

The Richlands Town Council held a regular monthly meeting in the Richlands Council Chambers on August 9, 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, Joe McCracken, Doug Ratliff
	Town Attorney Brad Ratliff
Absent:	Larry Johnson, Rod Cury

Mayor White called the meeting to order.

Mary Ann gave the invocation and led the Pledge of Allegiance.

Mayor White- We need to add Kristi Beck after Karen Deel for an update on the activities that they have done. Also, add Kim Farmer for discussion on the Richlands Fall Festival after Ginger. Do we have anyone else that would like to speak that is not on the agenda? If not, do we have a motion to approve the agenda as amended? Joe McCracken made the motion. Frances Meadows seconded motion. Motion carries 4/0.

Mayor White- You have the minutes from the last meeting. Are there any corrections, additions, or deletions with the minutes? If not, do I hear a motion to approve the minutes as presented? Mary Ann made the motion. Joe McCracken seconded the motion. Motion carries 4/0.

Mayor White- We will move on to scheduled public comments. Everyone will have at least 5 minutes to speak. First up will be Karen Deel for an update on the Freedom Festival.

Scheduled Public Comments

Karen Deel- I've given everyone a folder and I want to thank everybody. There are so many employees, members, businesses, agencies, and individuals that it's hard to compile a list. I put a letter in two of the papers and a copy is in your folders to try and highlight most of the people. I did leave Kevin Blankenship off, who actually wasn't here but coordinated with the festival prior to him going on vacation. If the town employees did not do such a fabulous job as they have done in the past two years we could not continue with the festival. It is a tremendous amount of work and time. The festival this year was geared with some major changes. We had a much smaller budget but we actually ended up with a little extra money like we always have. The donations you all provided for the fireworks paid for the \$5,000 worth of fireworks. Keith Reynolds, fire department chief, did a great job with the fireworks which did go off at 10:00 this year. I want to thank George West, Rick Shelton, Tracy Alley, and all of the street department and for everything all of those men did. I also want to thank the electrical department, James Newberry, Allen Compton, Rick Cordle, and Nathan Roberts. All of the work and everything for the past two years has been done before we needed it. Hobert's crew with Billy Shelton, Sam, Jake, and Keith all done a great job. Also I want to thank the town staff Susan Whitt and Adrienne for all the work and aggravation, phone calls, paper work, etc. They probably wish we would all disappear. I want to thank the fire department for their donation in addition to everything they did. I want to thank Gordon and the EMS staff for all the many things that they did and for helping the quilt ladies hang the quilts for the quilt show. I thank all the employees that worked the horrible hours that night, all day Saturday, and into Sunday. The trash pickup was incredible. It is a community event but if it wasn't for the town supporting us we couldn't do any of it. We had the Board of Supervisors who made donations. If they had not made donations we probably couldn't have had a festival. We had individual businesses like Freedom Ford, Trupoint Bank, McClure Concrete, Advance Auto, Fortune Reality, Century 21, Wanda Lowe, Richlands Reality, Nick Stafford, Kristi and Brian Beck, Lead Tazewell County, and Richlands Fire Department. All of those people made some type of donation. We had a band that played for free. Thanks to Joe McCracken for contacting them and getting that worked out. I appreciate that a lot. I also thank Craig Earls with the Richlands Little League. I also wanted to thank Jimmy McVey for allowing us to use their parking lot again this year. I want to thank all of the people that are with the history corner that come in here although it's hot and extremely inconvenient. I also want to thank Timbo Dye for feeding the town workers on Friday night and Saturday and for providing water for them. Thanks to everybody and that's nowhere near all of the people so if anybody else needs one, I've got the letter here. On the back of the

programs there are a lot of the people listed. With that being said, the festival is scheduled for June 30th and July 1st of 2017. It's taken us 4 years to get a group of people and our community together to where we can accomplish something and do something consistently. I think there is a tremendous lack of communication with people whether it's with the town or here. It's not just us, but anyway to help bridge that gap we will try to do things so that everybody knows what's going on. We have a Facebook page and a website which is richlandsfreedomfestival.com. All you have to do is click on it and on the homepage it has all of the events listed. The Facebook is full of pictures, town events, and businesses. We tried to use that Facebook page for the whole community not just the festival events. We are getting ready to do some other events. Kristi Beck and her group are all joining with us with a lot more help, a lot of great ideas, and a lot of good workers. We have a lot of things this coming year that we will be able to do that we would have never been able to do if we didn't have enough help. The list of events will be printed tomorrow and distributed along with other fliers and put in the regular places we distribute them. There may be more events but as of tonight here is the list of events. The fall yard sale is new and will be on October 1st and the fliers will be available this coming Friday. They won't be printed in pink. That was just a proof thing they were doing yesterday. The yard sale for next year will be on May 6th and those fliers are in the folders too. The vendor form for the festival is already ready and it's in the folders. The 5k will be out shortly. If the trunk-or-treat is approved, it will be available very shortly. We have got all kinds of things going already this year. I think it's important that you all know what's going on because I know there are times that you could forget events or don't know about them. People notice when you all are there or not there. The worst of it is when you aren't there they notice it and question why you aren't. Everybody is responsible for their self. I encourage everyone in this community to work together. This community as we know is going downhill fast. If we don't work together we are all going down together. Please work for the benefit of the community and not just yourself or for your personal gain. If you're mad at someone or don't like someone, set those differences aside and work for the benefit of our community. The festival committee meets once a month but we are not meeting this month. We will meet again in September which is always the Thursday after the Town Council meeting. It will be September 15th. Those meetings are open to anyone or any business that has suggestions to give. We meet here in this room. Do you all have any questions about anything? Kristi and Jan are in charge of the town yard sale which is in October. If I am here I will help but if you have questions or contact Kristi or Jan. There is nobody anywhere that can be in charge of every event all of the time. We try to split them up. The names on here are the names of people in charge. I know if Jan isn't scheduled she will be here to help as well as myself. Kristi, Jan, and I have talked and worked out a lot of things. We are all on the same page and have the same goal.

Joe McCracken-How did the funding go?

Karen Deel- We spent \$5,000 for the fireworks and the total amount was either \$12,000 or \$14,000. We were to the good approximately \$3,000. We have money to carry over which is probably the most money we've ever had to carry over. Our budget was probably 1/4th of the previous year. The only thing we don't have money to pay for is bigger musical names. If we are going to have musical talent brought in, we will have to have some money. Other than that we can pull everything else together.

Joe McCracken- I like local talent myself. People around here also seem to like local talent.

Karen Deel- Anybody that was there knows it was hot. All of us that worked out in it and Kristi and the others did the free bouncy houses on the ball field. Nick Stafford didn't charge her to rent them. He donated all of that. Life Sanctuary Church came and gave out cookies and water all day. It was amazing that all of these people came together for the festival. This past week when Kristi and the Police Department did their big thing it was amazing. There is a lot of community support and there are a lot of people that will help if they're included and know what's going on. I've always said if we work together we can accomplish a lot more. It has come a long way in 5 years.

Joe McCracken-Wanda volunteered to take care of the band's lunch. They played for two hours. There are more people out there that are willing to help, we just need to ask sometimes.

Karen Deel- Wanda paid for part of the expense on printing one of the big posters. She and Logan went all over this town for two days. They drove into Lebanon and some other places distributed information. Mickey Smith and a lot of other people helped. I even had some girl call me and said I will help you what do you need? I said you can come help work the parking lot and she just showed up and worked for hours. People have businesses and jobs and I understand that. Even though our community is spiraling downhill really fast we can provide more for the community as long as we have people that will help us.

Kristi Beck- The first thing I would like to speak with you guys about is how successful our local night out was. Lead Tazewell County joined with the Richlands Police Department and we did a spin-off of what's

called National Night Out which is recognized nationally. It's on a specific day which is the 1st Tuesday in August. We could not do it on that day so we chose the 4th. Frank and I were talking that if we have a few hundred people we would be very pleased and excited. We ended up having about 2,500 people. We gave out 1,700 free hotdogs. We had such tremendous support from the community. We had 6 churches that were involved and provided all of the food, drinks, desserts, chips, and everything. We had about 14 businesses and churches that provided back to school items as well as most of the back to school items came from our police departments. Every member of the police department attended. They were serving food, talking, and really getting to know our community. People got to really understand what the police department is about and what they have to deal with on a day-to-day basis. I have to say I am extremely proud of this event because if next year doubles in size we are in serious trouble. We were out of school supplies in almost 45 minutes. The event lasted about 3 hours. WVVA was here and they done a great piece on the police department. We are going to do it next year on the actual recognized night of August 1st. That allows us to also enter a video into the National Night Out registry and we can actually win money for our town and the police department to continue to have this event. Tressa's Trends joined with us on the event and provided free haircuts. The event was over at 8:00 and I went over there to those ladies at 8:45 and there was still a line for haircuts. They stayed until almost 10:00 and they did almost 300 haircuts. We could not do that without a very gracious community. I just want to thank everybody that was involved because it was tremendous. I especially want to thank Chief Dorton, Karen Deel, and all of the town. It worked out fantastically. The comments and the messages that we have received makes us smile and appreciate what we do and where it comes from.

We are here tonight to discuss another possible event. We had assisted Tazewell in their first big community trunk-or-treat last year. We would love to have that in our community. We would like to have it on Saturday, October 29th. This is going to be a really big event. We want to draw families, churches, and businesses from the community to come set up and have a very safe Halloween for the kids. We would like to have it at the Richlands Police Department complex. We are going to have a DJ and maybe a haunted house to try and raise money to continue some further events that we would like to do. We are going to start promoting soon if you all approve the event. Any family that would like to donate candy for the trunk-or-treat will be given a flier that they can put on their door to say that they support the community trunk-or-treat, their candy is down at the police department and have a safe Halloween. That way everyone in the community knows that people are participating. That way the community members aren't being asked twice and it will encourage participation at the police department. The way crime is going, we feel like a community trunk-or-treat would be a safer way to go with the kids. Last year when we helped with Tazewell, they had about 6,000 people on Main Street. I felt much better taking my daughter there where I knew everything is close and in one place. They also had things ongoing throughout the night like a costume contest, pumpkin decorating contest, and music. The other thing that happened in Tazewell last year was that the restaurants were flooded. There were lines out the doors and it brought them great business. I have 17 businesses who have agreed to support the event and said they will participate.

Joe McCracken- I would just like to say we got into this one time and the school wanted to change it. Does anybody know if there is a ball game that particular time? We had a little controversy one year over them wanting to change the trick-or-treat time because they had a game.

Kristi Beck- It was on a Friday night last year so there was a football game. With it being on Saturday that shouldn't be a problem because they won't be having play-offs yet. I haven't checked the schedule but I was speaking with someone and they thought that Friday was their open week.

Mayor White- I would like to see us go with this and just encourage all of the residential areas to participate. I think it would keep them out of the streets and it would be a lot safer.

Joe McCracken- If it takes a motion, I'll make the motion.

Mayor White- Frank, do you think that would work?

Frank Dorton- It's going to be hard to say that's the night we are going to do trick-or-treating in Richlands because we are still going to have people on Halloween night that will show up. I am in favor of trunk-or-treat. There will still be people coming on Monday night. The crowd won't be as big with it being on Monday night and school being back in session but we will still have people coming.

Joe McCracken- We could change the regular trick-or-treat night to Saturday night like we were anticipating doing for the schools. We could say that Halloween and trick-or-treating in the Town of Richlands is October 29th.

Doug Ratliff- How would we coordinate with the county?

Mayor White- We need to put it in the paper.

Joe McCracken- It could say Richlands is going to recognize Halloween on October 29th.

Kristi Beck- We are going to be doing a lot of advertising for the event as well. If you make the motion to do this, we can add that into our advertisement.

Joe McCracken- I still stand with my motion and maybe changing the date for the Town of Richlands to recognize Halloween on October 29th.

Mayor White- The motion is to do the trick-or-treating on October 29th in conjunction with the trunk-or-treat.

Doug Ratliff- I'm for it, but what will that do to the people in Hidden Valley?

Mayor White- I'd say they will be happy.

Mary Ann- Will they still go out on Halloween night?

Doug Ratliff- Just have another alternative. Like Frank said, we're going to have people show up Monday night in Hidden Valley.

Tim Taylor- If they do, we will just deal with it as we can. Eventually it will work itself out. We're going to have to deal with a transition.

Kristi Beck- The whole town might not jump on board this year but if it's anything like Local Night Out people are going to support it.

Doug Ratliff- How did Tazewell deal with it?

Kristi Beck- It fell last year on that day. It ended up working out that day because that night was trick-or-treating night anyway. One of our close friends lives right in the Town of Tazewell and she didn't have any trick-or-treaters. They were all on Main Street. We even had families come to Main Street because they weren't getting trick-or-treaters so they came with their buckets to Main Street and gave out their candy. This trunk-or-treat is not just for businesses; it's also for families. It's a community supported trunk-or-treat.

Tim Taylor- Most parents with small children won't want to be out Monday night anyway. They would rather come out Saturday.

Joe McCracken- If we announce it and advertise it really good I think it will be good on the 29th.

Mayor White- We have a motion on the floor. Do we have a second? Joe McCracken made the motion. Frances Meadows seconded the motion. Motion carries 4/0.

Gordon Russ- I would first like to commend these ladies that put all of this on you, Karen and Mrs. Beck. I think you deserve applause for that. They've done a lot of work on this.

The next thing I'm going to get into is about a young gentleman that we sent off to school. It's the first time we have had an instructor at the Richlands Fire and Rescue in years. I would like to present him to you; Scott McCormack.

Frances Meadows- We are so pleased that you have gone this extra mile for this and the community. Tell us a little bit about what you had to do to get the certification.

Scott McCormack- It's a state program and a state certification. The process involves taking pretests which are written as well as an exam. Then we sat through a course. At this time, I am able to teach anything from first responders all the way up to the paramedics. As of right now I will be continuing education for the department at all levels. That way they don't have to go anywhere else and we can start teaching an EMT class if that's what is needed.

Frances Meadows- How long did this take you?

Scott McCormack- I started the process last year. I traveled to Abingdon for the written tests, then onto the Richmond area for the exam, and spent a week at Virginia Tech. The certification came in two weeks ago so we are all set to go.

Ginger Branton- I want to thank the town for all of their cooperation and support during the Richlands Festival. I would like to request our dates for next year which are June 13th-17th of 2017 and I would also like to request to have them at the same location. If you all have any questions for me I would appreciate that.

Mary Ann- I think that works out good too. It leaves a little more space between the two big events in town.

Ginger Branton- It does because the dates are set I have no control over that.

Joe McCracken- Was it successful?

Ginger Branton- Yes, very much so. We didn't get any major complaints and Frank would share those if there were. He didn't share anything with me or anyone else.

Joe McCracken- We had one complaint that we received a letter on.

Mayor White- Kim is going to address that tonight if you want to let her do that before you take any action.

Kim Farmer- Thank you all for allowing me to speak to you tonight not only for myself but for my father as well. We are joint property owners of the property that my parents reside in. The carnival is right at the back of their property so it's almost like you set up a camp ground in their backyard. I think there are several issues around that which have been a problem. One is the noise of course. My mother has Alzheimer's so late at night for a solid week we had to deal with that. Another one was the issue of the water. I've camped enough to know the difference in gray water and brown water. We see a lot of water there and based on the odor that we can smell from their deck, I don't know what it is. We did call the town and the town crews came out and I'm not sure what took place with all of that. Another thing is that there were electrical cords running across the road with people driving over them and walking over them. The main thing was that nobody else could come into this town and set up campground in the middle of the street and it be OK especially right at the back of my parent's house. I feel like that there is a lot of places where people don't live that you might look at relocating that. I wanted to ask you tonight to please consider relocating where that is held. I'm not asking you to do away with it. Probably if you dig down a little bit there would be some safety and environmental violations there. I would really appreciate it if you all would consider that. My parents have lived at 1916 4th Street for over 40 years.

Mary Ann- I would like to mention that I received a phone call from Jim McVey. He was calling me to tell me he had read the letter in The Voice about the complaints and he wanted us to know that they had put down new mulch everywhere out in front of their shopping center and that the smell was unbelievable. He said it was the worst odor he had ever had. He said it was coincidental that it was at the same time as the carnival. They were very apologetic about it of course they couldn't help it. They paid a company to mulch. He wanted to make sure that we were aware of that.

Kim Farmer- The mulch is in front of their place and there is a huge shopping center there that blocks my parent's house from that. My husband actually walked over and we found that the smell was coming from the campers.

Joe McCracken- Couldn't we do better in providing septic or another way we could take care of that?

Tim Taylor- When we looked at doing this there were some pros and cons in doing what we do. We did have an issue with the water. Frank told them to either clean it up or leave. The positives of keeping it in the same area is because we can control it better because it's right there in town.

Kim Farmer- I personally understand that but I would just like to look at changing the area.

Tim Taylor- We tried to send them to a different area but the problem is they like to get as close as they can to it. If there is another option, we can talk about it. Speaking on the safety we are always on top of that. Hooking up a sewer system is very expensive and it's hard to do that for that event.

Kim Farmer- It's supposed to be self-contained.

Tim Taylor- They are and they know that. We give them the ability to go after they leave if they need to take their containers and campers to a site without cost. We make it as easy as possible. They give us a check to cover all the expenses for that. I don't see any problem in talking to them if we found a better place that would be better for them so they don't have to deal with it. There's no reason why we shouldn't take this seriously. If my 80-year-old mother was living there I would be concerned too. We will try to look at it really hard. We got a while to think about it. It's hard to do anything with the noise.

Kim Farmer- Is there other places that are a possibly where people don't live so close to?

Tim Taylor- No, we do not have any property anywhere else. We have sent them to private places but they're so far away it makes it really inconvenient. They don't have facilities either. We don't have any place in town that provides campsite facilities. We've tried to work it out with some developers but most communities don't have one either. We will work on it though. That's my best solution.

Mary Ann- I just wanted to say, Kim, I certainly wasn't disagreeing with you. Jim wanted me to mention that just because they felt bad about the timing.

Mayor White- What would you suggest that we look for an alternative?

Tim Taylor- Yes. You don't want to stop the carnival. We can see what we can do as far as the campers.

Kim Farmer- If you all are going to request that the carnival be moved my only alternative would be for you to move it to the Tazewell County Fairground and I would have to secure that location now. That's the only other location that could accommodate the carnival.

Joe McCracken- To have it in our community has been very beneficial to the town.

Mary Ann- The biggest problem is the campers that are backed out next to your property right?

Kim Farmer- Yes. If we could do something about the location of the campers, I would say I will meet you half way.

Mary Ann- I will make the motion that we approve the dates for June 13th-17th and the location as it has been in the past but we make a commitment to find another location for the campers. Joe McCracken seconded the motion.

Mayor White- We have a motion and a second. Any further discussion?

Doug Ratliff- Can we add to the motion "if possible"?

Mayor White- Is there any place over at Critterville for the campers?

Tim Taylor- There might be but then again it's the proximity. We would have to see if that is even a possibility or find somewhere closer by.

Mary Ann- I don't think that would be a possibility.

Joe McCracken- Maybe the Altizer's property could hold a few campers.

Kim Farmer- Another issue there with all of those campers lined up like that is that you probably couldn't squeeze between them with the way they park. You have two propane tanks on each one of the campers. If one of those catches on fire, there is going to be an explosion.

Tim Taylor- We may can make provisions that would be acceptable and close.

Mary Ann- I will amend the motion that we approve the dates for the 13th-17th 2017 and we will make every effort possible to find another location for the campers.

Mayor White- Anymore discussion on this? Motion carries 4/0.

Council Member Reports:

Joe McCracken- I would like to say that the air show is August 27th, 2016 at the airport with a motorcycle and car show.

I went to the meeting at the Board of Supervisors and Travis Hackworth. They donated \$5,000 to the Town of Richlands for the Section House project. I asked for the money to help us redo the old section house and they were inclined to help with \$5,000. I would like to thank the Tazewell County Board of Supervisors.

I would also like to inquire on the property at Ingersoll-Rand.

Tim Taylor- I do have a report on that. Basically I was told that it's hard to get an update on everything so it's hard to understand what's going on. The issues with the VOCs which is the volatile organic compounds. That particular part of the project is closed. The only thing that is left as far as the process is a volunteer mediation left in the soils. I found out today that there are 3 sites on the property that they expect to clean up. They are going to take the soil out and take it to a dispose site and replace it with clean soil. The reason it takes a lengthy amount of time for them to do this is because they have a property with a person that borders their property. A piece of property that the particular person owns or the state owns has some of the contamination on that site. It's part of the land that undoubtedly they didn't know who it belonged to. They all state that there is a building owned by the property owner on that street that is on the Ingersoll-Rand property. They have been trying to do a property switch of some sort so they won't have to deal with anything once they fenced it in like I think is their intent. I think there is some contention as to whether that really is Ingersoll-Rand or not. Supposedly they built an outbuilding on Ingersoll-Rand's property thinking it was theirs. What they intended to do was trade the land that has the contaminated soil for that property that has the building on it so they can clear up that deed and clean up that site to fix the properties.

Joe McCracken- The simple deal to fix that is to look at the deed. I have seen the property owner's deed, his footage, and it seems not to be on Ingersoll-Rand. It has been measured and it shows that it is not on Ingersoll-Rand. If the person was on Ingersoll-Rand's land, then they would just have to say get your building off of my property and could make them. Why would they want to swap if that's the case?

Tim Taylor- I asked that question because you asked that question last month. They said they do not want to look like a big company going in tearing down people's structures. I'm just stating what the man said. I'm not on either side of this. I'm just trying to give you facts. That really is an issue that one of the parties would have to deal with somehow either with court action or some type of meeting.

Brad Ratliff- They would need an agreed upon boundary line. Lots of times you will run into issues where these things overlap. I would think this would be something that could be resolved in short order.

Joe McCracken- There are several acres over there that the town could definitely use as a possible business or it could be several things. Why we are letting this go on for 15 years now is beyond me. I don't understand it.

Tim Taylor- My understanding on why they're not in any hurry is because they don't have to be. It's a voluntary remediation program. They don't even have to do it.

Joe McCracken- I don't believe that.

Tim Taylor- That's what I was told. To know the truth of that one I would expect us to get a phone call with the guy that came down to visit us last time. Before you do anything I think you need to know the answer to that.

Brad Ratliff- That's something I have been looking at. Joe McCracken asked last week and I had gone through the documents that we have been given this past month. I'm certainly going to be looking into it to try and determine if there isn't something we can do if they don't voluntarily do it.

Doug Ratliff- It looks like they might say that they don't have to clean it up but if the town brought a lawsuit they would.

Tim Taylor- I think their intentions are to clean it up.

Brad Ratliff- The easiest and most economical thing to do is to see if we can mediate this problem between these two land owners.

Tim Taylor- I hope I am not misspeaking about them but the intent of this group when we first started was that if they could get a certificate with the state that's clean that goes with the property then they would give it to the town. We wouldn't have to do an environment assessment. If the town has that it'll be some industrial development properties.

Doug Ratliff- We won't get it if it isn't cleaned up, right?

Tim Taylor- We won't take it if it isn't cleaned up. They know that and nobody else would probably either. We could take legal action but whether you would have a leg to stand on is certainly an opinion of your lawyer.

Joe McCracken- It's been going on for 15 years and its time to push somebody's button to make them move forward to take care of this.

Doug Ratliff- Mediate it and if it doesn't work out then we can take action, Joe.

Tim Taylor- You don't want to go in there and not know the details.

Joe McCracken- My term is about up here and I'm not running again but I promise you the 15 years I have been working on this project will not go away. I will be here until something is done.

Tim Taylor- I would like to go ahead and call to find out the truth from them. We will tell them that whatever we can do to help the land owners resolve their issues we will try to help there also. They asked them if they were really ready to get it cleaned up and resolved and they said yes.

Joe McCracken- All they need to do is a little footwork and measuring and the problem is solved.

Tim Taylor- It has been surveyed so according to them they know what they have. That's the facts I was told.

Joe McCracken- I also had a call from a person about 1413 Farmer Street being in really bad condition. I went by there today and looked. It's in bad need of some restructure.

Tim Taylor- First we will go examine it and make sure that it is safe and then we will get it put on the list.

Joe McCracken- I have one more thing and that is about the collection for the fire and rescue. I'm trying to keep this \$40,000 a year that we are paying West Virginia to do our billing for the town's fire and rescue billing in our town. We need to try to work something out to have a part time worker or someone who can do the billing. The hospitals have secretaries that do that type of work and there could be someone available that can do that on a part time basis and keep that \$40,000 in the Town of Richlands instead of the state of West Virginia.

Tim Taylor- We've done some work on this so if you want me to report on it I can. We looked at a part time individual with a couple scenarios and I'm not sure if we can get this done with the amount of

money that we looked at. The first part time person for \$10/hour would end up costing us \$16,254.19 based on all of our costs that are necessary for that. That would be working 29 hours per week. Which would keep them to where we wouldn't have to provide health insurance.

Joe McCracken- That's \$25,000 that we could probably keep.

Tim Taylor- Wait a minute, I'm not done. We have to have software, training, a computer, postage, and forms.

Joe McCracken- That would eventually be paid for over a period of time which would be back to \$25,000.

Tim Taylor- Postage alone costs between \$3,500-3,600 per year. We would have to have the computer and software which we don't know the price of the software yet. I don't have the answer to this but the person that does this has to have expertise in medical billing. I can't imagine anybody that had that expertise that would work for \$10/hour.

Joe McCracken- All the hospitals and all the doctors have these people that can do that and I can't see them paying a whole lot for them to do that type of billing.

Tim Taylor- Can it be done in 29 hours a week? If it takes two people, then we are double that because I can't work them over 29 hours. You're going to approach somewhere in the mid \$30,000 to do this.

Mayor White- There are liability issues if you bill wrong. We wouldn't have that issue if we weren't billing.

Tim Taylor- The group that we are in contract with takes care of all of our evaluations. I don't know what they are called but we have to get revalidated with Medicare every so often. If you don't get every 't' crossed and every 'l' dotted, you'll be in trouble.

Joe McCracken- Once you learn the system and you get the software that amount wouldn't occur every year after you got set up and had the person trained. I just want us to try to keep our tax dollars in town. If we can create another job as well and save \$10,000.

Tim Taylor- We need to fill in these blanks and finish the study. We need to figure out the cost of software.

Gordon Russ- The cost of software is \$25,000.

Doug Ratliff- If you bought the software where would you house it?

Tim Taylor- We would house it in the town hall. You will have HIPPA issues that we will have to be in compliance with. We've got to know that part of it too.

Joe McCracken- You see what I'm trying to do. I'm trying to create a job, save money, and make money too. That's my way of looking at it.

Tim Taylor- There has to be a rate or statistics about what these medical trained technicians make.

Brad Ratliff- I have a client who is a therapist and he actually sends his to somebody in Massachusetts. I think the expertise is tough to come by. I think you're right on track with terms of identifying somebody locally if they will.

Joe McCracken- I just want the doors open so we can try to do better than sending it to another state.

Ginger Branton- I think you could find some information out about that at the community college because they teach a class on that. You might be able just to find some details on that and what the outcome would be if you started into that.

Joe McCracken- We have local people that someone could talk with and maybe get some insight on it. Thank everyone for listening and hopefully we can do something.

Frances Meadows- I was checking on my parking spots.

Tim Taylor- The new business in town, B&L Furniture, has a loading issue that we need to try and work on that which will require council action. We plan on getting him a parking and unloading zone and when we do that it will establish the pattern for the whole area.

Frances Meadows- Thank you so much. I just want to say that I am really thankful for all of our town employees. I know everybody by now has heard about the 3-year-old that fell off of a slide at the rec park. Our EMS people are the best people. Just the other day the girl came over to the squad to see the gentleman that helped her. I just want to say how proud it makes me feel that something like that was able to happen. They took pictures and she wanted to come back and see them. They were very emotional about that. That was one thing that makes their job worth everything that they do. I am so proud of them and I want you to pass that on for me.

Doug Ratliff- How big of an area does the carnival need to park their campers?

Joe McCracken- I would say 70 feet in length and 10-12 feet in width.

Doug Ratliff- I have a suggestion. If you take the land that the town owns in front of the bank would that take some of the load off?

Tim Taylor- I don't think Mr. Davis would do that.

Doug Ratliff- It was just a thought. What's the schedule on the paving? We were hoping to get the Tabernacle road paved this year but we didn't have enough funds.

Tim Taylor- We got it patched but we didn't get the concrete done.

Joe McCracken- Down on one side has been paved.

Tim Taylor- I don't know what the dates are. It won't be this fall I'm sure.

Doug Ratliff- I think they would just like it before their next camp meeting. We have a gas meeting on the 18th at 6:30 pm. I want the council to be ready because to me the meeting is useless. They're going to say the same thing. I want the council to be ready to stand up and go to court.

Tim Taylor- I think it would be a good idea to show good faith in case you do end up in court that you've done everything you should do. Give them a heads up on what you'd like to talk about and listen.

Doug Ratliff- I just want them to fulfil their promise.

Tim Taylor- Once you establish the agenda then you will know if you would qualify for closed session if you wanted to. Chances are it won't.

Doug Ratliff- All we have done is act in good faith and they have done nothing.

Tim Taylor- Could we establish an agenda with the mayor?

Doug Ratliff- Our alternative is to go to court.

Mayor White- What are we going to say? Basically that we would like them to fulfil that?

Mary Ann- It's pretty simple. We've been talking about it for months for us to be in on the purchase.

Doug Ratliff- We need to point blank tell them that if they don't act on good faith that we have all other alternatives. I think we should have that in there.

Mayor White- I don't think we need to include that in the agenda.

Mary Ann- For many months we have been asking them for options.

Tim Taylor- I think anything you do needs good structure so we can determine the eligibility of the meeting to be in open or closed session and it provides good minutes that we need in case we ever have to use those in court.

Doug Ratliff- Do we want to make the statement in the agenda in case we were to have to go to court, “we let you come into town with the understanding that the town was going to take part and be in partnership with you to take over the gas in town limits.” I think we should make that statement because they are going to ask why we let them come into our town. I would like to make that statement because that was our understanding.

Tim Taylor- It will be in the minutes and in the MOU.

Doug Ratliff- When we go to court they are going to ask us why we let them come into the town and do all of this if you were going to come up and take it from them. I think it’s a good idea to put it on the agenda.

Doug Ratliff- He stood there and said we were lying and he said that we hadn’t talked about that. He didn’t even recognize the MOU. He said they had no intention of ever letting us buy it and he’s going to have that same attitude here. The MOU is nothing to him. I deal with people like him every day. I know their attitude and what they’re going to tell you. Right up front you have to let them know you have it on paper. The worst thing we ever did was let them in town.

Tim Taylor- I think you did exactly what you should do and it will show that because you went to court and had the MOU showing that they would work with us.

Doug Ratliff- Their best resolve is different from ours and they will deny everything. Why can’t we put it in writing and go over it before we give it to them. The more paper work we have to back us up the better off we will be.

Mary Ann- We started meeting with Ebert when he was in the process of bringing it to the hospital. It wasn’t even complete. That’s how long ago it’s been.

Doug Ratliff-That was closed session and he denied the whole thing when he came. We were meeting about a year ago about the merger and he had the attitude that they didn’t need us and they would do what they want. Then I brought up that if he has a merger going and we go to court it might slow the merger down and he changed his whole attitude and acted like they would work with us. As quick as they got the merger through he is back with his attitude again. Can we put in the structure about our understanding?

Mayor White- You can put a foot note on the agenda.

Brad Ratliff- Attach a whole copy of the MOU.

Tim Taylor- You may end up there where you’re talking about. I’m no lawyer but it looks like you should at least give him the chance to talk to you.

Doug Ratliff- What is your understanding of the MOU?

Tim Taylor- The MOU basically says that we will work with you and give you some options that would include purchase if it was in the best interest of the town.

Mary Ann- Since that time they haven’t done anything or given us any options.

Tim Taylor- No they haven’t. They said they wanted to talk and now time is up. They’re down there providing service and we want to be part of that or whatever you all decide. It’s not my call but if you want to own it and start a utility then we can.

Doug Ratliff- I know he denied everything. I remember him distinctively saying in the meeting, Doug you don’t want a gas company do you? I said yes we do. I don’t want him to get in here and it be an argument. I wish everything was on paper including how we felt. I know how the meeting is going to go.

Mary Ann- We don’t need to continue having meetings. No more giving them more time to think of options. That meeting is the meeting to discuss options.

Brad Ratliff- Issue in writing to them in the form of an agenda and expectations of the outcomes of this meeting. A copy of the MOU is the way to go.

Doug Ratliff- We can put the MOU in there but in the footnotes can we put what our expectations are and not explore options.

Joe McCracken- Don't you think we need a recording or something that will go in these meetings because we don't want to have any he said she said. We need that as backup.

Doug Ratliff- If we are dealing with a big company like that I think it would be good to take notes during the meeting.

Tim Taylor- I think Julie needs to be here.

Doug Ratliff- I want them to know there are no other options after this meeting. I'm not saying they are bad people. If I was CEO I would be doing the same thing. It's his company and he's going to make every penny he can but he has no loyalty to Richlands. We are the only ones that can protect Richlands from big companies like him.

Mayor White- I think somehow we have to reach a decision that night; either go forward or let them have it.

Doug Ratliff- If they come in and just try to pacify us I'll be the spokesman to tell them we will see them in court.

Mary Ann- I am in total agreement.

Tim Taylor- Can I ask you something? I get paid to try and make sure you all make the proper decision based on all the facts that you have. There are a couple scenarios for us to look at if you are willing to start a new utility. We need to work out the what-ifs. We need to know what we are going to do if they decide they are going to sell it to you. We need to know what would happen next.

Doug Ratliff- Even if they come across and decide to sell to us they are going to make it so high that if won't be profitable for us to do it. Even if they give us a price that will be out of the ballpark we have to go to court and only let them charge what they invested in the project.

Mary Ann- They have a document that we can find out what he paid for it, right?

Tim Taylor- Yes. They have to have a cost based on reasonable investment because the rates would have to be looked at by the State Corporation Commission. You would have to go to them because they have to approve all sales of transfer of ownership because the rate payers have an interest in that. It's in the code. You can't dissolve a utility or sell off part of the assets without going through the State Corporation Commission. They don't want anything going on from these CEOs and companies that would be bad on the other people on the assets of the utility. They won't let you do that.

Doug Ratliff- I know what you are saying and they are going to try that but we can go to court and stop that.

Tim Taylor- They're entitled to that.

Doug Ratliff- Not if they have no right to be here. If we go to court, we will say they have no right to be here. The charter gave us the right. We can say they are illegal for being here. We done research and we had a chance before they came into the town. It's going to be a lot harder since they are in town. I wish we would have stopped it before they came into the town.

Brad Ratliff- I can do some of the work but I can't do the SCC related issues.

Doug Ratliff- If we can have the utility can we put our own lines in and compete with them and put them out?

Tim Taylor- I think we probably could.

Doug Ratliff- They need to know that. We need to give them all of the scenarios.

Tim Taylor- The reason I say that is because I think that they're not going to be able to plumb up the entire town.

Doug Ratliff- The hospital isn't going to stay with them. They would go with the town when their contract was up.

Mary Ann- They would go with the town. Don't you think so, Frances, in order to be loyal to the town?

Frances Meadows- I don't know. It depends on how good Appalachian Gas has been to them.

Doug Ratliff- The hospital is smart and they make millions down there. The reason I am so negative on this company is because every town and corporation they have dealt with have problems with them. They're having problems right now and the county had to hire attorneys. When they come in here and we have a meeting they're not going to roll over for us either.

Mayor White- Can we move forward? Tim, can you get us an agenda put together?

Doug Ratliff- Who's going to be at the meeting with us? We could give them coffee and doughnuts to throw them off and make them comfortable. Can you all provide a little snack or something?

Tim Taylor- All of the council members will be here. We can do that.

Doug Ratliff- We're just kidding about the food but it would be nice if we fed them a little bit.

Joe McCracken- This is a very important meeting for us and for the town as well, so all of the council should try their best to be there.

Mayor White- I think that everyone said that they could be there. We will let Mary Ann do the first report so we can move on.

Mary Ann- We had two IDA members whose term expired at the end of June. I spoke to those Wanda Lowe and Buddy Stanley and they would like to continue their term. I would like to make a motion to reappoint Wanda Lowe and Buddy Stanley to the IDA.

Doug Ratliff- I'll second the motion.

Mayor White- We have a motion and a second, to reappoint Buddy Stanley and Wanda Lowe to the IDA. Is there any further discussion on this? Motion carries 4/0.

Mary Ann- We have the committee listings in our packet so I guess the other committees who have expiring terms will know.

Mayor White- Rod is not here. He was supposed to contact all of those people so we will leave this until next meeting.

Frances Meadows- We will have to find 3 members.

Mayor White- You have to find 3 people so can you do that by next time?

Frances Meadows- Yes.

Mary Ann- I heard fabulous comments about the local night out. I have a lot of friends who are teachers and they went and were amazed at all the school supplies and food. I would like to thank you all. It had to have been a wonderful night. That is all that I have.

Mayor's Comments:

Mayor White- I have two or three things to discuss. First of all, Jim was gracious enough to contact the guy at Bristol Herald Courier about all the papers that had been thrown out through town. They have corrected that issue. Any time that you see a lot of these lying around let us know and he said to call him and he would take care of it. I haven't seen any though.

Even with the downturn we have been fortunate to have 3 businesses move into town. A+ Rentals which is over in the brickyard shopping center will have their grand opening and ribbon cutting Friday at 11:00. They would like to invite all of the police, town council, and anyone else that would like to come. They closed a store in Grundy and one in Claypool Hill and located here and that filled up one of our empty spots. We are grateful for that so we need to try and help push the businesses. I have been making my rounds with the new people and trying to welcome them. If you get a chance, go by and welcome them. B&L Maytag on Front Street is doing their grand opening on September 1st and ribbon cutting at 11:00 am. They're giving away an Ashley recliner and a kitchen aid stand mixer. For their grand opening sale, they have 48 months financing. They will have finger foods available. I think A+ Rentals is doing something special that day too. I can't remember what because we have talked to so many people. We have BBU that is located on Kents Ridge Road that has just moved into town at 2317 Front Street at the old Texaco garage next to my business. They do a variety of things. They do some environmental work, septic work, and he told me if you have a line stopped up under an old building and don't want to dig up the floor that they have the capability of going in, cleaning that out, and putting a line in and sealing any breaks. That's just some of the many things that they do. David Ratliff is managing that, but this company is out of West Virginia, and they are pretty successful from what I understand. If you get the chance, go by and speak with them

Just a reminder we are having a meeting on the 18th with the Natural gas people. That's all that I have so we will move on to the attorney report.

Attorney Comments:

Brad Ratliff- I don't have anything to report. I would like to recognize the Freedom Festival and what a great time that was. My family and I had a really good time at the local night out. We appreciate the town for those events.

Mayor White- I hate that I missed the local night out. I took vacation that I hadn't been on in 2-3 years so I was gone.

Joe McCracken- Do we need to have closed session for prospective business tonight?

Mayor White- We can do a quick update. It wouldn't take long to do a brief update. We can add that after Tim reports.

Manager's Reports:

Tim Taylor- We will take a moment to look at the check register so we can pay some bills. We have a couple of items that are unusual.

Check #54031- Logics- Software \$36,815.00

Tim Taylor- It's a long process but hopefully it will be another great movement for us to become more modernized. Most of the others are fairly recognizable. We bought some materials for Veteran's Drive road lighting project and I'll go over that. It's a revenue share grant funding.

Check #54017-Gibson Enterprise- Vehicle maintenance supplies

Check #54018- Global Rental Company- Rental of electric truck while ours is being repaired

Check #54071- University of Virginia- Membership that provides Council Books, etc.

Joe McCracken made the motion to pay the bills. Mary Ann seconded the motion.

Mayor White- Any further discussion? Motion carries 4/0.

Tim Taylor- I just want to bring you up to date on some VDOT issues we had talked about earlier. Bridges are always a real problem to fund, and it always has been since I been town manager. I did get some money for the house bill 2 which has been renamed to smart scale. This is basically our way to do a portal for any type of projects that we have. We have got with VDOT to discuss our bridge on Front Street Road, at the incubator to see when we can anticipate any type of activity to try and fund that project. This is not

part of a project that we would have to go through the smart scale for, that is one of them that is special and they are taking it out of a different type of funding that's not been released by the commonwealth yet. We are second on that list, so hopefully we might see some money towards that. Some of these projects that we are involved on with smart scale that we are talking about today, they will not be funded until 5 years down the road. That shows how far ahead that they plan these out. We weren't funded for a paving project that we had, we didn't rank high enough for a road down in the Doran area that's still in the town of Richlands. We thought that we would get funded for it, but we didn't.

The next piece that we will be using the portal for will be the revenue sharing. This will be discussed later because it will not even be open until September 1st. The projects that are scaled as part of the 6-year program, have to be included as part of the smart scale system. This makes it more much competitive and difficult to apply for money. You will have to spend a lot more time planning your projects out. If they do give us money for the projects, they will be telling us how to spend it. One thing that we are looking at is revenue shared projects can be used for lots of things and is the easiest way to get money, but it is also a 50/50 match. We are participating in the Veterans Drive lighting. Kevin will be putting up the poles soon for this. Most of the parts but not all of them will be provided.

The only other thing we have with VDOT is the section house and I'll give you an update on that which is basically that we resubmitted a drawing up to VDOT. They had made comments back to the architects and they have got it resolved now.

We have one section in town, West Fork area, that does not have sewer. It serves approximately 8 customers. Applications for that have to be submitted by the end of the month. In order to get money for that you have to have the ability to get a certificate to construct the property. We have to meet the latest addition to the sewage collection treatment regulations. To do that, we will have to hire a professional to do that. The contract extension needs to be extended for one year and that will extend it until October 2017. If we do that, I will have Thompson Litton give me a scope of work for designing, permitting and surveying that particular project. In order to do this, we will have to have a contract containing the extension for another year. We need a vote to extend the contract.

Doug Ratliff- It goes through us.

Tim Taylor- If it does, you can carry the torch for us. We just need to vote the extension for one more year.

Mayor White- We need a motion to have it extended for one more year. Mary Ann made the motion. Doug Ratliff seconded the motion. Motion carried 4/0.

Tim Taylor- I have two more things. I just need some input. We have been wrestling at the water treatment facility about providing fluoride. It's been an issue for a number of years. It cost us a substantial amount of money to put fluoride in the water. There has been some discussion about whether or not to do this. It's not really about the drinking water it's just a health issue. Usually the Department of Health really promotes it. In the past they have also give the town money to buy equipment. We don't have that anymore and I don't even know if they have funding for that. I realize that this is an issue that affects everyone's water that we provide water to. If you thought we should do away with it, do you think that's an issue we should have a public meeting for?

Joe McCracken- I think if we consider not doing it we should have a public hearing. I think the public should be involved if we decide not to.

Tim Taylor- Is it something that you feel strong about not doing? I don't want to waste anybody's time if we want to keep it the way that it is. I agree that if we are going to take it away the public should be involved. Then you have to tell your partners that get water from us what you're doing in case they feel strong the other way, they can make provisions to add it themselves. If you're not ready to make a decision, then think about it another month and then we will discuss it. It would save us \$5,000 each year in chemicals. Maybe we could ask the Health Department to come talk to us about it.

Tim Taylor- I also wanted to bring something to your attention that is a budgetary issue. There's nothing for you to vote on or act on. We are wrestling around with the new Department of Labor new overtime

rules. I don't know if you have heard about this or not but I gave you a copy of the handout. Beginning December 1st, 2016 the rule is for exempt employees which is what we call our salary employees and our department heads in most cases. They are exempt from overtime, and you know which ones they are when we discussed this in the budget. If your job says that you are making over \$23,000 and you are exempt you are fine, you're at the threshold for working 40 hours a week. Starting December 1st though that threshold has basically doubled and is going to \$47,473 a year, and we have individuals that do not make that and are affected by it. There are provisions that does allow for comp time for local government workers, but your over time will have to be comped back in to that time. The people that this will affect are my key people and this wouldn't work with comp time. There are a couple of choices that we have and they are to raise the salaries to meet the threshold or you reclassify the new employees to make them eligible for overtime because their base rate is lower than the threshold; you can pay them a time and a half for everything over 40 hours; or you don't allow them to work over 40 hours which is usually not an option for this group. This is an administrative and budget issue and we have been trying to work on a resolution, but it may have budgetary ramifications. I'll get back with you on this issue, I just wanted to make you all aware of it. This will affect 4 people.

Mayor White- Where are we on the codification?

Tim Taylor- I'm not sure on that, I actually had my book out today working on that. That's all I have we are ready to go to closed session.

Mayor White- What is the code?

Brad Ratliff- It is 2.23711 A(5) Perspective Business

Mayor White-We need a motion to go into closed session for Section 2.2-3711 A(5). Frances Meadows made motion. Mary Ann seconded the motion. Motion carries 4/0

Mayor White- We need a motion to come back from closed session. Joe McCracken made motion. Mary Ann seconded the motion. Motion carries 4/0.

All members present agreed that the only item discussed was Section 2.2-3711 A(5).

Mayor White- Do we have a motion to adjourn? Joe McCracken made the motion. Frances Meadows seconded the motion. Motion carries 4/0.

Jannis White, Mayor

Julie Cordle, Town Clerk