

The Richlands Town Council held a regular monthly meeting in the Richlands Council Chambers on September 14, 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 Members Absent: Logan Plaster
Town Attorney: Bob Altizer

Mayor Cury opened the meeting.

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

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

Mayor Cury - Does any in audience want to speak on "Unscheduled Public Comments"? Add Paul Cook

Connie - Please take off Carol Gilbert from "Scheduled Public Comments"

Mayor Cury - Remove Carol Gilbert and SinDusty Kyger-Melton from "Scheduled Public Comments".

Mayor Cury - Add 2.2-3711 (A) (7) Potential Litigation.

Mayor Cury - Do I hear a motion to approve the agenda?

Mary Ann - I make a motion to approve the agenda as amended, Richard seconded the motion.

Mayor Cury - I will ask for a general vote, all in favor say "I".

Council - All said "I"

Mayor Cury - The motion carries unanimously.

Mayor Cury - Approval of the Minutes – August 10th- Public Hearing and August 10th Regular Council Meeting.

Jeff- I make a motion to approve the minutes, 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.

Mayor Cury - We are going to go into "Closed Session" for 2.2-3711 (A) (29) Contract Negotiations (Town Attorney). Do I have a motion to go into "Closed Session"?

Richard - I make the motion to go into "Closed Session", 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.

Mayor Cury - We are going to reconvene.

Richard - We need a motion to come back into regular session?

Mayor Cury - I need to change that we need a motion to come back into regular session and to certify that each member of Council, Mayor and anyone included in the "Closed Session" discussed nothing other than 2.2-3711 (A) (29) Contract Negotiations regarding the Town Attorney.

Mike - I will make the motion, 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.

Mayor Cury – Appointment of Town Attorney- Read the Resolution R-2021-08-01

Jeff - I make the motion to adopt R-2021-08-01, 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 - Abstained Motion carries – 4/1 (Mary Ann abstained).

Mayor Cury - Welcome Mr. Altizer and your firm.

Bob Altizer - Thank you for having trust in our law firm, we appreciate it.

Mayor Cury – On a personal note we are hoping you are enjoying good health.

Mayor Cury - Before we have the public comments, the Mayor would like to read Section 4 of an embedded resolution that has been in place for some time. I would ask that anyone speaking to Council would it be scheduled or unscheduled, please address Council at large and please refrain from turning to anyone in the audience and addressing them directly or even implying. It is a courtesy and a respect issue. Section 4: Comments by citizens on agenda or non-agenda items are limited to statements: speakers may not engage the Town Council members or Town employees in a question-and-answer exchange. The Town Council encourages civility in public discourse and requests that speakers refrain from language which would incite an immediate breach of the peace; and refrain from undue repetition, extended discussion of irrelevancies, use of obscenities, and personal attacks. Any person who violates these rules may be declared out of order by the Mayor. A person who persists in violating these rules may be removed from the meeting.

Mayor Cury – "Scheduled Public Comments" Laura Mollo

Laura – 262 Linwood Drive – I once again ask about the ARPA money. Why will you not tell us how much money Richlands is receiving and what is being done with this money. I think after you release the dollar amount to the public, that you should also hold a public hearing to take citizen suggestions on what is being done with such a large amount of money, I believe close to five million dollars, if I'm not mistaken. Citizens have great ideas for that money and it does belong to the citizens of this Town. Also, the Town Council needs to make citizen participation easier. It's hard for people to come to the meetings; it's hard for them to hear it on YouTube. You have turned comments off on YouTube. I appreciate the work by Mr. O'Daniel to put the meetings back on the Access Channel but can we get an update on when that will happen. Citizen input shouldn't just be tolerated, it should be encouraged and welcomed. The Council can do that by allowing phone participation. You can mute participants until it's their turn to speak. This allows for safe participation during the pandemic and allows for people who aren't able to physically attend to still hear the meetings better on the phone and participate. Speaking of safe participation, I would ask you reconsider the passage of electronic meeting participation. With the recent state of emergency declared in the County, people are going to be required to stay home. If someone is, God forbid, sick, or out of town, or whatever the case may be, they should still be allowed participate. By not allowing that, you're taking away Citizen's representation, not just Council participation. The law states this may only take place twice in a year so a Councilmember can't take

advantage of the situation. When four (4) of you voted to give yourselves insurance paid for by myself and my fellow tax payers, it was said by a few of you that you were going to pass it because you and I quote, "cannot tell your fellow Councilmembers what they should do" but would pass it because it's available. Electronic participation is covered by VA Code 2.2-3708.2. So why are you okay with letting your fellow Councilmembers take advantage of insurance and not allowing electronic participation during a pandemic? That sounds skewed and personal. I also want to ask about the Electrical Committee. This was brought up in February of 2020 where there was a consensus taken and agreed upon by a majority of Council to appoint new members, including citizens, to the Electrical Committee. The Mayor at that time asked for a month to gather citizen names. Councilman Ratliff brought it up again at the following month's meeting and was pushed aside and it was never spoken of again. I think it's important to follow through on things you say you'll do. So can you please advertise open appointments for the Electrical Committee and let's have them start meeting again.

Mayor Cury – "Scheduled Public Comments" Blake Ray

Blake – 426 Buchanan Street – I was going to talk about something completely different tonight and it is irrelevant to what I am going to talk about, I had a quote come across my desk this morning while I was working. The quote was "You are always one decision away from a totally different life", I come to speak to you on what I really wanted to talk about, each of you have an obligation to hold the best interest of the Town and the citizens to the highest degree. You are charged with making decisions that could benefit the community and also harm the community. I find it very difficult for you to make those decisions with eloquence if two (2) members of Council do not live here as a primary residence. Code Section of Virginia states you have to live in Town 6 months and one (1) day out of the year. Allegedly Councilman Ratliff and Councilman Plaster do not live in Town six months and one (1) day out of the year. My request is to come to you as a body as a governing body to charge the Town Attorney who is hired to represent the interest of the Town and the citizens of the Town to conduct a special investigation to find out if they truly do live in the Town of Richlands Virginia six months and one day out of the year. With that, that is my statement.

Mayor Cury – "Unscheduled Public Comments" – Paul Cook

Paul "Slick" Cook – 601 Suffolk Avenue – I have one (1) question, you mentioned the Electrical Department, years back the Electrical Department combined with several other municipalities, I believe it was Virginia Tech, City of Danville; we purchased at wholesale, sold it and made our profit. I don't know if you still have any type of connection with those people to get a lower rate. The Electrical Department I believe is our largest income and if you don't sell at a profit you are going to be hurting. I agree a person should live in the Town of Richlands and if you do make a decision on Town Manager put a time limit on it and stick to it. A few years back we had a couple of police officers who lived out of Town because the housing was not available, it is available now. I think you should grandfather the employees now, and have new employees live in the Town of Richlands. If you live in town you don't shop at Food City, I have seen one (1) or two (2) of the Councilmembers shop there. I won't call names but I will hope not like years back we had controversy with one (1) lady who complained about everything we did. I had the opening prayer and she commented in the paper that I had but it didn't get thru the ceiling, it may not have but the Lord helped me. It was tragic, she quit coming after her husband killed himself, hope she didn't drive him crazy like she was about to drive us crazy. The Town has a had a couple new businesses, Fitness Place, Coal Town Taps a wonderful restaurant but we need to try to get some industry that creates jobs that is not retail. You can bring all the retail people but you just cut it out from somewhere else. Get the budgets straightened out and please start harmonizing together and get some business in here that produces something.

Mayor Cury - Sorry we have a limited time and you spoke very well. Thank you and we appreciate your input.

Mayor Cury – Introduction of New Economic Development Director – Ashley Harris

John – About a month ago we hired Ashley as the Economic Development Director. As we talked to kind of switch what Connie's role was on community development and focus more on economic development. She is working on the grants that we are trying to wrap up for the library, green space and looking at the revitalization downtown. I wanted to introduce her so you could have a face with the name.

Ashley – I am Ashley Harris and I am originally from Bluefield West Virginia and I moved from Abingdon, VA to Richlands around a year ago. I was working in Bristol TN as an Assistant Property Manager. I am excited about moving forward with the Revitalization and helping to make a difference in our Town. Currently I am working on writing a grant for the Greenway. The grant amount is \$50,000 and would help to complete the few additions as we had to cut from the previous plan due to increase in price of materials. I am looking forward to working with the downtown businesses and each of you.

Mayor Cury - Very nice to have you thank you very much, Town Council, the Mayor and those not present we want to say welcome and wish you nothing but success, your success is our success.

Mayor Cury – Authorization to Pay Bills and Authorize Line of Credit, drawdown number #12 from National Bank for Wastewater Treatment Plant Rehabilitation Project, \$2,673.02 and Water Treatment Plant Upgrades and Improvements, \$19,388.04, cost for August billing for a total of \$22,061.06. Please look at your check registers and if you have questions the Town Manager can address.

Mike - I want to make a statement, Check 10511 Neko Party Rentals, LLC, which was made by donations not from the Town. It was for "Back to School Bash".

Mary Ann – Check 10514, Gillespie, Hart, Altizer & Whitesell, P.C. - \$6,957.40 higher than our normal attorney fee, could Mr. Altizer explain why that is above normal?

Bob – The billing included the defense cost for defending the Town of Richlands for the law suit against the Town for the adoption of the ordinances. We spent time defending that law suit and responding to the preliminary injunction request, declaratory judgement request that was served on us that morning for a hearing that afternoon. Myself and two (2) of my law partners had to get ourselves prepared on behalf of the Town at the hearing and subsequently getting a good ruling for the Town, denying the complainants request for relief we had to prepare an order, hearing by the court. A good portion of that fee, \$6957 was billed to the Town and \$3145 was defending the lawsuit. And also note the insurance company for the Town has indicated and will be reimbursing that amount because it was covered under a policy that is issued to the Town.

Mary Ann – It was a preliminary ruling.

Bob - There was a request for declaratory judgement and preliminary injunction and that was denied, the suit is still pending and has been inactive the last few weeks. The complainants have not given us any indication they want to move forward, I don't know what their intent is. We can discuss in closed session, I would be glad to give you all the details.

Mary Ann – Obviously there are more litigations.

Bob - Yes

Richard – Even though the insurance is paying the \$3145, is it a claim against their company like it used to be with VML or the end of the year we are going to be punished because we have filed this claim.

John - Potentially

Mayor Cury – Potentially, just wanted to make sure I heard correctly.

Richard – Used to be if you filed claims for wrecks and things like that end of year, pool based on the money given back, they took that portion of the claim away from you. We are basically paying we are not going to get \$3145 back, we are just paying upfront.

Doug - I think it has to be a certain amount; I deal with it a lot. It is pooled but it is like health insurance if you have an employee who has an astronomical hospital bill, I don't think it will affect us but you can let us know at the end of the year.

Mike - Check 10516 Marcus B. Buskill, DDS and Check 10520 Swank Motion Pictures those were both donations for the "Back to School Bash".

Mayor Cury – I need a motion to pay the bills.

Richard - I make a motion to authorize the Town Manager to pay the bills, Jeff 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.

Mayor Cury - Authorize Line of Credit, drawdown number #12 from National Bank for Wastewater Treatment Plant Rehabilitation Project, \$2,673.02 and Water Treatment Plant Upgrades and Improvements, \$19,388.04, cost for August billing for a total of \$22,061.06.

Mayor Cury - I need a motion to authorize the Town Manger to pay these bills.

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.

Mayor Cury - Ordinances O-2021-08-01 Rate Schedule, O-2021-08-02, O-2021-08-03, O-2021-08-04

Richard - It calls for the second reading of the ordinances but we also have in the ordinances that they are to be voted on tonight are we going to do that on each one of them.

Mayor Cury - We will read each ordinance and vote on them independently. I will ask the Town Attorney and Town Manager what is the most professional way to do this, vote on each ordinance after it is read or vote on them as a package.

John - I would prefer each, you do have an option to dispense with the second reading. If Council decides not to have a second reading, Council can vote on them.

Mayor Cury – I will ask the Town Attorney to render his thinking as well.

Bob - These are new ordinances, you can vote to dispense with the second reading or have a second reading, legally either way you would be fine. As far as transparency to the citizens I would read them.

Mayor Cury - If I am hearing Mr. Altizer correctly we can dispense with the second reading either way we are fine, as far as transparency to the citizens we need to read them.

Bob - That would be my suggestion.

Mayor Cury - Is Council on board with the Mayor and the suggestion of Mr. Altizer? It is about doing the right thing.

Richard - The only thing I would have, we are reading these and voting on as an emergency measure, so we need to read them and then vote on each one of them.

Mayor Cury - That is what I am thinking too.

Mayor Cury - Ordinance O-2021-08-01 – Read pages 1-4

Mike – Read pages 5-9

Richard – Read pages 10-12

Mary Ann – Read pages 13-16

Jeff – Read pages 17-19

Doug – Read page 20

Mayor Cury - I want the people watching and listening and present to know there should be no doubt that this Council can read, next month is the constitution. Thank you. Before I call for a vote on this I do have a question, I will refer to the manager and the attorney. Under item 12, we had the reading of the ordinance O-2021-08-01, to make sure it is in the right order, if you look down to item (d) Consideration for Cancellation of Previous Ordinances are we talking about these same ordinances?

John - That was prior to these four (4). When we looked at these at prior meetings we realized the numbers were not right or the timeline didn't fall into place, we wanted to go back and make a final and make sure we had everything in place.

Mayor Cury - I just wanted to know the proper procedure. Would it be in our best interest for the Town of Richlands to cancel these ordinances before we move forward on voting on these four (4) ordinances? Can we have ordinances in place at the same time, just asking?

Bob - Just as long as you cancel it is OK.

Mayor Cury - So it doesn't matter, I just wanted to make sure we were doing that correctly.

Bob - Dispense with the second reading and adopted as an emergency measure to take effect September 27, 2021.

Mayor Cury - Thank you for pointing out. Do I hear a motion to adopt Ordinance O-2021-08-01?

Richard - Are we going to have discussion after the motion?

Mayor Cury – Yes

Richard - I make the motion to adopt O-2021-08-01, Mike seconded the motion.

Bob - You are also making motion to take effect as an emergency measure and take effect on bills rendered after September 27, 2021.

Richard - That is correct.

Bob - Motion to adopt and as an emergency measure to take effect on September 27, 2021.

Mayor Cury - Can you please restate.

Richard – I will rescind my motion, Mike rescinded his motion.

Richard – I make a motion that the O-2021-08-01 be adopted as read and as an emergency measure and take effect on bills rendered after September 27, 2021, Mike seconded the motion.

Doug - Utility rates can't be passed on an emergency basis based on the Charter.

Mayor Cury - I will defer to the attorney on that.

Bob -- (Could not hear)

Doug - It is in the Charter, says it can't be passed based on emergency measure.

Mayor Cury - I have a suggestion if it is OK to take a 10 minute recess to give the attorney time to find that.

John - It would not make a difference if it was pushed out for another month.

Richard- My question didn't have anything to do with that portion of it. Mr. Altizer on page 19 under Electric Services – Unauthorized Electric/Water Meter Options \$50.00 does that mean we will not be prosecuting?

Bob - Just a simple charge you are making.

Richard - So you can do civil and criminal?

Bob -- This is a miscellaneous service charge for someone who has unauthorized electric/water meter that is not a criminal offense.

Richard – So this does not apply to an illegal hook up after disconnection?

Bob - If you have an ordinance you can prosecute as a crime.

Mayor Cury – Recess for 10 minutes

Mayor Cury – Council will come to order, we recessed to give Mr. Altizer an opportunity to clarify Doug's question which was "Can you pass on ordinance on utilities/electrics on an emergency measure.

Bob – The provision I think that Mr. Ratliff is referring to is Section 3.8, paragraph (c) Ordinances appropriating money for any emergency may be passed as emergency measures, but no measure providing for the sale or lease of town property, or making a grant, renewal, or extension of a franchise or other special privilege, or regulating the rate to be charged for its service by any public utility, shall be so passed. Richlands is not a public utility as defined in the Code of Virginia this has no application to adopting the rates that you charge for the Town of Richlands. You may adopt as an emergency measure so it is in effect sooner than 30 days. I have spoken to John he said it is not really going to make any difference to the Town whether this goes into effect on 9-27 or in 30 days. My legal opinion it was researched and lawsuit that is still pending against the Town of Richlands on those ordinances. I tried to get a hold of him but he is involved in Town Council meeting in Tazewell but I know he researched the issue and public utility as used in Charter is not a public utility that includes the Town of Richlands define for the Code of Virginia. Yes you may adopt as an emergency measure and make effective 9-27-2021. Town Manager says it don't make an difference if goes in effect on that day or 30 days from adoption, so if you want to adopt as a regular measure or without it being an emergency measure goes into effect October 15, it will not affect the way you do the billing.

Mayor Cury - John as the Manager do you have an opinion how you would like to see the Council act?

John – Either way, if you want to be a little more precautionary you can go into effect 30 days is fine in the end it is the same result.

Mayor Cury – Would you rather avoid any hint of misunderstanding, and go with regular ordinance instead of emergency to avoid any conflict?

John - I think that would be the best option.

Bob - If that is the Council's desire, adopt as not an emergency measure just adopt and be in effect 30 days hence.

Mayor Cury - Richard made the motion and Mike seconded it, I will ask for a clarification.

Richard – Can you strike the 9/27 on this ordinance and add the 10/15 without us having to meet again?

Bob – It was intended to go into effect 9/27 that is what the Town Manager wanted in order to do that it had to be an emergency measure. It can be stricken and go into effect 30 days hence.

John - Connie can change and we can vote tonight.

Bob - It is not part of the ordinance.

Mayor Cury – For accuracy tonight when he makes the motion he needs to make not as an emergency measure but effective October 15, 2021.

Richard - Do I need to rescind the motion again?

Mayor Cury - I would take it all back and start over.

Richard - I will take it back.

Mike - I will take it back too.

Richard – I make the motion to adopt this ordinance regarding the rate schedules and riders to be effective October 15, 2021 pursuant to 3.8 of the Richlands Town Charter, Mike seconded the motion.

Mayor Cury - Motion regarding the rate schedules and riders to take effect on bills rendered effective October 15, 2021.

Doug - Before we pass this I would like to make a suggestion, if you look at the paper it says Electric Service, we provide a service for the citizens, a service is not something you are supposed to make a profit on. You are supposed to be helping the citizens that is why you call it an electric service instead of making and adopting these high rates that are going to put a hardship on the citizens why could we not consider mirroring AEP rates and have the same structure and the same rates as they do and you would still make a hefty profit. We buy our rates a lot cheaper wholesale just like AEP and that would be a compromise and we are still providing service and helping our citizens and still make a profit if we reconsider this and mirror AEP rates I would ask the Council to consider that.

John - I would like to highlight one correction on page 17 at the top of the Page where it says "Small" should be "In Town Sewer Rates".

Mayor Cury – Any more comments or matter of discussion?

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- No, Jeff- Yes, Richard-Yes, Mike – Yes, Mary Ann – Yes Motion carries – 4/1

Mayor Cury – Ordinance O-2021-08-02

Jeff – Read Ordinance O-2021-08-02

Mayor Cury - The last wording that we have to consider and I will ask again for the counsel of Mr. Altizer and Mr. O'Daniel. It reads this Ordinance be adopted as an emergency measure and take effect on bills rendered after September 27th, 2021, would we adopt as an emergency measure.

Bob - As an emergency measure.

Mayor Cury - Do we have a motion to adopt Ordinance 2021-08-02 as written.

John - I would recommend

Mike - I make a motion that we adopt ordinance 2021-08-02 to be effective October 15 as pursuant to Section 3.8 of the Richlands Town Charter.

Mayor Cury – Duly note he took out emergency measure and put in to take effect October 15.

Mary Ann - 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- No, Jeff- Yes, Richard-Yes, Mike – Yes, Mary Ann – Yes Motion carries – 4/1.

Mayor Cury – Ordinance O-2021-08-03

Mary Ann - Read Ordinance O-2021-08-03

Mayor Cury - Do I have a motion to put in effect Ordinance O-2021-08-03, and use the similar language to take out emergency measure and become effective October 15.

Mike - I make the motion that this Ordinance be adopted O-2021-08-03 for bills rendered after October 15 as pursuant to Section 3.8 of the Richlands Town Charter, Richard seconded the motion.

Richard - On Ordinance 02,03,04 – On line number three on each ordinance it states that electric increase on all three of the ordinances should it say electric or water or sewer.

Mike – It is a typo.

Mayor Cury - We need to correct here before we vote on this.

Richard - We adopted the one that states rates for electric and it should have been water.

Mayor Cury - Ordinance O-2021-08-03 – Richard please read the correct language so everyone is aware.

Richard - Line #3 – O-2021-08-03 – “published in accordance with the Code of Virginia, 1950, as amended, that the rates for “electric shall increase” should be “sewer shall increase”.

Mayor Cury - Line #3 - correction noted: that the rates for “electric shall increase” should be “sewer shall increase”.

Mayor Cury - Motion made by Mike, seconded by Richard – corrections amended.

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- No, Jeff- Yes, Richard-Yes, Mike – Yes, Mary Ann – Yes Motion carries – 4/1.

Mayor Cury – Let’s return to Ordinance #2 and correct the language.

Mayor Cury – Be it Ordained (copy of ordinance rates for electric change to water)

Bob - The ordinance is actually Be It Ordained and down in the bottom you actually say water, to clear it up it should say water and amend what we adopted to delete the word electric and put in the word water.

Mayor Cury - We don’t want to have any shred of doubt of what we are doing.

Mike – I make the motion O-2021-08-02 we amend the word electric to water as in the third line of the first paragraph, Jeff 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.

Mayor Cury - O-2021-08-04

Doug - Read Ordinance O-2021-08-04

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

Mike – I make a motion to adopt Ordinance O-2021-08-04 effect 10-15-21 as pursuant to Section 3.8 of the Richlands Town Charter, Richard 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- No, Jeff- Yes, Richard-Yes, Mike – Yes, Mary Ann – Yes Motion carries – 4/1.

Mayor Cury - Greenspace Update

John – They have broken ground on the stage, they are waiting on some structural steel to come in so they can move forward, they still hope for a November timeframe to complete. I will speak a little later what are next steps are in Phase II.

Mayor Cury - It is going to look really nice.

Mayor Cury – Consideration of Proposed Charter Changes – Please look at the Charter changes that was placed in your packet they are numbered so we can easily turn to the changes and follow. Please turn to Page 11, #1 – Each member of Council shall be limited to two (2) consecutive elected terms in office. After serving two (2) consecutive terms, the member shall not run for a third full 4-year term. After the member has not been a member of Council for four (4) years they will be eligible for a final four (4) year term for a total of 12 years of service. Term served as an appointed member of Council shall not count toward the term limit described above. I think we should vote on these individually, is Council agreeable?

Council – Yes

Mayor Cury – I am fine with term limits I feel it does complicate the matter to have two (2) on one (1) off, I think it would be better to have two (2) terms and call it a good day. Simplicity works.

Jeff – OK

Mike – You talked about it last time at the meeting. Do we have to have any additional meetings if we change this?

John - We will send the recommendations to the General Assembly, as long as there is a consensus. I don't want to send something and get it approved and then it is not what Council wants.

Bob - Your Charter is adopted by the General Assembly. You are asking the General Assembly to change.

Richard - What is the cost of the Charter change? We changed the Charter back in 2012/2013 and it was a considerable cost at that time.

Bob - I don't know Richard, it would be one of your local legislators to approve these requests, I don't know if there is any charge.

Richard - There is a charge, I do remember that.

Bob – Do you know the charge to whom and by whom?

Richard - I think it was around \$10,000, it didn't matter how many changes were made to the Charter, the reason I brought this up we need to make all the changes we are going to make this time so we pay the one fee.

Bob - I can't speak to that I don't know.

Mayor Cury - I was on Council but I don't remember the charges.

Mary Ann – If we recommend it and approved by our legislator would be effect 2022.

Bob - You would submit to the next term which would be 2022.

Doug - I am OK with the term limits but I want to explain why I will vote "no" not that I am against term limits but it is intermixed with other things we are changing in the Charter and I don't want to put a vote to change the Charter with those other changes . If it was only that one (1) change I would vote yes. But since you have so many different changes that I disagree with, I will vote "no" on all of them. I just want to explain why I am voting "no". I am not against term limits I am for them I don't want to intermix with other changes.

Mayor Cury - In other words you don't want a yes vote, we are going to consider each one separately and render a decision separately. You want it all or nothing.

Doug – Yes, I don't think with all these changes we should mess with the Charter. I will vote "no" on every one of them. If this was only one (1) I would vote yes. Since it is mixed with all these others I can't consciously vote yes.

Mayor Cury - Mike correct me if I am wrong this had been a suggestion that you had proposed, do you have any thoughts about altering this to two (2) terms, three (3) terms?

Mike - I am ready to alter it to two (2) terms and make it simple.

Mike - I make a motion to change the Town Charter 3.2, Nominations and Elections to (1) Each member of Council shall be limited to two (2) consecutive elected terms in office.

John - Do you want to say consecutive or two (2) terms?

Mike - Two (2) consecutive.

Richard - Nothing would keep you from not running again if it is consecutive.

Mike - We can take out consecutive; make it as simple as possible.

Doug - I think the best thing for me to do is abstain.

Mayor Cury - Can you repeat how you want to word it again.

Mike - Each member of Council shall be limited to two (2) elected terms in office.

Mayor Cury - Strike all the rest.

Mike - Strike all the rest and (2) Time served as an appointed member of Council shall not count toward the term limit described above. That is my motion.

Doug - Did you say Council; is the Mayor consider part of the Council?

Mayor Cury - By the Charter I am not a member of Council but I can speak thereof, I do think the strange language, I am not too worried about it, it says the Attorney represents all these people and works for the Town government but never says he represents the Mayor, I think that is something we should consider. Clarifying language, it does not bother me but it is a huge consideration because I am part of the government and any Mayor been here is part of the government, our attorneys represent the government and we are the government, I am bringing it up because it is important.

Richard - Councilmen Hurst is running for re-election to fill the expired term, does his one (1) year count toward the (4) year term or is it a full (4) year term.

Mayor Cury - I think you have an excellent question which I am not trying to slow the process but what I really want to say this is such important language and we could walk away thinking that question didn't come to me, we need to be cautious.

Doug - It wouldn't be a full term.

Richard - It does not say full term; change it to a full 4-year term.

Doug - Would that be correct?

Mayor Cury - Just states elected, I only brought the example of the Mayor up because the attorney represents the Mayor too and the members of Council but it does specifically say it.

Jeff - Theoretically you could be elected for the two (2) remaining years of the term.

Richard - Then you would only serve six (6) years instead of the full eight (8) if you run for re-election.

Jeff - Right do we want to make year limits?

Mayor Cury - Caution, Caution

Mary Ann - For two (2) four (4) year terms, you could be elected for one (1) year and four (4) for a total of five (5) and that is it.

Mayor Cury - We are thinking two (4) year terms but that is not what it says, it is loose language.

Doug - What you were saying about the attorney, to me I think it would cheat the Mayor's position, I look at it as being three (3) parts of the government, Town Manager, Mayor as the Head and we have Council. I think they should remain separate. I think if you were part of the Council it would reduce the Mayor's position.

Mayor Cury - I am not a member of Council but I can speak thereof that is what it says. What I am talking about is a different topic, I got off topic please forgive me, we need to stick with this.

John - Each Councilmember shall be limited to two (4) year terms in office.

Mike - Each member of Council shall be limited to two (4) year elected terms in office, (2) time served as an appointed member of Council or special election shall not count toward the term limit described above.

Mayor Cury - Time served as an appointed member of Council and special election.

Jeff - Special elected member of Council.

Mayor Cury - Time served as an appointed member of Council to not count toward the term limit. Time served as a member thru special election does not count toward the term limit as described above.

Mike - Makes it simple.

Mayor Cury - I think it needs to be two (2) sentences.

Mike - Time served as an appointed member of Council shall not be counted toward the term limit above. Time served as a member of Council via special election shall not count toward the term limits as described above.

Mayor Cury - Do you want to vote on this one and move on?

Council - Yes

John - Do I need to put the term, "Does not apply to the Mayor".

Mayor Cury - It just says Council, I don't think it needs to be said unless you really want it.

Mike - I make the motion to amend the Richlands Charter for 3.2 Nominations and Elections to state (1) Each member of Council shall be limited to two (4) year elected terms in office (2) Time served as an appointed member of Council shall not count to the term limits described above (3) Time served as a member of Council via Special Election shall not count toward the term limit as described above. Mary Ann seconded the motion.

Richard - Is there anything that limits or grandfathers any members?

Mike - Based on the conversations I have had with our State Senator they don't believe it is possible to be retroactive and be in effect 2022.

Richard - So everybody would be eligible for two (2) more terms.

Mike - Based on my understanding.

Richard - It's not going to be me.

Mayor Cury - In my instance where I was elected four (4) times to serve on the Council it doesn't count. I can run two (2) more times.

Mike – As young as you are you got it.

Jeff – What if the situation happens down the road where Rod stays elected and the same situation happens, your elected term even though you accept the Mayor’s position during your elected term of office count?

John - You can serve a four (4) year term as a member of Council.

Mayor Cury - We think things won’t happen until they do; we don’t have it nailed down flat.

Doug - The Mayor is only elected for two (2) years.

Jeff – What if it happens again?

Mary Ann - If it happened again you would have not served your full four (4) years so you would have another four (4) year term.

Mayor Cury - I think so.

Jeff - That is why I think we should make it years.

Mayor Cury - Let’s keep it simple, if we make a goof someone else can fix it. What a terrible thing to say as the Mayor but it is life itself.

Mayor Cury - There is a motion and a second on the floor anymore discussion?

Jeff - I am leaning toward of saying “No” because I want more clarification.

Mayor Cury - Jeff this is why I am saying, I am for some of these but not all of them but this kind of wording is so important.

John - You think it would be better to do some type of workshop.

Mayor Cury - I think it would be better for the language, I have made so many mistakes in my life over a word and I goofed up so I am using myself as an example.

Jeff - We have had a long meeting and we are mentally fried and we are trying to make changes to a Charter.

Mary Ann - I think it is important we need to do a workshop.

Mayor Cury – I am saying caution, caution and I’m not trying to wear everyone out, but I am tired too. We will abandon this and set a date for a workshop.

Mike – This one was supposed to be easy and we have four (4) more to go.

Mayor Cury - Mr. Altizer are you in tune.

Bob – Yes, this is a policy issue and not a legal issue. I can advise you as far as legality with the procedures you must follow but your wording is very important, your words will reflect your policy, wording is where lawyers make a lot of money. If you don’t get the wording right there is going to be lawsuits and disputes, like what does this mean, does this apply to me, when does it go into effect all that is very important, you need to be very careful about adopting a policy and making sure the wording is reflecting that policy. I think it is a really good idea because this is your constitution, it is important and this is the one document that governs the government of the Town of Richlands you need to be

careful on what you say and do. I think it is an excellent idea to have a workshop and discuss these issues and have time to think about them and look at different options and reflect on those and get everyone's opinion and then adopt something at a later date.

Mayor Cury – I appreciate your wise counsel and I am sure everyone here does.

Mary Ann - What is the latest date we need to have the changes made to give to our Senator? We are not in any rush at this moment.

Mayor Cury - I don't know exactly, I think Mike has talked to Senator Hackworth and it goes to legislative services where they fine tune all this. I am not aware of a cost, I really don't know so I can't say anything about that. I think they will abide by our wishes but they will fine tune the words and make sure everything is right with the Code of Virginia and not in violation of anything. I am guessing but I think that is how it works.

Bob - At lot of times you don't have to reinvent the wheel, you can look at other Charters and see how other jurisdictions have handled term limits, look at the language they used in Wythe or Buchanan County or Richmond get some input and some choices and make sure you are doing what you want to do.

Mayor Cury - I suggest we wait and do at a workshop. We will set the date at the end of the meeting.

Mike - I will rescind my motion, Jeff, I withdraw my second.

Mayor Cury – Consideration of Cancellation of Previous Ordinances – I will ask the Town Manager to help with this one.

John – I will pass around the list, these were ordinances that were adopted but were not truly in place, I wanted to scratch from our records so we don't have issues in the future. Based on Connie's notes I will ask for a motion to void out the ones highlighted in "yellow" to void and we have one (1) Resolution that needs to be changed, just need a motion to clean up what we did the last four (4)/five (5) months.

Mike - Do we do all these at once?

Mayor Cury - The ones that are in the column "Action Needed – Void", those are the ones we need to take action on. Is there a motion from Council to Void the Garbage Fee Ordinance O-2021-06-04, Utility Rate Schedule, O-2021-06-05, Water Rate Ordinance – O-2021-06-06, Sewer Rate Ordinance O-2021-06-07, Electric Rate Ordinance O-2021-06-08, and Budget Ordinance O-2021-06-09 those are the ones that we need to void. Is there a motion from Council to void the ones I just read?

John - We also need to update the Blue Ridge Agency to the correct Resolution R-2021-06-01, we had the wrong number on that one needs updated to the correct number.

Mayor Cury - I think we will have two (2) motions. Is there a motion to void these ordinances?

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

Doug - All we are voiding is the yellow, what about the column "Approved in Final Form".

John – Those are already adopted, the ones in yellow are on the agenda for tonight.

Doug - So we don't have to do anything on those?

John – Those are the final ones that are in place, all the ones in yellow above are the ones we are voiding out.

Doug - What I didn't want to do, there is still a court case and I didn't want to void anything out until that case has been done.

John - Those are the ones we voted on before and had been re-voted on either at the 6/21 meeting or today.

Doug - I think the only one it would affect is the Real Estate. In the court case those were passed with Mary Ann voting that has really not been decided yet. We can go ahead and pass except for the Real Estate and Personal Property, two (2) has to be passed by a certain date, I don't think this would affect those two (2). You see what I am getting at.

Bob - No

Bob - These ordinances were adopted in June those are the ones subject to a lawsuit, those ordinances are not been effective by what you are doing here.

Doug - Ok

Bob - Correct John?

John - Yes

Doug - I was just saying if the Town was to lose the case it would have an effect on those taxes.

Mayor Cury - I am trying to help understand, the ones we are voting on are in bright yellow, we don't need them.

Doug - Ok, I agree.

Mayor Cury - That is simple

Doug - The only thing I am saying the ones in yellow won't be affected by the lawsuit.

Bob - I don't think those have anything to do with the lawsuit.

Mayor Cury - No bearing, I hope that helped. They won't affect anything we just don't need them.

Mayor Cury - Mike made the motion, 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.

Mayor Cury - Consider the update on the Blue Ridge Power Resolution. R-2021-06-01 voted on June 8, 2021 and passed.

John - The R-2021-06-01 is what it should be, I can't remember what it was in the past.

Jeff - The original Resolution had a different number, it should be R-2021-06-01.

Mayor Cury - Is there a motion?

Mike - I make the motion that we update the number for the Blue Ridge Agency Resolution R-2021-06-01, 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.

Mayor Cury – Consideration of Resolution to Increase Credit Limit

John - The bank requires a Resolution for credit cards, as we spoke a few months ago about adding credit cards for our EMS, Police and the Town for when they might need to purchase something on the Town's behalf. When we add the credit cards to the credit limit, we run into the issue. If I spent \$1000 and someone else spent a \$1000 and we were at the \$5000 limit and used the card it would be declined. Increasing the umbrella to \$20,000 each card has what is needed.

Mike – Has that happened before?

Mary Ann - I make a motion that we adopt R-2021-09-01 to increase the credit limit. (Mary Ann read the resolution) I make the motion to approve R-2021-09-01, 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.

Mayor Cury – Discussion of COVID-19 Procedures

John – I have two handouts to pass out, one (1) is from Eric Young, it is what the County is doing and the second one is how we are mirroring what they are doing. We are requiring the public who enter town offices to wear a mask inside. If they are in the vehicle doing their job it is not necessary when they are doing their job.

Mike - What is our current policy if you say you have an employee that test positive and he has exposed another employee?

Mike – What did we do before?

John - I will have to look at?

Richard – If you were quarantined before I think the government would reimburse the Town funds that would offset the cost of the employees who had to take sick leave and encourage them not to come to work sick with everybody. I think those funds are expired now.

John - I think its mandated and give them so many hours off if they had a sick child, now if employees are sick they can take sick time unless they fall under counties they got the vaccine and stay at home due to the Health Department they would get additional time off, most of our employees.

Richard - Do you know how many of our employees have been vaccinated?

John - I am not sure. We only have record for the ones that got the vaccination at the Police Department.

Mayor Cury - As far as vaccinations they were made available to our employees.

John - They have.

Mayor Cury - Who is doing it, the Hospital?

John - They did one at the Police Department?

Mayor Cury - I want to mention one thing it may be beneficial as well, Appalachian Agency is offering vaccinations and they will come to the Town Hall and vaccinate people. It is very convenient if they want it. I want to offer that again on behalf of Appalachian Agency. I spoke to Regina Salyers she is the head of it, it is a huge operation. They want to do it, it is something to consider.

Mayor Cury - On the Covid Policy I just want ask is there a date on this?

John - Will be starting tomorrow, just wanted to give our employees notice. I just wanted to propose to Council to make sure everyone was in agreement with it and you are aware of it.

Mike – What happens if an employee is not vaccinated and is out of sick time and has been exposed and is order by Virginia Department of Health?

John - We would try to help them out.

Jeff – That is what makes it difficult and with the Health Department as well. When they have been exposed and they know they don't have any sick leave the temptation not to tell the truth, that is one of the biggest problems now.

Mike - How many employees come to work with sinus infection because they don't have any sick time left? That is my concern, I am all about vaccination, I am vaccinated but it is a personal preference. I am kind of on the fence should we not give them help if it was not available and they don't have the time. How are other municipalities handling it?

Mayor Cury – Other municipalities and groups such as the school system which has a lot of people. I think last year we had Covid pay this year we don't and it creates problems. In this entity I think we are trying to do the right thing and the best thing so people don't lose hours and money on their earnings if they are forced to quarantine, is that what you are trying to say?

Mike – Yes, I would encourage everyone to get a vaccine but that is not up to me.

Mayor Cury - I am not talking about that I am talking about Covid pay.

Mike - If they don't have any leave balance and they have been exposed.

Mayor Cury - I have a suggestion and this involves money, we are in a health crisis in my opinion in this community, I think we should take this up in a work session. It is a big thing and we need to figure out how we are going to help our employees.

Mary Ann - Due to the urgency, leave it to our Town Manager and HR Manager and having no doubt John would do the right thing . Several months ago I brought it up and Heather came and spoke.

Richard - We extended if though the Federal Government had stopped it.

Mary Ann – Right

Mayor Cury – We did, how did that work previously?

John - We give them up to a week, we are careful and not give them two (2) weeks and feel somebody taking advantage of our generosity.

Mayor Cury - I think we can work with that it is a start, it has to be broad latitude not case by case. I would ask that Council consider that.

John - I think give them up to five (5) days.

Mayor Cury – You would have to have some criteria you could not just call in.

John - If someone lives in their household or they have to take care of someone one, we do similar what was in place with the Federal government.

Mike - And you should still provide all the copies of the orders.

John - If they take a day or two and you know they are going to earn it when they come back, we don't like to run into a deficit but under certain circumstances we could give that opportunity.

Mayor Cury - Other members of Council how do you feel?

Doug – I will go along with John and leave it to his discretion.

John - We will have some guidelines that we will follow.

Jeff - The biggest issue to me is being honest and forthcoming with anybody involved and that is what we want to promote is to make sure the employee understands the consequences of what they have and what they can do. Sometimes I don't think people realize what they can do and what they are capable of spreading. I think that is the normality of the situation, it is difficult but if we tackle it head on you are upfront we can work with you.

John – Either say have to go home or required to be tested before they come back to work.

Mike - Needs to be some lead-way there.

John - I can give you an update in about a month to let you know how it is working.

Mike - Since we are spending money does in need to be in a form of a motion.

Mayor Cury - I will defer to John but we are giving you some latitude so it gives you the power, your discretion that is what we are calling for. I sit here and look at Richard Brown he was gravely ill last year and thank God he is here, it is serious.

Doug - I can make a motion.

Richard - If he is not spending anything yet we don't need a motion.

Mayor Cury - I hope the employees know that Council is considering their health and their wellbeing. Do we need to read the Covid policy, has everyone read it?

John - Consideration of Public Access Channel replacing You Tube Stream – We will try to have up before our next Council meeting so I wanted to ask if we need to continue with the You Tube. You Tube was put in place because people could not come to the meetings. Do you want to do You Tube since we now are starting to shut back down or we can wait and discuss at a later time?

Mayor Cury - I think we need all forms of communication that we can employ because any way possible communication helps the public. It contributes to our sense of transparency, if people don't have Spectrum I don't think they can get the Access Channel. You Tube is another avenue and I think we should employ everything possible to disseminate information as much as possible.

Mike – Any cost?

John - The cost is on the IT, if Frank is not here.

Mayor Cury - I just think we need to do it.

Mayor Cury - Is Tazewell on You Tube live?

John - I don't know?

Mary Ann - I know we will have to continue for a while because of Covid so we can address later.

Doug - So you will do them both?

John - We hope to, hopefully they will come next week and set up the Public Access Channel and set up on the network.

Mayor Cury - Greenspace Phase II Grant Application

John – As you know the Phase I was thru Cumberland Plateau for funding for the stage, we anticipate applying for Phase II for \$50,000. Ashley is putting together the things that were left out of the original scope of the project, looks like it is going to be \$62,808, the grant is for \$50,000, before we apply I wanted to get Council's go ahead. If we did this the additional money would have to be allocated. Right now we wanted to finish some projects we already started, if we can use that money to get more money looks like to me it is a win win. We have two (2) quotes, the higher one has LED Marquee Sign which is about \$9000 that is something we could drop or keep just depending on where the Council wants to keep the budget. It is something that would be nice to have but it is not a necessary item. I would like to have a consensus for applying for the grant and wanted you to be aware there would be some cost to us; I think it would be a good investment.

Richard - What is George's labor?

John – They were going have to do some of the sidewalks, curbing, etc.

Richard – You are talking about George West?

Richard – Yes

Mike - The marquee sign, what is it going to say?

Connie - You can make announcements for events, concerts and that type of things.

Mike - Is there any maintenance on this one?

Jeff is looking at the turf, I know there is some maintenance on that, I don't think it would be much maintenance that is not already out there.

Jeff - The biggest thing as far as the turf is ultra violet rays that gives your worst damage as opposed to up keep, we even talked about sodding it or trying to keep grass but it limits you if you have rain or bad weather or anything like that, traffic could ruin it, we talked about the turf being a more viable option.

John - We have been talking about the maintenance and the cost, the projector, I don't know if it is something we store here and take it down there, and we will get more details on things like that.

Jeff - What are the chances on the grant?

Connie - They should get it, we received \$124,000 last time.

Mayor Cury – Is this thru Cumberland Plateau?

Connie – Yes

Mayor Cury - We will get it.

Connie - They know the building materials went up and we didn't have enough money.

John - I will keep you up-to-date on the process.

Mike - What about a bathroom?

John - They will have to go to the Section House.

Mayor Cury - They are there and they are very nice. We were in a meeting recently and John said I know why you are so protective since the bathrooms in Town have been vandalized. I will say this and it is important it is just a matter of trying to protect Town property. When we use them and they are very nice, we try to make sure adults are there are someone in authority so they don't become vandalized. Richard asked that in previous meeting before you came John, about bathrooms at the greenway, we said the bathrooms were part of the Section House.

Richard - When you have small kid there playing you don't always have time to make it to the Section House.

John - Hopefully the Library or the Post Office is open.

Richard - Can we plant some hedges??

Mayor Cury - It is OK, it has been practice for thousands of years, nothing new.

Mayor Cury - Utility Disconnections Update

John - Just wanted to give you an update on starting to cut off utilities. A few weeks ago we set up \$129,000 in payment plans we are still finishing up the paperwork and getting into our system that accounts for a large portion of what we had. We have around \$38,000 not included in \$129,000 that people have not set up a payment arrangement. I anticipate a little more difficult to collect it may be people who own \$5000/\$6000 bill they are not able to pay that amount or not being here to make payment arrangements. People making arrangements have already started paying their payments or starting next month.

Mayor Cury - Consideration of Property Donation

John - This is something you all discussed before I got here, it is the property located on Iron Street the Simmons Rand property; they talked to us about potentially taking the property as a donation. I wanted to have a discussion with Council to see if it is something you are still interested in and if it is we can have further discussion with them. I have a copy of the map if anyone needs to see that as well. You can take the time to review the information and later make a decision to forward with their proposal.

Mayor Cury - This is the Iron Street property?

John - They are looking at some more mediation, they wanted to make sure we still wanted the property and be the recipient of it, they wanted to follow up on the Town.

Mayor Cury - I had brief conversations about this property with some folks they have done a tremendous amount of work of clean up over there and willing to do more. If it is something we would want, you want to hold that for consideration John.

John - I would like for you to take some time to read this and give it some thought and discuss either at the workshop or at the next meeting. They are eager to get this property off their books I want to make sure we take the time to make the right decision.

Jeff - Do we have plans for this property?

Mayor Cury - There were multiple ideas Jeff we can probably talk about in the work session, nothing concrete but thoughts.

Mayor Cury - We will take a 10 minute recess.

Mayor Cury - We are going to resume our business, Council reconvenes.

Mayor Cury – Electric Discussion – PCA, Solar and Battery Options

John – GPS is going to do a presentation on our utilities; we will talk about PCA, Solar and Battery options and how our system will handle the peak demands in the summer and the winter. GPS and Blue Ridge will come to a work shop and explain how this would affect our system and any of the items we want to pursue for the electric and utility. I would like to get direction from Council.

Jeff - I think they did a presentation this year, is this different options, I thought it was pretty interesting.

Mike - Any workshop that we can learn about the electric is certainly good.

John - I will reach out to them to get a date and reach out to Council to see what works for you.

Mayor Cury - So we will wait to hear from you.

Mayor Cury – Miscellaneous

John – We have had a couple people to reach out on Face book asking when Halloween was going to be. I spoke to Chief Gilbert his recommendation based on the past is to make Halloween, Saturday October 30 from 5:30pm to 8:00pm if Council is good with that.

Jeff - I make a motion to have Trick or Treat Saturday, October 30 from 5:30pm to 8:00pm, 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. General Vote – All Yes

John - FYI - Update on the schedule for the Waste Water Treatment Plant, we are close to getting it out to bid. It is an updated timeline. We will wait and see what the bids come in at.

John – Barry Alley has resigned from the IDA, we will need to find someone to take his spot. If you have anyone who you would want to appoint to IDA tonight or someone our next meeting.

Mike - Did he give a reason?

John – I don't have his letter, but I will send it to each of you.

Mayor Cury - It is up to Council if they want to appoint someone.

Mary Ann - I was going to say, Larry Worrell delivered a letter to me today and did ask that I read the letter (read the letter) Larry Worrell resigned from IDA.

Mayor Cury - We have two (2) open seats, Chairman and Co-Chair. Any more open seats on the IDA? I know there was someone who was nominated who would probably like to be on the IDA, it is a person sitting in this room, I don't know how Council feels but this is an opportunity.

Mike - I don't know if he wants on it or not.

Mayor Cury - I have no idea I am only suggesting.

Richard - How many members are on the IDA?

Mayor Cury - It is in the By-Laws and I will have to look.

Jeff - If they don't have a quorum they can't conduct business.

Mayor Cury - That is my understanding.

John - It is six (6).

Mayor Cury - According to the By-Laws it is seven (7).

Richard - Do we have the authority as the Council to disband the IDA and to reform with new members?

Mayor Cury - This is my understanding and I act with no authority, they operate independently from the Council but the Council appoints members to the IDA but it is a separate entity. John had mentioned previously about potentially allocating funds so they could do some work that he felt was important. They operate independently they do have to confer with us such as other Commissions do. I may be incorrect but the membership is up to the Council. I guess that is why Larry sent his resignation to the Council.

Richard - Just speaking on being on the Council prior, we have acted many times for recommendations for the Planning Commission, Rec Commission and we have also denied recommendations. I don't know if the vote made last month to appoint Ms. White to the Board of the IDA has caused these resignations. It is not unusual for us as a Council not to take a recommendation from any Commission.

Mayor Cury - The membership is up to the Council. The IDA has an independence of its own. As the Planning Commission and Rec Commission do not. Funding must come from Council. Once they have funding it is theirs to do with. That is my understanding. Do you remember when it was formed?

Richard - I do. It was formed by the Council.

Mayor Cury - It was the power of the Council to form the Richlands IDA.

Richard - Is it the power of the Council to disband the IDA?

Mayor Cury - I would think so but I will refer to the Town Attorney on that one.

Richard - They won't be able to meet if they don't have a quorum based on the fact they have resignations.

Mayor Cury - We know of two (2) resignations, Barry & Larry, possibly if we had two (2) people appointed to the IDA it could be effective and once we hear of another vacated seat we could fill that too without disbanding it, just a suggestion. Does Council want to appoint someone tonight it is in your power to do it?

Jeff - I know we had someone who was willing to serve before.

Jeff - I make a motion to nominate Blake Ray, Mary Ann seconded the motion.

Mayor Cury - Blake would you be willing to accept a position on the IDA?

Blake – To be honest I will have to think about it.

Mayor Cury – Seven days?

Blake - I don't know if I want to be part of an organization that didn't have the support from the governing body and last month you didn't do that so I don't know, I know I have value to add.

Mayor Cury - That is a consideration that you can decide. Could you decide by the weekend on Saturday?

Blake – Sure

Mayor Cury - Can you let the Town Manager know?

Blake – I will.

Mayor Cury - Will you let me know, you can email or call me.

Mayor Cury - We will delay that motion.

Mary Ann - I would like to appoint Craig Earls to serve on the IDA, Jeff 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. Doug- Yes, Jeff-Yes, Richard-Yes, Mike – Yes, Mary Ann – Yes
Motion carries – 5/0.

Mayor Cury - Will you take the proper action to inform him and get him sworn in.

John - The motion on Blake you want to get that accepted based on his acceptance.

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

Mayor Cury - That will fill two (2) seats depending on Blake's decision and we honor that. We will have to see if there is another seat available.

Jeff - I would like to thank Barry and Larry for their service to the Town.

Mayor Cury - Thank you Barry Alley and Larry Worrell for your service to the Town and the IDA and Larry Worrell for being on the Council a crucial component and I always enjoyed serving with him.

Mayor Cury - Attorney Comments – Bob Altizer – Foreclosure Update

Bob – This is regarding the tax sales on Fairfax, Brian Pyott wrote an email to John on July 30 nothing has changed since that time, no sale pending at the circuit court, we recommend Wayne's prior assessment nuisances/blight ordinances consider to be adopted and then proceedings to collection would be the most efficient manner with the property sold and avoid an appearance of desperate treatment between the properties by moving on which blighted structures exist over the other properties. According to what we suggest blight/nuisances ordinances get passed first and the properties that fall under that category as immediate target properties for sale and then go forward with the each of the sales of properties.

Mary Ann - What does that mean?

Bob – Did Wayne propose to specific blight?

John - I sent to you.

Bob - I will go back and see where we are, we will work with John on that.

John - Tax abatement with the County.

Mike - That was one of Rod's concerns was the abatement with the County. We need it, it is important.

Mayor Cury - I am confused.

Mike - A few months ago we introduced some blight ordinances and we got to our second reading a concern of yours was the County abatement of taxes, I think it has fell between the cracks a little bit, we have not addressed yet. We will get back on top of that.

Mayor Cury - Does not have anything to do with the sale of the property does it?

Mike - It does that is what they are waiting on. They are waiting on those ordinances to sell those properties. It is going to be easier to foreclose or sell those properties.

Bob - To sell those properties if they are designated under those blight ordinances.

Mayor Cury - I will research it, I think what I was talking about were credits on a different thing from the County.

Mary Ann - What about a timeline for those people who have been waiting forever, it is not anyone's fault. They thought on June 14 the problem was going to end. First we will have to adopt the ordinance, the blight and nuisance ordinance, and maybe we can dispense with the second reading. If we are fortunate and we move fast, I just want to get a timeline for these people. I would be here next month livid, it is not our fault but we cannot keep an Attorney for obvious reasons, what they were told did not happen. It is not your fault but we had an attorney that assured us that June 14 was supposed to be the sale. It is so embarrassing.

Bob - Wasn't my fault I was not here.

Mary Ann - There is a lot of reasons why we don't have an attorney. I am very thankful that your firm will represent us. Realistically, maybe first of the year, right? We have passed the ordinance; have the first reading maybe dispense with the second reading.

Mike - May have to have another public hearing.

Mary Ann - At least they know we are trying.

John - I will try getting a timeline of what the next steps will be at the next meeting.

Mary Ann - I guess Bob would write the Ordinance.

Bob - Brad has looked into this and he is the one who made the report to John. I didn't have any background information of what was recorded back in July; nothing has happened since July that I know of on our end. I will work with John to see where we are and what we need to do to go forward.

Doug - The guy said he would sign the property over free of charge, could you talk to him?

Mary Ann - Are you talking about Linwood Drive?

Doug – Yes, he wants to get rid of it, why go thru all of this. If he gives it to the Town, would be a lot quicker if you go to him and he gives to the Town free of charge just to get rid of it. Would that be a lot quicker? That would get rid of what you are embarrassed about.

Mary Ann - I am more embarrassed about the one we have talked about for a couple of years. They were given answers by our previous attorney, on June 14 at 9:00am on the steps of the Tazewell County Court House there would be a sale. It is embarrassing for me to say what happened.

Mayor Cury - The only thing you can say is he left.

Mary Ann - They know that.

Mayor Cury - Don't make you feel any better but I get it Mary Ann.

Mary Ann – The Linwood Drive property is horrendous as well. The property on Fairfax we have been talking about for two (2) years.

Doug - If we could get the property deeded to the Town that is part of the problem.

Bob - We need to put our heads together to see what we can do, I will discuss with Brad. He is on vacation this week, and I will talk to him next week. He may have some background on this that I don't have. We will coordinate with John.

Mary Ann - I know there is more dilapidated property and people say why do these two (2) get pushed to the front, they have been discussed longer.

Bob - That is what the nuisance ordinance is supposed to be push properties to the top of the line.

Mary Ann - Is Wayne available for Brad or you to speak to?

Bob - Nothing was filed. On June 14 there was supposed to be a sale no proceedings was brought for any sale to happen.

Mike - If they give you all our information is there timelines as far as our readings. Can they just hand over and you take over? How would that work?

Bob – I don't know what Mr. McClanhan did or did not do. John gave me a box of things tonight and I have no idea what is in there.

Mike - Just let us know.

Mary Ann - I appreciate it and I know the citizens are watching and they see we are doing what we can and I am pushing hard.

Mayor Cury - Council Member Reports (Non-voting Items)

Jeff – I did want to talk about a couple of things as far as the ARPA money is concerned and what we may be able to invest some money into. One of the biggest things is a project that is near and dear to my heart the last three (3) or four (4) years is artificial turf field for the sports complex at the Rec Park when we talk about doing some revitalization especially with the tennis courts, soccer field and the baseball fields over there right now. I have had a couple talks with our Town Manager about looking into designating some of the money for an update for our facilities and this would be included in it. I have been in discussions with a turf company out of North Carolina might be interested in coming up and looking at it. A few years ago we had Lighthouse Engineering here in Pounding Mill do site plans, I have here if you want to look at about his plan for putting a turf field down which would be conditioned for multi sports, and two or three sports could use it. Would be aesthetically pleasing appeal at the Rec

Park toO with the facility we have right now. It would be a great opportunity for our youth to be involved in different sports, weather dictates, field may be flooded if it rains. A turf field is pretty convenient for 365 days a year if the weather permits, snow or freezing or something like that. That is my shout out this month if we could maybe pursue that. I also looked at, I know Ms. Harris has already left, there is a round of grants that are coming thru the Land and Conversation they are supposed to be late Fall. There is a \$500,000 matching grant that is available for projects for recreation facilities; soccer fields are included in that. We have a lot of leg work completed for the application. I looked at the guidelines we are project ready outside of a couple of public hearings, I think we could be pushed to the front. It is a great opportunity for us to have a better facility. I don't we could ever have enough opportunity to have the funds that would really help us. I just wanted to present to Council and see how you feel about it.

Mayor Cury - Several years ago you had mentioned the idea and asking for personal commitments. I think it is still a good idea and my understanding maybe some of this money may be available that we are going to get, is that right?

Jeff - Yes

Mayor Cury -- I think it is worth pursuing.

Jeff - I just wanted you to look at what we done originally, changed a little bit of scope. I was talking to the people this week they want to come up and look and give us some ideas about what is there and what they can do as far as accommodating as many sports as we can on the field.

Mike -- How many sports?

Jeff - Softball/Baseball, Soccer and Football anything off season. People could use it year around, they could do the lines to do football one day and soccer the next, they will map them out for you.

Mike - Would the idea be to have the Richlands Football League use that field?

Jeff - Anybody could, you can put up field goal post if you want to use it. A couple ones I seen don't use field goal post but they can play midget football on them, you can still have a field. In the beginning we talked about it being a soccer only facility but at this point if we can utilize these funds we can use for all organizations. We can schedule and have people down there every day.

Richard - What do you need from Council?

Jeff -- Basically a commitment with the money, we need to get a quote, the guys have to come and look and give us a turnkey number what it would take to do it.

Mike - Would that be the next step?

Jeff -- Yes, that is what I talked to him about. I don't want to invite him here to look at it if we are not going to do it but the same time we have to go thru the hoops of the process bids. In these renovations we are not only looking at the field but tennis courts, parking area, fencing the biggest thing.

Mike - What help do you need with the grant?

Jeff -- The grant process, that is a little more intricate. Hopefully if they do a round of grants, what I have seen they move very quickly. If they announce the grants you have to have everything done. A lot of people have ideas and submit their ideas for the money but the good thing with us we actually have site plans and we could start the project in theory tomorrow, if we had all the requirements for the grant, public hearings, why we are doing it and who it is going to serve and how many people are involved. Those are the types that they look for qualifications.

Mary Ann - I would think we are way ahead of the game because of the plans you already have.

Jeff - There is one major hurdle and it is drainage, he wants his guys to come in and look at it as well.

Mayor Cury - Is all that being worked out as far as drainage and environment issues?

Jeff - Yes, it was worked out when Eric did it, flood plan, the grading excavation and things like that.

Mike - What are your next steps?

Jeff - I would probably reach out to him if Council is in favor. If we want to pursue this and something we can look at, we have the funds available. Probably get him to look at a site visit and give us an estimate.

Mayor Cury - The value of this Jeff, I can see it, but what is the value of this for us.

Jeff - I think it gives us a facility for our citizens not be only proud of but to be utilized year around and have something they can go to, to participate and not have to worry about weather or the condition of what is going to be down there, I think it would be second to none. Multiple sports just any type of activity. At that point it would be up to the Commission or the Manager to help govern how we are going to use it and how it is going to be utilized. There are all kinds of options if you have a facility like that. It helps your pool and your indoor activities. If you want to put money into the tennis courts you could do that.

Mayor Cury - So it increases the center of gravity over there.

Jeff - Sure it does.

Doug - I don't mean to disagree with you, it is a wonderful idea but my only thought is Richlands is dying and we need to think out of the box. You can ride down in Richlands, Friday/Saturday nobody, it needs something downtown some kind of draw, the Rec is a treasure it is a draw if it is put in a nice place. If we took that money along with some grant money and move downtown a whole new facility with a three (3) year plan and a few grants and add 4 or 5 million to it without raising taxes. We need a new Fire Station, Fire and Rescue and a new Rec Center in my opinion that can be seen. That would be a perfect place downtown if we use that money and renovate the police station and give people hope.

Jeff - As far as the location as a complex this size, we have looked at different locations there is definite an oppourturity or thought for location. If it is ran properly and utilized properly, you can have all kinds of sports and things there.

Doug - It is not going to draw anything downtown. You can ask half the Town they don't know where the Rec is. If we had that facility and new whole Rec Center with new pools everything inside of the Town limits where people could go by and see five or six hundred people daily, the community would have hope. Right now Richlands has no hope, if you put all the money up there where it is hidden it is not going to help your Town. That is my opinion. We need to think out of the box for ten (10) to twelve (12) millions dollars and that would be the start, get some grants and raising no taxes we could build a whole new downtown and change Richlands and give people hope. In the last 20 years we have done nothing, nothing at all. If we thought out of the box and come up with a plan, and they saw some activity and the Rec was moved down here Mary Ann it would change everything.

Jeff - Basically with the Rec is finding an area that is as massive.

Doug - We could take the police station, 75% of the people who use the Rec are Cedar Bluff, Claypool Hill out of town people all they do is go there and go back.

Mayor Cury - I am not opposed to anything you are saying, Jeff is talking about a dream and you have a dream and they are not necessary different dreams just when it is going to happen. Doug, I appreciate what you are saying and I appreciate what Jeff is saying. In the interest of time, I do respect what you are saying. Thank you, Jeff.

Jeff - I would like a consensus or something so I could get someone to come and look at it get some pictures and gets some drawings and maybe they can get some site plans too.

Mayor Cury - I have not seen the plans I know something about the project you talked to me years ago about this and I think it would be helpful Jeff, here is a thought, in the upcoming work session we are going to do if we could take time look at the plans when we have clear eyes and heads . I personally feel like it is a good thing. Would that be a good time to put on a table so we could look at them? Is that OK?

Jeff – OK

Mayor Cury - Does anyone else have thoughts I don't think we need to let it go by the wayside but we will find a time and place so we can look at that. Jeff you OK with that?

Jeff – Yes

John - We do have projects that we want to finish up; I don't want to run out of money and have to raise taxes.

Doug – Why can't we do like Tazewell have the community take part and have a community committee to take part with Council and decide how this money is spent. They have formed a committee.

John - I think politically it would backfire; we are doing a WWTP and if it comes in over budget, my recommendation would be to use some of these funds to pay for that so we don't have to raise utility rates. The public is going to want to do pools and splash pads all the fun stuff which I can't blame them. Could put us in a tough spot where we spent all this money and we still have this price overrun and we have no money to pay and everyone is going to get mad at me. I think we come back and have a discussion and then we can agree.

Doug - Should they have a decision in it, in how the money is spent?

John - I will get you some ideas to present to you.

Doug – I don't see how Tazewell, Tazewell is doing some stuff, we are doing nothing. We don't know and we can't make all the decisions for the community. Why can't we have participation from people in the community and they have a voice. They have to pay all these rate increases why can't you give them a voice.

Mayor Cury – Doug, we are an indirect democracy people elect representatives to do for them and make decisions for them that is why you are here. You are their voice, Jeff, Mary Ann, Mike, Richard and myself we are all the voice for the people and there are sometimes referendums on different things . The ARPA money has certain ways that it can be used and certain ways it can't be used I don't know what those are Doug but I would have to defer John, but I suggest that the people who support your ideas you are representing their voice. I am listening carefully I am not dismissing it at all please don't feel that way. Some of your ideas are good but I am trying to think of this money and how it can be used. My conservative side and I have a real spend side, my conservative side right now is if we can have the extra to do some of the things that Jeff and others want to do it is great. John what I am hearing you say and correct me if I am wrong you want some of that money that can be used for our WWTP for cost overruns so we don't have to come back to the Board and say sorry we didn't save our money for a rainy day we are going have to raise your taxes. Is that what you are saying?

John - Taxes and Utilities

Mayor Cury – You are trying to limit taxation, I think that would be the best way to go right now, keeping taxes low.

Mike – We are in the middle of an incredibly large WWTP upgrade, a few months ago Thompson and Litton came to us and said listen because of COVID this is going to be 30% more than what it was going to be, we have raised our rates to a certain point to accommodate these upgrades but what we have not done anything with the 30%. What that means is the way it looks right now we are going to have to find 30% more for this project to pay for it. We don't have that money so where is that money coming from; it comes from raising rates again. Doug I know you don't want to raise rates again. We will have to tell them we are raising your rates again I don't want to have that conversation. That is what John is trying to say that money can go for those upgrades and costs that we were not expecting.

John - We don't know how much it is going to be. People don't like to pay taxes but if they see what they are getting they would be more willing to support the project if they know what it is. Until we get the quotes in we are not going to know.

Richard - How much did we get?

John - \$5.2 million - we have received about \$2.7.

Richard – \$5.2 million or 5.4 million total

John – Somewhere in there

Richard - I don't see any reason why we could not do both.

John - I give you a list of projects we have been doing downtown, the revitalization that we plan on doing will cost us about a half million, the drainage at the Pizza Hut, finishing the green space. I am not saying we can't do it I just want to make sure everyone is aware of what we are doing.

Mayor Cury - "Council Member Reports" – Doug Ratliff

Doug – My thinking on this situation without input from the community we have done nothing in the last twenty years we have ran the electric system and the highest in the community. I look at track records we don't have a very good track record of running things. We have taken a system that could have been great for the citizens and now it is an anchor because their electric rates are 30% higher than the surrounding communities. I don't have much faith without some input from other people from the community; the past is in the future that is my thinking.

Doug – The guy that is wanting to renovate the Hill Top Motel, he is saying and I don't know what the conversations were, maybe two (2) years ago the Town agreed that they would give him a water system for like \$10,000/\$12,000 dollars, that is his side not sure what the Town's is. They raised it to \$20,000 and he doesn't want to put the money in to renovate now because he said the Town reneged on their deal, do you know anything about that?

John – We don't have a line close to him, we could put a line down thru his property I think the discussion years ago, the line would come right by his property which the cost would be much smaller than if we have to run a line thru someone else's property. It was based on anticipating on how he could tap on the line, we looked at it, the cost to me based on what we would invest, until I see him invest thousands of dollars into that property I don't feel comfortable writing off \$18,000 to \$20,000 for the water taps. At this point I have not seen him put in the investment to bring to Council and have that discussion on us doing that work.

Doug – Maybe you can have more discussions with him.

John - Wait and see

Doug - He says he has the money, if he could renovate that it would be great for the community.

John - I can get the information and bring back to the next Council meeting.

Doug - Let's talk with him and compromise someway.

Mike - Maybe a contract of some sort.

John - I know it was going to be around \$20,000 for the taps and the meters. He wants six inch lines so that is more than we do. He wants to do a laundromat and a hotel. It is complicated; I will get some more information and report back to everyone.

Mike - We can see what he does and it gets to the point where he has invested enough money into it we could make a deal or something.

John - I think he wants to do enough to flip it. Someone else come in there and finish it, I will see what our options are.

Doug - Mike had a good idea once he puts so much in it make a deal with him then. Make sure it is enough to compensate the Town.

Mary Ann - Maybe ask Tim Taylor what his conversations were, that what I was told.

John - I will follow up.

Doug - I do want to say something, I live in Richlands, I spend the amount of time in Richlands, you talk about jobs, and I provide more jobs directly and indirectly than anyone in Town. I pay more taxes or as much taxes as anyone in Town. I not only live here I have a stake in Richlands, I intend to stay here. I think the community would respect us a lot more instead of attacking Council members if we came together and work together and try to solve all the problems that the community has. The only thing they hear is how the Council is fighting and bickering, they don't need to hear that. They need to see a Council that can work together, solve problems and stop trying to destroy each other.

Mayor Cury - "Council Member Reports" - Mary Ann Strong

Mary Ann - To start with I know everyone has heard the sad news, Richard Smith our Planning Commission Chairman and has been for a number of years has lost his brother Shannon to Covid, I would ask that everyone keep Richard's family in your prayers. Shannon's daughter is still in the hospital with Covid; please remember the Smith family during this loss. As far as Recreation, Monday night we had Rec Commission meeting, we have talked many times about Jeff's soccer project and I know Rec Commission is very supportive of that. Finding the property like Jeff said for a field that size is the problem. Rec Commission will meet Monday at 6:00pm upstairs at the Rec Park. The pool was closed on September 4, a very successful pool season. There were lots of kids at the pool, and pool parties almost every single night, sometimes they were overbooked. Clinch River Soccer Association that is next and super exciting, I really have to recognize Jeff putting 20 plus years, would not be without Jeff, he puts his whole heart/soul and time into it. They have 150 kids at this point registered; they start on September 20 thru October 14. If you want to see fun and crowded situation go down there on Tuesday or Thursday.

Jeff - Games are Monday, Tuesday and Thursday.

Mary Ann - Thank you Jeff. Jessica wanted me to mention on October 6 at 6:30 there is a free Women's Self Defense Class at the Rec Park. You may have seen on Facebook where the Church of Latter- Day

Saints was in our area on Saturday, they did a lot of work at Critterville, Teen Center and other areas, totally volunteers. That was much appreciated.

Mary Ann - I felt out of respect to Blake Ray maybe now is the appropriate time to have some discussion about his recommendation or opinion of asking our Town Attorney to have a possible investigation of two (2) Councilmembers residency. I am bringing to the floor for discussion.

Doug - For the past two (2) or three (3) years that is all the Council has brought up, certain members. I have been investigated by the Attorney General, District Attorney /Commonwealth Attorney. They are the ones who investigate. Our Town Attorney works for the Council he can't investigate one of the Council members that is not his job. You talk about running up a bill, if he was to follow me around 365 days a year that is going to run a bill up. It is ludicrous, if you want me investigated do what you have done for the last two (2) years, go to the Commonwealth Attorney, Attorney General and go to the State Police that is their job. It is not the job of the Town Attorney. Like I said before we are the laughing stock of Southwest Virginia because of this crap. Let it die and work on the problems that the community needs not on destroying each other because of some vendetta.

Mary Ann - Again I respect Mr. Ray and I would like to say I have not went to any of these individuals or organizations not me personally I have not done any of that. We are a laughing stock it is very embarrassing we are extremely divided. It is embarrassing when you run into people and they say you have Council tonight, people tuning in to You Tube to watch a fight. It is not something that I enjoy and want to be part of any longer. We cannot accomplish anything, you say for 20 years we have done nothing how many years have you been on the Council?

Doug - About 20 years, and I have fought the whole 20 years to try and get something done.

Mike - Doug do you ever feel like, you talk about division and not working together. This is a serious question do you ever feel like maybe you are part of that problem?

Doug - The only thing I do is push issues, I try to push the issues that help the community. I do not attack anyone in here and I don't try to throw anyone off of Council. All I do is work on issues. I don't challenge anyone all I try to do is work for citizens what I was voted for.

Mayor Cury – “Council Member Reports” – Mike Street

Mike – Point Broadband we still have the mapping called KMZ and they are continuing to look at that and there is certain ways you have to look at Point Broadband wants to connect to the poles that will take quite some time but continue to work thru that process. It is still very premature that is something that is going to take some time in order to figure that out. The electrical team is short staffed so really need to dig deep and get a proper estimate, it is going to take a lot of time it is something we are currently pursuing. The Kids Day Bash Weekend was incredible we were so humbled by the support from the community that was such a success. It was an incredible thing to do, we had so many kids that came out and was a part of that, we had so many volunteers, it was such a great thing for the community, getting all the emergency services involved, the support financially was incredible. We had over 40 different people donating with different types of things financially, food, water and other things such as time and labor. It was just incredible we were able to raise over \$17,000 in just over 45 days. We are speechless we were able to provide that, that is just a testament to our community, how great we are and how well we come together for the children of the community. We gave away 1300 of the backpacks, we have 200 left with school supplies. Will be given out later in the year or we find any child that is in need. At lot of the teachers voiced opinions that the beginning of the year they are pretty set, the second part of the year will see if the kids need any extra supplies. We can't believe we were able to do that much for the community. We had approximately \$3000 left, I promised our donors that money would go back into the community and would stay in the community. The goal is to go to the four schools and find out what their needs are and provide the school with something. We will split up evenly between the schools, and ask what we can help you with. We are excited about doing again next year, bigger and better and stronger. Another thing we are going to do we have reached out to a donor

and their portion during our Kids Day Weekend we didn't have inflatable screen for our movie day. The donor has agreed to allow us to take that money buy a screen for the community and donate to Richlands for movie nights in the summer spring whatever may be. The Police Station has two (2) poles now with pulleys. It is good for our kids, youth and something we are passionate about. I want to thank Council for their time money and effort as well; the majority of Council was on the list of donations. We look forward to doing again next year.

Mayor Cury – “Council Member Reports” – Richard Brown

Richard – The Homecoming Parade will be September 30 at 6:00pm the normal parade route, I think Chief Gilbert has that information. I had several complaints not just campaign signs but signage in general on the utility poles, yard sale signs and now campaign signs. The Police Department usually takes care of that regarding campaign signage but sometimes it puts them in a negative light as far as having to enforce a law, I ask Mr. O'Daniel to ask the Chief to start enforcing the ordinances of no posting of signs on Town property. We do have an ordinance about utility poles. Did Councilman Plaster notify you he was not coming tonight?

Mayor Cury – He did, he sent me a text stating most likely he would not be here tonight – I also ask if he notified Connie because she is the Clerk and needs to be notified when you can't be here. (Read text)

John - The ordinances for utility poles?

Richard - The signage on utility poles, affects the workers with nails.

Mayor Cury - My understanding if you cannot be here the number one person is the Clerk to note, she keeps the records of the Council. I always like to let the Manager know but in this case he let the Mayor and Connie know. Connie did he tell you?

Connie – Yes, he did

Richard - Councilman Plaster, I completely understand sickness, I feel like Mary Ann and Doug talking earlier on residency, he took office in January and I don't know how many meetings he has missed. I am going to employ on the Council to strongly suggest Councilman Plaster to try to attend the meetings that he has been elected to attend. I would be willing to make a motion to have him removed from his seat due to lack of attendance.

Mayor Cury - Would you like the Clerk to write a letter for that?

Richard – Yes please

Mayor Cury - Would you like to put that in a motion?

Richard – I think so.

Richard – I make a motion the Clerk send Councilman Plaster a notification of the attendance of his meetings lacking and employ to attend the meetings that he was elected to attend and also mention the fact if this continues to be a pattern if him not attending the meetings that I will make a motion to remove him from his seat. Mike seconded the motion.

Doug - I see your concern, would it be better if we just have a consensus that he attend the meetings from all the Council and not make it a motion, I hate threatening people.

Richard - I agree with you.

Doug – I am on your side.

Richard – I appreciate that.

Doug - I would feel much better if all the Council had a consensus that Connie write a letter and employ him that he needs to attend meetings. I feel better about that, putting you on the spot too. If the whole Council joined together.

Richard - One thing I can say about you even regardless of your residency you do attend meetings, Councilman Plaster does not.

Doug – I agree

Doug - I think it would be better for consensus instead of one Councilmember.

Richard - I am fine with that. I will withdraw my motion.

Mike - I withdraw my second.

Mayor Cury - Richard is making a suggestion of a consensus that the Clerk write a letter encouraging Logan to try to attend is there a consensus to that effect?

Jeff - Try or to attend.

Mike - I don't think he is letting us down he was voted to that position.

Mayor Cury - The consensus is Connie to write a letter to Logan that Council would appreciate his constant presence. I think it is a very difficult situation. I really can't speak for Logan. I think what he told me he lives here but right now he is taking some kind of course somewhere in North Carolina maybe to be able to have a better job and when he has reached all the certifications he can resume his full time residency here, that is what I understand. I absolutely not in position or qualified to speak for someone else.

Doug - ...

Mayor Cury – That's what he told me and I ask him why are you missing he said he was trying to get education and certification.

Doug - It is insurance and security.

Mayor Cury - I can't answer any more than that anyway we have consensus to write a letter to Logan - Doug, Jeff, Richard, Mike, Mary Ann – Yes

Mayor Cury – "Mayor's Comments" – Mayor Rod Cury

Mayor Cury – John, can you personally call Joel McClanahan, you have talked to him before, he called me this week with another concern, sometimes everybody we talk to, we can't answer everything and we can't fix every ditch or every sunken hole in the yard it is not possible but this time he has a concern that really does merit your help. I don't want to say it openly, OK. If you don't have his number I've got it.

Mayor Cury - I have many people contact me for different things, one I had most recently, once the agenda was published I had numerous comments please do not do away with You Tube. I expressed my concerns earlier in the meeting and I echo from constituents.

Mayor Cury - Executive Closed Session Pursuant to VA Code Section

(a) 2.2-3711 (A) (29) Contract Negotiations (DMV Select & Jonah Project)

(b) 2.2-3711 (A) (7) Potential Ligation

Mayor Cury - Do I hear a motion to enter into Executive Closed Session?

Jeff- I make the motion to go into Executive Closed Session, 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.

Mayor Cury - We will go into Executive Closed Session.

Mayor Cury - We are now back in session and ask for a motion to certified that nothing was discussed but what was stated which is 2.2-3711(A)(29) and 2.23711 (A)(7).

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

Mayor Cury - Before we adjourn we need to find a time for a work session to discuss primarily the Charter Changes.

John - You have the Charter, the Electric and the ARPA .

Mayor Cury - It will be these specific topics. We have to advertise it.

John - It won't be in the newspaper until September 22.

Mayor Cury - September 27 @ 5:30pm

Bob - Do you need legal representation that night?

Mayor Cury – You are always invited. From my opinion you would not be required to come. We won't be voting on anything. We will be trying the words over to you for grammar corrections.

Mike - Can you let Logan know?

Mayor Cury - I will ask Connie to let him know, that is the Clerk's job.

Jeff - I make the motion to adjourn, 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. Doug -Yes- Jeff- Yes, Richard-Yes, Mike – Yes, Mary Ann – Yes Motion carries – 5/0.

Adjourn



Connie Allen, Town Clerk



Rodney D. Cury, Mayor