

The Richlands Town Council held a regular monthly meeting in the Richlands Council Chambers on November 9, 2021, at 6:00 pm with the following present:

Mayor:	Rod D. Cury
Town Manager:	John O’Daniel
Town Clerk:	Connie Allen
Council Members:	Mary Ann Strong, Doug Ratliff, Jeff Hurst Mike Street, Richard Brown
Council Member Absent:	Logan Plaster
Town Attorney:	Michael Thomas

Mayor Cury opened the meeting.

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

Mayor Cury – To the Members of Council, those present and those who could not be here, I checked my email a few minutes ago and I have an important email to share with you. Dated November 9, 2021 - To Rodney Cury, Mayor of Richlands- Read Resignation letter from Logan Plaster, resignation to take effect immediately, as the Mayor I accept his resignation.

Doug - I make a motion that we name Laura Mollo, she was second vote getter, I think Logan was right she deserves that position.

Mayor Cury - There is a motion on the floor to nominate Laura Mollo to fill the unexpired term of Councilman Plaster.

Jeff - I second the motion.

Jeff - I guess if it’s anything like my situation she or whoever would be appointed until the next election correct. There would be four (4) seats next election.

Doug – I think it has to be special election. In November there will be four (4) seats open. If we name Ms. Mollo to the Council she would have to run with us.

Mayor Cury - There is a motion on the floor to appoint Laura Mollo to fill the unexpired term of Councilman Plaster and she would be part of the special election in Nov. 2022, is that correct?

Michael - Correct, It would be a special election, Council could place their own Election Day but that is a very costly process. That typically is why you have on Election Day in November is to keep cost down for the Town. The Council has the ability to set another election date. We would have to petition the Circuit Court for Writ of Election within 45 days.

Mayor Cury – Such as we did when I vacated my seat to become Mayor and we petition the Council for special election.

Michael - That is correct.

Mike - Personally I think we need an application process, I was very quick to appoint Jeff, looking back on that and Jeff I like you a lot but I shouldn’t have done it and I am not saying you are not right for the job. Ms. Mollo has let me know that numerous times that I did that in about 30 seconds, not to say Ms. Mollo wouldn’t do a fine job I’m just in favor of the application process.

Doug – The election was so close and it has only been a week, the will of the people she came in 2nd. I can see where Mike is coming from, but she came in 2nd, I think this is a different situation, she came in 2nd and it was the will of the people so she should be named to Council.

Mike - How would it make it fair that we wouldn't give it to the person who finished 4th? There were only 70 votes between Logan and the 4th Place.

Doug - That was Rick Wood.

Mike - That was the same election.

Doug - The closer election was a week ago.

Mike - I get what you are saying, I am for the application process.

Mary Ann - As I told Ms. Mollo I totally that respect she has worked extremely hard and I admire her hard work. I am not saying she is not the right person to fill Logan's seat but like Mike described Laura has made a lot of good points to us and one of those being an application process. I'm not saying she would not get the vacancy. I would have to agree with Mike, in my opinion we have 45 days and that we go thru the application process.

Jeff - I was going to say being involved in the election, a week ago any of the candidates Ms. Mollo or Mr. Jackson would be fine replacements. As Doug said she had 2nd place in the election, the numbers that she got would be good representation for the Town that is why I seconded the motion.

Mayor Cury - 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. Roll Call -Doug- Yes, Jeff- Yes, Richard-No, Mike - No, Mary Ann - No Motion carries - 3/2. Motion does not carry.

Mike - I make a motion that we begin the process with John O'Daniel an application process and discuss later in the meeting as to what that would look like. I think we should do that very soon. I think it should be an application process. I make the motion to be an application process for the vacancy.

Mary Ann - I will second the motion.

Mayor Cury - Is there any discussion on the application process?

Mary Ann - The only thing I would say I do think it is deserving a quick process, I know we have 45 days but we need to move on this quickly and be prepared at our December meeting to appoint the next Councilmember for Logan's vacancy.

Mayor Cury - You are suggesting that we do it before the next meeting.

Mary Ann - We will have the applications; in our December meeting we vote and have the person appointed.

Mayor Cury - I just wanted to make sure that I understood. The motion Mike that you stated is to have an application process and we can iron out the details.

Doug - I would like to expand on what Mike said, if we want the will of the people why can't we limit it to the last two (2) elections of the two (2) people that got the most votes and in 2nd Place. Limit it to Mr. Woods and Ms. Mollo, because that is the will of the people. I don't think Council has the right to have their choices why can't we go by the voters, seems like we never do, but in this case I think we should and limit it to those two (2) people.

Mayor Cury - Is there any more discussion on Mike's motion for an application process?

Mayor Cury- 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. Roll Call –Doug- Yes, Jeff- Yes, Richard-Yes, Mike – Yes, Mary Ann – Yes Motion carries unanimously– 5/0.

Doug - Can I make another motion? I make a motion that we limit to follow the will of the people for both elections and limit the application to Mr. Woods as Mike so eloquently brought up and Ms. Mollo. We do research on those two (2) applications and limit to those two (2).

Richard - I second the motion.

Mayor Cury - Is there discussion to limit the application process to two (2) people specifically Rick Wood and Laura Mollo. Am I correct Doug?

Doug – Correct

Mike – I am not sure we want to limit to two (2).

We have an example in the room tonight, Seth White on the Board of Supervisors

Mike - I thought this was handled incredibly well, Seth did not run in that following election that takes politics completely out of it. I am not sure how the process of the application process for the County of Supervisors and when I envisioned what this may look like I was looking at that. And I liked that. I think there needs some fine print personally.

Mayor Cury- 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. Roll Call –Doug- Yes, Jeff- Yes, Richard-Yes, Mike – No, Mary Ann – No Motion carries – 3/2 Motion carries.

Mayor Cury - As the Mayor I would like to make a suggestion, we hold further detail for what we propose to be an addition to the agenda I would suggest that. Thank you

Mayor Cury – Do we have any additions/deletions/corrections to the agenda?

John - Under XIV - Add (b) Attorney Client Privilege 2.2-3711(A)(7).

Mayor Cury - Under IX- And (i) Application Process

Richard - I don't know where the appropriate place is for this I would like to see it in and out as quickly as possible to discuss the Conditional Use Permit that we discussed earlier in the Public Hearing.

Mayor Cury - In order to facilitate a rapid discussion we should have that as early as possible. I would suggest could it make VI (a). One thing I want to do we have "Scheduled Public Comments" Laura Mollo and "Unscheduled Public Comments" – Shanna Plaster. Anyone else who would like to speak under "Unscheduled Public Comment", a three (3) minute time limit?

Mayor Cury - We need a motion to accept the agenda as amended.

Jeff - I make a motion to accept the agenda as amended, Mary Ann seconded the motion.

Mayor Cury- 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. Voice Vote - Motion carries – 5/0.

Mayor Cury – Approval of Minutes – October 12 – Public Hearing, October 12- Regular Council Meeting.

Mayor Cury - Any corrections or deletions to the Public Hearing and Regular Council Meeting October 12?

Jeff - I make a motion to accept the minutes as presented, Doug seconded the motion.

Mayor Cury- 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. Voice Vote - Motion carries – 5/0.

Mayor Cury – Consent Agenda – Authorization to Pay Bills (September) – Two (2) check registers.

Jeff - I make the motion to authorize Mr. O’Daniel to pay the bills, Mary Ann seconded the motion.

Mayor Cury- 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. Roll Call –Doug- Yes, Jeff- Yes, Richard-Yes, Mike – Yes, Mary Ann – Yes Motion carries – 5/0 Motion carries.

Mayor Cury - Before we get into “Scheduled Public Comments” I have two (2) things that I would like to request that anyone that has their phone on please mute. Please mute your phone it is distracting.

Mayor Cury - We added VI (b) this is regarding the application for Bad Axery.

Richard - I am assuming we had proper notice with regarding the Public Hearing honestly I missed it and didn’t notice we were having the Public Hearing until I got my Council packet on Friday. Is there a separate Conditional Use Permit, we are looking at to having to grant for this Bad Axery business? We have issued Conditional Use Permits over and over again for mobile homes without and not involving the Planning Commission. Just wondering why the Planning Commission had to be involved.

John - I think the way it was written was for entertainment business it requires a Public Hearing, on with the Planning Commission and one with the Town Council. Instead of having two (2) separate ones we tried to put them together.

Richard - I think it specifically talks about Pool Halls.

John - It says entertainment such as, I don’t have a copy in front of me but the way we interpreted it was entertainment.

Richard - In the long run it is going to be the same Conditional Use Permit that we grant correct?

John – Similar

Richard – That is the question that I had.

John - I guess for the Conditional Use Permit - how late are you going to be open are you allowing people at a certain age, will you have alcohol things of that nature so at this point depending on what kind of entertainment you can set additional requirements for the business. The intent of the process is to make sure when somebody does open if there are any additional requirements that Council or the Planning Commission recommends they can be discussed.

Mayor Cury – Richard asked about this out in the hall, and I really don’t have the right answer. If the Planning Commission were to proceed with its own Public Hearing how quickly can that occur?

John - I would have to check but I believe you have to have two (2) ads and that has to be so many days before and up to seven (7) days so I anticipate three (3) to four (4) weeks. I will have to look and get two (2) advertisements in the paper for two (2) different weeks and then have the meeting.

Richard - Is that something in the zoning?

John - I believe it is.

Mayor Cury - I don't know how to answer but my time on Planning Commission if you remember Mr. Vance he was trying to explain to me about zoning and not listed use, it is just not saying no it just not a yes because it is not listed I am not arguing against this at all, please know this, I am just trying to understand the procedure as well.

Richard - I would like to make a motion based on the results and recommendations of the Planning Commission for Council to go ahead and approve the Conditional Use Permit based on the approval of the Planning Commission.

Mayor Cury - If the Planning Commission comes with a favorable recommendation the Manager would be allowed to give the Conditional Use Permit and for some reason but I don't anticipate the Planning Commission to give a recommendation against it, would have to come back to Council.

Richard - I am just trying to knock a step out to get this done quicker for these people to be able to open their business in Town and invest.

Doug – I will second the motion.

Mayor Cury- 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. Roll Call –Doug- Yes, Jeff- Yes, Richard-Yes, Mike – Yes, Mary Ann – Yes Motion carries – 5/0 Motion carries.

Mayor Cury - John the direction from the Council for you to advertise a Public Hearing as soon as possible.

Mayor Cury - I was asked to reiterate this by the Town Manager and it does help to facilitate an orderly meeting we had what we called an "Embedded Resolution" I would like to read it, it is kind of long it is very important. (Read the Embedded Resolution). Public Comment is for us to listen and discussion in what is asked or said shall remain until we are in our own time of Councilmember comments. It will give us time to think about what is being said being presented by anyone in this community. Give us proper time to digest what they are saying act on it or what we are propose that we study and act on it at another session.

Mayor Cury – "Scheduled Public Comments" – Laura Mollo

Laura Mollo – 262 Linwood Drive - I think the Revitalization Grant is an excellent opportunity for Richlands not just for the businesses but for the Town itself. I actually got to attend the last meeting here and I think the next meeting is on the 15th of November. My only suggestion is to please advertise and get the word out to the local businesses a little bit more clearly. I spoke to a couple of the business owners that were not aware of the grant so I don't know how but my suggestion would be to draw up a letter because you should have a list of the businesses based on the business licenses. Just draft one (1) letter and make a bunch of letters for those businesses and get those people in here for the meeting so they won't be missing out on grant money. Obviously those buildings are being revitalized so they will look better and will affect the Town as a whole. I appreciate your time. Thank you.

Mayor Cury – "Unscheduled Public Comments" – Shanna Plaster

Mayor Cury - Ms. Plaster thank you for coming as a Member of the Board of Supervisor it is always an honor to have members here.

Shanna Plaster - Thank you for having me, it is nice to see everyone. I just want urge to us to be looking into our flood problem again. I sent some of you a FEMA Grant, I had two (2) that were returned and I apologize for that. I was really excited when I saw the grant, it not only fixed our flooding problem it also helped our economic development. Anytime we can find a grant that fixes a problem and brings us forward I think we need to look into that. That being said I attended the last Flood Committee meeting

and that is where we left it, that we need to have a feasibility study in order to move on some of these grants. The County is offering to advertise for a firm to do a feasibility study and hopefully they can look into some of these grants. Unfortunately, the grant I sent to you the deadline is tomorrow for the pre-application fee. I just wanted to put in front of your minds so we need to still keep that as a priority if we can't have economic development if half our Town is flooding every four (4) or five (5) years. We need to fix the problem. Thank you. Everyone has my number if anyone wants to talk about it, the County wants to be involved in however we can. Please email or call me and we can discuss further.

Mayor Cury – Electric PCA Discussion - John I will turn over to you to discuss.

John - We are having technical difficulty right now.

Mayor Cury - We will have a ten (10) minute recess.

Mayor Cury - We are back in Session. Councilmember Hurst had to be excused but he will be back in about thirty minutes.

John - I have passed out a copy of the slides he has prepared, a copy of the PCA that is currently in our rate schedule. I ask him to present what we currently have in place and what his recommendation would be if we do move forward with the PCA. I will turn over to him and let him walk thru the slides for the recommendations they have come up with for the Town of Richlands.

Jake – (Went over the presentation, attached in the minutes)

Mike - I want to thank you for all your involvement and everything you have taught us I have learned a ton about PCA and how it is beneficial. Mayor I would like to make a motion that we accept GDA's recommendation for PCA.

Richard - I second the motion.

Doug - As far as PCA by itself that is fine but if you look at the entirety when the Town takes money off the top it is going to put an undue burden on the citizens and the PCA. The PCA has to take into consideration the cost of the electricity, running the system and the money that the Town takes off the top. It is trying to fulfill two (2) different roles. I would like to ask the Town Attorney if we shouldn't ask for comments from the communities that are present, since it is a public utility. They should be able to make comments.

Michael - If Council would want to allow, it's not my decision to make it is up to the Council.

Doug – I appreciate what you are saying. I think we have been counseled correctly. It is not his decision or suggestion if community members should be involved that would be a Council decision.

Doug - I ask the Council if the Council minds comments from the public at this time.

Mike – I don't know what the benefit is we already had "Unscheduled Public Comments" and "Scheduled Public Comments". If it was that important to them why did they not come here?

Doug - They are here now. Can we not let them speak now?

Mayor Cury - As far as public comment this is our time to discuss amongst us

Doug - If you are not going to let the public, to me the public should be able to comment anytime because they pay the bills and we work for them but I disagree with that, but that is what Council does. They don't allow for enough community participation. But being said that is why I am going to vote "no" on the PCA simply if it was just running the system and paying for the system that is fine. But the PCA

will have to fulfill two (2) or three (3) different roles. It is going to be a burden to our citizens to pay that PCA.

Mike - We have been thru this numerous times this doesn't do anything that harms any type of user for our electrical system. This allows for credits on bills when it is not being used I see zero issues with this and will benefit our citizens. We give our citizens plenty of opportunity to speak that is what we are here for we are elected to make these decisions we give plenty of notice and plenty of opportunity if the citizens have anything to say. That is a very unfair statement to all of Council, very disrespectful. I am always open for conversation I have had people tell me how great the PCA is compared to the rest of the landscape of what financially is, not fair and I think this is completely different and I think your reasoning is wrong. I think you don't understand or maybe need to talk to Jake some more in what this looks like and how it would benefit our citizens it is a total benefit.

Mayor Cury - Suggestion for Members of Council, I will give one more chance for each person to speak.

Richard - I can remember being on the Council, I think 2006/2010 at different times we voted to whether we add or not add the PCA, am I correct?

Mayor Cury - That is correct.

Richard - The only part even though I second the motion, it updates the need automatically and not the need for Council approval every three (3) months but I think being updated and keeping the price of what is the actual PCA and how our utilities are performing. Maybe we need to vote on it every three (3) months, because it may be something we don't need.

Mayor Cury - Would that be an amendment to the motion?

Richard - I just thought I would mention.

Mayor Cury - I am following you Richard but if that is the ultimate result, we can talk about that in a minute.

Richard - If Mike's motion fails I will make another motion to alter it. It gives us some idea and also gives Mr. O'Daniel and his staff some idea how the budget is performing. I know it is not for being a money maker but I can remember on several occasions Mr. Taylor saying we don't need to add the PCA this month, I don't want it to go six (6) to nine (9) months and we didn't need the PCA and we added it anyway.

Mayor Cury - I follow, Before we go any further in amending is there any more discussion on this motion as it currently stands.

Doug - I spent more time and I do understand the electric system probably as good as or better than anyone on this Council. I do understand what PCA is, I know the bottom line is the bill the customers get each month that PCA is going to add more to that bill, if you look at the entirety of the situation the PCA is not a benefit to the everyone, it adds more to the bill, if we weren't taking off the top \$600,000/\$700,000 each year that PCA would probably never have to be used and it would be zero I understand that and that is a fact just saying the PCA is a benefit that is bull crap. It is not a benefit when the Town is taking such a large sum off the top. How can it be a benefit to the citizens when only 79% of the Town pays that? Mary Ann doesn't pay that and I don't pay in Hidden Valley, three (3) of us on Council don't even have to pay that but we are going to vote it on the rest of the Town. That is not a benefit. I am sure if it was challenged in the Court of Law that would be illegal for part of the Town to have to carry the budget when myself, Mary Ann and all due respect Richard doesn't have to pay this.

Mayor Cury - Does that conclude your comments?

Mayor Cury - I think there was a suggestion to withdraw the motion and re-make a motion would be the best thing.

Mike - I will withdraw my motion

Mayor Cury - Richard do you withdraw your second?

Richard – Yes

Mayor Cury - This motion has been withdrawn.

Richard - I would like to make a motion to institute the PCA based on the approval of the Council every quarter and not that it automatically updates without the need for approval that way it gets us an idea on how well our utilities are performing and we are not overcharging or collecting something we don't need to collect.

Mayor Cury - The motion is to adopt the PCA with a review with Council every three (3) months.

Richard – Yes sir

Mike - I will second the motion.

Mayor Cury - There is a motion and second on the floor to adopt the PCA as presented with the exception it will be reviewed by Council every three (3) months. I will entertain one discussion from each person.

Doug – I will vote “No” but all due respect to Richard that is the most sensible addition to that amendment but I will be forced to vote “No” because of the entirety but that is a great idea.

John - I don't know how quick we can get this in place and on our bills I think the hand out that you all have there is an effective date, I will ask for some leniency on the staff side to try to and get it updated on our system hopefully in the next thirty days, if it takes longer I will keep you updated on that timeline.

Mayor Cury - Thank you, I am sure Council will extend every leniency that it can now that expediency is of the greatest importance.

Mary Ann - First as Mike said I would like to thank Jake for a lot of time and effort and I've learned a lot, I would like to know if our Town Managers opinion on the recommendation and on the motion that is currently on the floor.

John - I think that the three (3) months makes sense essentially we are doing it on an annual basis right now in a year we will reassess. I think the three (3) months review and approval by Council is going to be very difficult for you all because we may have three (3) quarters where it goes down and three (3) months were it goes up. It gets people upset because it looks like you are going up on their utility bills versus if it regulates itself you would be more hands off I think you being updated and you know where it is that is definitely something that I would be important to Council. I just want you all to know that are going to be some quarters where we have to because our electric cost went up and you are going to be getting those phone calls.

Doug – What is involved in that cost?

John - The cost of the electric system

Doug - I think there is three/four different aspects to pay that the people to run the system. It's to pay for the electricity and to pay for the \$700,000/\$800,000 that is taken off the top it is putting an undue burden on the PCA, is that correct?

John - I believe the PCA is just based on the cost of the electric but I will defer to JDS for clarification.

Jake - It does not include distribution cost or agents (Could not hear everything he said)

Doug - The entirety of the bill it is not directly to the PCA for the cost but if you look at the entirety running the system with those three (3) or four (4) aspects I brought to the attention of the Town Manager that PCA is going to be indirectly reflected higher into that bill because of the extra money that the Town takes off the top.

Mayor Cury- 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. Roll Call –Doug- With all due respect to Richard his was a great addition I will still have to vote “No”, Richard-Yes, Mike – Yes, Mary Ann – Yes Motion carries – 3/1 Motion carries.

Mayor Cury – Planning Commission Member Update – John

John – I have a handout that lists all the members of the Planning Commission and the next item is the IDA and Zoning Board. Due to the amount of turnover we have had the terms and how long each person has been appointed we have lost all that so I am asking Council essentially to reappoint all these to the terms beside of their names and we can start fresh on this. Usually this is something we try to do in June/July or start of the year.

Mayor Cury - You are asking for the Council to reappoint Richard to the Planning Commission then the IDA and then the Zoning Board of Appeals.

John - The issue we have all these individuals that have been appointed we don't know exactly their terms; we want to try to clean up the best we can. The amount of turnover that we have had there were some questions on exactly their terms we wanted to clean all that up.

Mayor Cury - Planning Commission – (Attached in the minutes of terms) I will need a motion to accept these members for the terms as listed.

Richard - I will make the motion, Mike second the motion.

Mayor Cury- 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. Roll Call –Doug- Yes, Richard-Yes, Mike – Yes, Mary Ann – Yes Motion carries – 4/0 Motion carries.

Mayor Cury - IDA Member Update - John do you need to say anything about these or do we just need to adopt?

John - Just adopt but I will say the IDA is looking at changing their meeting time to 8:00 am the second Tuesday of the month, if that does change you all aware of that.

Mayor Cury - IDA (Attached in the minutes) Terms and Members listed. Motion for members and terms

Doug - I make the motion, Mike seconded the motion.

John - I will mention that Larry Johnson is the Vice-Chairman of the IDA that is missing off the list.

Mayor Cury- 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. Roll Call –Doug- Yes, Richard-Yes, Mike – Yes, Mary Ann – Yes Motion carries – 4/0 Motion carries.

Mayor Cury - Zoning Board of Appeals - John do you want to address the vacancy?

John - There is an opening on this Board we did receive a recommendation if the Mayor wants to mention that name for the opening but will leave up to Council if we want to appoint someone at this time and hopefully approve the entirety of that Board.

Mayor Cury - I spoke to John this afternoon to make sure and he said Gene Hurst is the Chairman of the Zoning Board of Appeals and suggested Larry Whited. I have known him for many years which is irrelevant. He had spoken to Gene and that is a recommendation from Gene Hurst the Chairperson. I would suggest if Council wants to entertain a motion we could do that now. Has Gene talked to him and is he willing to serve?

John - I would have to assume Gene has talked to him since he has recommended him.

Mayor Cury - If Council wants to consider that we follow something we have done recently if that is Council's will with the understanding that he will accept it. I think that is the first thing we could do if that is what Council wants but there may be someone else I do not know. Larry Whited was the Manager a Lowe's for years. His wife is Helen Carmody Whited a wonderful gardener.

Mary Ann - I make the motion that we appoint Larry Whited to the vacant seat on the Zoning Board of Appeals contingent on his acceptance.

Mayor Cury - Larry's term would end June 20, 2022, is that correct?

John - Yes

Mike - I will second the motion.

Mayor Cury- 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. Roll Call –Doug- Yes, Richard-Yes, Mike – Yes, Mary Ann – Yes Motion carries – 4/0 Motion carries.

Mayor Cury - We will add Larry Whited into the vacant seat.

John - As soon as I get confirmation from him, I will get the attorney to handle that with the courts, we have to.

Mayor Cury - Also the financial interest forms they need to fill out.

Mayor Cury - Is there a motion to reappoint Gene Hurst as Chairman (Terms & Offices attached)

Richard - I will make that motion, Mike seconded the motion.

Mayor Cury- 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. Roll Call –Doug- Yes, Richard-Yes, Mike – Yes, Mary Ann – Yes Motion carries – 4/0 Motion carries.

Michael – Gene's name is Eugene, for the Circuit Court appointment we need official first names.

Mayor Cury - I do know his name is Eugene H. Hurst, Eugene Hamilton Hurst, Jr.

John - We will reach out and make sure we have the correct full name. The IDA we had several members resign recently and at some point, we had an additional member, that group had eight (8) members. Recently Steve Jessee resigned, so there is not a seat to fill just wanted you to be aware that he had resigned from that position. They have seven (7) members, and the ordinance allows for seven (7) members.

Mayor Cury - We want to thank everyone for their service for the ones retiring from those positions.

Mayor Cury – Blue Ridge Power – Appointment of Alternate Director – John

Mike - Can I ask a quick question regarding the Commissions and authorities; do we have the right to increase number on the Commissions?

Michael – Within the Council rights to increase number to make sure you have a quorum.

John - I believe the Rec Commission and most of the others are Ordinance Based, Council would have the authority as long as it's not listed in the Charter, that would be the only place, but I believe most of those are created by an Ordinance.

Michael - The Planning Commission is seven (7).

Mayor Cury - I you will look in the Charter of the Planning Commission the word "shall", the Rec Commission has slightly different wording.

John - Zoning Board of Appeals is also listed in the Charter as well. Rec Commission is by Ordinance, they are potentially looking at recommending some changes to Council. I think the IDA is an Ordinance as well.

Mayor Cury - I don't remember but I was on Council when it was created.

John - They have had one (1) meeting, they have a new member but only one meeting so it's kind of hard to tell.

Mike - I know everyone has different feelings and things like that I was just curious, quorums are tough.

John - That is why we are potentially looking at a different time.

Mayor Cury - Blue Ridge Power – Appointment of Alternate Director – We have Resolution R-2021-11-01, (Read the Ordinance). I am fine with that, just want to mention Heather since you are here I would like to ask you a question, the wording, the term of her office, I think that needs to be changed since you don't hold an office. I think term of employment is that OK.

John – Probably

Mike - Why not just remove it?

John - That is sufficient we can do that.

Mayor Cury - Whereas, Town Council desires to appoint Heather Perry as an alternate representative for the Town of Richlands at the will of the Town Council.

John - Finance Officer that was what I was referring to, I am OK with changing.

Mayor Cury – OK, Is there a motion to adopt R-2021-11-01?

Mike - I make the motion to adoption Resolution R-2021-11-01, Mary Ann/Richard seconded the motion. (Double Second)

Mayor Cury- 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. Roll Call –Doug- Yes, Richard-Yes, Mike – Yes, Mary Ann – Yes Motion carries – 4/0 Motion carries.

Mayor Cury - Greenspace Update - John

John – As you can tell they have been working on the stage, we run into a couple of hiccups, a couple of small changes that the architect has been reviewing. I hope T&L will be getting back with the contractor first part of this week so they can make the necessary changes. It is small things like adding special brackets using nails instead of screws, nothing major. The next thing when they get to the point they will have the roof made by a third party company, that company comes in and does their own measurements to make sure that it will fit. We don't want them to come in until they are completely ready. I think the original goal was mid-November we may have to push back a little bit; we will have to reach out to Cumberland Plateau to give us a little time extension. I think they will be able to see the progress and they will continue to work with us on that. We have already submitted a Phase II grant application to finish out that project.

Doug - What is the total cost of that?

John - I think it is around \$105,000/\$110,000 something like that.

Doug - What was the cost of the project?

John - I don't know the breakdown for the grant versus Town Funding. It has been awhile since I looked at the figures but I can get those to you.

Doug - How many people can we get into that space?

Mayor Cury - It is an outdoor space and we really don't know, it is a legitimate question but I don't know.

Doug - How much property does the Town own compared to York Lindsey and the Post Office, is it an acre?

John - I know we own both sides of the parking lot. We have parking where the stage is at and the other side as well. I am not sure where the lines between that and the Post Office.

Doug - Maybe at the driveway

John - Maybe that and to the Post Office. I wouldn't guarantee it but what I believe the last time.

Doug - So the Town owns most of the parking to the Post Office.

Mike - Could we eliminate both sides of the parking lot.

John - At this time where the stage is I think we are just going to keep that part with the Astroturf. We have to figure out where the playground is going when we get done. The stage is a little bigger than the original plans it is the intent to leave the other side as parking or drive thru, at this time you know unless something changes in our plans. You could have food trucks or other things you could park over there, would benefit being there for an event or things of that nature.

Mayor Cury – Charter, Public Comment and ARPA Workshop (Reschedule)

John - I just want to try and reschedule the meeting we were supposed to have last week, we was not able to have because of not have enough time for public notice. Just wanted to see if there was a date in the next week or two. I know the holidays are coming up. We need a game plan especially for the ARPA money. I know it is contingent on how much the Waste Water Treatment Plant upgrades will cost.

John - I think we have to give notice of 48 hours before a special meeting.

Mayor Cury - We still require public notice, is two (2) weeks is sufficient?

John - Need to get into the newspaper, if there is a public hearing or something of that nature, the newspaper only runs once a week, sometimes on Tuesday when we decide to have a meeting we can't get it in the paper. Special Call Meeting we can put on Facebook and social media platform and the website and get the public notice approved but we will definitely need to run by the attorney to make sure.

Mayor Cury - Can we go ahead and set a tentative date? You can email everyone and let them know it is a good date. We want to make sure we go by the guidelines and not a hint of impropriety.

Mayor Cury - Work session November 30 at 6:00pm.

Doug - Is there public comment?

Mayor Cury - No, just a work session to talk about Charter Changes, how to receive Public Comment and ARPA.

Doug - Are we going to have a session where the community can voice their opinion?

Mayor Cury - Would be the last thing on what Council might be proposing in a regular council meeting. For example I am trying to understand myself while we propose to move some of these topics like charter changes into a work session, public can attend but we are working amongst ourselves but in a public hearing which is before Council and the public can be notified properly and well in advance of what is going on.

Doug - Can we set a date?

Mayor Cury - I think we should do this first and then we would decide when we are going to make the proposals as a Council as a governing body to the citizens and at that time we can set a public hearing well in advance and broadcast it widely.

Doug - Let me ask you this, would it be a better idea if we had a public hearing and got comments from the community before we make proposals from Council. We are getting the cart before the horse.

Mayor Cury - I think you have a really good point, and I won't deny that from my position at all I don't have that kind of power, but I think these are proposals right now. We just in the talking stage amongst us. We can find something to present, and I think we should definitely take into consideration what the public has to say. I would think all members of Council would agree with you on that I don't think it is a time to do it is premature to set a date right now. I'm not against it I am just saying timing is important.

Doug - I just think and I agree with you I just think it is hard for the Council to make proposals without comments from the community.

Mayor Cury - I am going help you with this, this is a proposal like in a marriage, just because you proposal there is no guarantee they are going to say yes.

Doug - The community would be asking and then Council could turn them down. So I think you just made my point.

Mayor Cury - I lost you win.

Richard - There are timelines set on the Charter and the ARPA.

John – ARPA the money has to be spent by 2025, the workshop is just to get an idea of what Council may be thinking of what to spend the money on. If you have a public hearing, you would have an idea right now you have 14 million dollars' worth of potential projects and we are going to have to narrow down and get top 5/10 list that is kind of what I hoped to get from Council in the workshop. If we did a public hearing at least the public would know what kind of ideas that you are looking at going forward with. The money has to be spent by 2025 some of the money will be spent sooner and some we would hold off to see potentially what the Water and Wastewater Treatment Plant to see what those overruns are. Any additional grant funding we may receive for those projects would free up more money for the other areas that we would like to focus on. The timeline on the Charter, I don't know if they have given us a hard deadline, they said the sooner the better.

Mayor Cury - I don't know either or how we are going to figure it out Mike, but I think with the work session of the general assembly we're late. I think it's the 29th of November is when they need everything. I will find out.

John - Do you want to schedule a tentative work session just for that or just wait until the next session we are in.

Mayor Cury - I think if we are singling out something it would look odd. I may have some potentially to add as well that I am working on.

Mike - In regards to what we will be working on in the work session, I may have something I want to talk to Council about in that workshop in regards to potential.....

John - I will just have to see how much notice we have to give to change the agenda.

Mayor Cury - Junior Firefighters Program Ordinance (Second Reading) - Mary Ann would you please read the ordinance please.

Mary Ann - Read Ordinance O-2021-10-01

Mayor Cury - We have the Ordinance before the Town Council, is there a motion to accept this ordinance.

Michael - Before we do that I was reading over this in the second paragraph "all activities of a Fire Company duly authorized to operate in the town/county after they:" I don't think the Town has the authority in the County, I think it needs to come out as far as grammatically.

John - We provide fire services to the County.

Mike - We provide to the entire west end of the County. It's not working for the County but taking calls within the county, operating within not working for the county.

Michael – Grammatically on a it shouldn't end with period a semi-colon or and

Mayor Cury - I think you are right becoming a member of the Fire Company and, shall we add that.

Michael - Instead of supplies, supply is singular and then c: Attains should be Attain, the Town of Richlands supply.

Mayor Cury - Is there a motion to adopt this Ordinance?

Mike - Understand what we said as far as town/counties is that suffice. Or should we remove County completely.

Michael - I think it would be better to remove it. It is just a Town Fire Department, may operate in the County.

Mike – Should we say authorize to operate for the Town?

Mayor Cury - The Fire Chief is here can you step up to the podium so we could hear you.

Keith - Understanding to cover the fire in the western end which accepted them to save your life. As far as the way it is worded I don't know, he is the attorney but I do know that Tazewell County's process that the following leading to is that some of the County departments have the generous part how legal they are like we're trying (Could not hear his comments)

Mayor Cury - Do you want to leave "County" or remove "County"? Polled: All Council agreed to leave the word "County" in the ordinance. Is there a motion to adopt the ordinance?

Mary Ann - I make the motion, Mike seconded the motion.

Mayor Cury- 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. Roll Call –Doug- Yes, Jeff-Yes, Richard-Yes, Mike – Yes, Mary Ann – Yes Motion carries – 5/0 Motion carries.

Mayor Cury - Application Process Discussion, I have not had time to think about it very much. I would suggest we don't get too mired in detail right now. We need something to work with. I would suggest to Council because I don't know but will give my experience. I told you when I was first appointed to Council I was appointed. Was your father appointed Richard? We have had lots of appointments in Council over the years. It follows a various procedure. When I was asked to be on the Council I came to a meeting and I thought there would just be a done deal. They formed an interview process; I went to the interviews, and we had private interviews and public interviews. I don't know how others did all the private interviews. I will be honest with you the other two (2) applicants far outshined me and I know that, and I was surprised when they came out of executive session and said I got it. You just never know. In establishing this process, this is my suggestion and it's Council's will that we empower the Town Manager to develop a process for our consideration that be done for expediency so that so we can move forward and we can move on this at December meeting. That is just a suggestion. I don't have any other suggestions beyond that.

Mike - What is the criteria?

Doug - Could we just let them come and interview them with Council and then vote on it and keep it real simple?

Mayor Cury - I had two (2) interviews one privately and one was scheduled publicly. I don't know if that is precedent setting Doug. That is just a suggestion; we need some format of questions. If we're to interview people or just ask them to speak I don't know.

Mayor Cury - John what is your thought?

John – If you all want an application we can come up with some basic questions it is up to you all and what you want. If it is something we need to reach out to individuals I will probably need some help figuring out who they are. Are you going to include the write in candidates or just the ones with the names on the ballot?

Mayor Cury – Doug's motion was passed unanimously just to have two (2) people.

Doug - It was the majority.

John - The motion was for all candidates that were that were in those election wasn't it?

Doug – No, just Rick Wood and Laura Mollo.

Doug - It was only those two (2), why couldn't we just let them come and make their presentation and then Council vote. That is real simple because we know both candidates and we know them pretty well. That would be the simplest and the quickest.

Mayor Cury - Mary Ann do you have thoughts on how you would like to see this happen?

Mary Ann - It is such a sudden change it does seem simpler like Doug said.

Mayor Cury - I will suggest this if that is what Council's will is I don't know if we need to go into executive closed session that what happened previously I found it to be curious. I really think it be public vote that is fine I don't know legally how we can do that. We're selecting a future member of the Council does that make sense to you guys. I am questioning what happened in my own time.

Mike - I wasn't in support of doing this either way, the application process being different I don't care if it is public or not I don't think it should be limited.

Mayor Cury - Did we have anybody that voted against it I can't remember.

Mary Ann - How did they handle?

Michael - They had appointments before but that was before I was with the firm. I don't have any personal knowledge on it. It is something I can talk to Brad about I am assuming someone from the office would need to be here November 30th I know that's going to be a quick turnaround. That might be something to put on the agenda for that day. At least to advise Council as to or how Tazewell has done that before.

Doug - Are you talking about the applications?

Michael - Just the appointment process, I am not sure they have done it.

Doug - We need a legal vote majority and what Tazewell does shouldn't have any bearing on what we do. Don't you agree?

Mayor Cury - One thing we have done here for years and I don't think it's the right thing we select people, we select them someone makes a motion to get a vote or not. There should be a slate of candidates. You vote from that slate just like operating in for an office. The two (2) people on the slate by the current vote would be Rick Wood and Laura Mollo. That is the slate and people vote on it. It would be Wood or Mollo it would not be I want to make a motion to appoint Rick Wood and it fails it's a slate and we made this mistake for years and I've watched I think we should be more cognizant on how we do it. It is a slate of people. My suggestion to Council is to have a slate if you want them to submit a resume that's fine If you want them to speak in person that's fine those are the people on the slate unless want to amend this and have write ins but then it becomes a major hassle for the Council.

Jeff - What if someone abstains?

Mayor Cury - You should not do it.

Mike - Even with a slate you have to approve.

Mayor Cury - You should not abstain this is not a conflict of interest. This is voting on a member of Council. It would foul it up, almost look intentional.

Mike - Even with a slate you still have to make a motion.

Mayor Cury – Adopt the slate then you vote. You cast public votes.

Mike - What if you don't want it.

Mayor Cury - Then it fails. I think we are bound to do something. That is my opinion based on my opinion tonight.

Doug - If you have a slate the one that has the majority votes wins. It would not be a vote not to take either one of them. It is a majority if you have a slate.

Mayor Cury - Mary Ann how would you like to see this happen.

Mary Ann - I think the resume

Mayor Cury - Do you understand what I mean by slate?

Mary Ann - I do but still a motion would have to be made to accept the winner of the election.

Mayor Cury - Example suppose two (2) people, people a and people b we go around and you say you are voting for person a or person b, etc. that is my take on it.

Mike - Can I make a motion?

Mayor Cury – Sure

Mike - We open it up and not limit to two (2) people.

Doug - You can't, you have to take the motion away.

Mayor Cury - I will ask for counsel.

Michael - I would think that you would make a motion to reverse the previous vote I think Council has the ability and it is up to council if they want to do that, to make a motion to disregard the earlier motion.

Mike - I make the motion that we reverse the motion and vote that we limit to two (2) people.

Mayor Cury – So you are making the motion to nullify the motion.

Mike - I make the motion to nullify the previous motion to limit to two (2) candidates, Mary Ann seconded the motion.

Mayor Cury - Council back in Session. Thank you very much with your patience of getting Zoom back on line. We apologize to the public for the technical difficulties.

Mayor Cury - Where we are in discussion is the process, and I think the Town Manager has a good suggestion. That we accept letters say why you should be on this Council, what I call a resume.

Doug – I think you should address the public and tell them just what happened with the rescinding of the vote, they know nothing that went on.

Mayor Cury - Earlier in the meeting there was a motion made by Councilman Ratliff and second by Councilman Brown to have these candidates to fulfill the vacant seat to be included is Rick Wood and Laura Mollo. Just a few moments ago there was a motion made by Mike Street and second by Mary Ann Strong to nullify the earlier motion to open the seat up to multiple, anyone who wants to apply. That motion carried on a 3-2 vote. Does that sum it up?

Doug - Yes

Mayor Cury - I apologize to our citizens of the Town for the technical difficulties so I hope I have explained satisfactorily. Does that satisfy you Councilman Ratliff on what you think happened the transactions the motion by Council?

Doug – Yes, I would ask that you tell who voted which way.

Mayor Cury - I will ask the Clerk to repeat the names. Doug's original motion who voted and for what

Connie – Doug made the motion to limit the applications to Rick Wood and Laura Mollo, Richard seconded the motion. Doug-Yes, Jeff-Yes, Mike-No, Mary Ann-No, Richard- Yes. The next motion - Mike made the motion to nullify the first motion and take the limit off to allow more than two (2) candidates, Mary Ann seconded the motion - Doug-No, Jeff-No, Richard-Yes, Mike-Yes, Mary Ann – Yes.

Mayor Cury - Doug you think that explains to the public?

Doug – Yes, I do.

Mayor Cury - Again to the citizens of our Town we apologize for the technical interruptions.

Mayor Cury - To make this process as smooth as possible I will ask that the Town Manager to publish something as soon as possible entertaining letters of interest and fulfill the seat vacated by Councilman Plaster.

John - Would you like to have a deadline set on that so we could put in the agenda packets for your review before our following our Council meeting that we have coming up in December.

Mayor Cury - We should have a deadline for the application. We don't want to wait until the last minute. If someone wants to throw their hat into this important event, do you have any thoughts on this. I will just make an executive decision on this and give you a deadline of two (2) weeks.

John - Just to understand the process as you look at the applications.

Mayor Cury – Not preaching to you guys I am just telling you what I think,

Jeff - We don't want to come in here and it just be another cluster. Richard could nominate one (1) and everyone could nominate one, you see what I am saying.

Mayor Cury – Absolutely – We need to be clear in what we are doing – (Ask all Councilmembers if they are clear on what we are doing.)

Mayor Cury - John will you be with me and I prefer to have a member of the Town so it is just not you and me making decisions I don't want that, I would ask Heather and the Clerk to be with us and record what we do.

John - I regards to the

Mayor Cury - I want it in the minutes.

John - The four (4) of us.

Mayor Cury - You and I will decide on a time that is convenient for the two (2) of us, Heather works for the Town and Connie, I want Heather as a witness and Connie recording the minutes.

Heather made comments about applications.

Mayor Cury - Should be submitted to the Town Hall, 200 Washington Square attention to the Town Manager. Heather, I think it is important you be in this mix it's like sending an application to the blind address.

Mayor Cury - After the meeting if you will allow me to do this.

Doug - Before we do that can I inject something.

Mayor Cury – Yes

Doug - Since there has been so much controversy over this decision why couldn't we order a special election and let the citizens decide. We could do that how soon. That would be the fair way to handle. That would be the first thing to do is let the citizens speak. I think all Council should agree, why we don't let the citizen's vote.

Rod - I don't object to it, it certainly would take us off the hook.

Doug – All this controversy would go away.

Mayor Cury - I appreciate your knowledge a lot but it's not that we don't value that but it needs to be procedure and it needs to come from our attorney. I would appreciate it you could research for us now and we will know.

Doug - While he is researching if we don't do this there are going to be a lot of people not going to get a voice and they are going to be very upset with Council.

Mayor Cury - Let's give him a few minutes. I am not opposed either way the Council wants to go, it is a Council decision.

John - With respect of time can I go ahead and finish my comments?

Mayor Cury - Yes

John - The Town Hall will be closed on Thursday in honor of Veterans Day.

Michael - I don't see anything in 30 days but promptly, the court should be prompt.

John - If that is something Council is interested in I suggest we continue this meeting so we can get the information and have that to provide before a decision is made if that is the direct that Council wants to consider.

Doug - Can I make a motion?

Mayor Cury - Just a minute, the Town Manager is trying to make a suggestion that we recess this meeting at the end of this meeting, if we entertain the idea of an election, asap.

John - If that is the direction that Council wants to go in.

Doug - You are making a suggestion that we have a prompt election.

John - If Council wants to look into doing a special election we could continue this meeting so we could go over all the necessary information and Council could make a decision.

Michael - With 55/60 days of an election coming up, I am not comfortable say that it is 30 days it might be.

Doug – What are you comfortable with 45 days?

Doug - I want to make a motion, we rescind the previous vote and that and we order a special election within 45 days, or 30 whatever Council decides. Have a special election and let the residents decide who they want to represent them on Council.

Mayor Cury - Motion on the floor for Council to have a special election, is there a second?

Richard – People will wonder why I was on the phone I was doing some research looks like the cost for special election is \$20,000.

Mayor Cury - Do we know that for sure?

Doug - I think the cost is around \$10,000. That is a small sum to get representation that the community wants. We are deciding on five (5) million dollars coming to the Town. We are deciding on millions of dollars and which way it is to be spent by the Town. I am sure they will want a representative that they want deciding or help decide on those decisions. Ten thousand dollars is minute compared to a budget of close to seventeen (17) million.

Mayor Cury - I will try to help you if you don't mind, Right now we don't know if it is \$10,000 or \$20,000, just know we are guessing. I would suggest if this is something Council would like to entertain that we follow the Town Manager's suggestion.

Doug - May I make a suggestion.

Mayor Cury - There is a motion on the floor, is there a second to Doug's motion?

Doug - I wanted to answer what Richard was saying about the cost. I am pretty sure the cost is around \$10,000 I am sure if the Town doesn't want to pay that I will come up with the money.

Mayor Cury - That would be improper Doug this is a public election.

Doug – I mean from the community.

Mayor Cury - It would be improper, this is something that government needs to pay. We don't want to look at volatile election not many outcomes. I appreciate your generosity but it is not proper.

Mayor Cury - I am suggesting that we follow the Managers advice and if this is something that Council wants to consider we can recess at the end of this meeting and convene as soon as possible and discuss.

Mayor Cury - Is there a second to Doug's motion? The motion fails for a second.

Mayor Cury - Let's try to clean this up right now. What is the will of Council?

Mayor Cury - Jeff do you want to recess to discuss this?

Jeff - I think that would be wise.

Mayor Cury – Doug?

Doug – Yes, Richard – Yes- Mike – Yes, Mary Ann – yes – Date pending.

Mayor Cury - We will talk about it at the close of session.

Mayor Cury - "Attorney Comments" – Foreclosure Update

Michael – Seven days from the date of this notice may take action to prevent unauthorized access to the structure as the structure in its current condition poses significant threat to public safety you are also further notified that if not action is taken by you within 30 days from the date of the return receipt is received by the Town or by the date of the second publication of this newspaper advertisement the Town can take this they're notified that the cost or expenses incurred by the Town in taking such action creates a lien against such property, until paid shall be chargeable to and responsible for payment you as the owner, may be collected by the Town as taxes are collected. Please govern yourself accordingly.

Mayor Cury - In essence you are saying?

Mayor - The property is on the move.

Mayor Cury - It is not advertised for sale yet?

Michael - It is not going to be for sale, it is going to be a nuisance, whether the property is demolished, or the true owners do something with it.

Mayor Cury - Alright I follow.

Michael - As far as the Linwood, I don't have any designation from any authority such as Gary Jackson that would say that is a dangerous property. If Gary was to come to me and say that we could move under the nuisance ordinance, however we are not in that position as of yet. I believe the Town Manager has spoken with Gary regarding that. I not sure if he has come to inspect it or not.

John – When I last spoke to him I understand there is some difference in jurisdiction, it is something we will have to be able to work out with him.

John - I have reached out to Gary and because of the jurisdiction in Town, I am not sure what his regulations are and what he is able to provide us in regard to what we will need, we will look to see what he can provide some level of service to the Town. We really don't have the staff that we can state that it is structurally unsound or unsafe. We can look at it and give our opinion s but we would feel more comfortable if we had someone with the background as he has, two (2) years back taxes. When I talked to Brad he was not comfortable at this point but felt that he in December/January the third year delinquent taxes at that point would easier to make a case filing for the delinquent taxes to foreclose on that property. Fairfax Avenue we are moving forward always we don't want the owners to come back and say hey we're going to fix it up.

Mayor Cury – "Council Member's Report" – Richard Brown

Richard - I talked with Heather earlier and she had spoken with VRS there is about a \$4,000 cost in order to get the ball running on that, wanted to make sure Council was still OK with moving forward with the research and moving forward.

Mayor Cury - You are asking Council permission to move forward with Leo's?

Richard - It is for Fire & Rescue; I had brought it up last month. VRS has to do a study regarding in what it is going to cost the Town and employees, whatever the cost may be. There is \$4,000 cost upfront cost for them to do the study.

Mayor Cury - Do you want a motion or consensus?

Doug - They could do the study for that and I would ask for a consensus to do a study of what it would take to pay off the VRS for the employees. We owe a quite bit of sum of money. I think that would be an added to your study so we could pay off for the Town employees. Buying into the VRS, that is a lot of money. It is costing us a lot of money.

Richard - You are talking about the Buy-Off?

Doug - It is costing the Town quite bit of money each year. I guess you could research that to check and see. I think we should consider that along with what you are proposing.

Richard – Was there a 10-year thing on that when we did that?

Doug - We did.

Richard - It should be pretty much paid off.

Doug - We still owe quite bit of money. The interest is high on that.

Richard - If you need a motion or consensus on this whichever.

Mayor Cury - I think you need a motion since we are working with money.

Doug - Would you include my suggestion?

Richard - I don't know what your cost would be.

Mayor Cury – Richard has given us a figure of \$4,000. The unknown is what she would have to research.

Heather made remarks.

Doug - It won't take out any extra money to know what the sum is.

Richard - My motion just needs to be just specifically for the \$4,000.

Doug - And include the sum maybe for the consideration for the Council to pay off the Town Employees VRS.

Mayor Cury - I think it needs to be a separate motion. He motion is for \$4,000.

Richard - I would like to make a motion that Council approves the quote from VRS for the study of the Leo's program for the Fire & Rescue.

Doug - I will second the motion.

Mayor Cury- 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. Roll Call –Doug- Yes, Jeff-Yes, Richard-Yes, Mike – Yes, Mary Ann – Yes Motion carries – 5/0 Motion carries.

Richard - Prior to tonight normally our December aren't business oriented because it is Christmas month. I had planned on making an announcement that I had a prior commitment on December 14 which is our next Council meeting. I don't know that I can get out of that. I probably won't be here on December 14 if you are wanting to vote on a new Councilmember.

Mayor Cury - It is very important that you be here.

Richard - I just wanted to let Council know that I had a prior commitment on the 14th.

Mayor Cury – “Council Member Reports” – Doug Ratliff

Doug – I make a motion that we consider using part of the ARPA money to pay off the Town employees’ debt to VRS. It is costing a considerable amount of money in interest each year. I would help the employees and the balance of the Town’s budget.

Mayor Cury – So it is consideration? You are saying making us fully funded is that what you are saying?

Doug – Yes

Richard - I think I would have to abstain from that because I am actually part of that.

Mike - I would like to know the numbers before I vote.

Jeff - I second the motion.

Doug - We are just making a motion that you consider.

Doug - If we are going to consider it would be better to a consensus wouldn’t it? You can’t make a motion to consider. I would like to make a motion and pay it off tonight.

Mayor Cury - Jeff will you withdraw your motion?

Doug - I withdraw my motion.

Jeff - I withdraw my second.

Mayor Cury - Is there consensus of the Council to consider Doug’s proposal.

Mayor Cury – Done, Thank you.

Mayor Cury – “Council Member Reports” Mary Ann Strong

Mary Ann - I would like to recognize Jerry Gilbert our Chief of Police for Veterans Day Program. Unfortunately, I had previous commitment on another Board that I serve on. I couldn’t attend but I heard wonderful things about it. I am sure Jerry had lots of help so much appreciation to everyone. To our Town crew that put up the flags and just an extreme amount of gratitude to all our veterans all across our country. I hope everyone will remember them on Thursday. As far as Christmas I know we have had some talk about that, John you and Heather probably know, are there plans being made for the Town employees?

John - We are working on that, we have narrowed down to a couple of days; we are waiting on reply back from caterers. As soon as we get that information we will get to you all. The plan is to do it during the day, some of our employees can attend better than in the evenings. If you all are available during that time, we will get you the information to you so you can attend.

Mary Ann - It’s not so much about us; I just wanted to make sure the employees were recognized. Last year with Covid we couldn’t really do much, I just thought we should be able to recognize them and their families for Christmas. I know you all do a great job. As far as Recreation the Haunted Trail was fantastic, the Town Manager went and I and just heard great reports all over Town. I really want to thank Jessica at the Rec Park and Ramp-Up Richlands who had a big part in that. Unfortunately they didn’t get to do two (2) nights because of the weather. I think they made up for it on Halloween night; it was very well attended and fun. It was a safe night. A special appreciation to Jerry Vencill, who came

and read some ghost stories. At the Rec Park, volleyball is geared up and going, that is boys and girls from kindergarten to 12 grade. Councilman Hurst will probably talk about basketball. There is a lot of good things going on the Rec Park as we move into winter sports. Rec Commission will meet Monday at 6:00pm. I will remind all Rec Commission members to try to attend. We are having problems with quorum. If anyone listening or anyone on Council knows of anyone who might be interested and would have the time to put in, please get in touch with me or Jessica at the Rec Park. It is time to start attending and participating or move on.

Mayor Cury – “Council Member Reports” – Jeff Hurst

Jeff – I just wanted to reiterate the Veterans Day Program and remember our Veterans on Thursday, those who are currently serving and those who served and paid the ultimate sacrifice. It is a forgotten holiday sometimes we need to keep that in mind and move forward. Just a couple things to reiterate with Mary Ann we just finished our soccer season, volleyball starting and basketball starting, so I don't know did they ever decide on guidelines as far as attendance? Maybe that is something to bring up at Rec Commission. I wanted to know before we do anything with basketball. There was a citizen that contacted me today about a piece of property on South Center Street is becoming an issue with snakes and some other creatures. Where it is grown up so much it attracts animals it is 515 South Center Street if someone could look at that. That wanted to see what we could do, worried about the snake issue and one side some mice or rats or something too. I think the buildings are pretty much gone and no one has mowed the yard and stuff. If someone could look at that I would appreciate that. The other thing I had and I don't know if it has been discussed in previous council or not, Randy Puckett had asked me the other day about the possibility of naming the bridge on Veterans Drive. I think it was his brother that was missing in action. I didn't know if it had ever been discussed about naming the bridge. The bridge is actually over their old home place and asks me if Council would consider naming that bridge in his memory. I wanted to bring to Council's attention.

Mayor Cury – “Council Member Reports” – Mike Street

Mike – Just wanted to let everyone know where we are in the revitalization matching grant so everyone is on the same page. At current we have applied for the Planning Grant that is a \$50,000 to pay for a consultant that we will put out for bid. This consultant is incredibly important, that is where we are at currently. The consultant is responsible for providing a master plan and economical structured plan and budget overview of the entire project. Will also be talking to the property owners and potential commitments of the project as well as working with the attorneys to handle potential blight issues as well as potential deed issues. Our next steps after this in November 17th we will know if we were approved for the Planning Grant. We have not received the Planning Grant yet. Obviously, the project can't go forward if we don't have the Planning Grant for \$50,000 because that is the fund for the consultant to have a plan. We will know November 17th; our November 15th meeting has been cancelled because we don't know if we would have the grant. Once we have approval for that grant we will start our bid process for our consultant which is incredibly important that is the person the business and property owners as well as Town staff and other folks will be dealing with on a regular basis. As far as what that looks like ahead if we are approved for the Planning Grant or management team will chose a consultant based on the bids. We need three (3) bids in regards to our consultants. We can chose wisely in regards to what that looks like. This is the last task for the management team to complete, the folks that have been involved with assisting us with the potentially planning grant. That is the last step for those folks. Our meetings will be a little different from here on out as the landscape of the grant moves forward the Town staff, Cumberland Plateau District Staff, myself as far as representation from the Town Council consult a draft for the final grant application. It is a very lengthy process to get to the final grant application, an incredibly extensive process. These individuals will identify a focus area for the scope of the grant. The applicant for the grant application and the final application will go to approval from the Town Council. Nothing will be approved without the Town Council's approval. It is important to know there will be an area in the Town that we will be focused on specially a lot on the west end, needs a lot of work. The consultant will be responsible for reaching out to the property owners and talking about the upgrades to the facades on the front of the buildings. That is a complete matching grant up to one (1) million dollars. So that is important to know.

Doug - How come certain properties were blanked out? There was a map and certain properties were consider blight, others were completely bypassed because they have no knowledge of it.

Mike - It depends on the project some of it was part of the project before, those were not included because they were part of the earlier revitalization. Some of them may not have wanted to participate.

Doug - I know several properties were bypassed.

Mike - Do you have specific problems?

Doug - With some of my properties but I don't need it.

Mike - Are they on Front Street.

Doug – They are on Front and Second Street. How come the Huddle House was listed as a blighted area it is a new building? A lot of properties not only mine but several other properties were completely blanked out and not considered a blight area. I saw the map and it was already done. How can you consider a property in Town not blighted areas and considered a new building like the Huddle House? It was included in the matching grant application.

Mike - What you are looking at is not an end result. I may have been an earlier map that showed that property was in fact blighted based on before the Huddle House was there.

Doug - All these properties are the ones you voted on in a meeting.

Mike - We have not identified a final scope.

Doug - All those properties were already identified two (2) months ago, you considerably went down thru the Town and picked who you wanted for those matching grants and left out who you wanted.

Mike – That is not true.

Doug – And put the Huddle House as a blighted area.

Mike - You are speaking very, very incorrectly, you do it all the time. It is my turn.

Mayor Cury - Doug if you will hold your questions and let Mike finish.

Mike – This is a work in progress, as identified we don't even have a scope of work of what it looks like yet, all we are trying to do is get a Planning grant so a consultant can sit down and look at what we have and go out into these businesses to commit money, we don't want to miss anybody. There will be an area that we have to focus on based on the Department of Housing. We won't identify, it won't be up to us it will be up to the Department of Housing. They will make that decision in regards to what that looks like. We will have a final scope we will have a final idea and to what that looks like and we don't want to leave anybody out. This is a fantastic project, this is amazing, essentially one million dollars for our downtown. We won't leave anybody out if we don't have to. Anyone that was included before may or may not be included we don't know yet. We have not had those discussions yet regarding to what is going to be in the final project. The consultant will have three (3) months to put together a master plan and meet with each of the property owners and ask what would you like to put into the project, what would you like to do in front of your building and let's figure something out together. Okay I am going to commit to \$10,000 so they would get \$10,000. That would be \$20,000 they could spend on their property. We are still in that process and we can spend up to one million dollars. With the ARPA funds whatever is left that is not committed, the Town itself, Front Street and whatever street are also included the Town would have an opportunity to take advantage of the rest of the funds that is not committed to and equal to the one million dollars. We can make incredible changes to our street scape,

sidewalks and lighting. It is absolutely incredible; it's a long time away. We will not know if we get the big grant whenever we submit in the end of July 2022. It will be more like August. When Lebanon submitted they had to go thru it twice, it is incredibly competitive. It is still very premature we are doing our absolute best to get this for all our downtown. I am pumped about it and glad to be involved can't wait to see our progress and I will keep you updated.

Mike - I am currently working on something with legislation potentially as well as the State. The auditor of public records as well as email. All of Council knows we approved personal property tax because we have done that, we may have the potential to have some more money for the Town for our general fund. It is called Virginia Communication Sales Tax. We were not eligible for that in the past. They felt like we didn't need since we didn't have a personal property. This is a pass-thru an opportunity for us to get money from the State. It may take legislation I am prepared to work with John and I have talked to him regards to what that looks like. We do have support from our State representatives. They have agreed that it is fair and is an opportunity for us. There are all kinds of localities around us that have personal property and have received the communication sales tax. We as people who have cell phones and landlines we already pay this. It is not given to us as a locality. It is an opportunity for us to have additional income for the Town, which will be amazing. I am working on that now and will have a better update. VML is requiring about that now for me. I have Senator Hackworth and his aid Tom Lester ready to roll as far as legislative services. We can potentially get some extra money there. I don't ever want to turn down potential money if it is there. I just wanted the Council to know what I am working on. I wanted to mention now. It might be something we discuss in our workshop. I will keep you updated in regards to that. I don't need assistance or anything like that, I can handle it. Just something I am looking at and wanted Council to be aware of what that looks like.

Doug – All I want to say there is a lot of merchants in Town that is very upset because their property was completely without their knowledge was skipped on the map and not considered a blight area but yet the Huddle House a new building was included in the blight area so they could get a matching grant. All I am saying they don't understand how that can occur.

Mayor Cury - "Mayor Comments"

Mayor Cury - Veterans Day it was a wonderful program and I will echo what Mary Ann and Jeff said about Veterans Day, this coming Thursday, November 11. It is always November 11 it is a federal law, it doesn't come on Monday or Friday it's whatever November 11th is which is historic. It was a wonderful program. I just personally thought off the top of my head if I can remember I want to thank the Richlands High School Band for coming and participating. The ROTC Program from Richlands High School, Richlands High School History Club, Rusty and Teresa Hess in memory of their son, for providing dinners in takeout boxes. The guest speaker Mr. Clark, Chief Gilbert for being the master of ceremonies. I would also like to thank the Veterans Committee which organized the whole program it was really a good thing. I can personally speak for the History Club this is something that I am passionate about, the kids came and gave out poppies, normally that is Memorial Day but it was an opportunity to remember Veterans and the story of the poppies.

Mayor Cury - The FEMA Grant, Ms. Plaster came to talk about it the pre-deadline we are not going to make it. I think it is very important that we meet with the county some way and our representative to talk about this grant which could help us a lot with the flooding and multiple things that could happen with potential money that would help us with our flooding issues and how it could be tied to other positive things we are trying to work on such as the walking trail. She sent it to me and we have talked about it. I will reach out to her to see if we can work with her in some way to tap into this money.

Mayor Cury - The Christmas Parade is coming up, which I think is December 2., Ramp- Up is helping with the parade. The Tree lighting is at 6:00pm.

John - The tree will be lit when the parade begins.

Mayor Cury - It is a momentous occasion and its Christmas, the spirit of Christmas. For everyone listening let's celebrate Christmas in Richlands.

Mayor Cury - Richard had mentioned this, it is a good time to work with this, and the fact he will be tied up or otherwise occupied which is on our next Council date which is December 14. I am trying to understand and it is vital that we are all here whichever path we choose an election or selection of Council it is vital that all five members be here if that is the path that we go. I will ask Council's thoughts and we will put first on the list he'll be tied up at 6:00pm afterwards, is that right Richard? Is it possible you could be here at 5:00pm if we are able to move our Council up an hour and start promptly and have that first on the agenda? If we go by the selection process by Council instead of election, we don't know yet.

Richard - Can we discuss on November 30th at the work session?

Mayor Cury - Would that be time enough to notify the public?

Richard - I had made this commitment prior to tonight not realizing the importance of the meeting.

John - We could wait until the end of this meeting to continue this and the next few days if the decision is to have an election then it becomes irrelevant.

Mayor Cury - We will wait until we decide when we reconvene.

Mayor Cury - I will ask for a motion to go into Executive Closed Session - 2.2-3711(A)(29)- Contract negotiations, Jonah Project, Property acquisition and 2.2-3711(A)(7) Attorney Client Privilege.

Jeff - I will make the motion, Richard seconded the motion.

Mayor Cury- 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. Roll Call -Doug- Yes, Jeff-Yes, Richard-Yes, Mike - Yes, Mary Ann - Yes Motion carries - 5/0 Motion carries.

Mayor Cury - We need a motion to come back into Open Session and certify it is only to 2.2-3711(A)(29) and 2.2-3711(A)(7)

Jeff - I make the motion, Mary Ann second the motion.

Mayor Cury - Roll call vote and we are voting on certifying that we only talked about these two (2) things.

Mayor Cury- 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. Roll Call -Doug- Yes, Jeff-Yes, Richard-Yes, Mike - Yes, Mary Ann - Yes Motion carries - 5/0 Motion carries.

Mayor Cury - We have returned to Open Session and certified. Is there any action that needs to be taken on by Council at this time?

Jeff - I would like to make a motion that we are going to enter into a property sale and we will be taking bids for the property. Doug seconded the motion.

Mayor Cury- 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. Roll Call -Doug- Yes, Jeff-Yes, Richard-Yes, Mike - Yes, Mary Ann - Yes Motion carries - 5/0 Motion carries.

Mayor Cury - Before we close this meeting we are going to continue this meeting.

Michael - When is Logan's term set to expire?

Mayor Cury - In 2024 his term officially ends.

Richard – Tomorrow is the deadline for the paper I don't want to get into another thing where we have to cancel the meeting because not enough time advertised.

Doug - Why don't you do it on November 22 to make sure?

Mayor Cury - Attorney, can you let John know in the morning if November 15 is good or not.

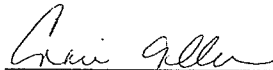
Mayor Cury - One group I failed to mention for the Veterans Ceremony was the VFW. They contribute enormously to this.

Michael - You can post on the Town's website; you are just recessing today.

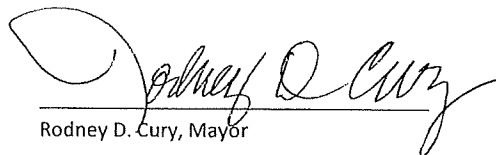
Mayor Cury - Nov. 15 at 5:00pm

Jeff - I make a motion that we recess until Nov. 15 at 5:00pm, Richard second the motion.

Mayor Cury - All agree say I, all opposed say no - All "I" - Motion carries



Connie Allen, Town Clerk



Rodney D. Cury, Mayor