

The Richlands Town Council held a "Recess Meeting from June 16" in the Richlands Council Chambers on June 17, 2020 at 7:30pm with the following present:

Mayor:	Paul Crawford
Town Manager:	Tim Taylor
Town Clerk:	Connie Allen
Council Members:	Richard Brown, Mary Ann Strong, Rick Wood, Doug Ratliff Rod Cury
Town Attorney :	K.W. McClanahan

Mayor Crawford opened the meeting.

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

Mayor Crawford - Wayne do you have something to speak on?

Wayne – It was brought to my attention by a concerned citizen about a recent Virginia Supreme Court case interpreting some of the Virginia FIOA statues, a little broader than previously thought. As part of the minutes I don't think our motion to go into closed session had quite the level of specificity required with Supreme Court decision. I wanted to make a brief statement on the minutes as to our reason for going into closed session. There was a motion to go into closed session 2.3711(A7) and 2.3711 (A8) which related to one broad specific legal issue that was discussed for budgetary obligations from the VA Code of the Town, which related to one broad specific legal issue that was discussed for budgetary obligations, from the VA Code, of the Town, and in the event we do not comply, the potential litigation thereafter and one other specific threatened piece of litigation. We need to certify that is what we discussed in closed session.

Richard – I make the the motion certifying 2.3711(A7) and 2.2711(A8) were all we discussed in closed session, Rod seconded the motion.

Mayor Crawford - We have a motion and a second, all those in favor of the motion say yes. All those opposed say no. Motion carries 5/0.

Connie – (Roll Call) Rick – Yes, Doug-Yes, Mary Ann - Yes, Richard-Yes, Rod- Yes

Mayor Crawford - Discuss FY 2020-2021 Proposed Budget - Does anyone have anything new that they want to talk about?

Richard – Seems like we are in an impasse in passing the budget at this point. I would like to make a motion to fill the vacant seat on Town Council with Jeff Hurst and also authorize the Town Attorney to petition the Circuit Court of Tazewell County to order the appointment of Mr. Hurst to fill the seat. Rod seconded the motion.

Mayor Crawford - Any further discussion?

Doug - Can you add some names to the list?

Mayor Crawford - I don't know.

Wayne - If Council directs me to by majority, I will put the name on there.

Doug - I would like to add Karen Deel.

Richard - I think it needs to be done thru a motion.

Wayne - If that would be the action of Town Council.

Mayor Crawford - We have a motion and a second, any further discussion? All those in favor of the motion say yes. All those that oppose say no. Mary Ann – Yes, Rod- Yes, Richard-Yes, Doug-No, Rick-No – Motion carries 3/2

Mayor Crawford – Wayne, will you petition the court as soon as possible.

Doug - I make a motion to add Karen Deel to the list to fill the vacant Council seat.

Wayne – The Circuit Court having the authority since the Council did not act within 45 days, the Council does not have the ability to replace the member. This is a petition for the Circuit Court to do so it is the discretion of the Circuit Court. I think if you put one (1) name on there or if you put ten names the court would have to choose. I can't elaborate in what the court would do with the selection process, if there was more than one (1) name .

Richard - I think there would have to be a separate petition for each name.

Doug - It is my understanding you can put a certain number of names together and the judge would choose from those names. Seems like it would be out of order just to put one (1) name. If you check every procedure has numerous names that the judge can chose from. We had a chance to name one (1) name and we did not do that. I think it will be challenged, I will challenge with the Attorney General.

Wayne - I will put whatever names the Town Council directs me to.

Mayor Crawford - Doug, do you want to put in form of a motion?

Doug - I will do it but it will fail, not correct way to do it. I make the motion to add Karen Deel to the list, Rick seconded the motion.

Doug - I think when you go back and check procedures, I think there has to be more than one (1) name on the list.

Mayor Crawford - We will let the judge decide and he can talk with the Attorney General.

Mayor Crawford - We have a motion and a second, any further discussion? All those in favor of the motion say yes. All those that oppose say no. Rod-No, Mary Ann-No, Richard – No, Doug – Yes, Rick-Yes. Motion fails 2/3.

Mayor Crawford - This puts us in a special position. One (1) more on Council will definitely change the environment that we are working on the budget in, this is not to affect anything what we have already done. I would entertain a motion to approve the budget as presented.

Mary Ann - I make the motion to approve the budget as presented, Richard seconded the motion.

Mayor Crawford - We have a motion and a second, any further discussion? All those in favor of the motion say yes. All those that oppose say no. Motion fails - Mary Ann – Yes, Richard- Yes, Rod-yes, Doug- No, Richard- No

Mayor Crawford - We have a motion and a second, any further discussion? All those in favor of the motion say yes. All those that oppose say no. Motion fails – 3/2

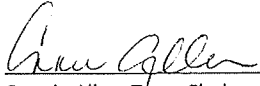
Mayor Crawford - We are still where we were yesterday. I am going to recommend that we recess this meeting until Tuesday evening and hope that we have another Council member here to go forward.

Richard - I make the motion to “Recess” until Tuesday evening, Rod seconded the motion .

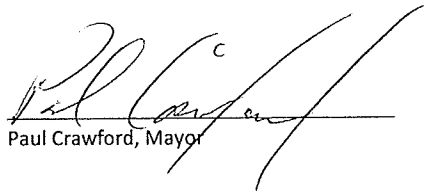
Mayor Crawford - We have a motion and a second, any further discussion? All those in favor of the motion say yes. All those that oppose say no. Motion carries – 5/0

Tim - I assume at 7:30pm

Mayor Crawford – Yes



Connie Allen, Town Clerk



Paul Crawford, Mayor