is a sensitivity that we have to deal with because if it is right in front of someone's property and Council passes an ordinance, if they have a problem with it, especially in a residential area. There may be some common areas. I understand what you are saying; you would like to have an opportunity to campaign.

Mrs. Lowe reiterated that we live in a democracy and how else can we get the word out in a rural area or anywhere for that matter. There is a specific time that the campaigning is going on. This year in November we only have a couple of things to do but next year there will be lots and lots of openings in Tazewell County, so there will be a lot of campaigning. I'm sure that would be a problem if there is an ordinance saying you can't put them up. Name recognition is what we actually look for. I would just use one place for example, on Veterans Drive on the little patch of ground in front of the apartments, we had signs there. One of those was taken down and I think it was on a party line because the opposite candidate's sign wasn't removed. I guess the Town owns that, I don't know. Tim Taylor said that if we took them down, we should have taken all of them down. I'm sure they would not be selective. Chief Dorton said the place she is talking about, part of it is the Town's and then you have the water meters back to the apartment buildings belongs to the property owner. It is two separate areas there. That is why when we take signs down, we take them to the police department and put them beside the dumpster for them to come and pick them up. Mrs. Lowe said they didn't know that the police had them until they called to complain that they had been taken down and that's when they told her that they were by the dumpster. If we were in violation, I think it is good that you notify the people and say hey, you are not allowed to put these signs there. We spent a lot of time putting signs up and if there is an ordinance that you cannot put them in Town on public property, then that is the Ordinance and we will abide by that. I just think that they Town ought to consider that simply because we are a democracy, we should be civil about it; there should be a time limit. I do have one town that I checked with and I don't remember which one it was, but they said you can't put it up no sooner than thirty days before an election and you had to have it taken down 10 days after the election. If you violate that, you can read the sign and see who it's for and you can go after the Republican party if they didn't take it down. So why couldn't you all consider something like that.

Tim Taylor said we could probably look at some communities that are doing that to see what some of them are already doing. Mrs. Lowe said she was not asking to put them on roads or anything like that which would be a danger.

Mr. Taylor said the liability issue with the signs, we really need to address, not just for us but with VDOT. Still the sensitivity of having a sign in front of your house is an issue. Usually if you are behind the water meters, you are okay.

Mrs. Lowe said she did not condone those people who just didn't like the signs being there because they didn't like that particular party. She said we live in a democracy and need to be adults about it. Mr. Taylor said once there is a complaint, we remove the signs from all public property. What is public and what isn't, that is probably what confuses people. If council wants to consider it, we have time to look at it. Mrs. Lowe said you may not have time before this November, but next year we have about 10 or 12 offices open not counting the Town. It takes a lot of advertising when you have that many people. You can't go knocking on everyone's door. A lot of people have Direct TV and don't even get this local channel. So it makes a difference and just for the simple, common sense thing, it's a democracy and we ought to be able to interact with each other and you know, talk about your policies if that is what you want to do but you don't have to agree.

Mayor White said that they could have Brad look at some other communities and see what they are doing and go from there. Mary Ann Strong said she thought they should and was going to volunteer to check with other communities but legally, Brad would be better for that. She asked Mrs. Lowe if this has been a problem in the past. She said they have never had someone take down their signs until this year.

Joe McCracken asked Chief Dorton to confirm that it has been done in the past. Chief Dorton confirmed that it had. Joe said people do have a right to voice their opinions, concerns or whatever. He also said he felt that the current policy was good and that it should continue. He

said he felt it was a good system and it should remain in place.

Mary Ann said we should look at what works for Bluefield, etc and consider something similar. Chief Dorton said he thinks the Town of Bluefield's ordinance pertains to private property. They don't allow campaign signs on public property. Mr. Taylor said technically when you put up any sign, you are supposed to get a permit; most ordinances waive that permit fee for campaigns on private property. If we had to charge for that, that would be wrong, it would limit who could run. Usually, the complaints come from people placing the signs in the front of their homes and they think it is on their property. Most of the calls that I get aren't sight distance (which I have concerns about) it is more those other issues that you mentioned, political preference, etc.

Mrs. Lowe said she knew that when they were annexed at Hidden Valley, we had a problem because we were used to going down to the foot of the hill and putting up yard sale signs when we were having a yard sale. She put one up one day and it was gone within an hour. So she put a second one up and it was gone again. Well, I didn't know you couldn't have a yard sale sign down there but this is the thing you gotta use some common sense on. If you would allow a yard sale sign there and it's advertised today or has a date on it and you go back the next day and that customer hasn't come and picked up their sign, write them up for littering. It's not like you don't know who it belongs to; it has their address on there. There is just a few common sense things like that we could do and work together it would be good for all. She thanked Council for their time.

Dale Shreve, 405 Lee Street-He said he had come on behalf of his neighbors and himself over this wall on Lee Street Extension. This thing is a drastic safety hazard; it has got to be fixed. If not, someone is going to get hurt. I have pictures here I would like for everyone to look at. The pictures of the rocks laying in the road, that happened Sunday morning. If there had been a child or anybody out there, it would have been a bad thing. The picture of the car in here over the wall, if you look directly under the car, you will see a crack in that wall. After she moved her car Sunday, that fell out. This is way over past being fixed, it has to be done, some kind of repair. I would like to give the pictures to you all and let you pass them around and look at them. Joe said it should have been brought up before, and it has been, he just didn't know. It is getting more so and more so, it is going to fall. There are pictures in there with marks down the wall that is where the sewer has run out and dried. It is evident it is soap suds. And when it rains a lot, the neighbor that has the gold car, she can smell it at her house. I don't know if Mr. Hammond can or not. This has absolutely got to be something done. I know it is going to be expensive, but if it would have been done when it first started it wouldn't have been so bad. I know how things are money wise, tough economy Town-wise and all but there is kids coming up there and riding skateboards, children walking to school, our grandchildren actually play right up against that wall when they are playing. They love to play there. It has got to be fixed now.

Doug Ratliff said that we had talked about bringing an expert in to look at it. Tim Taylor said just to give a little history and Mr. Shreve you have been here before, and we actually replaced the water line on that street and replaced the sewer lines. If anyone has any sewer running down through there it's probably because they have an illegal connection coming out of a sink or something. We may have to smoke the system to see if there is anything on that too.

Mr. Shreve said if they do this wall, from the neighbor's benefit, there needs to be a guardrail up there. Mr. Taylor said this is a big project; otherwise we would have done something better than what we have done in the past. We did have a monitoring point up there where we were actually used it to see how much movement we had. Mr. Shreve said he checked it this evening in the bulge below my home, from the top of that wall to the edge of the asphalt is 13.5 inches off-center. That is a lot. The wall is 10 feet high. Mr. Taylor said they had hoped that when we paved it at the top, it would keep water from getting down in there and freeze/thaw.

Mr. Shreve said the street he lives on is pitched to the wall and all of the water goes to the bottom.

Mr. Taylor again stated that it is a major issue. What I suggest Council do is we have a contract with an engineering firm that provides services to look at this. Obviously, if you tore it all out and built a brand-new road with a brand-new wall; that is very expensive. There may be other alternatives if you get someone who knows that particular thing. There could be strapping, there

could be anchoring, there could be grouting a little better and get some support. An engineer that has professional liability insurance could design rather than replace it. Because it is a big job and there will be a lot of people inconvenienced on that street, you included. Mr. Shreve agreed and said when it comes to the life of a child, who cares. Mr. Taylor said he had looked at it and thinks it is at the point it needs to have a more comprehensive look at it because it is moving.

Mr. Shreve said he watches it every day, some days it's out and some days it's in. They has to be an issue somewhere.

Tim said he and George would go back up there and secure everything they can, including loose stones, we will try to plaster back up and make it as safe as possible while we are waiting. The real problem is structural. We will use our cameras too, we have a little more sophisticated tools than we used to have.

Doug Ratliff suggested a scheduled monitoring while they are waiting for the engineer to look at it. The Town will continue to monitor it and Mr. Shreve keeps an eye on it as well.

Rod Cury said that several years ago when he was first on Council, Mr. Bob Jessee asked him about the same problem and it is getting worse. He thinks that Tim has the right idea to monitor the situation while we get this engineering firm on retainer to take a look at it for us because they can give us the expertise. It does need repair; there is no question about it.

Mr. Shreve thanked Council for their time.

Anita Keen of 406 Lee Street, asked to speak to Council and said they have a dead tree in Mr. Rogich's yard, right at the corner. If it falls, it's going to go fall on the main power line and it's going to take cars, wall, everything there because it's a big pine tree that is dead. I have picked up dead limbs out of my yard all summer long and it's dangerous too. It is going to go right on top of their house or my house. I have talked to the Town Manager and he said he would mention something. We would appreciate if you would send a boom truck up there and have them cut that down. I am sure that we could use the wood, between the Rogichs and me. We just need a professional person up there to cut it down. It is too dangerous for my son or even Mr. Rogich to attempt, it is just too tall.

Mr. Taylor said that the tree he has looked at is on private property and it belongs to Mr. Rogich. Ms. Keen said Mr. Rogich had called twice to give the Town permission to cut it down. Mr. Taylor said that technically, it is his (Mr. Rogich's) responsibility. It is really his tree. We don't go cutting private property trees normally. Ms. Keen said it was endangering his home and my home and the main power line goes right in front of their house. Mr. Taylor said if it's in the right of way, we would take it down. It is questionable. We can revisit it and look at it. That is why we haven't done it is because it is marginable. We try to stay true to everyone. We can look at it again to see if it is any danger to the line at all, if it is, we can certainly call Mr. Rogich and have it taken down. Joe McCracken said maybe we can work with the property owner on it.

Council Member Reports:

Rod Cury-The next Planning Commission meeting is Tuesday, October 7, 2014 at 7:30 pm.

I had some citizen concerns that I have taken to the Town Manager and those actually have been resolved.

Joe McCracken-I was just talking to the Town Manager on some issues that will be and have been taken care of. A person is requesting a street light at the end of Vickey Drive. It is in bad need, it is very dark. One light would probably help 5 or 6 different houses.

Mr. Taylor said that whole area is an area that we have not completed the street lighting for any of those folks due to the fact that it is Appalachian Power's territory and we haven't had a real good solution for that. We were able to light portions of Rt. 609 and we have some money actually in our revenue share fund left to do that project, we really need to finish it. The reason we haven't done something really quick is because we might need to do something a little better. The last resort is to rent it off APCO. I would prefer to do something more comprehensive, maybe some LED lighting or something that would be from our power system. Mike Patrick said he is on Town electricity. Tim asked if he was asking about on out there to George's house and Mr. Patrick said he was. Tim said they might possibly feed a light off of that. We will have to

look at it and we would have to get an easement off of the property owner. Otherwise, the only choice we have is to work with APCO. Mr. Patrick said he could sign as Administrator of the Estate.

Mr. Patrick also mentioned that there was a transformer getting ready to blow in that area. It is covered with growth. Mr. Taylor said he hated to bring it up but we have some problems with the guy out there that is really giving our crew a hard time. We had some issues in the past. Mr. Patrick said he thought that issue had passed; the boy had grown up since then.

Joe also wanted to check on the status of the Burnett Street property. Tim said we have to clear up the taxes, Brad agreed that it would be the Town's responsibility because we did not get the minimum bid. We first put out there an amount that would have covered that but it didn't bring that so we need to pay those taxes. The conveyance is simple to the high bidder. Tim said there was only one bid. If Council wants to do that, we can vote on it tonight but we will have to pay the County taxes.

Joe McCracken said he thought the matter should be cleared up; it's been on the books for a while. Mayor White asked if part of the bid was for the highest bidder to pay the taxes. Tim said it was for them to clear the property. We were hoping to get the difference but we didn't. Joe said they had hoped to get enough to pay the taxes, the survey and everything. We had to re-bid it and it still didn't bring. We just need to clear this matter up so that we can move on. Larry Johnson asked the amount of the taxes. Brad said he thought it was around \$1,400.00. Tim said they only got a \$200 bid. Almost \$300, it was \$270 something. Joe said the structure needs to be torn down and that was part of the agreement of selling. Tim said by the time we paid to tear it down, which usually costs around \$4,000.00, we are better off.

Joe McCracken made the Motion to convey the property to the highest bidder with the stipulation they clear the property within 90 days, seconded by Larry Johnson. Vote, all in favor, 6/0. Motion carried.

Joe said there was also an issue at the Farmer's Market with one of the people that sells down there. He buys somewhere else, brings here and re-sells, uses Town electricity and pays nothing. To me, he is no different than Food Lion or any of the other grocery stores; that is what they do. They have to have a permit or a business license. I think this person should also have to purchase a license or the Town should charge him a fee, one or the other, to participate down there since he does not grow anything, he buys his fruits and vegetables at one place and brings them here to re-sell. I would like to make a Motion that this person have to buy a license or pay a fee to sell at our Farmer's Market. Brad said he had already looked into this, he had Investigator Gilbert call and ask questions about it and following the relative rules, that individual is responsible for a business license. Larry Johnson asked if he would pay the Peddler's License since he is mobile or does he pay the business license. Brad said he thought it would be the Peddler's License. It would be the equivalent of the snow cone trucks. Doug Ratliff asked how you distinguish between him and someone who grows their own. Brad said in this case, it is known, I don't know how you would be able to tell it otherwise but it is a known fact that he travels and hauls produce here and uses the Town facilities. Joe said the other is local grown. Really that is what the Farmer's Market was built for, local grown by local farmers and we agreed not to charge them but if you are going to go buy and then come and re-sell, I feel you should have to pay something. Mr. Taylor said the Town provides electricity to everyone who uses the Farmers Market and if you are going to charge a fee, it would be best to charge everybody in order to cover that. He does need to get a business license if he is buying and re-selling. If Brad has researched it and thinks the Peddler's License would be the best for this situation then that is what he needs to do. Brad confirmed this.

Mary Ann Strong asked who is responsible for policing the Farmers Market, is that the Police Department, to check and see? Mr. Taylor said that businesses come in all forms and those are hard because when you have a place of business, you have a zoning permit so we have a clue as to what they do. So then we exercise the BPOL fee based on their application for permit. The people who rent the Farmers Market are pretty loose-ended, they just come and go. Unless someone just goes and asks questions, it doesn't get done on a regular basis. It is probably not a very good way to do it, but that is just for that one little area. Otherwise, we have a good system.

Mayor White asked if they report in each time they are going to use it. Tim said we would like

for them to even though the permit doesn't cost anything. Sue Wade said they do fill out a permit and tell us what they are selling, if it is seasonal, according to what is in the garden at the time. Some of them do sometimes buy at other places but they bring their own too, so it's hard to tell. Then you have people who sell crafts, honey, etc. It would be hard to keep up with unless someone is watching pretty closely.

Mayor White suggested looking at the whole picture. Joe agreed and said it is not right to make the local business people pay a tax and let people that don't even live in the Town not pay anything for the use of our facility. Rod agreed with Joe, he also thought about what Mayor White said, it might not be something we can do at this very moment but at some point, maybe sooner than later, it might be good to revisit the Farmers Market and see how we can best go forward with it and I believe when it was first constructed, it was in hopes of a very active Farmers Market. Was it constructed with some grant money? Tim said that part of it was. Rod continued and said that at one time we had a downtown coordinator and that was part of the coordinator's job to look after it. We were unable to keep the coordinator. I remember something the former Clerk, Elva Lee Vandyke said, that she wished that it were possible for the town to have someone in charge of the Farmers Market. She described other Farmers Markets that she had visited that were very successful and what she was describing was based on having someone who oversees the business of the Farmers Market.

Doug Ratliff suggested looking at other Farmers Markets and how they police theirs. Larry Johnson said that one thing they could use to specify as if they can accept the vouchers or not. They have to meet certain criteria before they can accept the vouchers. That would eliminate some of the re-sellers. That would probably be the best way to do it. Sue Wade said on Thursdays we have some farmers that come and they do accept the vouchers. Joe and Larry said they had been very successful and had no problem there. Larry also stated that they are not plugging in a trailer and running an air conditioner for a week at a time, using the Town's electricity to keep the stuff they bought in South Carolina cool.

Mary Ann asks if in next month's packet, they could have a copy of the Ordinance for the Farmer's Market. Tim said he could give them a copy of the guidelines that have been established back when we had a coordinator. We had relaxed on all of that because Council waived the fees to entice people to start coming in. We probably need to revisit that. Some of the fees that we were charging would help fund the problem with the license. Larry requested that they could get it before the next meeting if possible so that we can review it. Tim said they can email it to them in the next few days.

Joe also mentioned the Section House Project. He said they have been moving forward, we are working behind the scenes, making progress toward the Section House, hopefully to see some movement in one or two months. Things have been happening but it is behind the scenes.

Frances Meadows-recognized Scott Diperna from the Rec Park for coming to the meeting tonight. She wanted to say what a wonderful job they have done this summer. It has been a real success over there. The pool did real well. They have worked really hard and kept the place looking good and people have enjoyed and I have heard a lot of nice compliments about it. Families have enjoyed it. She thanked the Rec Park employees for that.

Yesterday she visited, with the help of Chief Dorton, two or three of our mobile home parks that I was interested in seeing with Sergeant Childress that I was not going to go alone. Upon visiting these mobile home parks, I couldn't believe what I was seeing. I couldn't believe how some of these people are living. It is important to me and I am hoping that my fellow Council members will back me on this; we do need to go forward and be diligent with the up-keep of these mobile home parks. The people that own the parks and also if they own the mobile homes that are in the parks, then they should spend some money to make them livable. These people are living in things that need to be torn down. I have never in my life seen a mess like it has been. I know that people will be very upset with me and that's okay. I am really wanting to make Richlands a better place. If we can clean up the mobile home parks, that is where we need to start. We have given people warnings about their lawns being too high; we have made sure they keep their garbage out of the roadway. We have made sure they have garbage cans to put their garbage in; so I think it is very important that we make these mobile home owners, the park owners, step up and make sure these people that pay rent on these mobile home have a decent place to live. I want to thank Chief Dorton because they have started making headway on writing these letters to

the park owners and getting things started. I really appreciate that.

Doug Ratliff-asked about the status of the electrical rate study. Tim said he had it in his report but he would address it now. The last figures that we had with the study were done in May. Since that time we have had a rate increase in what they call the NITS, which is the transfer fees, which was substantial. It equated to the Town of Richlands of being approximately \$4,300 per month additional. That is one of those court-initiated decisions that you just don't know about until the end of the day. That is a postage stamp rate. So I have had the GDS folks to refresh those numbers. They just did that in the study. I have it in my possession. If I had given to you earlier, those numbers would have been dated. But we have had those numbers refreshed and I will get it to all of Council, probably will need to print it out and get it to you, it's a little hard to read on a disc. I need to get with Adrienne and Sue and prepare a formal presentation. The study is ready to go.

Doug asked if he and Mary Ann could meet with Tim before the next council meeting. They discussed possible days and times. 8 am works pretty well. Tim said he would target by the end of next week. Doug requested any day but Tuesday. Mary Ann had a prior commitment for Friday, the 19th.

Doug asked Tim to explain what NITS was. Tim said it is a network acronym that is a fee. It is part of the transmission. Why those go up is they have built these big power lines to get power from east to west and north to south, they blend all of that into everyone's rates. For instance, they are going to build this 138kb line from Richlands to Whitewood in 2016 and they have already applied to the State Corporation Commission for a rate increase to pay for it. Those millions of dollars get paid by everyone that uses the wires. Every so often, more frequently than we would like to see lately, they apply for a rate increase and they apply to FERC, which is the Federal Engineer Regulatory Commission, and they hear it with judges and they either approve or disapprove it. Ultimately, it gets mixed in the rates. So we have to pay more money to APCO. It went from \$2 a kilowatt month to over \$3. It equated to approximately \$4,300 more money for the same service for us monthly. Doug asked what that would mean per customer. Tim said it is in the report. It is in the wholesale rate. It is a very elaborate formula they use. Even the APCO customers will be paying it. Everyone pays those because the APCO company distribution system that the folks outside town pay their money to is separated from the AEP people. APCO owns the wires and AEP owns the generation system. It is all blended. They can't pick on one customer. They can't pick on the wholesale people; they have to pay for it too. Mayor White said the increase had already been put into effect; she had seen it on a bill for some rental property she owns.

Larry Johnson-one of the things he had was the Farmer's Market, which has already been addressed. The other is East Second Street. He had some complaints about that area, wondering if Tim had found out anything. Tim said the Town had actually repaired the handrails, putting them back to what they were; they don't meet VDOT specs. We have cleaned up as much of our grass as we can; we have cleaned up the street. The wall that they are concerned about is not our wall; it is different than the Lee Street extension. The wall on Lee Street extension is holds up our road, the wall in question on East Second Street holds up a person's property. Those folks will have to fix their own wall.

Mary Ann Strong-apologized as she meant to get here earlier to ask Rod and you may have already discussed this with Mr. Taylor about the property on Tazewell Avenue. Rod said he had and it was taken care of. She thanked Rod for his attention to the matter.

She wanted to thank George West and Frank Dorton for helping with the issue of bears in the community that tend to get into dumpsters. I am sure it was not cheap; they have installed the metal lids with the bar on the dumpsters. It is difficult to get everyone to cooperate but you went to great lengths for public safety and I greatly appreciate it.

Mayor White asked if there were any questions about the department reports. Mary Ann said she noticed that it looked like for the traffic summons issued, there were more. She asked if that attributed to a road-stop on a Friday night a couple of weeks ago. That was obviously very successful. Chief Dorton said they caught two drunk drivers. Mary Ann said she hoped they would do that as often as possible. Chief Dorton said that was a requirement for a DMV grant.

Frances Meadows asked if they had approved two positions for the Rescue Squad. Mr. Taylor said there was discussion in the budget work session pending the transport, but we have not cleared that hurdle yet. It is part of that whole decision. She thought there were two positions open. Mr. Taylor said it was new concepts; not sure we are comfortable with those yet. We have posted some part-time positions. Gordon said he had lost 4 people so he was short handed.

Mayor's Comments

Mayor White had received a letter from the Cumberland Plateau Regional Housing Authority requesting us to waive the taxes of \$1,522.00 for the fiscal year ending March 31, 2014. I know for the past couple of years we have not waived that. What is Council's pleasure? It was a consensus of council not to waive the taxes.

In recognition of October being Domestic Violence Awareness Month, Clinch Valley Community Action, Inc. is sponsoring the Paint it Purple program. If anyone wishes to participate or if you want to ask businesses to participate, you can do it a couple of ways. One is to put a purple ribbon on each front door or asking the employees to wear purple on October 7th. There is an email contact for those who want to participate. She requested this be put on the access channel for the businesses to participate.

Attorney Comments-

Brad Ratliff-In the packet that I have provided, I will point out there is also a copy of the Revocable License Agreement that I have prepared for and on behalf of the Town for Mr. and Mrs. Morris at 106 Ridge Avenue for the use of the space along the easement between their property and the street for the fence. I wanted to provide a copy to everyone on Council. It is an agreement not a deed so Mr. Taylor would be the signatory.

Mary Ann Strong said one thing in reviewing Brad's report, she noticed and meant to mention this, on the 24th, Wednesday at noon; everyone should remember and try to attend the meeting with Eric Young concerning the IDA at the Incubator. Lunch will be provided. I think it will be very informative.

Manager's Report

Authorization to pay bills. Mr. Taylor went over the check register which included bills for the month totaling \$613,675.00, including AMP Power Bill \$370,977.81, Anthem \$75,957.00 and VRS \$55,314.59. Mary Ann Strong made a motion to authorize the Town Manager to pay the bills, seconded by Larry Johnson. All in favor, vote 6/0. Motion carried.

Project updates:

1-Credit Card and ATM program that we have been working on. We have an agreement signed with the ATM machine. It is to be placed into the Town Hall sometime this week. Sue said it should be Friday or Monday. We will have that for our customers and citizens to use if they wish to use it. Credit Card-we do have an RFP developed and it's out in the market and is also on our website that is due September 25th. Hopefully by the October meeting, we will be able to finalize that particular service.

2- Following that, we will be working on some software that we have had budgeted for the last year and a half.

3- There is one thing of concern that I want to discuss a little with you, so that you will clearly understand the dilemma. Often times as government, things are more difficult once you get down into the details than they are superficially. There was a need to try to better collect the auto decal license tax, license fee, and to also make it easier and more economical for our citizens so that we can use those funds. Those decals are due currently in the current Ordinance that we have. We had contacted the county representatives, the County Commissioner of Revenue and Treasurer. Most of the activity involved the Commissioner of Revenue versus the Treasurer because the Commissioner of Revenue obviously is responsible for maintaining the data and to provide the data to the Treasurer to collect the money.

What makes Richlands' dilemma a little different is the fact that we do have personal property tax. We are probably one of the only towns in the state of Virginia that does not do that; we have the luxury of not imposing that on our citizens ever that I know about. Everything with the new modern way of dealing with decals with technology has been back to linking in the license fee

with the personal property taxes. So when you pay your personal property taxes to the town for instance, whatever town that might be, you would also pay the fee, and if you don't pay the fee then the town has a right to do a directive with the Department of Motor Vehicles to issue a non-issuance with the tags. That way is much better, you don't have to display a decal and if you don't pay, you don't get your tags. It has been very effective for most communities and most counties and most towns and cities that institute it. What our dilemma is that we don't have the personal property taxes so we don't have a way to bill it. So we were trying to work with the County for them to include it on their personal property tax tickets when those are printed. The problem with what we are trying to do, and the County really did try to help us, they were very cooperative in all aspects. They worked a lot of hours on this, but we just could not meet the deadline and get the bugs worked out of it prior to the tax tickets that they, by law, have to print. Dave Anderson, the Commissioner of Revenue, tried to work with us up to the very end but he had to get his tickets printed, and we have the software problems too. Through the process we did educate quite a bit on property taxes and it would even better for us to actually bill that ourselves. The problem with that is that there are still details to work out. The actual data comes from the County, we don't do the assessments for real estate and we don't do personal property assessments either. So everything that we get, it is the obligation of the County to provide that because we are citizens of the County also. They have different means in their software to flag that. Their software program is a Linux program, which makes it totally different from ours. We have to do conversions. We think we can get that particular data, actually we are going to utilize for the real estate taxes, and we are not going to print our own this year if it works out. We are going to have a third party do that and save ourselves some money and a lot of time and effort in the office. So that will work well. That is what came out of this discussion. So the idea has fostered a lot of other things that are positive.

Right now we are kind of in a dilemma. We don't know that we can get it done in time enough to get these out timely. It would require an Ordinance change because the Ordinance would have make the decal due at the end of the year basically so that we could put them in with our real estate tickets to mail those at the same time. Collection gets to be an issue that we haven't figured out because DMV will not do a stop issuance of tags for \$10. We have checked on it. But there might be a way that we can dove-tail the mobile home decal, the motorcycle and motor vehicle all on one ticket so that we have better collections. So what I am asking from Council is a little flexibility for my staff and the attorney, if we can feel comfortable that we can do this enough to make it successful without a lot of mistakes, to give us the authority tonight to do that and have an Ordinance prepared and all of the bugs worked out by October, then go ahead and get the details worked out. But if it looks like we can't do that successfully without our citizens having a lot of problems and us too, that we just go ahead and this year and issue the decals and then plan for it for next year. I would like to give it all of the effort that we can because we found out there are about a hundred or so cars that we don't normally get the revenue on. So there are some people who are being persistent in not paying. That isn't fair. Everyone should have to pay. If Council would leave it to our discretion as staff and as our town attorney to continue to work on it, if we can do this and get it into place where we feel comfortable we can get everything printed, the data collected and transferred and can get it out to our citizens as we issue our real estate taxes that we would do that and you would get an Ordinance passed in October. If we can't do it and get it done right, then we can go ahead on our own and get the decals printed and everyone will just have to start buying them a month later.

Rod Cury said he thought that was reasonable. Mr. Taylor said he was afraid to commit to one way or the other at this point. Council gave a consensus to grant the request.

Brad Ratliff said since it was dealing with fees, there would have to be a public hearing on the matter before the Ordinance can be amended and making sure we have proper notice.

Mr. Taylor said that he and Brad have had some conversations about the matter, but the whole process has been very informative.

Doug Ratliff asked if the hearings could go and ahead and be scheduled. Mr. Taylor said there would no need to schedule it if he could not get this done in time. He said he feels like it will be better for the citizens if the town can get this done in time, there will be better collections and it will be easier on everyone.

4-Facility Transport-we promised you a product, you should have that in your handouts. I am

not going to go over it tonight, we just got it completed today, there is quite a lot involved with it. Basically, what we did was a Council letter to basically to bring everyone up to date on what we were trying to do. We had multiple meetings with Clinch Valley Medical Center staff. This needs to be studied when you have your own time to sit down and do it. There are some recommendations in there, some highlights about numbers. There is also a document in here of the work that was performed by Gordon Russ and his endeavors. There is a letter from Clinch Valley Medical Center-Amanda Keene, who is in the department that deals with the transports. Also some cross figures for some of the capital needs that are necessary as well as the financial analysis based on these inter-facility transports as performed by Adrienne Cordle of our staff. Quite a few hours spent. We do have lots more supporting documents that really support what is in this document but we didn't want to make this package any bigger than what it is. Basically, before we even comment on it, you need to take time to look at it and we can have a meeting if we need to. There are some concepts that are in there that could be discussed, for instance, about how many people you need; if it is 8 like we have presented, or if its 4. Then we have also met with the CEO of the hospital and have derived from some of the staff down there what their entire year actual volume of pick-ups from a transport type of business would be available for us based on that history. The report is fairly detailed and if you have any comments at all, please get back with Gordon, myself or Adrienne.

4-The National Weather Service Project is really finishing up and the building is pretty well completed outside. We do have an electrical piece to finish. Our biggest delay is still getting electrical service to the building, which is the land developer that is putting it in up there for us and also APCO. Once that happens we can hopefully finish this one up. It has turned out to be a really nice project and it will be something I hope Council and the County will let everyone be aware of the usefulness of this project. It also enhances our EMS Communication, which is really the first reason that we did this.

5-Cost of Service Study for the Electrical Department-we have already discussed.

Misc.-We have been staying very busy; we have lost a lot of staff. Our Line Foreman, Billy Bumgarner is retiring at the end of October and Richard Vance is retiring at the end of this month. We have done a lot of interviews with personnel. That is where a lot of our time has been spent. It is delicate process to try to get the right people for the right thing. We are getting there and you will see some new faces as they come on board. There is a lot of talent in this community, it is amazing. I could see why a business would want to locate here, if they only knew the level of some of the expertise that we have. That has been a very big challenge for me and my staff to get those positions filled in order to do the things that you would like to see done.

We need to go into executive session at this time and Travis Hackworth, the Chairman of the IDA has a need to come in with us if you would include him.

Larry Johnson made the Motion to go into Closed Session and included Travis Hackworth, pursuant to Section 2.23711 (a) 5 Prospective Business-where no previous announcement has been made-Project Jonah, seconded by Mary Ann Strong. Vote, all in favor, 6/0. Motion carried.

Council went into closed session at 8:55 pm and returned at 10:05 pm.

Motion to return from Closed Session pursuant to Section 2.23711 (a) 5 Prospective Business-where no previous announcement has been made-Project Jonah, was made by Rod Cury and seconded by Larry Johnson. Vote, all in favor, 6/0. Motion carried.

Each Council member certified that the only business discussed was pursuant to Section 2.23711 (a) 5 Prospective Business-where no previous announcement has been made-Project Jonah.

Chief Dorton said that Halloween is on a Friday night this time. We have heard some talk about some people wanting to change Halloween because there is a home ballgame that night. He would suggest leaving it on Friday. Council agreed.

He also had dates on upcoming parades: Veteran's Day Parade, Saturday, November 8th at 2:00 pm. Christmas Parade is Saturday, November 29th at 5:00 pm. Homecoming Parade is Thursday, October 2 at 6:00 pm.

Doug added that if there was any way to get the gas expert so that we can start negotiation with John Ebert. Tim said he had been looking into it but had not had a chance go any further. Mr. Ebert has reached out to me to respond. I couldn't give him a date. Doug said before we can do very much, we need an expert. Tim said if we could use existing engineering folks then we wouldn't have to worry about procurement. Our retaining engineers do have the expertise. Unless Council has a problem, I think we should do that and I will try to get it done as soon as I can.

Frances said that the hospital is happy with the gas service.

With no further business to discuss, Joe McCracken made the Motion to adjourn, seconded by Frances Meadows. Vote, all in favor, 6/0. Motion carried.

Adjourned at 10:05 pm.

Jan White, Mayor

Susan Whitt, Clerk