

The Richlands Town Council held a regular monthly meeting in the Richlands Council Chambers on May 10, 2016 at 7:30 pm with the following present:

Mayor: Jannis White
Town Manager: Tim Taylor
Town Clerk: Julie Cordle
Council Members: Mary Ann Strong, Frances Meadows,
Larry Johnson and Joe McCracken

Absent: Doug Ratliff, Rod Cury, and Town Attorney Brad Ratliff

Mayor White called the meeting to order.

Mayor White gave the invocation and led the Pledge of Allegiance.

Mayor White asks if there was anyone that wanted to speak that was not on the agenda. Wanda Lowe and Bonnie Asher were added to the agenda.

Mayor White- We need to make some changes to the agenda. Move the closed session under **number VII.** and add an item to the closed session to section 2.2-3711 A 5 Perspective Business. Also under the mayor's comments add a proclamation for the Letter Carriers.

Mayor White- Are there any other changes, deletions, or additions to the agenda? If not, do I hear a motion to approve the agenda as amended? Joe McCracken made the motion. Larry Johnson seconded the motion. Motion carries 4/0

Mayor White- You have the minutes. Do we have any additions, deletions, or corrections to the minutes?

Joe McCracken-On page 6, Mary Ann made the motion to place, In God We Trust on the vehicles, who seconded the motion?

Mayor White-Doug Ratliff seconded the motion.

Francis Meadows-On Page 2 there was a question to Mr. Dorton. Shouldn't that say, Chief Dorton?

Mayor White-We can change that to Chief Dorton just for clarification.

Joe McCracken-Does the Town keep a copy of the minutes and for how long?

Tim Taylor-It's all documented and posted on the web and also it's kept in our files. We have copies dated back to the 1800's.

Mary Ann Strong-On page 6 under my comments, I believe that it should read I would like to make a motion to place these stickers on all the police, fire and rescue vehicles.

Mayor White-Do I hear a motion to approve the minutes as amended? Joe McCracken made the motion. Mary Ann seconded the motion. Motion Carries 4/0.

Mayor White-Do I hear a motion to approve all three sets of minutes? Joe McCracken made the motion. Mary Ann seconded the motion. Motion Carries 4/0

Unscheduled Public Comments:

Mayor White-We do not have anyone listed under scheduled public comments, so we will move on to unscheduled public comments.

Wanda Lowe-I live at 292 Plantation Drive. I was just wondering on the pledges on the utility bill for the Teen Center; can this be witness by town employee or can that be anybody?

Tim Taylor- I don't think that was the intent. It was just to make sure that somebody had signed and authorized the deduction from the utility bill.

Wanda Lowe- Going back to the public hearing and the budget; I heard Mr. Harrison say that he has one full time and one-part time employee. Something that might would help him out instead of going with a full time employee try going with two-part time employees.

I also wanted to talk to you about Critterville Park and the trash problem. Tim had made a suggestion that if we see trash just pick it up and we have been doing that. When you go down into the park there are two trash cans there but none are located at the bleachers. If they could move the trash cans where the bleachers are located, I think people would be more likely to put their trash in the cans. Most of the trash is always around the basketball court. The trash cans around the playground and picnic area stay full.

The fast food places are not putting trash cans in their parking lots and was wondering if the town could do a courtesy letter and ask them if they can provide a trash can on their property because they have parking areas for people to eat.

Joe McCracken- We also need more trash cans on the streets. I have viewed the same thing at Critterville and you are 100% correct. The trash cans do need to be moved around to where the bleachers are located.

Wanda Lowe- Another thing I was going to ask you is about status of the railroad house.

Tim Taylor- We are in the bidding stages and if we can get that resolved, construction will start in the near future.

Mary Ann- Wanda, thank you and whoever walks with you for picking up the trash.

Ms. Bonnie Absher asked to place a mobile home on her property located at Cucumber Street and wanted approval from the Town.

Tim Taylor- Kevin Blankenship has been looking at the property. She currently has two residents on the land and is requesting to put a double wide on the property also. She has a little over eleven acres and she meets all the requirements. Since you don't have a road frontage, do you have a legal right of way to get to the property?

Ms. Absher- Yes.

Tim Taylor- The ordinance is written that you must meet the zone requirements to put the mobile home on the property and she is in compliance with this. You can vote on it or make a decision later after reviewing the property.

Joe McCracken- What kind of time frame are you on?

Ms. Absher- I am still looking for a trailer small enough to clear a big oak tree in the yard.

Larry Johnson- I make a motion that we approve the permit as long as it meets all the requirements.

Frances Meadows- I will second the motion.

Mayor White- We have a motion and a second to allow the permit as long as it meets all requirements and guidelines. Motion carries 4/0

Mayor White- We need a motion to go into closed session for Section 2.2-3711 A1 Personnel and section 2.2-3711 A 5 Perspective Business.

Mary Ann made the motion. Larry Johnson seconded the motion. Motion carries 4/0

Mayor White-Asks for a motion to come back in to open session. Tim-Should this read that the only items discussed was per Section 2.2-3711 A1 Personnel and Section 2.2-3711 A5 Perspective Business. Francis Meadows made the motion. Larry Johnson seconded the motion. Motion carries 4/0.

All council members affirmed that the only items discussed were in reference to Section 2.2-3711 A1 Personnel and Section 2.2-3711 A5 Perspective Business.

Mayor White- Do we have a motion as a result of closed session?

Tim Taylor- Some zoning uses require a Conditional Use Permit that only members of Council can issue. There has been an interest from a prospective business to purchase land in the area that is currently being used for flea market activity in the Doran section adjacent to Route 460- four lane highway. Is everyone familiar with that location? Council members said they were.

The use for the retail activity does not require a Conditional Use Permit; however, the business wishes to have wholesale warehousing that is allowed under Section 5-1-21 of the Town Code. However, that use needs a Conditional Use Permit. The current landowner and prospective business are requesting a Conditional Use Permit for that use.

Larry Johnson made the motion to grant the Conditional Use Permit as discussed. Mary Ann seconded the motion. Motion carries 4/0.

Council Member Reports:

Mary Ann- I just want to comment that we did have an electric committee meeting and one of the reports that we were given explained our financial credit score. We received a very good rating and could very easily move from the good rating to excellent. We look forward to bringing that to you in the near future.

Secondly, I want to mention something that happened at Critterville within the past month at a softball game. I really don't want to go into details but I will need to meet with Frances, Fred and the president of little league. Because of a commitment to the lady and her family who was affected by this incident with the smoking issue, we will try to meet in the near future and see where we are in that situation.

Joe McCracken- I have talked to people about needing more cans on the town street and around Critterville that needs to be moved. Most people that walk will pick up trash but they're not going to carry it very far but if there's a trash can nearby they will put it in the trash can.

I would also like to mention the Ingersol Rand property that has needed to be cleaned up for 15 years to no avail. We still have poison in the ground and contaminated property. I really do think if we as a council and Tim as a town manager should or possibly could step on toes to get that property underway; not only in the neighbor where I live it's for the whole town. Who wants their town polluted for many years when we all know about it and we all keep putting our head in the sand for some reason and not pursuing the cleanup. The property will be donated to the town and once it is cleaned up, the town will probably accept it.

We need to clean our streets and I would just like to ask if our street sweepers are operational?

Tim Taylor- Yes.

Joe McCracken- We still have several potholes around and we need to get those patched up. I'm still talking to residents on East Second Street and still nothing has been done.

Tim Taylor- It may not look like it, but we have been working on the drains and some other stuff. We're doing the best we can.

Joe McCracken- I had another complaint on the Walt Keen property over behind Magic Mart. It's the same excuse every time.

Also we talked about having a grand opening on the weather station project. Where do we stand on this?

Tim Taylor- I am waiting to see what council wants to do.

Francis Meadows- I need to talk with either the street committee or the electric committee concerning the street lights.

Tim Taylor- That would be the electric committee.

Larry Johnson- I want to thank the ones who helped us clean up the trash at Hidden Valley. The Buskills also helped with the cleanup.

The police department had an incident at Critterville in the bathrooms and by the time I had mentioned it, they had already taken care of it and I appreciate that.

Department Head Report

Gordon Russ- I want to recognize an employee that is in a class in Richmond and will finish up next month becoming an instructor for EMT. May 16-21 is EMS week. The hospital wants to provide a dinner for the EMS personnel this year. They do something for us every year and they are taking us to the Bearded Moose the 16th. I think our town should be proud of what they have because we have some of the best.

Mayor White- Does anyone else have anything? If not, I'm going to read the proclamation for the letter carriers 'Stamp Out Hunger Food Drive Day'. Proclamation attached.

Mayor White- I would like to thank all the people that helped with the yard sale, the office workers and street crew. We feel like it was a success and the Lord smiled on us with the weather. We will be having a festival committee meeting Thursday at 7:00 pm at the town hall.

Mayor White- I wanted to mention the tall grass at 1225 Sunset Drive. It's an empty house but the grass has gotten really tall.

Authorizing Bills

Tim Taylor-Please look over the check register and I will answer any questions that you may have.

CK#53334- Big Blue Photo-Radio Shack supplies for weed eater chains etc.

CK#53359- Foam Works LLC-Roof repairs at the electric and wastewater buildings.

CK#53351- Crab Orchard Veterinary SVCS- Dogs that were neglected

CK#53347- Community Home Care Services- Medical supplies for the rescue squad

CK#53382- McClure Concrete Products- Concrete for East 3rd Street and near Huddle House

CK#53408- The CI Thornburg Co- chlorine

CK#53383- National Fire Prevention- books for natural gas to educate on safety

Mayor White- Does anyone have any questions? If not, do I have a motion to pay the bills?

Frances Meadows made the motion. Larry Johnson seconded the motion. Motion carries. 4/0

Tim Taylor- There is a letter from the health department addressed to myself. Copy attached. Richlands Regional Water Treatment Plant was awarded the Silver Award for their performance and water quality. We would like to commend our staff on a job well done.

Tim Taylor- Right now our primary focus is to get the streets in shape to where we can get them painted. We would definitely like to finish up the sidewalks at Huddle House. We're going to try to do some work on the sidewalks that have the most critical hazards. We're also working with VDOT for additional funding for our sidewalks. The Street committee has a project that they want to pursue on Veterans Drive with the same type of lighting that's on 609. It will be LED lights and will be 50% funded which means it will be very little cost and labor.

We also need to set a date for a budget work session for all council members. We are looking at a June meeting for the budget session. We will get together and decide a date.

Mayor White- I forgot to thank the police department for helping with the yard sale. I want to thank you all and the electrical department. I don't want to leave anyone out.

Mayor White-We will recess until next meeting and notify every one of the date.

Jannis White, Mayor

Julie Cordle, Town Clerk.

The May 10th meeting reconvened on June 1st at 7:00 p.m. in the Richlands Council Chambers with the following present:

Mayor: Jannis White

Brad Ratliff, Town Attorney

Tim Taylor, Town Manager

Town Clerk: Julie Cordle

Council Members: Rod Cury, Council Member

Frances Meadows, Council Member

Joe McCracken, Council Member

Doug Ratliff, Council Member

Mary Ann Strong, Council Member

Absent: Larry Johnson

Mayor White called the meeting to order.

Mayor White- Gave the invocation and led the Pledge of Allegiance.

Mayor White- We need to make some changes to the agenda. Move items 4 and 5 around.

Mayor White- Do I have a motion to accept the agenda as amended? Rod Cury made the motion. Mary Ann Strong seconded the motion. Motion carries 5/0.

Mayor White- Calls for Margaret Smith to speak.

Margaret Smith- My address is 524 Sycamore Lane and I have a lot of concerns. I just went to a coal fact finding seminar. We heard from the Sierra club on the environment and they told us to keep our coal in the ground where the Lord put it. This was held by the Bureau of Land Management. I've always tried to be upbeat about things. My parents taught me that you lead by example. The leaders really have a responsibility and I admire people who step out and lead. I don't like to be doom and gloom about things but we do have to face reality. I know that Heinzman laid off people and now they're cutting everybody's hours. Reality is here and we need to face it. I know you are facing a tough job with your budget but you're going to have to do some cutting where it hurts. Everybody is facing that. Every time I go to the grocery store and see the prices that is a reality check. We need to have some good common sense about everything. I trust your judgement on this and I hope our leaders will be the example that our people can be proud of and be supportive in the budget sessions that are coming up. I know you have a tough job but remember you already have a lot of people that have moved out of this area because they lost their jobs. There are empty houses everywhere. I was on the campaign trail in the fall and I was amazed at the for sale signs and the empty places. Good luck to you and thank you for listening to me.

Wanda Lowe- I live on Plantation Drive. I am hearing rumors around town and I have a few questions. I saw in the paper last week there was a job posting for a maintenance supervisor for the Rec Park. I got a call about it and I went to the town's website and under job positions there was no positions open. If you have a job opening why isn't it advertised to the public through your web page? That's where people normally go to look for jobs. How long has the job been posted? The posting was in the Free Press but not in the Richlands Press. The posting said you have to come to the office to get the job description. That is another inconvenience. It needs to be on the website so you can look at a description of the job to see if you're really interested. The second thing I wanted to know is the job replacing someone that is retiring?

Tim Taylor- As for the job posting on the Town's website that was just an oversight on our part. We will leave the job posted for an additional two weeks so that people have a chance to see it. To answer your question concerning the position that's available, a lot of the positions that were filled before were filled with part time teenagers. Now we have so many people going in and out of the Rec Park that we need to have a full time adult supervisor that can be there to make important decisions when needed.

Wanda Lowe- Is the Rec Park operating within its budget? Where are you going to get the money to hire the full time supervisor?

Tim Taylor- The Rec Park is operating within budget and if we hire a full time employee that will be included in our budget. If we can't hire within budget then we won't be hiring a full time employee.

Wanda Lowe- Do you have any idea what the salary for this new person would be?

Tim Taylor- I'm really not for sure what the salary is for that position.

Wanda Lowe- There is a big rumor going around that someone within the town is trying to get a \$12,000 per year raise. I'm not for sure if this is what you're discussing during closed session, but if it is I think it should be open publicly discussed if it involves the budget.

Tim Taylor- It would be if we were at that point, but we are not there yet. It's still just a concept. If council wants to follow through with this you will hear about it tonight. We're not hiding anything.

Wanda Lowe- The thing that bothers me is that the street people, the rescue people, and all those that are out there where the rubber meets the road these people make so little. If we have the money to give someone a \$12,000 raise I think the money should go to the people who work out in the heat and get so little pay. When you bring something before the board that says we want to give people a raise, we are not talking about insurance or VRS. We're talking about a salary raise that they can take home with them to help pay the bills. All the benefits are good but it doesn't buy bread or milk. There are so many people hurting right now and again all this goes back to investing in your people. Thank you all very much.

Mayor White- We need a motion to go in closed session for 2.2-3711A1 Personnel and 2.2-3711 A7 contract negotiation. Joe McCracken made the motion; Frances Meadows seconded the motion. Motion carries 5/0.

Mayor White- We need a motion to come back into open session. Joe McCracken made the motion; Frances Meadows seconded the motion. Motion carries 5/0.

Mayor White- Do all members affirm that the only thing discussed in closed session was 2.2-3711 A1 Personnel and 2.2-3711 A7 Contract negotiation. All members affirmed.

Tim Taylor- I want the public to know that we are doing our best to address the needs of the public. We don't want services to be diminished because of lack of funds so we're trying to be smarter and do what we need to do.

Mayor White- Would the staff like to say anything concerning the budget?

Mayor White- Can you give us an update on the power cost adjustment?

Adrienne Cordle- We're going to look at the cash first. Its broken down monthly. Our cash in July was 2.2 million. This is the 3rd quarter report so this is only through March. As of March we had 2.3 million dollars in our electric fund in total. Out of that 2.3 million \$513,000 is our unreserved cash which is anything we need to spend for accounts payable, equipment, etc. The designated cash of 1.6 million in reserves must stay in place and cannot fall below this or it will affect our credit rating with AMP. The remainder of the \$200,000 is utility deposits. We have to hold those in reserve because if people move out of town we will have to refund their deposit. Our cash in electric in March 2015 was 2.9 million. You can see the cash has dropped \$600,000. We are still paying the high rate where we had the peak in the winter.

Tim Taylor- The cost of service study recommended that we give a 6% raise last year but we chose to go 4.5% hoping things would get better. Things didn't happen like we wanted them to and we didn't sell as much electricity either because we did not have really cold weather.

Adrienne Cordle- When you look at the statement through March, that's as good as it gets for the whole year because you make your money in the winter months. Look at the last page of your spreadsheet and you will see the summary of each month for the electric department through March. You can see through March we have a profit of \$184,000. This is your best months. Once you get into April we lost almost \$31,000 and this was with the PCA. It will probably be at least \$25,000 more because we have to do fuel allocation and there are some journal entries that we haven't posted yet. When you get to May it will probably drop even more because that is our shoulder month.

Doug Ratliff- You said we broke even last year and we should break even again this year. We have a 5% increase that will be on the August bill. Will that help us?

Tim Taylor- With the 5% increase and the PCA we are still expected to lose \$143,000. I want the public to know that council does everything within their power to keep the electric rates as low as possible.

Doug Ratliff- We're not doing our job if we can't keep our rates cheaper than AEP.

Frances Meadows- I just want to thank Adrienne for her patience because she explains this in a way that I can understand.

Mayor White- We talked about giving \$5,000 for the downtown activities but we never agreed on anything. What are we going to do about that?

All of council agreed to put this amount in the budget. Motion carries 5/0.

Mayor White- Does anybody else have anything on the budget?

Mayor White- I promised I would share this with you all tonight. Summer reading with United Way and Southwest Virginia Community College is on Saturday June 4th from 11-12 pm at the Coffee House Café; they are going to read to the kids. Coffee and pastries will be for sale. The children will be provided with snacks. This is a good thing and I think if any of us could attend that would be great.

Frances Meadows- The Relay for Life is June 11th at the football field at Southwest. We would really love to see everybody come over and work with us. Every family has probably been hit by cancer at one time or another. I know it's everybody's dream and prayer that there would be a cure for that one day. Hours are from 4-12. The survivor walk starts at 6:00.

Doug Ratliff- The gas is going to get away from us if we don't set our goals and go to court and take what is ours. We need to stand up to Appalachian Gas. We could make half a million dollars a year to help the budget just off of the gas. Appalachian Gas is not going to work with us. We have had meeting after meeting with them but they're not going to agree to our wishes or our rights. I wish the council would let our attorney do some research and bring suit against Appalachian Gas. The council will have to stand up to them or it's gone. I felt we should have stopped the merger before because we would have had a much better chance at taking control of the gas but I was told to let it go through that they were going to sell it to us. When Mr. Ebert came he said he had no intentions on selling it to us. Appalachian Gas has changed their mind since the merger has gone through. They are not going to negotiate with us for the gas. The only way we are ever going to get the gas is to let Mr. Ratliff do the research and file suit against Appalachian Gas.

Tim Taylor- Wouldn't it make sense to ask the president of Appalachian Gas and not Mr. Ebert to sell it to us and make good on his word?

Mary Ann Strong- Brad, we have the MOU with Appalachian Gas. I thought that was supposed to be a powerful document. What is that doing for us?

Brad Ratliff- I will have to pull it out and look at it. I think our goal and intent was to put these folks in a situation where they make commitments as a component of their registration with the State Corporation Commission for their specific merger. They made some bold statements in that process. The MOU does reflect what they agreed to do. It was considered before the State Corporation Commission as part of that entire process. Ultimately at this juncture we can hold them down and say this is what you agreed to do. Where do you stand on this agreement now? We have a charter that indicates we have a right to provide utilities in the boundaries of this town. The legal issue between our position with our charter and their position is that they are a certificated provider within the boundaries of this area. Their boundary takes in our town so there is a conflict as to whether that State Corporation Commission authorization is superior to our charter.

Doug Ratliff- Mark my words, they are going to come down here and say we didn't have intentions of selling this to you. I'm glad you mentioned the MOU because I think that is a bunch of junk.

Joe McCracken-We need to have the paper work in front of us the next time that they come. That is what we were lacking the last time that Mr. Ebert came.

Doug Ratliff- We have nothing going on in this town that we can count on. The only thing we can count on is the gas and merging with Claypool Hill. If we don't stand up and do those two things in ten years Richlands will look like Pilgrim's Knob. The gas is one thing we have going for us that could change all of that. It is up to council to bring jobs to the town and you're not going to have jobs unless you get the gas. The only way we are going to merge with Claypool Hill is to go to court too. If we don't start standing up and doing the things we should be doing, in ten years we are going to regret it.

Tim Taylor- What I would suggest is to have a meeting with the president of Appalachian Gas Company.

Doug Ratliff- When they come down and if they don't cooperate with us, can we be ready to go to court? The only thing they're going to understand is if we start going to court.

Mayor White- I think we should have the MOU in hand and ask them to come down and talk with us

Mary Ann Strong- We should have a meeting with the president in July and if what Doug is predicting happens, then we should go to court immediately.

Doug Ratliff- Even if we go to court and spend \$200,000 and it takes a year and a half, we have to look what the benefits are for the next hundred years.

Tim Taylor- I will call Appalachian gas and set up a meeting with the president.

Mayor White- Does anybody else have anything?

Joe McCracken- I make a motion to adjourn. Mary Ann seconded the motion. Motion carries 5/0.

Jannis White, Mayor

Julie Cordle, Interim Clerk