

The Richlands Town Council held a regular monthly meeting in the Richlands Council Chambers on April 8, 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.

Rod Cury gave the invocation and led the Pledge of Allegiance.

Mayor White asked if there was anyone who wanted to speak that is not on the agenda. Phillip Horton asked to be added. She then asked if there were any other additions or deletions to the agenda. Rod Cury made a Motion to approve the Agenda as amended, seconded by Larry Johnson. Vote, all in favor, 6/0. Motion carried.

Mayor White noted that there are three sets of minutes to be approved, one on February 6<sup>th</sup>-Joint Meeting with Chamber, two on March 11<sup>th</sup>. She asked if there were any deletions or corrections. Tim Taylor offered a correction on the Chamber minutes, being on page 7, the last word should be "benefit" not "deficit".

Joe McCracken made a Motion to approve all three sets of Minutes as amended with the correction on the first set, seconded by Mary Ann Strong. Vote, all in favor, 6/0. Motion carried.

#### Scheduled Public Comments:

Tri-County Health Clinic-Mary Ann Strong said they spoke to her late today to let her know that they had scheduling conflicts. They said they would get back in touch but also said that they had received a call from Supervisor Seth White. They are hoping to be able to work with Mr. White and will contact her and let us know if they need to be put back on the agenda.

#### Unscheduled Public Comments:

Phillip Horton-Speaking on behalf of the Richlands Tabernacle. This year is our 75<sup>th</sup> Anniversary Camp Meeting, The Diamond Jubilee. We are working to get our Family Center completed. We are planning to dedicate it the first Sunday in August at 10:00 a.m. Everyone is invited. Third and Fourth Street, shown on the original plat of the Richlands Coal and Iron Company of 1890 have never had curbs and sidewalks. The street in front the Church, the pavement is in really bad shape, as well as Rockbridge Avenue. We are taking the fence down where we had the playground area. It has 60 ft. right of ways in all of that area. We we would like to have vertical parking in all of that area instead of parallel parking. We are going to have a large crowd and we want to try to alleviate as many traffic problems as possible. We are here to ask you to help us get some of that done. It is a reflection on our community. He invited Council to drive down through Third Street and see how ragged looking it is. We have quite a bit of river frontage property and are very interested in the Extension of the Walking Trail, as it will coincide with the plans that we have. We are prepared to go forward with some different things in development on our property.

Tim Taylor said it was pretty comprehensive and that he would need to meet with the Street Committee along with Rev. Horton. There are some costs associated with the landowners, if it includes property owners other than the Church; it is costs shared code requirements. The sidewalks that are already constructed on Rockbridge are a different matter; that would be maintenance.

That is not something we would have to cost-share. We do have some bad sidewalks in that area. So there are two different situations, a capital project (which would be cost-shared) and then you have maintenance issues. We probably should meet with the Street Committee and see if we can come up with a solution. The Street Committee consists of Mr. McCracken and Mr. Cury. That would be my suggestion. Rev. Horton said their Trustee Board would be glad to meet with them. Mr. Taylor said they would have to look at the parking issues prior to meeting. He suggested they meet toward the end of the month and will call Rev. Horton with a date and time. Rev. Horton said he would appreciate anything the Town could do to help them with this and he said they would also like to have some of those nice post street lights.

Rod Cury said he appreciated Rev. Horton coming and his support for the Walking Trail and how it could fit in to the future plans they have. Just to update everyone, the study that the Council authorized is scheduled to start next week. I have emailed Lynn Crump to let her know where we stand, we have a place for them to stay and will provide a shuttle, etc. We have covered all of the bases except for the guide. That is for the Scenic River Designation and what that really means is putting us on the map as a scenic river and in the event that we are ever able to apply for grants, if you can list your river as a section of it being designated as scenic, it is points up on a grant.

#### Council Member Reports:

Rod Cury

1-Next Planning Commission meeting is May 6, 2014 at 7:30 pm.

2-Sunset Drive-The Committee met and we turned it over to the Town Manager to investigate.

Joe McCracken

1-Asked about the status of the Burnett Street property. Town Attorney Brad Ratliff said he had not had the opportunity to work on that due to the litigation with Cedar Bluff and the issues surrounding that. It will be advertised and it will be a sealed bid process. There will be a minimum bid set to cover the costs that the Town has incurred.

2-Signs below the High School-asked about the status of possibly getting new signs or having it painted. Jim Taylor said that 6 people have picked up signs for the purpose of refurbishing and refinishing. Mary Ann Strong commented that the Clinch River Kiwanis Club had received a letter from the Richlands Woman's Club, telling us that they are refurbishing that sign. They said they had taken the project and asked for a \$70 donation from the Kiwanis and other civic clubs and they said they are having the sign worked on by Cook Signs. They are going to put vinyl around it and then they asked us to get our own Kiwanis sign. We have already sent the Woman's Club our \$70 to help with the costs of Cook Signs.

3-He had mentioned to Mr. Taylor about another problem that may be incurred in the near future and they will work on it. (He did not say what the problem was)

Frances Meadows-

1-Asked Mr. Taylor if VDOT had contacted him about the larger yield sign for the intersection at the new bridge coming into Town. He said he had talked with them today and the Traffic Group has reviewed it and surprisingly we have not had any accidents; we have had a few tickets issued, so they are not wanting to do anything. Frances was surprised at their response. He told them that the governing body would at the very least like to see a larger sign and they said they would give it back to Traffic to review again. Larry Johnson said that the issue is that it is a total traffic pattern change; the yield sign was the other way for so many years. Joe McCracken suggested a bigger sign and/or flashing lights to get motorists' attention to the change. Frances Meadows asked about the price of a sign but Mr. Taylor said that we are not allowed to place the sign ourselves as it is VDOT's area.

2-She asked about the “No U Turn” sign at Hill Creek (Altizer Street). VDOT had not responded and he will ask them to review it again.

Doug Ratliff

1-Natural Gas-will be discussed in closed session.

Larry Johnson

1-Richlands Robotics Team that was here last month have gone on to the super-regional and came in second, which qualified them for the world competition in Texas. They set the U. S. record for speed.

2-We have planned to do a citizen clean-up of Critterville this Saturday at 9:00 am. It is called “Clean the Critter”. All volunteers are welcome; we do have several things that are being donated. It was brought to my attention that there is normally a clean-up in May that I wasn’t aware of. This is more to compliment the Rec Park. I know they are short-staffed, it is early in the season, and we just come out of snow and cold weather. This is meant to help, not to say that anyone isn’t doing their job or anything like that. It is solely brought about by citizen complaints and concerns. I initially decided to do this because I have had several complaints on a house on East Second Street and some limbs were out in the road. Instead of sitting back and pointing fingers or fussing because it hadn’t been done, I got off my butt and went and done it myself. It took me 7 minutes. With that being said, I decided that the way that all of the departments are so strapped for employees, I think it’s time people step up and start doing things themselves. It took 5 minutes to decide to do this, my wife built the website and Facebook page and we have had tons of people wanting to volunteer. Doug Ratliff said he had several complaints over Critterville as well so he is glad they are doing this.

3-He had a complaint about heavy equipment on Birmingham Road blocking the road.

Mary Ann Strong

1-She had two citizens call about some street issues, she just called the Town Hall and they have put in work orders. I think they will be well taken care of.

2-Community Heights Baptist Church extends an invitation to everyone on the Council and everyone here-on April 16<sup>th</sup> and 17<sup>th</sup>, Wednesday and Thursday, they are hosting a community business luncheon. It is a show of appreciation for our business leaders. A nice, free lunch from 11:45 to 1:00 pm.

3-Mitch Smith, President of the Clinch Mountain Long Beards visited her today. He wanted me to mention that they are seeking donations for their annual banquet on April 25<sup>th</sup> and then have, as most of you know, a fabulous Kids Day on May 24<sup>th</sup>. I told him that it would probably be best if I mention that to the Council as individuals and if we feel we should make a donation as a Town then by all means we could

Dept. Head Reports

All Dept. reports had been handed out to Council previously. Mayor White asked if there were any questions about anything. Mr. Taylor said there had been one late report from the Police Department. Chief Dorton explained that it was a speed survey that was done on Virginia Avenue. Those are the results on the report. He said there were approximately 1,500 cars that were surveyed and the graph shows the speeds of those vehicles.

Mayor White had a question about the clean-up on Spratt Road. She inquired about the mobile home and the house at the beginning of that street. Chief Dorton said they were trying to determine who the owner/owners were and what the exact addresses are.

Mayor White also said that Ms. Horton came to see her recently about the home beside her or behind her on Locust Street that has junk and a mess around the house. Tim Taylor said it was probably the one on the corner.

Mayor White then said that Tex Sawyers wanted to invite everyone to the National Day of Prayer on May 1<sup>st</sup> at 12 noon. They will have a program and lunch. It will be held at Cornerstone Church on Fairfax Avenue.

#### Attorney Comments:

In his report to council there is a draft of a collection letter for delinquent real estate taxes. Mr. Taylor and I have had an email discussion and there are several thousand dollars owing in delinquent real estate taxes. I have prepared the initial letter with the list attached. This is part of the scope of the Town Attorney's duties so all of the funds collected will be applied to the real estate taxes. This is the beginning of that program with a proposed letter to use for that purpose.

Frances Meadows reminded everyone of the Easter Egg Hunt this Sunday the 13th at the Rec Park. 7 years and under at 1:00 pm. Ages 8-12 is at 2:30 pm. The Easter Bunny will be there rain or shine.

#### Town Manager's Report

1-Mr. Taylor went over the check register which included bills for the month totaling \$783,993.15 including AMP Power Bill \$526,588.48, Anthem \$73,064.00 and VRS \$52,496.41. There was some discussion about the check to Econo Signs. Mr. Taylor said it was for ordinary street signs. They did however order signs to warn trucks about getting hung up on the railroad tracks there near Food Lion. We can't give tickets; it's just a warning sign. But it is the first step.

Rod Cury made a Motion to authorize the Town Manager to pay the bills, seconded by Larry Johnson. Vote, all in favor, 6/0. Motion carried.

2. Following the budget work session it was recommended that we bring the EMS Collection Services proposal to Council Members to review. He asked Brad if there had been any changes to the proposal and he said there had not been. The sooner we might be able to start utilizing this service the better off we will be. It will be a service through Ratliff Law Firm as extra duties outside the normal town attorney duties for collection services. The benefits of that would be realized on a fairly large sum of uncollected debt that we have had over a number of years. The rate of pay to Mr. Ratliff's firm would be 25% of the amount collected. We did check with our auditors and there is no conflict at all. We just have to have a couple of checks and balances in the way that we handle the money and we have already figured that out. We need a vote if you are going to award this.

Rod Cury said he was not opposed to this but there are things I have questions on after reading this, if we could hold this until another budget work session where I think questions are more easily answered.

Doug Ratliff said he would prefer to go ahead tonight because we need to start collecting the money for the budget; it will throw us behind 30 more days.

Joe McCracken agreed with Rod Cury and said he thought it needed a little more study.

Doug Ratliff made the Motion to approve the contract with Ratliff Law Firm tonight.

Mayor White suggested that since some of them have questions, maybe they should wait.

Mary Ann Strong agreed with Doug. She is eager to get it started; she knows that it will take some time. With that, she seconded Doug's Motion.

Frances Meadows asked how it ever got to this large amount. It was because it has never been collected. PMC doesn't do collections past the 30, 60, 90 day time period.

Joe McCracken said he had a problem with how it would be collected. Mr. Russ said he didn't want to charge the little old lady that couldn't afford it, but yet we are going to charge the lady that can afford it. Is that fair? How can we determine what little old lady we will charge and what little old lady we will not?

Attorney Brad Ratliff addressed Joe McCracken's concerns and said that Medicaid is typically what you see with low income individuals. Medicaid prohibits any on-going collections of any nature. Anything that is paid with private insurance or with Medicare, mainly deductibles, co-insurance or other values that are required to be paid are ones that end up on this list. Joe said but then you have a person who is right on the verge of Medicaid but has Medicare, he said he has a problem with charging some and not charging others. He said he thought Rescue has its head above water and asked for confirmation from Gordon Russ. Gordon said they were holding even. Joe ended by saying they needed to have more discussion and he wasn't sure that they shouldn't have put this up for open bids.

Mary Ann Strong said as they discussed at their meeting, it goes hand and glove with Mr. Ratliff being our Town Attorney. Joe said he felt like they were already paying him to do this. Doug Ratliff reminded him that this was in excess of his duties. Joe said he felt like they should look at other avenues also. Doug also mentioned that in breaking even, the Rescue doesn't have any capital expenditures built in; we are just sitting there waiting for a catastrophe. You can't just break even; you have to plan for the future. You have to have enough money to buy the ambulances that we are using up that are going to break down. Doug said right now the only way we can new trucks is with grants and you can't always count on grants. He asked Gordon how many of the last few trucks have been grants. Gordon said four of them. Doug said we need to go after the money from people who can afford to pay. It has always been a matter of some people being able to pay and some can't.

Joe said that back when he was in the rescue squad many years ago, they didn't charge anyone for anything. Nobody made anything. He said he knew that times had changed and he understood about keeping your head above water but sometimes a little volunteerism goes a long way.

Doug Ratliff asked Gordon the amount of the Rescue budget. He said it was over \$700,000.00. Doug said the budget now is not a volunteer; it is over \$700,000 per year that we have to come up with. We need this money and I do think there is a Motion on the floor. Larry Johnson said there is a skill level now, there are full time employees and in your package here you have a \$106,000 bill for an ambulance. If we don't get some money from somewhere then it is going to come out of the budget and then it will cut everything else short again.

Mary Ann Strong reminded Joe that Brad only gets the 25% if he collects anything, otherwise he doesn't get paid. Joe said he thought that it should be open to other attorneys as well. Brad Ratliff stated that if that were the case and they did open it to bid, his fee would be 1/3 just as all of the other attorney's would be. This is standard for all of his clients that he does collections for. He said probably the bids that you would get would be 1/3 or more.

Rod Cury reiterated that he would like to address all of this in a budget work session.

Mayor White reminded Council that there was a Motion on the floor by Doug Ratliff and had been seconded by Mary Ann Strong. She did have a comment for Brad that he had said that if Medicaid agrees to pay then they can't pursue the rest. He said that Medicaid will agree to pay a maximum amount and that is what is paid. With the remaining balances that are out there as Gordon and I reviewed along with Mr. Taylor, those are co-payments, deductibles, and amounts not paid by insurance or self-pays (those that have engaged the services but have not paid at all). There is over \$700,000 sitting out there. The recovery rate is typically 15% on those types of things. I would project similar results. But with the statutes as they exist in Virginia, there are no filing fees that are applicable to a municipality and there are no service fees. All of my other clients have to pay service fees and filing fees and mail costs. Larry Johnson said that if he remembered correctly, Brad had said that he would be able to set up payment plans for those who needed them. Brad said that was correct.

Brad Ratliff said that his firm has to purchase software for this level of activity and add staff. He said if were possible to do it for less, he would.

Gordon Russ interjected that two or three years ago, he was approached by a collection agency and gave him some material to look over and their rate was 50%. Of course, he didn't even consider it.

Mayor White asked if there was any further discussion for the Motion and Second on the floor. Hearing none, she asked for the vote. Vote 3 yes/3 no. Mayor White cast the tie-breaking vote by voting yes. (Doug Ratliff, Larry Johnson, Mary Ann Strong voting yes, Joe McCracken, Rod Cury and Frances Meadows voting no). Motion carried.

Frances Meadows made a statement that the Cigarette Tax would come in handy right now. Rod Cury agreed.

3-Authorization to execute the agreement with Anthem. We talked about this during the budget work session, the caveat with this is what we finally determined is the insurance piece. He asked Sue Wade to come and explain it.

Sue Wade said that the Town took out Anthem in 1985 and at that time we only had one plan. But now they offer us two plans, the Key Advantage 250 and 500. We have discussed with the insurance company that if people who are not eligible to get Medicare can retire but they have to pay double the premium. So I asked them to give us information on the 250 and 500 so it would allow people who wanted to retire to go ahead and retire and get the benefits of this insurance. So the people that are very sick along with the ones that are healthy could remain on this policy. I have talked to Walt Norman, who is one of the main people who deals with this; he has sent us some information on this and he does advise us to go with this other plan. It is what we talked about in budget work session. It would save the Town money because you wouldn't have just "sickly" people on it. The ones who could retire, you could get them off your books, the younger people, maybe you wouldn't have to pay as much. This Plan, the 250 and 500, the employees need it. Before, we let them pay the difference in the 250 premium and the 500. It is usually anywhere between \$80 and \$115 difference in the Plans and the employee pays that portion.

Tim Taylor added that the ones that take advantage of retirement or the ones that are forced to retire because of health, and if they don't manage to get on disability, they will have to carry it because they have no choice but to remain in it. But what that does to our pool, it raises it. There are only two localities, us and one other in the entire state of Virginia that are still doing it. We have now been educated about it. Short-term we have to pay additional on the premium, but overall it should make our rates go down. We are blessed to only

have a 4% increase. But Council knows and the employees are very grateful for such a nice health plan. A lot of our ability to attract, especially in the Police Department, is the health insurance and the retirement plan provided for those folks. As talent becomes harder and harder to find, and good talented people that carry certifications, we have to be competitive in the market. We haven't been able to give our employees raises in a number of years, so it is one way for the Council to pay them back for the hard work they have to do to reduce the budget. Most everyone of our department heads, in these budget workshops, especially the governmental sides, have made an effort to absorb these in their budgets. Supervisors as well as employees are trying to save the Town money.

Sue Wade said if there are more healthy people in this plan, you have less claims. So if I was to retire and I paid this premium and didn't go to the doctor, then that is money in the bank. Our Plan is based on 41% of claims. So if you have someone that is in bad shape, it does raise it up.

As good as it looks to the private sector, it is middle-of-the-road governmental coverage. We are recommending that you allow us to participate in this Plan as presented with no additional costs to the employees. They can opt to take the lesser plan and pay less. We have to make a decision tonight in order to meet the deadlines.

Larry Johnson made a Motion to accept the Plan as presented and execute the Agreement with Anthem, Doug Ratliff seconded. Vote, all in favor, 6/0. Motion carried.

Tim Taylor thanked Council on behalf of the employees.

4-In the Council package you have a copy of the budget. I invite you to read the quite lengthy memo, most everything that you see there is addressed other than utility and we will spend time with those directly in the first part of the budget work session that we have scheduled. There is exposure in a couple of areas that we would like to talk to you about in detail. Some of it, like with all budgets, is a guess because if you kept up with the paper, you know that the state legislature is still in gridlock on passing a budget, unless they have done so in the past few hours. Those numbers that we normally get from the state; we have no idea what they are. So we basically have to assume that they will stay the same or take some advice from VML, they are watching the State budget for us. What you see in this budget obviously is a first draft copy and we hope to have the privilege to talk to you about it with the department heads before it gets to a public hearing, which is scheduled before the next Council meeting in May. That date is May 13<sup>th</sup> at 7:00 pm. I would hope to have time to get the rest of our numbers collected. We still have the cost of service study with the electrical department to finish to actually get an actual figure for what we might expect on the electrical. Right now, we have a modest rate increase but that could be changed based on philosophies and based on the fact of our cost of service studies. Hopefully we are positive on that. If you will take time to review that, we would like to talk to you about it in work sessions on April 29<sup>th</sup>, 30<sup>th</sup> and May 1<sup>st</sup>. If that is okay with everyone, I guess we can always schedule another one if folks can't make all of them or can try to arrange the criteria on them so that the folks that have to come in later can come and we can do a little later session. We will try to be as accommodating as possible with all of Council.

Work Sessions: Tuesday, April 29<sup>th</sup> at 6:00 pm, Wednesday, April 30<sup>th</sup> at 8:00 pm, Thursday, May 1<sup>st</sup> at 8:00 pm.

Budget Public Hearing will be at 7:00 pm on May 13<sup>th</sup>.

I know we have some items in closed session, so the report on the credit cards is that we have actually had a couple of more things that we had to check on.

We have talked to some of the other utilities and some of them have actually put ATM Machines in their lobby. When you start to investigate, you get to see what people ahead of you have done. We hope through the budgetary workshops you will know the impact of the cost of this service and we can come to some conclusion that we can absorb and by the first part of the fiscal year we would be able to produce that. Doug Ratliff asked what banks we had contacted. Mr. Taylor said everyone local. Sue Wade said it had been First Sentinel Bank, Wells Fargo, First Community, TruPoint and BB&T. Doug asked what the estimated gross amount would be. Tim Taylor said conservatively, 33% of the people and then as time goes, I think it will be 50% and then it will get greater. Because realistically we still have a lot of folks that like to come in and pay cash. If you look at \$7 million just as a budgetary figure and our rates are 3%, you see the impact it would have. Doug said he had the main office at Wells Fargo going to give us an estimate on Thursday, to see if it matches what the local branch gave Sue. Sue said there are different fees for different things.

Mary Ann Strong commented that she had spoken with the Lebanon Town Manager and he said they were like us, in the process. But they have been taking payments on line for some time and 35% of their customers use it.

Tim Taylor said that is a software compatibility issue that they hope to address soon. It would be good to take payments on line with our current software but we can't. We have an RFP out for software. Those are really complicated and it will take us a transition period over a number of months. That is the next item; we found out that we have to carry every bit of that software development over to the next fiscal year. What we are hearing from most of the credible software development companies that transitioning over to new software, which is probably what we think will happen, our current software company doesn't have a solution for us, you are looking at October before we will be able to implement it. But that doesn't mean we can't get all of the details worked out on the financing piece, and all of it doesn't have to happen at one time, we can transition.

On other matters/projects, the Street Crew will be busy trying to clean up after the ugly winter, using the new sweeper.

Doug asked about the page in the packet that referred to leasing the new Rescue Truck for transporting. Mr. Taylor said that would be addressed in the budget work sessions.

We have no recommendations, unless Council changes that, to adjust the real estate tax rate.

Mayor White reminded everyone about the Town Wide Yard Sale on May 3<sup>rd</sup> over at the Police Department from 9:00 am to 4:00 pm. We still have some spots open. Proceeds help pay for the Freedom Festival.

Mayor White asked if anything needed to be added to the closed session. Mr. Taylor said all three items relate to current or pending litigation. Mr. Taylor said the items were: a) AMPGS Project-Power Plant that didn't get built in Ohio, b) Gas project and c) update on Cedar Bluff litigation. They all fall under Chapter 2.23711 a (7).

Mary Ann Strong said she had one more item of business to discuss before going into closed session. She had asked for information on the IDA (Industrial Development Authority) members. She had been asked by Vickie England, who serves on the Richlands IDA, to look into the fact that they haven't met in years. Sue was kind enough to quickly give me a list of the members and three of the six have terms that have already expired. It says they meet the second



Tuesday of the month at 6:00 pm each month. So obviously, they are not functioning. She wanted to know what Council would like to do about it.

Tim Taylor said that he didn't want the public to think that this group isn't practicing due diligence with what they are doing. Very few towns have IDAs because often times they will work all of their projects that might need to be done through Industrial Development Authority that the County has by being part of the County but this particular Authority was developed on behalf of the Tazewell County IDA so we would have an IDA that would join in with Tazewell County's to be called a multi-jurisdictional IDA and the purpose of that was a few years ago to help with the possibilities of providing some of the ability to actually get liquor by the drink in the Claypool Hill area or some other area that would not have to have a referendum. That was the purpose of it, it fell by the wayside, it wasn't used in that capacity. They didn't get anyone who wanted to do that or it just didn't happen for whatever reason. The items that our IDA had to deal with were diminished so there wasn't a lot for them to do. They met a lot, very diligently for a long time until they ran out of projects to work on. It is still in place, but you just don't have the membership. There are some things they might could help with if Council wanted to explore that. At this date, I don't think they should meet that regularly, but have them available if you needed them for something. Maybe they would only have to meet twice a year, or once a year. My suggestion would be to try to get your body built back up and then maybe have an organizational meeting to establish some new by-laws.

Mayor White suggested that they ask the people whose terms had expired if they wish to serve and if they don't, and then we could appoint someone. Joe McCracken asked if they met with the County IDA Board. Mr. Taylor said they would have their own meetings for the Town. They could meet with the County, there would be nothing wrong with it but they have no association, legally. Two separate, independent bodies.

Mary Ann Strong asked if they would like for her to ask the three members with expired terms if they would want to re-appointed. The three with expired terms are Andy Altizer, Gene Hearl and Edwin Pruett. The three that are active are Jeff Brown, Vickie England and Jeff Hurst. Council agreed that she should ask them if they want to be re-appointed and to ask the current members if they wish to continue to serve. She will report next Council meeting.

Larry Johnson made a Motion to go into closed session pursuant to Chapter 2.23711 a (7) in regards to current and pending litigation involving: a) AMPGS Project-Power Plant in Ohio that was never built, b) Gas project and c) update on Cedar Bluff, seconded by Mary Ann Strong. All in favor, 6/0. Motion carried.

Council went into closed session at 8:45 pm and returned at 9:29 pm.

Joe McCracken made a Motion to return from closed session pursuant to Chapter 2.23711 a (7) in regards to current and pending litigation, seconded by Larry Johnson. Vote, all in favor, 6/0. Motion carried.

All Council members certified that the only business discussed was pursuant to Chapter 2.23711 a (7) in regards to current and pending litigation. Doug Ratliff-yes, Frances Meadows-yes, Joe McCracken-yes, Rod Cury-yes, Larry Johnson-yes, and Mary Ann Strong-yes.

With no further business to be discussed, Frances Meadows made the Motion to Adjourn, seconded by Larry Johnson. Vote, all in favor, 6/0. Motion carried.

Meeting adjourned at 9:30 pm.

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Jannis White, Mayor

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Susan Whitt, Clerk