

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

Mayor:	Rodney D. Cury
Town Manager:	Tim Taylor
Town Clerk:	Connie Allen
Council Members:	Mary Ann Strong, Doug Ratliff Logan Plaster, Mike Street, Richard Brown
Town Attorney :	K.W. McClanahan

Vice-Mayor Cury opened the meeting.

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

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

Vice-Mayor Cury - Immediately after we have approved the minutes under 5A, Special Remarks from the Attorney, addressing issue with the Mayor. After the Attorney I will have personal comments from myself that I wish to speak to the members of Council and to the public. Following that Delegate Morefield will be joining us, we are appreciative of his presence. Special recognition will be presented by Councilmember Mary Ann Strong.

Vice-Mayor Cury – Are there anyone who is not on the agenda who would like to speak under “Unscheduled Public Comments”, which you have three (3) minutes to speak.

Vice-Mayor Cury - Please add Joe McCracken, Larry Johnson, Ginger Branton, Grace Stuart. Anyone else that would like to speak under “Unscheduled Public Comments”?

Wayne - I have some additions under my comments, Consideration of Ordinance to sell property, that will be under the first reading under the property we just had the first reading on. I will read the ordinance the first time tonight. On item (d) Consideration of Ordinance for Nuisance Abatement, I would like to table for the next meeting. Under Executive Closed Session I would like to add 2.23711(A7)legal consultation regarding threatened litigation.

Richard - Under “Special Public Comments” , Ms. Ferrell and Ms. Hearl is here for nuisance issues. I noticed you moved nuisance to the next meeting.

Wayne - We can listen to anything they have to say on that. I plan on presenting some things to the Council, but I did not have time tonight.

Vice-Mayor Cury - Are we talking about 11(d)?

Richard - Yes

Vice-Mayor Cury - You want to leave this on the agenda?

Wayne - Leave that stricken but we can let them speak to that.

Connie - Jerry Goss will not be here under “Scheduled Public Comments”, we need to take him off the agenda.

Vice-Mayor Cury - Any other additions or deletions to the agenda?

Vice-Mayor Cury - Under “Public Comments” we have Brithany Ferrell, Virginia Hearl, Michael Horn, Linda Keen, Ginger Mullins, Remus Keen, Laura Mollo.

Vice-Mayor Cury – I will entertain a motion to accept the agenda as amended.

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

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

Vice-Mayor Cury –Are there any corrections, additions or deletions to the minutes?

Mike- I make a motion to approve the minutes as presented, Mary Ann seconded the motion.

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

Vice-Mayor Cury - Wayne will you make your remarks regarding the Mayor.

Wayne - On March 3, 2021, Mayor Paul Crawford submitted his written resignation, effective immediately, to the Town Council, the Town Manager, the Town Clerk, the Town Attorney, and members of the press. On March 5, 2021, Mayor Paul Crawford informed the same that he would be withdrawing his resignation. Upon my review of the applicable law, and upon consultation with VML and the Virginia State Election Commission, it has been determined that as pursuant to Va. Code 24.2-226, the resignation of a local official's office cannot be withdrawn once its effective date has passed. As Mayor Crawford's resignation was to become effective immediately, Virginia law prohibits him from withdrawing his resignation. As per the Richlands Town Charter, the Vice Mayor, Rod Cury, shall assume the role of Mayor should he choose to do so. If he so chooses to become Mayor, he will serve the remainder of Mayor Crawford's term without the need for a special election, as per the terms of the Charter. If he should choose to not accept the role of Mayor, he will be required to vacate his role as vice mayor and shall resume his position on Council. In such a case, the Charter sets forth that the Council shall nominate a member of its "number" for mayor, and such shall be elected by a majority vote of Council. Any such member of Council so nominated shall have the ability to refuse any such nomination. If a member is nominated and elected by a majority vote of council to serve as mayor, he or she will serve the remainder of Mayor Crawford's vacated term without special election. In the event Councilman Cury elects not to become Mayor, and Council fails to select a member of its own number to serve as mayor, I will ask the Council to direct me to petition the Tazewell County Circuit court for certain declaratory relief. Namely, seeking the Court's interpretation of section 3.5 of the Charter and other applicable Virginia law regarding the Court's authority to appoint an interim mayor upon the petition of the Town. I anticipate that the court will be of the opinion that it does in fact have the authority to appoint an interim mayor, and if such is the case, I will require further directive from council regarding the filing of a petition to the circuit court regarding such a petition for appointment. I will further require Council to direct me by way of majority vote to submit a name to the circuit court for consideration of appointment as mayor. Please do not misconstrue the Council's potential ability to petition the circuit for interim appointment of Mayor with the Council's ability to appoint a member of the community at large as Mayor, as the charter does not allow for the latter. In the event the Circuit Court appoints an interim mayor, he or she will serve until such a time that an election can take place this November, or by otherwise scheduled special election, in which the winner will serve the remainder of Mayor Crawford's vacated term. In the event another member of Council is nominated and elected as mayor, they will be required to vacate their seat on Council. In such a case, it is my strong recommendation that council immediately fill said vacancy with a member of the community at large who is also a qualified voter and resident of Richlands, as failure to do so would serve to significantly debilitate the effectiveness of Council to govern. Such individual will serve until such a time as an election can be held as pursuant to applicable Virginia law, either this November at the next regularly scheduled general election, or by a scheduled special election at such a time that is compliant with Virginia law. In reaching this conclusion, I have extensively conferred with VML and the Virginia State

election commission, and I am confident that the previously set forth options and recommendations are both exhaustive and fully in compliant with the Richlands Town Charter and applicable Virginia law.

Vice –Mayor Cury - Wayne, we appreciate your clarification.

Vice-Mayor Cury – (Attached Original Letter) Since last week, after the resignation of Mayor Paul Crawford, the Richlands Town Council has been the beneficiary of needed and well-researched guidance from our Town Attorney. He has gone the extra mile to ensure that Council is in concert with the Town Charter and the Code of Virginia. All of us appreciate his careful research and delivery of important information to ensure that the Town of Richlands conducts its business in a proper and fitting manner. The resignation of Mayor Crawford came as a surprise, certainly to me, and I am sure to other members of Council and our community at large. We are grateful for his service. Because we understand that government is, in its simplest form, a contract between the people and those whom they have elected to serve them, it is imperative that the business of the Town go forward as expediently and as carefully as possible. The General Assembly of Virginia was the first representative governing body to meet in North America and has continued to meet to the present day. Our heritage is great, and we have an obligation to maintain this irreplaceable legacy. The Richlands Town Charter, which is granted by the General Assembly of Virginia, is our framework for governing. In Article III, Section 3.5, the roles of Mayor and Vice-Mayor are clearly defined. It says: “3.5 Mayor – The Mayor shall preside over the meetings of the Council, but is not a member thereof, have the same right to speak therein as members, and vote only in case of a tie, but shall have no veto. The Mayor shall be recognized as the Head of the Town government for all ceremonial purposes, the purpose of military law, and the service of civil process. At the regular meeting of the Council held in the month of January following a municipal election, the Council shall choose, by a majority vote of all the members thereof, one of their numbers to be Vice-Mayor for the ensuing two (2) years. The Vice-Mayor shall in the absence or disability of the Mayor perform the duties of Mayor and, if a vacancy shall occur in the office of Mayor, shall become Mayor for the unexpired portion of the term, In the absence or disability of both the Mayor and Vice-Mayor, the Council shall, by majority vote of those present chose one (1) of their number to perform the duties of Mayor (2013,c519)e4”. In my years of service as a member of Council, it has been my privilege to serve under the leadership of Mayor Ken Wysor, Mayor Jan White and most recently, Mayor Paul Crawford. Each of them has brought their own set of talents and gifts to the Town and they have served with their heads, hearts and with honor. It is my sincere hope that we recognize their service and the service of all those Mayors who have preceded them; and there are many. We truly are but a moment in time, but that does not diminish our roles, be the Council Members, Mayors, Town Employees or Citizens volunteering in more capacities that we will ever know. Some of these ways are highly visible. Some are quiet and we hear little about them. Let us remember that everyone is trying to do something to help his fellow human beings along this sometimes lonely, sometimes crowded, but ever so brief journey. It is my privilege and honor to have been elected to serve the citizens of Richlands. Now it is my duty and my honor to serve you as Mayor of the Town of Richlands. I am grateful to have personally served with a variety of Members of Council, Mayors, Clerks, Town Attorneys, and others from who I have learned much. I will need you, your support, your kindness, your understanding, your prayers, and above all your devotion to the Town of Richlands. For those of you who know me, my family means the world to me. I am grateful to have had the wonderful parents I did, A.B. and Regina Cury. My sister Marcia is one of the wisest, most loving, and certainly the most generous person I have ever known. My niece Amy is a remarkable, talented, gifted human being. Her heritage is great, but her legacy will be even greater. My nephew Mark has changed my life for the better in countless, untold ways. That you to each member of Council, the Clerk, the Town Attorney, Town Manager Timothy Taylor, and the people of the community. I request Town Attorney Wayne McClanahan to schedule a mutually convenient time for me to take the oath of office of Mayor. Now, let us move forward to the business at hand and conduct ourselves with dignity, respect and understanding.

Mike – I would like to appoint Jeff Hurst in the vacancy of Councilmember , 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 – Logan- Yes, Mike, Yes, Doug-Yes, Mary Ann-Yes, Richard – Yes, Motion carries – 5/0.

Mayor Cury - Jeff Hurst will be a member after he is sworn in.

Wayne - If you would entertain a motion to direct the Town Attorney to petition the Tazewell County Circuit Court of a lenth of election.

Mayor Cury - I will request the Town Attorney by motion to approach the Circuit Court for a lenth of election, so Mr. Hurst can proper assume his seat as Councilmember.

Wayne - Mr. Hurst will be interim member on Council because of your now vacated term is not set to expire until another two (2) years. Virginia State Code requires us to petition the Circuit Court in 15 days of that vacancy of lenth of election in which we will have to request the Circuit Court either the filling of that seat this November or by special election. In referring with the registrar, I don't know if it would be advisable or certainly be a logistically problem trying to work around if your desire to have a special election. The VA Code requires so many days would be in between a primary which would be the first thing scheduled and cannot be within so many days of the general election. From speaking with Mr. Earls, we effectively only have a window of July until August. It is my understanding if it is the desire to have a special election and to fill that seat the Town would bear the cost of that. If it is the Council discretion to direct me to file a lenth of election to fill that seat for the remaining year of your term in November or by special election.

Mayor Cury - Who would like to make the motion?

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

Mike - Do we have to clarify now if we are going to have a special election or wait until November?

Wayne – You have 15 days. 24.2.26 – We have 15 days upon the vacancy of the seat before we have to petition the Circuit Court , we don't necessarily have to address tonight but we would have to potential come back for a special called meeting.

Mayor Cury – To be clear I want to make sure I am correct on this. Jeff Hurst has been voted to take a Council seat, motion that Doug has made, and Mike seconded it he will be that member until???

Wayne - By general election in November or special election in July/August.

Mayor Cury – Obviously, someone has talked to Jeff Hurst and he is willing to serve. I would suggest that we avoid the special election and wait until November.

Richard - I would like Doug to repeat his motion.

Mayor Cury – Can you please state exactly the way that Doug needs to state it.

Wayne – Motion to direct Wayne as Town Attorney to petition the Circuit Court of Tazewell County for a lenth of election this November the next regular scheduled general election.

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

Mayor Cury - The amended motion has been made by Doug and seconded by Mike.

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

Mayor Cury - Delegate Morefield will speak to the Council, it is a delight to have you here with us.

Delegate Morefield - Good to be here and thank you for the invitation. Mr. Mayor and members of the Council as you know this past year has certainly been challenging, I think for every single person not only in our community but across the world. Our hearts and prayers are with those who are suffering as a result of this pandemic and certainly to those who lost loved ones. I remember early this year or last year when the pandemic first hit in Southwest Virginia, we knew that it would have a devastating impact and unfortunately, we have seen the effects. I cannot thank our first line workers, health care workers, nurses and the people who are working very hard every single day to protect our community. You as elected officials, I know that you have a challenging job, and we are all working together to help those who we serve. It has certainly been an honor serving as a member of the House of Delegates. I know Mr. Mayor you certainly have contributed all that you have as a Councilmember to your community. I would especially like to thank you Mr. Mayor for your efforts in promoting history and education components, it is so important especially in molding young people. I remember the General Assembly Session before we brought a group of students from Richlands, it was a wonderful experience in fact I think most of the students have reached back out and said it was one of the highlights that they had ever had. It was incredible experience thank you for giving them that opportunity and especially to all those that made it possible. It was a delight to be part of. Tonight, I do have a Resolution on behalf of the General Assembly to present to the Town of Richlands. Earlier I touched on education and history, all of you are familiar with the Railroad Foreman Section House, there was a number of individuals and organizations that have put a lot of work into that. Mr. Mayor with your permission and the Council permission I would like to read the Resolution. (Read the Resolution) Mr. Mayor and the members of Council it is an honor and privilege to not only recognize all the hard work you put into the restoration in this historical building but an honor to present to you an official "Resolution" on behalf of the General Assembly recognizing that.

Mayor Cury - Will, thank you very much on behalf of the Town of Richlands and the Town Council. We are very grateful for the recognition of people here and all that they do. This is one effort that we have many and we appreciate your support and you representing us, you are always welcome here in Richlands.

Delegate Morefield - Thank you Mayor and Councilmembers we are certainly looking forward to the future. I know we all want life to return to normal as soon as possible but I can assure you together, Southwest Virginia will always be a good place to live and raise a family and we will continue to make every commitment to insure that is the case.

Mayor Cury – Mary Ann

Mary Ann – I would like to make a motion to honor our Town Manager Timothy Taylor who will be retiring on March 15 by passing a Resolution tonight, I have requested the Town Attorney to draft. When this motion is approved, I am prepared to read the resolution.

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

Mary Ann - Read the Resolution R-2021-03-01 – As part of this resolution I would like to request that it be made a permanent record of the minutes of the Town of Richlands of the meeting of March 9, 2021.

Mary Ann - I would like to thank our excellent Town Attorney who has had a multitude of work to do recently but he made the time for this special recognition. I would like to make the motion to dispense with the second reading of the resolution. 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 – Logan- Yes, Mike, Yes, Doug-Yes, Mary Ann-Yes, Richard – Yes, Motion carries – 5/0.

Mary Ann - At this time it is proper to present to Mr. Taylor and get a photo made with the Town Seal. We would also like to present a plaque to Mr. Taylor. (Read the plaque)

Mayor Cury – “Scheduled Public Comments” - Brithany Ferrell

Brithany Ferrell - I have come to publicly make a nuisance complaint on the address of 281 Linwood Drive located in the Hidden Valley Subdivision of Town limits. As you know a public nuisance is defined as an activity or thing that affects the health, safety, or morals of a community. The existence and habitation of this property is showing itself to be a most public nuisance to our Hidden Valley Community particularly lately. I along with a solid majority of the most proximate neighbors have come together as tax paying citizens of the Town of Richlands to ask that this matter be dealt with swiftly and efficiently. We are asking the Council to condemn the property so it may no longer be inhabited, and that the structure be removed by any means necessary. In the Town Charter under Article 2.3 listed powers related to public works, utilities and properties it says: In addition to the powers granted by other sections of this Charter, the Town is empowered to acquire by purchase, gift, devise, condemnation, or otherwise, property real or personal, or any estate therein within or without the Town for any of the purposes necessary in carrying out any of the functions of the Town; and to hold, improve, sell, lease, mortgage, pledge, or otherwise dispose of the same or any part thereof, including any property now owned by the Town. Also, in Article 2.4 the Town Council holds the power to make regulations for the preservation of the safety, health, peace, good order, comfort, convenience, morals and welfare of the Town and its inhabitants. Please also see subsection 2 in its entirety supports our wishes regarding the health and safety of our friends and neighbors. So, after reading pieces of the Town's Charter that I believe and support our request for the condemnation and removal of the structure of 281 Linwood, I'm going to tell you why I believe it is the Town's responsibility to do so. For the last several months the residents of Linwood Drive, Plantation Drive and Cresswood Drive have been watching a story too horrific to repeat in detail unfold. This structure, 281 Linwood Drive that we all knew to be empty and abandoned to our knowledge suddenly became inhabited. After several visits from Police and EMS, the adults were arrested, the children were removed by CPS and the animals were taken to the shelter. It became public knowledge that the inhabitants to locate the owner of 281 Linwood, known as Tracy Turner. Mr. Turner was unaware of the current situations in regard to the arrest of the renters as he calls them. However, he has on no less than 20 separate occasions mentioned in our conversations via messenger that the house is full of mold, neurotoxic black mold to be exact. You can see in the packets of our conversations that Mr. Turner purchased the house for little more than basic land value in 2019 and subsequently spent several weeks inside the house where he was exposed to the mold and became very, very ill. He even writes in one of these messages that the house “almost killed me”. Mr. Turner claims he posted an ad on Craigslist and the renters agreed to live in the house and remove the toxic mold in exchange for rent, basically as we know now the rent the 6,000 sq. ft. home for \$1.00 a month. Obviously being as though this is literally in my backyard; I am concerned so I have spent the last 30 days back and forth with Mr. Turner letting him know of the atrocities that have occurred in his home as it becomes public knowledge being as though he is currently residing in the Philippines, he has been wholly unaware of the issues. Unfortunately, he cannot afford a proper mold abatement, and considering the shape the home is in, it is in everyone's best interest to remove the structure in its entirety. In my research I have also found that none of the 2019 and 2020 taxes totaling \$1,160.75 have been paid. He also made the statement earlier today that “it's ok if city condemns the building, I do not have money to tear it down”. So, I implore you to please consider our plea for the health and safety of our community to condemn and destroy this building. Our community does not deserve to live in fear. Thank you for your time.

Mayor Cury - I think someone else is going to speak on the same topic, we will hear both people so we can move forward in most appropriate manner.

Mary Ann - I would like to thank Brithany for her research obviously this took a lot of time and effort thank you for your time.

Mayor Cury – “Scheduled Public Comments” - Virginia Hearl

Virginia – I am Ms. Jenna Hearl the property that Brithany is talking about is also behind my house, our lots adjoin. I have been going around in the Valley collecting signatures and I will tell you the signatures that I have collected from the people in Hidden Valley, it has been an up lifting experience everyone said they did not want this type of property in our neighborhood. We have moved here from different places, the people I have talked to are all demographics, young people to retirees. They said what can we do to help we don't want this kind of property in our neighborhood. I can't tell you how excited I was when I walked around Hidden Valley for five (5) days getting the petitions. Just to expand on what Brithany was telling you on the back taxes, Mr. Turner owes the County for 2019 and 2020 \$4,565 in back taxes. We thought about what the Town could do, I am going to read you a letter from Cory Vicars, he lives directly behind me and next to the Gomez House.

Virginia - Read letter from Cory and Melissa Vicars, “We are Cory and Melissa Vicars, who own the house located at 261 Linwood Drive in Hidden Valley in Richlands, Virginia. Our house is currently listed “for sale” and adjoins the monstrosity commonly referred to as “The Gomez House” on the corner of Plantation and Linwood Drive. We are all aware of the recent events tied to that house, so those will not be discussed. The Gomez house is not only in a significant state of disrepair and unsightly, but it is also riddled with hazardous mold and has other issues that generally make the house unsafe to inhabit. At least one (1) neighbor with whom we've spoken has been in contact with the current owner, Mr. Tracy Romeo Turner, who is currently in the Philippines. It is my understanding that Mr. Turner only stayed in the house a few weeks after he purchased the house, was treated for mold poisoning and other environmental toxins, and thus forced to leave. After Mr. Turner's departure, he eventually listed the house on Craigslist offering a “big house” for “free” if the tenants agree to clean it up. The current tenants answered that ad, and they are in the house right now. While reasonable minds may differ in their opinions about whether the house can be economically rehabilitated or the value of the house or vacant lot, I recently messaged with Mr. Turner on Facebook and asked him about the house and his intentions. He explained the current tenants are supposed to be cleaning the house to rid it of the mold, but it appears that has not happened. Mr. Turner and I discussed several things, one being the possibility the house may be condemned due to its condition and he responded by saying, he was not concerned about condemnation because if it were going to be condemned, it would have already been condemned when the bank had it. We bought the house from BB & T for \$30,000. I explained to Mr. Turner that the cost of demolishing the house and cleaning the lot to a point suitable for building would exceed the value of the lot after the house was demolished and the debris removed, thus rendering the house with no value. I made an offer to purchase the house for a nominal amount, but Mr. Turner declined, stating he needs a minimum of \$45,000 for the house. I attempted to explain that no one would pay \$45,000 for the house, only to incur a cost near \$30,000 to demo the house and clear the lot, just to be left with a vacant lot with a value of \$25,000/\$30,000, but Mr. Turner ended the online conversation and blocked me from sending additional messages. Mr. Turner is not from Richlands, does not live in Richlands and does not seem concerned with the condition of the house. Mr. Vicar's solution:

1. The Town exercises its power and legally condemns the house and takes ownership of it.
2. The Town works with the Tazewell County and resolves the county delinquent property tax issue.
3. The Town forgives any delinquent Town property taxes.
4. The Town agrees to provide all requisite permits and waive any normally associated fees for permit or other costs associated with the demolition and removal of the house and the associated debris.
5. The Town sells us the house and lot for \$1, free of all liens and encumbrances.
6. As soon thereafter as the weather allows, we will furnish an excavator and operator for a maximum of three (3) days, which should be more than enough time to demolish the house, clear the lot and load the trucks with the resultant debris.
7. The Town agrees to provide enough trucks and drivers to haul the debris to the dump and cover any costs or dump fees at the dump. The Town must provide enough trucks and drivers to remove the debris in no more than three (3) days.
8. Once the lot is cleared, at our discretion, we will sell the lot, either as a stand-alone lot or together with our house.
9. Once the lot is sold, we will reimburse the Town its actual costs related to hauling and dumping the debris, including costs at the dump, if any, up to a maximum of \$15,000. This

reimbursement can be arranged as an item paid to the Town at closing by the closing attorney handling the sale of the lot. Our offer is valid until March 15, 2021." There is a little bit more, but I have copies for you. (handed out letter)

Doug - Can I make a motion?

Mayor Cury – We really appreciate what you are trying to do in order to make the Town more habitable, Doug I have a suggestion before you make a motion. I would like to call on two (2) people to address this from a legal perspective for the Town. Jerry would you be interested in speaking to this issue, have you had any calls to come over to the Gomez property?

Chief Gilbert - My officers have responded on several occasions , they have taken law enforcement action against the residents on different matters, matters are pending in the court at this time. Indications that the officers have seen they have described as been a terrible mess inside and on the outside. Mr. Turner called me this morning; he advises for the Town to do what they wish with the property. He was not in any shape financially to make any other arrangements. He said the Town could take whatever action necessary with the property. There is a very toxic mold in there and advise not to let my officers go back if we could help it.

Mayor Cury - He is the Owner?

Chief Gilbert – Yes, he just said the Town could do whatever they needed to, he knew there were back taxes owed that was pretty much our conversation. My officers have talked about the living conditions, there was CPS child removal from that residence as well as other law enforcement action taken.

Mayor Cury - I need clarity, pending action I don't want to go too far and put us in jeopardy. Wayne are you able to address, anything that you know about this and can you address from our attorney's point of view on his offer to take over property that is damaged.

Wayne - I will have to review this information I am not comfortable at this point.

Mayor Cury – So you are not familiar enough with it?

Wayne – No I can get familiar with it and get back with Council by the end of the week and evaluate all the options and understand all the repercussions.

Mayor Cury - Tim, do you have any knowledge of it?

Tim – You need to know more about the property before you make too many decisions to make sure we understand totally.

Mayor Cury - I have been approached in public but this is recorded and is official .

Doug – Before I make a motion, I have inspected the house it is not only molded the structure is compromised, but the foundation is also split especially in the back and they have covered up with brick. It is a real hazard not only from the mold but from the structure. I would like to make a motion, not sure of the legalities of the man taken over, I cannot make that motion but the motion that the Town Attorney pursue condemnation of that house.

Mayor Cury - I think that is proper, I would suggest that instead of a motion maybe we could have a consensus for him to do that. Do you think it requires the power of a motion?

Doug - What do you think?

Wayne - I think everyone is on the same page.

Doug - I am fine with that.

Mayor Cury - If you are OK, he knows the directive

Doug - I am OK with that but one thing I would like to add if you would pursue the gentlemen's offer which I think is very generous, what are the legalities of that and if we could pursue that too.

Wayne - Can I ask Chief Gilbert a quick question?

Mayor Cury – Yes

Wayne – Did Mr. Turner say he would sign a quit claim deed over to the Town, or do what you will?

Chief Gilbert - He just said do what you will, he said if we needed to contact him the best way would be thru Facebook.

Richard - I don't know about the quit claim deed, did we file a lien on that property when we had Rusty's crew to clean up last year?

Tim - I am sure we did if there was any cost incurred. There might be other obligations discovered.

Wayne - Obviously the quickest and cheapest way to get ownership if Mr. Turner would sign sort of conveyance over to the Town, we can skip several steps. The problem with that we don't know what other liens are out there unfortunately may have to go thru a more extensive time-consuming process and foreclosing on that property.

Audience - I do know there is no more liens on the house, I know that much. It was bought with personal loan funds.

Doug - I suggest that we try to get those people out as soon as possible I think their health is at jeopardy not only from the mold but structural that house is not sound.

Mayor Cury – I think we are on the same page. I want to thank both of you for coming to Council to talk about this concern. I think it is Council desire to solve this problem in an expedient manner as possible and as legally as possible. Sometimes you get a gift that is more than you expect. We will depend on Wayne to research what that gift would entail but it does not diminish our interest in solving the problem. Is Council satisfied with this temporary solution?

Richard - I think Ms. Hearl needs to supply Mr. Vicar's information

Mayor Cury - Do you have the information?

Ms. Hearl - I can show it to you, he withdraws the offer on March 15

Mike - We may need an extension on that.

Mary Ann - We may need some more time.

Doug - Should we get the Health Department to inspect that house?

Mayor Cury - What I have heard they have already been there; they have taken the children. I do not think Council needs to take action on that, they have rights too; we need to be very cautious.

Doug - My only concern is that I didn't want the Town to be held responsible if there are a health hazard and those people come back on the Town.

Mayor Cury - I understand that and I am with you.

Mike - The only thing I see with the list of things here says we have to resolve the county delinquent property tax issues. It does not say they are willing to cover that cost, what if the County does not allow us to bypass those taxes.

Wayne - Short answers, they are still there. They have the discretion to wave that, and I can make the appropriate phone call to check it out.

Mayor Cury - I sure you will itemize on how you are going to approach this, and you can report to us at the next meeting.

Wayne - I understand the time sensitive nature, I will try by the weekend to get back to all of you individually and if it is something, we can accomplish just an informal directive to me or if it is an action of formal Council action, we can always have at our discretion a special called meeting too .

Mayor Cury – Jenna, why did he choose March 15?

Jenna - I really do not know.

Mayor Cury – I think that is a really good question, it is the 9th of March.

Jenna - He said that was plenty and of time and he realizes that Town has been talking about this for a couple of weeks or so. He is going out on a limb; he is going to be at risk for a lot of this too. He felt that should be plenty of time. If you have a deadline you tend to act on it a whole lot quicker.

Mike – Wayne I think the first thing you need to do is contact him and get a different date.

Wayne - I will reach out to him.

Mayor Cury - “Scheduled Public Comments” – Michael Horn – Water Problem in Hidden Valley

Michael Horn – I live on Plantation, the street above me, has a cul-de-sac, all the water is toward Plantation Drive, cul-de-sac is approximately 150' long and 50' wide from the upper side to the lower side and there is a 2-inch drop, there is nothing to hold the water, no ditch no berm the water goes wherever it wants to on my property. I wanted to see if the Town would come and look at it and see what kind of solution they have; it has gotten worse especially since the paving.

Tim - Where is your house at?

Michael Horn – Plantation Drive I have a map if you want to look at it. It shows you exactly where it is at.

Doug - I have met with Mr. Horn and it is a problem, I think we discussed maybe a berm if the Town would consider it, making a berm and turning the water away from his house.

Michael Horn - The ditch will take care of it on Plantation, but we may have to lay pipe or something to get it there, it is going to wash away where the gutter is.

Tim - If you have some supporting documents you could leave us that would be great. The only problem I have with berm is where the water is going. Let me review it and if you could provide me with a phone number and I will get with you and meet you over there to see what we can do. I will get my Street Supervisor to look at it too.

Mayor Cury – “Scheduled Public Comments” – Linda Keen

Linda Keen - I am here to speak for the cats below and behind Grants and the Town of Richlands and the people who have been feeding them for the last year, under a trial program agreed to by the Town Council. With the pandemic managing this group of cats has not been an easy job. In fact, nothing was easy in 2020 as we all experienced, so we are here today to ask for an extension of time to accomplish the objectives we had discussed. During the pandemic, two very unfortunate things happen that set our project back substantially. The Humane Society closed, leaving no one to accomplish the most critical piece of the plan, trap, neuter, and return. The population of cats has grown but not for the reasons that Mr. Ratliff had suspected. No one was dumping or abandoning their cats on the property. Instead, kittens were born, and this cycle will continue until we are able to get these cats spayed and neutered. The women who care for these cats and I will make this our personal mission, now that there is hope of the world becoming vaccinated and returning to normal. We have talked with Julia Winston with the Wise County Humane Society and she is trying to help us get the funds to pick up all the cats at Grants and have them spayed, neutered, vaccinated, and returned before we have more births. Linda Fritsch of Animal Defense League of Washington County has agreed to give us financial support to have these cats sterilized. I have talked to Karen Slomba and animal welfare expert and a consultant to Alley Cat Allies, the leading animal advocacy organization who have pioneered international TNVR efforts and who have successfully transformed communities and how they view outdoor cats. She has agreed to guide us in our efforts and to assist us in finding additional resources to fund our objectives. All the experts agree that trap, neuter, vaccinate and return is the only humane way to deal with these cats. With that, comes the commitment of us caretakers to continue to feed these cats for the rest of their lives. Keep in mind, the lifespan of outdoor cats is not that long and if the cats are sterilized, the number of cats will indeed decrease over time. What other options are there? We cannot simply stop feeding the cats and allow them to die a slow and painful death from starvation. The idea that they will "just go away" is false. If we do not keep feeding them, they will likely come closer to shoppers and customers seeking the scraps that many kindhearted individuals will throw them. We can't bring them to an area shelter because they are unsocialized and not adoptable as normal housecats. Bringing them to a shelter will only result in death. I can tell you for a fact that I have not found dead birds littering the property during my feeding schedule. I have spoken to the management at Grants, CVS and Rose's and none of them object to us feeding the cats that really bother no one, and in fact keep mice and other rodents away. A year has gone by since we agreed that the cats were worthy of being cared for. Our plan was interrupted by a pandemic that no one could have predicted. We are again, asking for an extension of time to give us the opportunity to sterilize these cats and allow them to live peacefully at their current outdoor home. I would like to remind you all of how our Town's animal control is described on the Town of Richlands website: "The Richlands Department of Police has a fundamental mission to protect public health and safety, ensuring the humane treatment of animals and provide quality, professional service to the public. Employing a full-time Animal Control/Code Enforcement Officer, The Richlands Department of Police serves as an authority in animal welfare by creating and preserving a safe and humane community for both people and animals". We need our feeder and the shelters that we had for the cats replaced that was picked up by the Town. We need the Town to support us in our efforts to help control the cat population. A safe and humane community includes trap, neuter, and return. A safe and humane community includes allowing good-hearted people who care about cats to continue feeding the cats at Richlands Mall and the Town of Richlands. Our objective is to work with the Town, the businesses and animals welfare professionals so that we can grow better relations with the tax paying public, folks like me who want only what is best for everyone concerned. Thank you for your time. (Handed out some information)

Mayor Cury – "Scheduled Public Comments" – Ginger Mullins

Ginger Mullins - I wanted to give an update on what we did last year when they decided we could keep feeding the cats until we found a solution. Even though the virus was out and we had a lot to do to feed the cats we did pick up nineteen (19) cats from Hardees, twenty (20) cats from the laundry mat at Hardees and twenty-three cats from Grants. We had those spayed and most of them were friendlier cats that you could touch; we found homes for all of them except for about twenty (20). Lisa Hess took the twenty (20) to her house and we are slowly getting those homes. We have talked to several organizations that said they would help us fund the spaying and help get their shots, worm medicine and all the things they need to make them healthy, and they have done a lot of research on this and it

seems to be the best solution all the way around is trap, neuter and return program. I have lived here all my life and I shopped at your daddy's store many times it just seems like those cats have been there since Grants opened 2003. There has always been a group of little ladies that feed them until they get sick or died. And then there would be another group of little ladies that would take over for them and it has been like that forever. If they will agree to let us trap them, have them spayed and bring them back we will go around thru Town because there is more than this one batch, there is lots of batches in this Town. We will go around and catch each one of them and have them spayed to keep the families down, it does show they do decrease in numbers once you get the cats spayed and they do not wonder off as bad. We are asking for a little bit of help.

Mayor Cury - I do understand the little bit I know about it and I want to say thank you. I am not siding on what to do but I have a heart. Thank you.

Mayor Cury – "Scheduled Public Comments" – Rumus Keen – "No Show"

Doug - There is no one loves animals more than I do and have donated more than anyone in this room for the cats to have them spayed, thousands of dollars from my companies. The only thing I would suggest, I have no problem with feeding the cats, but they should not be fed on private property, if the property owners does not want them fed there. I have a letter from Fletcher Bright. They were very upset about what happen to their property. Their letter stating "Rick Wood, my maintenance person at this location called me about the cats and the buzzards, hanging about our property. Attached is a picture of the buzzards hanging about the property because of the cat feeders. I asked Rick to remove the feeders and clean up the mess. I love all animals and I truly hate having to stop the feeding of the cats on our property, but this has become an unsanitary situation and the buzzards could do damage to the roof of the shopping center." My only objections to feeding the cats but find property that the property owner does not object to feeding them. This letter is straight from Fletcher Bright.

Mayor Cury - Could you submit to the Clerk to make copies for everyone.

Mayor Cury - Doug, thanks for presenting that case anything else you want to say or have you concluded.

Doug - I have concluded.

Mayor Cury - What I am hoping to do and it is simple, not having to see-saw back and forth, I have a tremendous heart for what you are doing, and I have respect for the private property owners it is not an easy decision. I think Council can collectively reach a humane decision regarding the cats and regarding the property owners everything is involved here .

Linda Keen - What I wanted to say in return to that I have been going down there for years and feeding the cats, the problem with the vultures is people throwing food down that they are not supposed to, and I have cleaned up a lot of that in the last year, they throw cookies and bread . They think the buzzards will eat bread but all they do is jump down there and peck at it. They do not eat the cat food and they do not consume it. We try to keep it clean down there, but other people go down there when we are not there, and they put things down that they should not. Someone even threw a clock and broke it.

Mayor Cury - So ill intentions are conflicting with your good intentions. I am fully aware of your good intentions and I know that every Councilmember is, and I am sorry people throw glass and thinking they are doing good things, they mean well but it does not work. It is going to be solving a conflict between people. We need a little bit of time to think about it and try to help you achieve your goals for helping the cat population to be manageable and not multiply as fast and to find solutions about the private property owners. I thank you and I thank you for talking about the private property owners everyone has rights. I really get it. We will be back in touch with you, is that acceptable? I will lean on the manager to convey things.

Mayor Cury – “Scheduled Public Comments” Laura Mollo

Laura Mollo – Mayor Cury I just wanted to congratulate you with your position being in this meeting tonight I can tell you have brought new hope and new life in procedures to this council and that is exactly what our Town needs. I know everyone hates to see Mr. Taylor go but having a new Town Manger come in and a new Mayor that is respectful and diligent as you have been just in this meeting is very hopeful as a citizen and I was going to reiterate on the Linwood situation, but you guys handled that beautifully. It is an issue, I live across the street from them, they tried to come into my home right after Christmas, it is a worse situation than people realize. And also just very quickly I believe in January at the meeting, you said you would honor Councilman Plaster or recognizing him but we have not done that yet.

Mayor Cury - We did and if it is Ok, we made a motion, and I will check in the minutes but I will make sure we recognize him as being the youngest councilmember.

Mayor Cury – We have not enforced the time and I am going to address that issue; we will go with the flow tonight.

Mayor Cury – “Unscheduled Public Comments” – Joe McCracken

Joe McCracken – I would like to speak about the flooding issues, you know we had another flood here in the past week, drains/ditches in my neighborhood and seems to be several other places in the Town that needs to be addressed. My issue over on Jewell Street, as you come down on Iron Street if you turn on Jewell Street, as you make that turn the road is down low when you come down around that curve the ditch is right beside of the road. When the water backs up it fills up with water and runs across the road which makes it impassable. The water is backed up from the drain from the river back this way. The ditch is overflowing and they both meet which causes the water to be impassable. It lacked about one inch of being across the road going down on Iron Street. The river backs up and the ditch overflows and runs over the road and makes the road impassable. What I would suggest and has been suggested before is to build the road up higher. My suggestion is for money situation is to have a berm or wall to keep the water in the ditch and the road will still be passable. It will slow the flow of the water; you have water back up on this end and coming across the road on this end, they meet and make the road impassable. If we put a berm wall along the side of the ditch that will keep the water held back enough to make the road passable and keep the water from getting deeper.

Mayor Cury - I am trying to understand it, the berm you are talking about it is building a ridge to hold the water back is that right? If the water reaches a certain level will it go over the berm?

Joe McCracken – Yes

Mayor Cury – That would be a temporary solution, we are trying to find a permanent fix while you are still living on this earth. I know we have directed Town Manager Tim Taylor and his crew to do things over there, I do not know what the status is. I am trying to think of things in the long term as well as short term. I know recently at the last Planning Commission meeting, Thompson and Litton was here and was talking about studies in your neck of the woods as you would say. The Army Corp which could bring a better solution, they are so much in demand and there is only so many of them. My understanding is that the funding thru Army Corp would be much better and easier than us trying to get it. I am thinking what we could do temporarily and cost effective for the Town and helps you and Sandy and the other people who live there. I do not know exactly but Richard has something he would like to contribute, I will yield to his thinking, and get an update from Tim.

Richard - I actually went over and checked on you the other night. I see what the problem is, it is a similar issue as Big Creek running into the river behind of Giovanni's. You only have the one (1) access point to enter the river, the river is flowing, and the creek is running into it. You have the same issue with your ditch line. Cost effective it looks like if we split that ditch and it runs into the river in three (3) or four (4) access points and widen that I think that would help a lot until we get the funding to do what it needs to be.

Tim - As far as any discharge points that are moved, changed, or rerouted in a flow district you will have to get approval. It is not simply going and redirecting the water. We had to do a comprehensive hydraulic analysis and had to submit to the permitting agency when we did that at Magic Mart. At that time the Army Corp had a permit we had to get and other permits. If you have to reroute any drainage you have to do storm water studies. That is what we would like to do and that would make sense. If you talk about building dams or berms or flood walls in a flood district you open problems with the code the flood ordinance. I can refer to the attorney on that but there are specifics on that. I think you will have to get some kind of approval that has expertise other than this Council.

Joe McCracken - I see that point but if a property owner directs water on the Town can't the Town defend itself in some way or other.

Mayor Cury - To be specific Joe.

Joe McCracken - Specifically the property owner that is on the other side of the ditch and he has built his property up so high it has now directed the water on the Town's streets. That is where we are getting the water from.

Mayor Cury - Is it the concrete place?

Joe McCracken - Yes

Mayor Cury - The best thing you are doing, and it is so frustrating, I have my own frustrations not with water but other things, trying to live peacefully with nature is not a good thing because nature always wins but we have to keep on fighting. This is not going to solve the problem, but you are showing up here always asking for help tells me how dear your home is to you why you want to stay here and you don't want to deal with the mess of it, I get it. I don't think it is lost on anyone here I hear it I hear Sandy, I get it, from me to you I am not speaking to you as a Mayor but as a friend. Please know how I feel, and I am trying to think of a solution that works for you and the people around you on Jewell Street and works within the bounds of the ordinances that we have in place and other ordinances about here, flood control, county it is complex. What I am doing right now is personally and publicly pouring my heart out to you and telling you I am so sorry, and we are trying, I don't know how to fix it. God knows I would pour it out here and you would see Noah's ark.

Joe McCracken - There is a situation with the ditch line, and it is also a hazard when you make that turn if the vehicles run over into the ditch. If we could take the blocks that the concrete people produce and put a roll of the blocks down beside the ditch to protect the vehicles from running into the ditch and maybe getting hurt, it would slow the flow of the water running across the road.

Mayor Cury - I am thinking you have an idea, but it is going to take an engineer to engineer it properly. We just had Rick Chitwood down here from Thompson and Litton and he said \$38,000 for a study, is it possible he would come down here and grab us and meet engineer to citizen and just talk with him. Just as a courtesy.

Tim - Maybe

Mayor Cury - Not my view or Tim's I am going to ask Tim to ask that, it won't fix it, but it gives you someone from Engineering Company, you would hear his point of view.

Doug - I think it is great, but can I say one thing. I think to enlarge on Mr. Brown's idea I see what Tim is saying we are not going to change the flow if we dig the ditch and clean it out, that would help, correct Joe.

Joe McCracken - That would help but the road is so low and the other property is so high the ditch is very shallow on that end.

Doug - If we didn't change any direction could we dig a ditch all the way around I think that was proposed at one time.

Joe McCracken – Yes, I wanted to dig the ditch the other way so the water would have a place to back up to going toward the concrete.

Doug - That does not change anything that is just cleaning out a ditch and we do not have to have an engineer to ask to clean out a ditch it is the original flow we would not be changing anything.

Mayor Cury - I agree with you in this respect there is things we can do, Tim said we could clean out a ditch, but the bigger problem and it won't go away forever, nature wins every time. I think we need an engineer to have a bigger collection of ideas and more in-depth.

Doug – That is exactly right, and I agree with that but the other night that water came within an inch of that road. Just as a temporary fix until we do all this which is going to take months and months, why not dig the ditch out and not change any flow, original ditch and that might save 56 people over there from happening in the near future. An inch is very close if it would have come over there it would have been a real disaster last week. Why not do the original flow of the ditch like Mr. Brown suggested just as a temporary measure and then get the engineer down here and meet face to face with Joe.

Mayor Cury - I think that is a decent idea.

Mary Ann - I thought several months ago when Joe first came , Tazewell County was sending an engineer down and Doug and Rick went over.

Joe McCracken - That was an engineer they decided they didn't want to be a part of it.

Mayor Cury - I appreciate that, that is something that happened Joe are we in satisfactory terms right now.

Tim- In all fairness to the County he does not have that expertise. I can clean the ditch out no problem, we don't need a motion.

Joe McCracken - If you had a barricade there would keep them from running into the ditch and some of the places in the ditch it is 10/12 feet deep. If you run a car over in that ditch you are possibly going to die if you drop 10 to 12 feet. If you build the wall will do two things, keep the water off of us and protect the citizens.

Mayor Cury - "Unscheduled Public Comments" – Larry Johnson

Larry Johnson – Rod congratulations, you will do an excellent job I learned a lot sitting beside of you for eight years.

Mayor Cury – Thank You

Larry Johnson – I had no intention of speaking on cats, the ladies that were here tonight when the program was in its operating stages I purchased the feeders and put them out. We had nice little cabin looking feeders, I worked with Rick Wood a little bit at the mall. It worked well at Hardees, so we put them down at the mall, somebody stole one of them and things started going south at that point. Since then, the Humane Society has disbanded, after that there was no one but these ladies that were trying to watch them and take care of them. It is not their fault they were trying to do it the right way.

Mayor Cury – Thank you for your interest and love for animals it does not go unnoticed.

Larry Johnson – The kiosk at the swinging bridge I think the only thing left for that project was the infographic, I spoke to Mary Ann, I wanted to make a donation to the Rec Commission to pay for the infographic when I did the last one it was a little less than this check amount so this should be enough to cover it when you get to that point. Can I present to Mary Ann.?

Mary Ann – We are meeting Monday; it would be wonderful if you could come by. Thank you so much we really appreciate it.

Larry Johnson - That little piece finishes my three (3) access points I wanted to get in Town. I wanted to have that done before Tim left and before I left.

Larry Johnson - Mr. Taylor, 32 years, I actually worked for Tim in the capacity at the Police Department in 1997 and on the Town Council for eight (8) years and the IDA and various projects. We have not always agreed with each other but always very social and very understanding, I still consider him a friend. I think he has done a really good job, he is always the bad guy, every decision you guys make falls back on him and he is the bad guy that has to carry it out. He is a better man than me I could not sit up there and be called a liar, a thief and everything else, you are a thick-skinned guy and I wish you the best. I appreciate everything you have done for me and with me.

Tim - Thank you for the kind words I appreciate it.

Mayor Cury – “Unscheduled Public Comments” – Ginger Branton

Ginger Branton – First and foremost I would like to echo what Larry said, Tim it has been a real pleasure over all these years. When you and I first met you had hair and I am sure I am probably part of reason you have rubbed all the hair off. I wanted to come tonight and tell you how wonderful our community is we had a fund raiser for Girl Scout cookies and believe it or not we were able to provide cookies to the Hospital, to the Richlands Police Department, Cedar Bluff Police Department, Fire and Rescue Department as well as Appalachian Agency for Senior Citizens, Commonwealth Assistant Living as well as both our Funeral Homes, Hurst Scott, and Singleton Funeral Homes. I was overwhelmed with the generosity of this community. I felt like all of you needed to know that because there comes a call for a need in this community, we truly step it up and I do not think there is any more appropriate time to thank our community than the anniversary of the COVID, which hit us on March 7. The passion, devotion, commitment that all our front-line workers has done for our community and the people that live here is twofold in so many ways. For that I thank the Town Council, our community and God Bless you all.

Mayor Cury – “Unscheduled Public Comments” – Grace Stuart

Grace Stuart – We are new to the neighborhood since November 2, and I wanted to see what this was all about. We have moved here from Roanoke which was not a very friendly Town. The people here have been very friendly, very helpful and very supportive of new people coming in. I appreciate that. I have heard of a lot of problems tonight which concerns me, when we were living in the Roanoke area we know about flooding because our house was 100 yards from the Roanoke Greenway, Roanoke River it was very concerning to us. We are not in a flood zone here we made sure of that. What I am interested in is Recreation. I would really like to see where the parks are in this area. We are lifetime members of the Virginia State Park and we go there all the time. We just visited Natural Tunnel in the first wonderful day of November which was like 80 degrees. What I would like to do is try to get involved with park area and help get it bigger because we are used to the Greenway. Everybody uses the Greenway in Roanoke and Salem and the park that we have been to is Critterville. We like that park and would like to see it increase somehow; I am interested in helping that way .

Mayor Cury - First I want to say welcome to Richlands, and it is very nice to hear that we are friendly. Those who have lived here a long time have experienced the friendly and the non-friendly nature of people everywhere, I am glad that you said that it is good to hear and thank you. Where do you live?

Grace Stuart - We live on Sycamore Lane , which has huge potholes on East Second Street, the person that has mold issues I feel really bad for them.

Mayor Cury - Whose house did you buy?

Grace Stuart – The Hankins House, we love the house we see deer every morning and every night. All of our neighbors have welcomed us. The first few days we were like just leave me alone, but they were all coming to the house knocking on the door say welcome, welcome, we were overwhelmed with the friendliness and generosity of our neighbors. Most of them are like us retired. I am starting a business in Richlands. I want to keep my money in Richlands; I want to increase this area. One of the things I would really like to see, a lot of things in Roanoke and Salem I think could possibly happen here if people are interested. They have an Art Gallery at night once a month, people stroll the streets and everything. We have been here since November for me it is like this Town is dead on the weekends, everybody goes to Bristol. I want to keep my money here I don't want to go to Bristol.

Mayor Cury - Thank you for your interest and thank you for moving to Richlands. As far as the parks we have Critterville which is a wonderful walking park and we also have a Recreation Park it may seem for younger people we have programs, which Mary Ann can address, for seasoned people such as myself. I think that is something that you may be interested in, I don't know if we have developed nature hikes, but I know we talked about at one time. I am not able to address but Mary Ann Strong is a member of our Council she is our representative to the Rec Commission. As far as the Critterville the walking trail over a period of time we are making an effort to extend that to a much longer walking trail along the river. It will flood because it is the nature of that, but we are working really hard to develop a walking trail this started around 2012 and it takes a long time. The trail we are talking about is very expensive, we are not going to do the whole thing at one time, we have no money to do it but we are going to take it in small bits. I don't know how you can be part of it right now, it has not been born yet it is still in the womb, but it is getting there. It has been born inside the egg has been fertilized and it is growing, and it will happen I hope you can be part of it as far as I am concerned. If you will please leave your name with Connie Allen. When we get to that point you would be an idea person to help us develop it as a community base point of view. I will ask Mary Ann to expound on the Rec Park and things you could do there.

Mary Ann – The first thing I want to welcome both of you to Richlands we are the “Center of the Friendly Circle”.

Grace Stuart - You truly are, and I don't give compliments very easily. When I do it is very sincere. My realtor who has been very helpful and she introduced me to Connie Allen who has been very helpful and supportive. I have said this to Connie and to my Realtor I don't want to give my money to Cedar Bluff or Tazewell. Tazewell is up and coming Town and I have seen that Cedar Bluff now has the Appalachian Arts Center and that will boom. We need to be booming here, we need to keep our money here so we can develop and move up in the world. That is the reason why we have looked at quite a few places for a shop, I wanted to stay in Richlands, (a) the People and (b) my money will do better here. That is very important to me.

Mary Ann - We want to keep you here first I would like to invite both of you to a Rec Commission meeting on Monday on March 15 at 6:00pm at the Rec Department, have you been to the Rec Park?

Grace Stuart - One time.

Mary Ann – I would welcome you; we have a monthly Rec Commission meeting at 6:00pm upstairs, the park is closed on Monday, the front doors will be unlocked if you can come, I will get your number from Connie. We would love for you to come and talk to the Rec Commission and share ideas and we also need new members. I like your style and enthusiasm.

Grace Stuart - I am a forward person, the problem with a forward personality, Southerners shy away from it.

Mary Ann - I love your positivity and that is what we need. If you could possibly come Monday night at 6:00pm upstairs at the Rec Park we would love to have you. We can talk further, with COVID and I am so tired of stopping so many things but most of the activities at the Rec Park have slowed down. Now that things are improving hopefully, we will be ramping up for activities.

Grace Stuart - There is one question I have to everyone, how do you advertise, I don't see much advertise of what is happening. The Honey Festival, there was a sign across the street from Connie's office but know nothing about it.

Mayor Cury - It is a frustrating thing, the whole nature of advertising in my life has changed. There was a time it was all newspapers and radio that has changed because of technology and social media. Newspaper everywhere unfortunately, are suffering even large circulation newspapers such as New York Times and the Washington Post are suffering. Our local newspapers here now are the Richlands News Press, and a paper called The Voice. There is a paper in Tazewell called Clinch Valley News and the Bluefield Daily Telegraph and the Bristol Herald Courier as print. They also have online newspapers some you have subscribe to. Are you hooked up to the internet?

Grace Stuart - Yes

Mayor Cury - Facebook is a good thing and a bad thing from my personal point of view. I use it for strictly entertainment for myself, which is primarily my flowers and dogs, but it has other purposes too. The Town has an official Facebook page and an official website. I think we keep our Facebook page up a little better than the website. I think we are working on the website development, but we are not where we need to be, but we are getting there. Have you hit "like" on the Richlands page?

Grace Stuart - Yes

Mayor Cury - That is one place to go and get information. Most of the departments like the Police Department has a Facebook of their own, also the Rec Park and the Section House, the small house in downtown Richlands; it is called Downtown Richlands, Inc. those are all things to "like" and you can find information there. We have other outlets; we have ACCESS Channel on TV. I like it but what I found cumbersome about it the writing was so small and I don't read that fast. I got lost on there. That is just my thing, it is not a criticism. Lord knows I am a guy that writes a ton of stuff. I suggest those as avenues and keeping up with your friends. Adrienne Cordle, Director of Finance has been with this Town forever has a contribution to make.

Adrienne - I just wanted to mention our new "TEXTMYGOV" service we recently signed an agreement with text messaging service.

Grace Stuart - I don't do text messaging

Adrienne - You don't have a cell phone.

Grace Stuart - We have a cell phone.

Adrienne - It is a new thing that we have, and you can actually sign up and get text alert for different things like Events, Weather Alerts, it is basically a notification service. We are trying to find a variety of ways to accommodate everybody.

Grace Stuart - I understand the texting, cell phones and everything but I have been running a business for a couple of years and I use to have a website, but no one ever went to it, four (4) years of paying money for a website. Keep up on Facebook, it is where they would ask and answer questions. Texting is like emails you get 20,000 emails; I say I am done with this.

Adrienne - That's fine but if you are interested, we do have it available.

Mayor Cury - I am not keeping time tonight, this is a free night, it is a good time to speak. I am glad you are here you have lighted my day.

Grace Stuart - I appreciate everyone here and I have learned a lot tonight with the flood issue and the mold issue please don't forget about the crater on Second Street.

Mayor Cury - On a personal note, do some research and see if you are related to the Stuarts in Scotland. If so you may be related to James 1st who is the King James Bible.

Mayor Cury - Have I covered everyone that wanted to speak?

Richard - There is another lady that walked in.

Mayor Cury - Do you want to speak? If so, what is your name?

Carrie Gross

Mayor Cury - Carrie Gross please go ahead.

Carrie Gross – I just came from Roanoke, I have friends here in Richlands. I am here about the cats as well; I seen a couple at Grants and a couple more and I ran into the ladies here that feed the cats. Basically, why I am here, I have been doing research, the Humane Society has dissolved so I wanted just to come here and offer my support, financially, buy traps and trap the cats. I am a cat person and I want to help.

Mayor Cury - They need help, and they need volunteers. Larry Johnson and his wife spearheaded with the Humane Society. That being said these ladies and Connie Allen should be able to hook you up with them, if you will speak with her after the meeting. She is our Clerk and the Director of Community Development, she can hook you up and you will have a job before you know it. Thank you for volunteering I said it in my speech and my opening remarks. Volunteers come in many ways, some recognized in large ways and even the quite ones who do a lot of good.

Carrie Gross - I really want to donate my time. I did speak with Mr. Johnson.

Mayor Cury – “Downtown Events” – Updated presented by Connie Allen

Connie – I have been working on the “Pitch Package”, which I almost have it complete for review. I am working on a brochure to include names of schools, hospitals, local churches, insurance companies, etc. Ms. Ginger gave me a copy of one she did at least 30 years ago. I will have Vance graphics print and include in the packet. I did bring an example of what I have so far if you want to look at it later. This will be very helpful to the businesses. I will say Ms. Ginger is in the same office with me and she helps me with a lot of different things, I really appreciate her help.

Connie - April 3- 1:00-3:00pm the Easter Bunny will be giving out treats to the children at the Richlands Farmer's Market. One of our Council members is going to be the Easter Bunny. We have partner with Clinch Valley Medical, Town of Cedar Bluff and the Board of Supervisors, Tom Lester and Travis Hackworth. I just want to say thank you to our partners.

Connie – Tim/Adrienne and myself had a meeting with Debbie Milton from Cumberland Plateau from DHCD last Thursday, March 4. We reviewed the scope of work with them and the documentation that I have ready to present at the second management team meeting. Since it has been 10 years from the first revitalization. We can include additional properties that may want to participate in the program. Tim, is that correct?

Tim – You will have to have some kind of uniformity with the area with adding additional spots.

Connie - I will add the additional properties in next week. Debbie Milton from Cumberland is going to have a map drawn for us once I include the additional properties. We advise that the second management team meeting will be within the next two (2) weeks.

Connie - We are still working out details with the lowest bidder for the project. We have run into a few little glitches but hope to have resolved soon. I will have to keep you updated on the project. Does anyone have any questions?

Grace Stuart - I do, when is the Farmer's Market start.

Connie - Since you are so active you need some farmers, LOL. We don't have a lot of local farmers to get people to participate and sell at the Farmer's Market. The farmers in Tazewell do not produce enough produce to sell at both. The Farmer's Market needs a lot of help; we have to have local vendors.

Grace Stuart - What about selling other products?

Connie - You are very welcome just come by my office and fill out an application to sell.

Logan - The Community Development Committee has met, we have been working trying to find a chair and we have someone that has showed interest in chairing the Farmer's Market, I am hoping by our next Community Development meeting we can get that settled. I am very passionate about the Farmer's Market too. I love the Farmer's Market in Tazewell and I know we could benefit in Richlands. I am all about your enthusiasm and keeping the money in Richlands.

Connie - We have some work to do just give us time.

Mayor Cury - We will take a five (5) minute break.

Mayor Cury - We are back in session, welcome back everyone.

Mayor Cury - "Council Member Reports" - Rod Cury

Mayor Cury - The Planning Commission met last week, we had Rick Chitwood and Greg Widner of Thompson and Litton and we also had Rick Barton. They were giving us updates on the trail. As known, we do not own some of this land it is a matter of procurement. I have had a list of landowners since 2011 when the Planning Commission hosted a luncheon, Mary Ann came. What happens with all real estate ownership can change, my list is not updated of who owns the land on the river. I found all that after I went back home and all the name tags and everything and what we have done to promote this. It all changes at the Planning Commission that was mentioned about the land ownership. The Town does own quite bit of the land and we have talked about getting to that point and will obviously take Council action don't worry about the money, yet it is pennies from heaven. That being said we are in the planning stage. We can't do the whole thing at one time it is too expensive we want to take it in stages. Logan, have you seen the plan?

Logan - Yes, Connie and I talked about it.

Mayor Cury - It has been developing since we went to a CRVI meeting in St. Paul. There is that spirit in all of us that shine; you can't shine a two-carat diamond bigger than that we have five carats. That is how I feel. Do you understand, that is not a nice thing to say but I said it? We have a bigger diamond right here, we have the river that flows thru this Town almost like a snake with an "s" it is here, and we saw it, the plan developed, and the plan got to Virginia Tech now it is with Thompson and Litton. We have Phase 1 and if we can develop that, and when we do it, it needs to be really special. If we build something that looks half-done it is half done. If it feels it, it is it. We want to truly be a polished diamond we don't want to be from Zale's we want to be from Cartier. That is how I am framing it and that is what we need to do. We have a golden opportunity to make ourselves truly different here in this

Town. I think this is one way and there is many ways to do it. You have to grab these things and they are golden opportunities, and this is one. We must do it right. The first phase we have all the land if we go second phase, we will be going to other land that is not ours and we will have to work with that. I understand the concepts very well, we cannot develop any land based on grant money that we hope to get, we can't apply for anything, and they won't give you money if you don't own the land. You may have a lifetime lease, but it got to be really secure for the Town before they are going to give you money. We don't have that kind of money, but we need it in order to be what we need to be. It is hard to get because everybody and his brother is looking for grants. It is highly competitive, and it is not easy. Here in Southwest Virginia, they are not easy and the further you go away from here for federal grant it gets more competitive, but that is where the big money is. But it does not mean we should not try for every penny we can get. I am speaking in broad terms as it is updated, I hope we will be updated. We also talked about other issues, our zoning in Richlands. I am an amateur I do not know enough professionally, and no one here does, not put you down but lift you. We do not know enough professionally to properly zone Richlands. If we rewrite our zoning codes, we are going to have to employ this Town a professional group to help us make these decisions, so we don't make hap hazardous decisions. We can get into legal problems; we don't want to go there. If I think it is good maybe it is not. We need someone with outside eyes who can look at this Town differently than us. I have a vested interest in, and all of you do, you can't help it, you can't divorce yourself from it, you can be totally objective, but you can't be. If you own a house, you own a business or apartments or whatever you cannot be objective. We need someone who is willing to come in here, we don't have to do what they tell us, but if we don't take their suggestions, we have wasted our money. That is what the Planning Commission hopes to do. Of all the things I will miss it is the Planning Commission. Wayne sent me a text today an apology for last minute, but it was not any big deal, and the reason is you have been working overtime, I compliment you on the extra mile to make sure we are doing the fitting and proper thing and it is so important that we do. We must have a long-range vision for this Town. All your views could get us into trouble we need the professionals. I want to thank Tim Taylor for turning to the Commission that night and telling us in his calm rational voice this is what we need to do. I give it to you with the emotion that I feel for this Town we are going have to do it. If we can do this for \$10,000 and that for \$12,000 surely, we can get \$50,000 for a study a real study. Be thinking we are not coming to the Council at this point. I am not joking you cannot do things right if you don't spend the money.

Mike - How far is the Phase 1?

Mayor Cury - It goes to the Front Street bridge.

Tim - Front Street bridge next to the Mullins Property and includes the area beside of the One Stop.

Doug - I agree with everything that you said, one thing that I feel that would help us; I want to propose this for Council to be thinking about. We need to have our own department with a building inspector. If we had a building inspector instead of all the money going to Tazewell it would come here. At the very least a building inspector would bring over \$50,000 to \$100,000 to pay for his salary just for inspecting. If we had that it would be go hand in hand with what you are saying.

Mayor Cury - Doug, I definitely think it is something to consider. For years Tim has worn so many hats, gracefully and so well. We don't agree with everything, but we need to keep going on that has been the joy of this relationship, while we are here talking about these things and to that end. He has been the Zoning Administrator. We are going to need someone else besides our current new Town Manager to be a Zoning Administrator. Do you feel that way Tim?

Tim - What Mr. Ratliff said actually does make sense because that would fill the role of the Zoning Administrator. Also compliments another layer of expertise from the staff to help Planning Commission and to help Community Development do grants. Gives you that extra person that has that expertise. You have to have a building official; you have to know how much it is going to cost. You might be surprised it may work out. You can't expect someone to come in here and do those things; it is because I have been here so long.

Mayor Cury - You are layered that has been a fabulous thing for Richlands. We have gleamed so much good work. I talked to you months ago and you said we would have to have a Zoning Administrator. I begin to thank about it and it sunk in. Sometimes we all make goofs, I made some tonight and I will continue.

Doug - I think you are exactly right and sometimes you are in an awkward position and you can't make the right decision an outside person knows what you are talking about could make that decision and advise you on that.

Tim - Another person that would help you would be a Flood Planning Coordinator. That individual could fill all those roles.

Mayor Cury - I am thinking as Mayor I have this podium to speak from and this is an opportunity for me to share with you my thoughts. I don't have a vote unless it is a tie. I read very carefully, I can speak as a member of Council, but I am not a member of Council and I read it to the public. I have covered everything from the Planning Commission, there will be a seat that needs to be filled, I am sorry I want my cake and eat it too but that is not the way this office works, and I recognize that. Wayne thank you for sending to me this issue arose with the Council a long time ago. Thank you for keeping us on the straight and narrow. It is really important. I don't think Council should make that decision tonight, I know Jeff is on the Rec Commission and Mary Ann is on Rec Commission I will tell you in a previous council unless the law has changed, I was on the Planning Commission with Dave Cury they had two (2) people on that Commission representing Council. What I am thinking, and I want you to research we have time. Jeff loves Rec and if he loves it why not put people where they love it and you stay there. I think we need to think about Planning Commission. I cannot serve on it but I can be a guest but as the Mayor I can't. I don't know what Richard knows about this Town and it is a good thing, being on the Planning Commission I have learned so much about Richlands, the mapping and also zoning and we are not the Zoning Commission and we are not a committee. It is a commission for Planning. Please understand it is my time to say this, a Commission by the Charter shall be a commission we have to have it by law. I want you to know that as members of Council. I want you to ask if two (2) people can properly serve. I have two (2) people in mind that I am thinking about I can't say what you want or need to do. I am only suggesting.

Mayor Cury – "Council Member Reports" – Doug Ratliff

Doug – 1754 Kents Ridge Road all the gravels are washed out and this guy says he can't get out of his driveway. I am not sure of his name.

Tim – Is he wanting us to put gravel in his driveway.

Doug - Not in his driveway but where it has washed out.

Richard - It is a main road, the shoulder, a lot of it wash out.

Tim - We have shoulder work all over town, we will try to look at that.

Doug - What I am always referring to is electric rates. I have had all kinds of complaints again. This lady has 800sq ft business and she keeps her lights off most of the time and her bill was \$250.00. I know the Council won't tonight, but at least consider having a committee made up of citizens, maybe two (2) citizens and (2) councilmembers to do a study of the electric rates.

Mayor Cury – You have done super tonight and you deserve a handshake from me, but I don't agree with you on that one. I want to tell you why. It sounds like a great idea, but my thinking is this when it comes to the electricity a committee composed of citizens sounds good and can be knowledgeable people such as Shea, I know you have wanted him on there. The reason I think it is not a good idea is because we have a Council who is elected by the people, we are holding their power in our hands, they elected us to do this. We have to give it back to them, if they are not happy and they do that by electing

people. It is the contract of government and I think it will be misplacing our power to put in the hands of people who are not elected and who have potentially anybody who has a special interest I am not saying you do or Shea, but I think it could come off that way. He would not want that, and I would not want it. I don't want to serve on a committee like that.

Doug - You don't want to give the power away from Council we are elected officials. What I am suggesting is not that at all, I am just suggesting a committee to study. We are doing something wrong in Richlands, our power rates are too high, and people are complaining they can't pay them. What I am suggesting is a committee with no power to change anything just to study the problems from an outside source.

Mayor Cury - You need to understand where I am coming from, and I get it because I have heard it for a long time, it is good until you actually empower them to study, you are empowering them to tell us what to do, even though it is our decision they will come with recommendations and we don't follow them we are dead dogs.

Doug - All governments have study committees and they can come and make suggestions by no means are you giving your power away you are only getting suggestion from the community and the Council of what is going wrong and why we have such high rates. I have never made the suggestion that Shea Cook be on it.

Mayor Cury - I am not going to argue with you on that I am just telling you.

Mary Ann - I want to say one thing as far as electric, I heard on WGTH radio this morning that AEP has applied for 11% increase in June or July.

Doug - That does not have anything to do with our rates.

Mary Ann - A lot of the citizens constantly think we are higher than AEP and right now we might be slightly but in June/July we won't be if they get their approval for 11%. I would give anything for my residence to be on the Town and I have said that over and over.

Doug - Even at 11% we are still going to be higher if you figure with the taxes and all. At one time I wanted us to take over Hidden Valley but that has changed, since I have lived there I don't ever want the Town to manage my electric because it is out of whack.

Mayor Cury - It is a good idea, but I have said enough.

Tim - I just want to remind you that we have a cost-of-service study in detailed, why spend money, report shows where we spend money and how much you should charge based on the facts. You should wait until you get that report, you should have it by April. They are scheduling a visit personally to explain it to you. You will have an opportunity to ask the experts, it is a very complex matter. They will give you a chance to ask your questions.

Doug - Most people are going to disagree. Are they going to take into consideration how much we take out of the electric fund, the several hundred thousand dollars we take out and consider all the taxes we put on it?

Tim - Tax is not electric rate, that is a tax.

Doug - We have some taxes that don't have to be on it.

Tim - That is a governmental discussion not electric rate.

Doug - Are they going to take everything into consideration and take into consideration how much we take out of it, like \$600,000/\$700,000 at least.

Tim - That is a long discussion you need to just wait on the report. Just save that for the budget work session.

Mayor Cury – “Council Member Reports” – Richard Brown

Richard – Kayaking Season will be starting in the Spring; people will be wanting to get out. I noticed in the last flood that we had a large tree almost across the water on Front Street.

Tim - We have quite a few to try to get out. We have to get a crane to try to get out; will do all at the same time.

Richard - The whole thing is blocked, at the Railroad Bridge on Front Street.

Tim - I will get that scheduled.

Richard - I will rely on Wayne to keep me in line here in reference to the contract I have had several discussions with him regarding the stage at the Greenway. I understand there is some issues with the company that was the lowest bidder.

Wayne - It is best we discuss in executive session.

Richard - Just wanted to know what the statutory part was?

Wayne – The procurement process, when you are the apparent low bidder there is still an additional process to review the responsibility of a bidder and that is when we can get some additional information regarding a contractor and their ability to perform. There is an opportunity for Town Staff and the Procurement Officer to review that and if there is an initial determination in irresponsibility then we have to notify the apparent low bidder. We have a requirement to give them any documentation that we have utilized in the evaluation process, in responsibility or irresponsibility however it may be, it is ten (10) days from their receipt of the notice that they have to provide us with any rebuttal information from there, five (5) days after there is an appeal process is either ten (10) or fifteen (15) days thereafter in apparent low bidder to be found subsequently irresponsible. We will not award the apparent low bidder the bid, they have administrative rights in a proceeding. From that initial determination we have roughly twenty-five (25) to thirty (30) days before there can be a moving on the second lowest bidder.

Richard - The reason I have been so involved in that, I have no less than three (3) or four (4) people and organizations approach me wanting to access the greenway with the stage.

Mayor Cury - The prom is going to be in that area.

Richard - The prom is going to be in that area. Do we need to go into executive session to discuss everything involved with that? The main thing we already have one (1) extension.

Tim - We actually moved it up to May 1.

Richard - Do you have guidelines?

Tim - We will award as soon as possible and final completion by May 1, may accelerate the cost a little bit.

Richard – We can discuss in executive session.

Doug – I want to give you an example, if we had a building inspector and we had that plan analyzed, a there are certain things in the Greenway that didn't have to be with no code. Easily with a building

inspector you could cut over \$10,000 for that project, which the Town would not have to pay anything. One prime example there is no code to fill the blocks with concrete that is ridiculous. A building inspector would have saw that if we had one on staff. He could have cut easily \$10,000/\$12,000 off that project that was not code. Could have saved the Town \$12,000.

Richard - I will support you 100% on that because when the new Town Manager comes in we have lost a lot of the responsibilities that he won't have, need to take anything we can take off him.

Mayor Cury - Like a Building Inspection and Zoning, I am totally with that.

Doug - I just wanted to point out since you brought it up.

Mayor Cury – “Council Member Reports” – Mary Ann Strong

Mary Ann – I would like to recognize and thank Rusty Hess and his crew Chief Jerry Gilbert and his assistance with his department with the clean up on 460. I thank you as a citizen, it was a great, great effort and there is more to come but at least we have a good start. I would like to thank Tazewell County and the Chamber for Restaurant Week, hopefully that was a boost to our local restaurants. I know the few places I went was fun and the main goal was to increase restaurant sales. I would like to thank Matt Whited. Sheriff Hieatt sent us all an update. He recognized Matt and thanked him for coming up to 911. He appreciated his interest and his desire to incorporate and try to move this process forward. I think that says a lot for Matt and our department. As I have already mentioned Rec Commission meeting Monday at 6:00pm upstairs at the Rec Department. Saturday is home football game against Tazewell. Obviously with Covid it is still limited to the number of people that can come inside the fence. Someone very special to me Bob Nassif, will be honored that day with his number “76” as he said as a bench warmer for Coach Ernie Hicks. The number “76” will be on the back of the football helmets and hopefully stay on for the rest of the season. We have other very special things that will happen so if you can't attend the game, I encourage people to listen to Ron Brown or Rocky Smith, and you don't want to miss it I think it will be before the game. Last but not least after you listen to the game you can run a 5K or you can walk the 5K as CoalTown Taps is having the Shamrock Run at 5:00pm and thank you Jerry again and your department. The last race was very safe, and the Police Department did a great job and the proceeds are going to a great cause St. Jude's.

Doug - My statements a few minutes ago is no reflection on Connie or Mr. Taylor. They would not have known what I just said, they are doing a great job overseeing the Greenway.

Connie - I am all for saving \$10,000 because it is coming out of my money.

Mayor Cury - That is very kind, if I feel like in some odd way offended somebody, I want them to know it.

Mayor Cury – “Council Member Reports” – Mike Street

Mike – I do want to thank you for stepping up to the plate and taking on this role. I appreciate your guidance and the way that you have presented yourself in the way that you have. I like the kind words that you said, I just wanted to thank you for that. I am looking forward how you are going to address things in the future I think it is going to be good, show unity amongst all of us. We are going thru a time here we need unity more than anything I think it is important and that is what I will strive for, I hope my fellow Council members can as well. I want to thank Tim, I hate I have come in so late here with all your years of service, I want the record to state please that I am younger than he has served as Town Manager of Richlands I want that to be known. He has been here quite some time. Tim, I appreciate you although I have only been on Council a few months, I have been a resident my entire life. I thank you for the service and all the long hours. I know your sons well and I know all the dedication and all the hard work that you put forth and we appreciate you. I just wanted you to know that. Pointbroad Band, they are working on the actual financial costs on their side, and they are working thru the approvals to give us that paperwork to show us what that may look like once that is finished. That is when it comes to us

and we will know what that will look like and we can have conversations on our side. I just wanted to keep everyone updated on that. It is an awesome opportunity it is something that is cutting edge and something to look forward to. I am pushing them hard until I tell you it is not going to happen I will keep giving you updates. I want to commend Connie on the Pitch Package, she has it 90% complete that is going to be an awesome resource for the Town. Anybody that wants to come in just like the folks here tonight want to start a business they don't know who we are or who the IDA members are and the different fees they have to pay. This book will tell you everything you need to know. Here are your resources, grants and different funding; it is a wonderful resource to have for the Town. I commend Connie on that it looks awesome. Some things will change that will be challenging.

Mayor Cury – “Council Member Reports” – Logan Plaster

Logan – I wanted to take a moment to thank you for your professionalism tonight it is appreciated from my standpoint and from everyone's standpoint on Council. I think tonight has been very productive and I appreciate your guidance. I apologize in advance; I do have several things that I need to cover. I do have things I would rather not talk about on behalf of the citizens. I will make the electric rate brief we have already tapped on that I thank Tim and Adrienne; we had a discussion on March 2 on an email informing me of everything that was going on GDS on the survey and told me it would be April 1. I appreciate both of you for keeping me updated on that and I have passed along to several citizens. They are very pleased that Council has taken that action. I know code violations are something we will talk about in April but I feel obligated to bring them up as they are presented to me. Kentucky Avenue I had two (2) code violations, two (2) citizens with messed up yards, they are untidy and unpleasant to look at, I had people asking me to address that. I want to follow up on North Street, East 2nd Street and Farmer Street residents that have complained regarding trash. We have touched on the pothole situation I have reiterated to folks that unfortunately in the winter we can't do much about that other than patch with gravels. I told them as soon as the weather breaks hopefully we can take care of that. East Second Street definitely is bad; my BMW did not appreciate that. We have discussed the cat issue, they have spoken to me, I think the Council owes to both the property owners of Richlands and the ladies that take care of the cats to analyze to the best of our ability. I talked to Tim earlier this week regarding the cross walk on Front Street there by House and Barn Collectables, Thank you Tim for helping me make sure that is scheduled before your departure. I appreciate that. I did have a citizen that wanted to be here tonight but unfortunately she works from 12 to 9, she did send me a letter and ask me to read it. (Letter from Sherrie) Sherrie is a very sweet lady she lives on East First Street, I talked to her a lot during the flooding in February of last year, and Connie and I worked really hard along with other members along with community members to start the supplies at the Police Department. They lost everything in their home, the water was over the windows in the house they live on the left side of East First Street. I totally understand the frustration I have received complaints from Brooklyn residents Iron Street residents, and many residents across Town. I think Council is way too lax in addressing the issue with flooding I think we must make it a top priority for the citizens that elected us to come here and represent them. Unfortunately, my opinion we are not doing very well on the flooding issue. I also want to thank Tim for his service. I apologize I did not get to make to your luncheon yesterday, but I did talk to Tim yesterday and I commended him on his years of service. I look forward to going forward and I wish Tim well on his retirement. Finally, just something I think on my on behalf and I hope Council will agree with me for someone who works in the financial industry. I think it is very important to have audits and since we have an outgoing Town Manager and an incoming new Town Manager, I think it would be appropriate to ask and I talk to Wayne earlier, to ask Mr. O'Daniel upon his arrival to complete an Independent Forensic Audit just to clear everything from the past and allow a clean slate coming into the future. I would like to take the time to thank all our ladies and gentlemen here at the Town Hall I know they do a superb job but I think that if I were taking a new job I would want to know I came in at a clean slate. I make that motion to direct Mr. O'Daniel upon his arrival to conduct an Independent Forensic Audit.

Mayor Cury - Explain to me, independent and forensic, educate me please.

Mary Ann - Same with me.

Logan - Just on the fact that a Forensic Audit verifies everything that we have done for the last 30 years, which I don't know if we would go back for 30 years but just to verify that all the financials are in perfect order. I know we had an audit, but an Independent Audit would be someone that we do not use regularly. Just to say hey we are wiping the slate clean and moving forward.

Tim - You had an Independent Audit, just did one last year I am not sure what you are after . Adrienne do you understand what he is trying to say I am curious?

Adrienne – Not really, the audit that we had is an Independent Auditor we go out for procurement.

Doug - A Forensic Audit they look where the money is and what departments it is in. Just a regular audit just tells you where the money went.

Logan - It lays out your budget.

Doug - It lays out your budget, exactly Forensic Audit tells you if the money was put into the right department and if it was used correctly, they do a lot more than just an audit. I agree with Logan , I will second the motion if you will make it.

Logan - I would just say that it is no reflection of Tim or to our Financial Department, but it is just allowing our new incoming Town Manager to have a secure sense of mind as he is going forward. It wipes the slate clean, that is what my recommendation is.

Doug - I will give you a perfect example about a year ago I called the auditors, and I pointed to the fact that some money was moved to other departments like VDOT, you are not supposed to do that. You are not supposed to move VDOT money for the roads into another department. His comeback was it is not supposed to be done but all the Towns do it. That is just an example. They will make a determination if that was correct or incorrect. Like I said it is not reflection on Mr. Taylor or anyone in the department it will just correct things maybe have being done that should not have been done and put into different departments.

Mike - They just told us that.

Rod - I just googled it

Doug - A regular audit is completely different from a Forensic Audit. An audit is like you come in and see a dead person; oh he is dead, a Forensic Audit will come in and say oh his dead, but we are going to do a biopsy and see what caused that death.

Mayor Cury - I just googled it and thanks for trying to help me. This may not be the best one . I think we need to be real careful I don't disagree but I am not sure I agree. I will share with you what I googled Forensic accounting use of accounting skills to investigate fraud, embezzlement and other irregularities hidden as financial transactions and, in many cases, forensic accounting investigation are used in legal proceedings, but they are also used for compliance efforts and to prevent crimes.

Doug - We are saying we would like to make sure; it is not that anyone did anything illegal. We just want a roadmap in the future to make sure that the money is put into the right department. If we made mistakes in the past we would preclude those from happening in the future. Just like money taken from VDOT spending in the wrong department they will point stuff like that out. We are not trying to say anything about legal or illegal we are just saying a road map to the future and how not to do things that were done in the past.

Mayor Rod - Did you put a motion on the floor?

Logan - I did put a motion on the floor.

Doug - I will second the motion.

Mayor Cury - Any further discussion?

Richard - If you have this forensic piece to the audit and an irregularity is found are you just wanting to prevent that from happening again.

Logan - I think it would be an education standpoint, like don't do that again.

Richard - I really didn't like the way things were going.

Doug - Like I tried to explain it is like what we done were a "no, no" in the past, if they find any, we don't want to do them in the future. It is just a road map.

Richard - Is it a fishing expedition.

Logan/Doug - No it is not fishing expedition.

Mayor Cury - The good intention is apparent a road map to the future somehow in my mind and I think there is no malice here. Logan, I feel it, somehow or other I think it feels suspect, that is a part of me and that is all I can tell you. The word forensic when I am watching a TV show when they are taking dead bodies apart when they are murdered by somebody.

Doug - Or they died of natural causes.

Mayor Cury - Creepy to me is what I am saying, don't take it offensive I just wanted to share my opinion, I don't vote.

Mary Ann - I would just comment, I don't like the fact that our roads we all talk about the potholes and we have a need for improvement in our roads. I don't like that VDOT money was not used for roads, but I trust the Town Manager that it was used in a way he felt it should have been used and I believe we were told that VDOT was well aware of that. I think you said the auditor said it is a "no, no" but everybody does it, I just trust our Town Management, that is not how our Tim Taylor and Adrienne do business.

Doug - VDOT did not know that, they had no idea that the money

Mike - I think we are making assumptions right now.

Mayor Cury - As the Mayor I think this is the time, the implication, there is an implication that a wrong doing has occurred, without further ado I think the Town Manager without interruption is entitled to speak.

Tim - First of all, I will entertain any type of audit that you want to do before I leave that would give me a comfort level and I really oppose the language of forensic if you have a Forensic Audit you need to claim it right now other than that particular part of it. Lose to the fact and that is part of the problem in the past, this dancing around the edge and trying to implicate that me and my staff somehow are dishonest and not doing a good job with the money and we are doing fancy things with the books. You hear the auditor tell you every year. I can explain the VDOT, it is very simple. Council appropriates money to do things, budget is a budget and is based on appropriation of monies that you feel like comfortably spending in the departments. Our budget is always balanced in the last ten (10) years and you can see that you just have to go look at the books. Auditors have confirmed that. I have given you documentation showing you that the monies that we have to save from VDOT for multiple periods of years are to pay for the road pavement jobs that we have to do; they are several hundreds of thousands of dollars. We get a little less than a million dollars a year to spend on the roads. If we did not save part of that every year, we would have to borrow money to pave a \$600,000 pavement expense for roads for

which is often the case. We have to use that money in the pot, the monies in the general fund are liquid, and they are available to Council to spend at their discretion. When you appropriate money to pave VDOT money is there. It is not being used for something else. The money is there. If it did not balance the budget have problems because we did not collect enough revenue, so where does that money come from. It comes from the cash reserves from the general fund. They are available liquid to you, some of it may be water money, some may be electric money, some taxes but all available for you to use. We just segregated that to show you that we need to have a different cash flow from the taxes to support these long-range planning projects for pavement. In doing that it got confused somehow, we are hiding money, we are not; you see it. I have a statement from the auditors how much money you have liquid, I don't know what it may be today, Adrienne may know the cash balance that we have.

Adrienne - Total or governmental?

Tim - Total for the Town.

Adrienne – The total cash liquid is probably about 4 million.

Tim - Four million dollars, it is liquid to you, you chose to spend that in a right fashion, you have obligations for bond covenants when you borrow money and obligations to keep debt reserves based on ordinances that you passed. It is our journey to try doing that for you and let you understand that but in doing so I don't want anyone to think we are doing something funny with the money we are not. You heard the auditor and you had a chance to ask questions. If you are going to look into an audit truly get an independent audit don't put on the Town Manager get you a firm hire them to do that, and I will support that 100%. I don't want it to be called a Forensic Audit because it gives the impression, we done something wrong, and we have not.

Doug - No one said anyone or accused anyone of doing wrong. There has been mistakes made with the budget several mistakes. This is when it should have not been used, no malice or anything it just should have not been done we just want a road map in the future how the money and how to use in each department. No one can argue with this we are doing a lot of things wrong. In 2011 in the general budget, we had 8 million dollars, in 2021 we had \$75,000 we can't keep going in that direction. We have lost 8 million dollars since 2011 in the general budget. If anyone ran their company like that they will be out of business in that time period we have raised taxes several times on different things you can't tell me that we are doing things right when 2011 we had 8 million dollars in the general budget and now we are down to \$75,000. How do I know that, the auditors stood right there and told us when he went over the budget?

Mayor Cury - I appreciate what you are saying and here is what I think, the implication is, something fishy in what is going on and that is how I am taking it.

Doug - I resent that.

Mayor Cury - I am sorry that you do but that is how I take it.

Doug – You can't tell me what I am thinking and can't make judgements on what I am thinking.

Mike - Neither can you.

Mayor Cury – Doug

Doug - I told you there was no malice we want a road map to the future, and you are jumping to conclusions and you should not do that Mr. Mayor.

Mayor Cury - I am concluding that it sounds weird to me Doug and I am sorry it offends you but these constant things implying, and it does imply. If I am the only one here willing to say that; that is how I feel. It implies something shady. That gets into a very dangerous area and I personally don't feel that

way. I am sorry you are offended but that is how I feel. If we had taken it a different route maybe I could go along with this but I don't vote but I can speak as a member of Council. I am finished with my speaking.

Tim - Ms. Cordle would like to address the bench.

Adrienne - Can you tell me how much you said we had in 2011 cash please, in the general fund.

Doug - The auditor said in 2011 we had 8 million in reserves and he also said in 2021 we had \$75,000.

Adrienne - I have the auditor's report that he gave you last month the general fund in 2011 had 1.2 million dollars. Mr. Ratliff I am going to stay very calm and professional but you have taken information that you have gotten from factual documents from our auditors and myself numbers and dollars and given out incorrectly or falsely or whatever you want to call it but I am not going to sit here and be accused of fraudulent activity. Here is the information from the auditor. We had 4.5 million dollars in total in 2011, 1.2 of that in the general fund. If you want to state facts to the public you make sure you state them correctly and that they are facts, not dollar amounts that you want to make up.

Doug - May I comment?

Mayor Cury – Not yet Doug.

Mayor Cury - Let's take a moment, Doug take your time, Ms. Cordle take your time. We need to be calm, just a minute please, I have ordered nobody to speak please. Let's all gather our thoughts, gather your thoughts. Adrienne is there anything else you would like to say?

Adrienne – No, I just wanted to make sure that the facts are being given to the citizens. Facts not numbers that have escalated or elevated to whatever nature they want. Someone has got to speak out, and it as well be me. Yes, the budget you are talking about is on our website, please I encourage every citizen to go to the website and look at the budget. It is there and it is in detail. If you have any questions we are very transparent in this office. You can call and we will be more than willing to explain anything you don't understand.

Mayor Cury - Thank you very much.

Doug – Can I speak?

Mayor Cury - No, I don't think it is appropriate. I can't stop you but telling you personally.

Doug - Point of order, I can speak.

Mayor Cury - It is not point of order it is a courtesy.

Doug – I

Mayor Cury - You are talking to Rod Cury, we really don't want to argue, you are not reporting.

Doug - I am not arguing I just want to state the facts.

Mayor Cury – There are not facts .

Doug - I need to answer what she said.

Mayor Cury - I don't think you are stating facts how you can answer that.

Doug – Say she is right, and we had 1.2 million in reserves in 2011, we have \$75,000 now, think of that

Mary Ann - She just read it.

Mike - Mayor if we are going to discuss this, I think we should move into closed session.

Mary Ann - I agree.

Mayor Cury - I don't know if it qualifies for closed session.

Doug - Say we take your figures

Mayor Cury - Jerry come here, we are not going to have this in my Council, it is argumentative, and it is very rude I expressed my opinion, and you took it personally. This lady has a right to say what she has and you have said your peace but you are pounding and pounding and it is inappropriate and is very discourteous and I call you out of order. That is it! Mayor Cury has called you out of order and it should have happened a long time ago. Doug you have tremendous ideas, but this is incorrect behavior, and I am sorry, but I have laid it out.

Richard - We also have a motion and second on the floor. I am prepared to vote if you are ready.

Mayor Cury - Any more discussion? Roll call vote, Logan's motion.

Connie - Logan - Yes, Mike - No, Doug - Yes, Mary Ann - No, Richard - No - Motion fails 3/2

Mayor Cury - "Mayor's Comments"

Mayor Cury - First on the cat issue my proposal for Council, these ladies has come forth in good faith and considering they have lost the Humane Society, all volunteering trying to do the right thing that we extend for one (1) year to see what they can do with cat control. I think they need to be explained to that they cannot do this on private property.

Mary Ann - I think that is a reasonable proposal.

Mayor Cury - I can't make a motion but I am proposing that. They cannot do this on private property but they can do it on public property.

Wayne - I have some concerns about activities on public property, we can enact different ordinances in like before Tim's departure and with Chief Gilbert and try to get a handle on ordinances that are in effect, evaluate them and submit a report to Council about different things we can do legally in terms to address the situation.

Mayor Cury - So is this suggestion appropriate?

Wayne - Yes

Mayor Cury - If anyone is interested in pursuing with a motion.

Mary Ann - I will make the motion that we allow the ladies that have an interest in the cats in our community to proceed with their program as long as it is not on private property. Mike seconded the motion.

Mike - Do we plan to help them find a private property; do we have any ideas?

Mayor Cury - I think that is appropriate question, by a motion of Council we are limiting them to public property. If I am wrong suggest it.

Richard - I think you need to word that motion to say if it is private property with landowner permission.

Mayor Cury - You want to amend your motion.

Mary Ann - I make a motion that we allow the citizens which are mostly the ladies that have approached us two (2) consecutive years to continue with their program and to protect the cats on public property and private property with written permission.

Doug - Can you do it on public property, it is not allowed to feed around bridges and public roads and so forth maybe you should clarify that.

Richard - I will agree with you on that because there is an ordinance that restricts it.

Mayor Cury - We are on the right track.

Mike - We will provide the assistance they will need to go forward, gives them their year and provide them with guidance and the assistance to help with the cats. We can discuss what that is going to look like.

Mayor Cury - You care to rethink that and restate it.

Mary Ann - I make the motion that we will work with the citizens who have approached us for two (2) consecutive years with their concerns for cats. We will work with them to help provide adequate assistance and guidance. Mike seconded the motion.

Doug - Could you add to that? If it is on private property, they need written permission from the landowner, will that be ok.

Mike - I think that would fall under assistance. We know the rules and there is going to be ordinance.

Doug - It would help with any confusion if they are feeding on someone's property, they have written permission.

Richard - Won't allow it in the ordinance.

Mary Ann - I will make the motion that the Town will work with the citizens who are attempting to assist in the preservation of cats in our community and if they attempt is made on private property, they must have written permission from the private property owner. Mike seconded the motion.

Logan - I think that even on private property and I understand that it is private but still we are going back into the nuisance issue. If there are cat condos and that and I agree they need a house, and it is cold, but it needs to be nice. Lisa Hess and I talked yesterday for a long time and she has very good ideas and I think Council should speak to her individually. I think she has very good ideas. She has beautiful what you call cat condos, a little building that she has put on her farm and it is very nice keeps the cats warm and fed. If it is something like that, I think it is great. We saw all the pictures, if it looks like this (showed picture) No, I don't know what is an idea.

Mike - Maybe we allow her to be part of the solution.

Logan - I think Lisa should be over it. I am going to have lunch with her and share more ideas.

Mary Ann - I agree with you those pictures are really bad, but we have some worse properties that are privately owned. On the private property, we ask Lisa if she will help.

Logan - I would like to see Lisa and I know Council probably can't but on an independent level I can help her work toward a rescue. Wise County, ARC and my friend Debbie works there, and she does an excellent job, they find rescues for these animals, they get them fixed and medicated. I think we should work toward that.

Doug - You could add to your motion that provided no adjacent landowner's object. Refer to the picture I would not want that near my property if I was a property owner.

Logan - I think we need to talk to Lisa; I will ask her to come up with some ideas that maybe Council could agree on. I think we should ask her guidance because she is an advocate animal lover, and she is very intelligent.

Doug - I think you are right.

Mary Ann - Does she live here, local?

Logan - Yes, she is really good.

Mary Ann - Is it Lisa Lavender?

Mayor Cury - Yes

Mayor Cury - I think you have a good point; I would keep the motion really simple and have in there a directive that Logan a Member of Council speak with her and report back to us, does not have to before we actually have to pass a motion. You could be the liaison to her and ask her to develop a plan.

Mary Ann - I can retract my motion.

Mayor Cury - I think right now in order to expedite what we are trying to do and be helpful, Mary Ann if you are willing to retract your motion and then ask Logan to be in touch with Lisa and give us a written report and you can give to us.

Logan - I asked her to have lunch with me and we are going to do that, and I have asked her to come up with any ideas.

Mayor Cury - Logan you have taken on so much and have the enthusiasm and the energy are you willing to do this. Sometimes the quietest is the loudest, if she would present something to you and you can bring to us and we will work with it at the next Council meeting. Are you OK with that?

Logan - I will do it, I am OK with it. I will get with Lisa tomorrow.

Mary Ann - I withdraw my motion, Mike seconded the motion.

Mayor Cury - Logan thank you for taking that on I think it is important that we be as helpful to these people as possible and to recognize these living things.

Mayor Cury - The timekeeper, I have fallen into exactly the same problem that Ken Wysor had Jan White had, Paul and now I have it. I have determined that, and I have saw it as I sat in various positions in Council. I cannot as the Mayor keep time, Connie as the Clerk cannot be the timekeeper she can't keep up with the conversation, Wayne as the Attorney cannot do it and Tim can't do it. Anyone engaged in the conversation cannot keep the time. It does not work. I think we need someone who is a volunteer time keeper on a regular basis or give \$10 a month just to punch the clock if we want to pursue and keep up with time limits. You cannot do it I have sat in meetings before; none of us can do it. We need a time keeper.

Mike - I pick Jerry.

Logan - I would like to see Lisa and I know Council probably can't but on an independent level I can help her work toward a rescue. Wise County, ARC and my friend Debbie works there, and she does an excellent job, they find rescues for these animals, they get them fixed and medicated. I think we should work toward that.

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Mike - I pick Jerry.

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

Tim - Just need to add end of business day on March 12.

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

Wayne - The next is the reading of the consideration of the sale of the property Tax Map ID #105A5100001-0002, the Dairy Queen property I am sure it has a more official title, deed of record in the Office of the Clerk of the Tazewell County Circuit Court in Deed Book 808, at page 498, I will read for the first reading, we do have to read this twice, Council can't vote to suspend with the second reading. (Read O-2021-04-01). We can do whatever Council feels most comfortable with and I have prepared an advertisement that we can run in the paper soliciting these offers for this property. I think I had polled everyone individual on their thoughts on this, and I don't think anyone had any reservations on exposing this property in such a fashion, Council has freedom to do what that wish on the property. I think everyone was in agreement that we could advertise in the paper for a couple weeks and we can expect offers to purchase that property at the Town Hall.

Mayor Cury – “Manager’s Report” – Tim Taylor

Tim – Authorization to Pay Bills , they were provided to you prior to Council meeting. Do you have any questions on any of them?

Logan – Check No. 9567 – Harris - \$293.94

Tim - Software company we use for payroll.

Logan – Check No. 9613 – Town of Richlands – \$700

Tim – It is one of the utility payments.

Mary Ann - I make a motion that we allow the Town Manager to pay the bills as presented, Logan 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 – Logan- Yes, Mike, Yes, Doug-Yes, Mary Ann-Yes, Richard – Yes, Motion carries – 5/0.

Tim - You will see the amount of money we had to pay for the power along with operations and maintenance, it is the two bottom lines that say AMP and Morgan Stanley, just wanted you to see how large that was.

Tim – Authorize line of credit drawdown #8 from National Bank for Wastewater Treatment Plant Rehabilitation Project (\$19,621.25) and Water Treatment Plant Upgrades and Improvements (\$6,146.50) cost for February billing for a total of \$25,767.75. We need a motion for me to draw that money down from the National Bank.

Doug - I make the motion to drawdown #8 from National Bank for \$25,767.75, 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 – Logan- Yes, Mike, Yes, Doug-Yes, Mary Ann-Yes, Richard – Yes, Motion carries – 5/0.

Tim – Consideration of Employee Health Insurance Renewal – It is this time of year when the health insurance is due. It is good news this year; we can get the same coverage for a one time decrease of 4% for everybody. That is good news, be easy vote for you, help the budget. We do have to have a vote from Council. I need a vote to sign the contract.

Logan - I make the motion to allow Town Manager to sign the contract for the Employee Health Insurance Renewal, Mike seconded the motion.

Richard - Is that a 4% overall?

Tim - It is across the board.

Mary Ann - That is unbelievable.

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

Tim - There is some rules in place as we go into the budget work cycle. The past couple years you have elected as Town Council to provide elected officials the opportunity to get health benefits for their self and their dependents. In order to do that, the Council will have to adopt this resolution, R-2021-03-01. I will quickly read it.

Doug - Is that speaking of Council?

Tim - Council and Mayor

Doug – With the shape the Town is in on the budget I am going to vote “no” on that, I don’t think the Council should use the health insurance, considering the budget and what a hard time the citizens are having.

Logan – Is this withdrawn from the salary or does the Town actual purchase this and pay that premium?

Tim - Council will pay just like all the other employees, depends on which coverage level you pick.

Logan - So Council would have to contribute some.

Tim – Yes

Doug - How much would they pay?

Tim - Depends on which coverage they take.

Doug - Is it like 10%?

Mary Ann - I have been on the plan. Two (2) years ago at a budget work shop it was mentioned that elected officials are eligible to be on the health insurance plan. I chose to do that, as you know we get paid \$125 month less taxes . As a single employee, I get a check for \$20 and odd cents, the rest goes to my health insurance. Doug, I agree with you we do have budget problems, but I am confident that the unity that we have we can work thru our budget, we have some good opportunities in other areas. I don’t want this to appear to be selfish but when I did my research, Lebanon, Tazewell and all the Towns around us offer that one benefit. Most Towns are paid a lot more than we are paid. None of us in this room is doing this for the financial benefit, I think it is a benefit that is deserving because it is offered everywhere else.

Mike - I don't think it is up to me to choose if someone else should have it or not. If employee wants let them have it.

Mike - I make the motion to adopt R-2021-03-01, Richard seconded the motion.

Mayor Cury- We have a motion and a second, any further discussion? All those in favor of the motion say yes. All those that oppose say no. Roll Call – Logan- Abstained, Mike, Yes, Doug-Abstained, Mary Ann-Yes, Richard – Yes, Motion carries – 3/2 (abstained)

Mary Ann - Can I ask a question from our attorney please? When someone abstains don't they have to state the reason why?

Wayne - I would have to consult the charter. I remember some language it came up in the past. I will need to check on that.

Logan - I don't mind to say why,

Mary Ann - An example, if I was the health insurance agent I would have a valid reason.

Logan - Personally I feel I have to abstain because I see both sides, I don't feel confident in voting "yes" or "no". I see the fact of "yes" it could be offered and I also see the fact that we are in difficult hardships with our Town with our budget I don't feel like I can vote "yes" or "no" on it.

Mary Ann - Logan I respect that, I don't think that is a valid reason to abstain. We all have to make very tough and difficult decisions. I think a conflict when you abstain you have a financial interest or like Richard, he is a perfect example. It is a tough call, that is my opinion.

Logan - I respect your opinion.

Mary Ann - Doug I would be interested in knowing why you abstained.

Doug - I feel like Logan I can see both sides but I don't feel comfortable with taking money out of the budget for myself and I would never take it. I can see both sides. I abstained because I can see your side and I can see the budget and the citizen's side. I can afford my insurance and I am going to pay it.

Mike - You are actually going back on your word, you said you would vote "no".

Doug - Mary Ann made a compelling case Mike, the reason I changed my mind and abstained you made a valid point, I can see your side and I can see the other side and I don't feel comfortable telling you "no". So I changed my mind to abstain.

Richard - Is this one that needs approved by a certain date?

Tim – Unless we ask for an extension.

Adrienne - We can get an extension.

Mary Ann - I would be curious if Wayne could find interpretation.

Wayne – 3.8- Every member when present when a question shall vote unless excused by Council, no member who has personal or financial interest in the results of any ordinance or resolution shall vote there on. I would image that the phrase used personal or financial interest would be a direct reflect of conflict of interest act without knowing the exact nature. I know with my consultation with Mr. Taylor in the past he has always told me that Council members can freely vote.

Tim – Resolutions take four (4) votes, I know ordinances do.

Doug - I think it is four (4) but I am not sure.

Mary Ann - I will say and I want this to be on the record, I have had to make some really difficult decisions in my time on Council where I could see it both ways but I think it is cowardly when you see it both ways and you can't make a decision unless you have a direct personal financial conflict. Please I don't mean to be offense or argumentative I just want to state that on record. I have made some decisions that I have really struggled with and very little time but is presented and I had to make a call. I am sure I have offended some people. My first Council meeting I will never forget I made a decision that I regretted but I made the decision I had enough courage to make it.

Logan - If I am forced to make a decision I can make a decision. I would not consider myself cowardly for that. I resent that a little bit. I don't think as myself as cowardly for abstaining the fact that I can see it both ways. I see your side of it Mary Ann as far as making a hard decision I understand that but you have to understand my side too when we see the budget in a terrible situation. It is a luxury item to Council. I can afford to pay my own I don't have to have Council's insurance. That is my opinion of it.

Mary Ann - I will personally apologize, the use of the word "coward" I do apologize.

Doug - Personally I think it took courage to do what we did.

Wayne – As a point of clarity it is four (4) votes for a resolution and ordinance.

Mayor Cury - So it does take four (4) votes to pass a resolution. This vote fails.

Richard - This does not have any reflection on item C.

Tim - No

Tim - Can I ask a question for clarity for the future? Obviously want to delay and research a little more because you will have another member coming. Just for clarity if that is brought up again can you tell us how that will work.

Wayne – I think you can bring it up at another session. It is my understanding right now.

Tim - If you can't it is dead we can go ahead submit.

Mayor Cury – Wayne, I do believe but will have to research I think it can be brought up again but the motion and second must be from someone else.

Logan – So we can defer to a different time is that what you are saying. I feel safer if I research this some more in order to make a vote.

Mayor Cury - That is very considerate thank you.

Tim - We will ask for an extension and I am sure we will be granted that, for 30 days.

Tim – Consideration for renewal of contract for Audit Services with Robinson, Farmer, Cox Associates. We actually have two (2) choices to do an RFP out for audit services for the next fiscal year. There is a clause in our current contract with Robinson, Farmer and Cox Associates that they can give an extension for one (1) year and be up to three (3) years. If you want to exercise that it would probably make life a lot easier if you would consider awarding back to Robinson, Farmer, Cox Associates. Their bill was reduced thru negation of Ms. Cordle for \$1000 less than last year. The current is \$32,500 the fee proposing is \$32,500 take that into consideration. Connie Allen will have to do an RFP for you guys to get audit services .

Mayor Cury – What is the consideration of Council?

Logan - I make a motion to renewal contract for audit services with Robinson, Farmer, Cox Associates, 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 – Logan- Yes, Mike, Yes, Doug-Yes, Mary Ann-Yes, Richard – Yes, Motion carries – 5/0.

Tim – Consideration to authorize Town Manager to sign Thompson & Litton Memorandum of Understanding #5 for the Risk and Resilience Assessment that was brought up last month at the Council Meeting. Rick Chitwood made Council aware of the requirements for the EPA required by July 1. EPA is taking this very seriously. We try to get grants, you heard him tell that, there is not any money available for this particular thing. Risk and Resilience Assessment in emergency response plan for the Water and Wastewater. I did talk to Mr. Chitwood he is very busy but he is holding us a slot until tonight to make sure they would have available to do this. At one time, I thought we could do in house but it is beyond our capabilities. I would recommend highly that you award to Thompson and Litton based our consultation engineering agreement or you go out for bid which takes time. The cost is \$10,500.

Logan - After conferring with Tim I think EPA and federal requirement, we have no choice but to 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 – Logan- Yes, Mike, Yes, Doug-Yes, Mary Ann-Yes, Richard – Yes, Motion carries – 5/0.

Tim - I just want to thank everyone and I know a lot of people have left but for the people still watching I want to thank Council for the opportunity to serve this Town for the number of years that I have. It has been a wonderful career to have; it has been very awarding at times and very frustrating at times. It has done well for me and my family. I have thoroughly enjoyed it and I appreciate the opportunity to do that. It is not for everybody honestly but I enjoyed working with many people in the past that have already gone and enjoyed working with you regardless of the time you have been here. The last few months we have been pretty active. I certainly appreciate all of you and my family appreciates you too. I just wanted to be real quick to tell you, a lot of people have been very kind to me and a lot of kind words lately, I really appreciate that.

Tim - One more thing, last month we had discussion about DCJS type visit, I did not have all the answers at that time. I wanted to do some investigation on that, I am not trying to be controversial I just want to do it for clarity, and I want it to be put in the minutes. The next day we had a conference call with Michelle Miles which is a representative from DCJS. We talked about the visit that we had. We actually had a visit and you can call it an audit if you wish with the grant monitoring project for the Resource Officer grant that we had been given. The letter in review and post audit the visit given to us on August 31 is the one we were talking about last month. Just for clarity just so we can make sure we are all on the same page I will read the letter. (Read the letter), summarizes the visit. Letter that we ask Ms. Miles to provide after we talked to her, she sent a second letter (read the second letter). I wanted to explain the money, the problem was, and we get reimbursed for the salaries and in that particular request that goes out quarterly. We had a line item that says grant monies, one line item that says in-kind and you have a total. Our clerk invertedly picked up the total and submitted for reimbursement. They wrote the check so we made a mistake and they made a mistake too. They should have just sent the correct funds, The Resource Officers did not get any more money, no more money paid out; we are privileged to have that money anyway. Once it was uncovered in the findings it would have been caught in the audit, that money sat in the bank until the time it was said it was not ours. There was no way anybody got any extra money and we didn't have to get that money from anybody it was in the bank overpayment part of it. There has been some discussion of part-time/ full-time, as far as Resource Officer, if it is an individual that is retired police officer for all practical purposes of the school they are a full-time employee because they are limited to the nine (9) months they are there. They spend full-time at the

school. In respect to using retired police officers that have VRS they can only work 30 hrs. That only produces for the year it is a part-time status but for the school purposes it is full-time individual because it is seasonal. That satisfies them and they are fine with that. We also need to know School Resources Officer at the High School there is no choice for Richlands to provide that. We are contractual obligated under an agreement passed years ago that the School Officers in the Richlands High School has to be provided by Richlands, it says "shall". Either you get a grant to do it or come out of taxpayer's money; there is no other resource for it, it doesn't leave room for anybody else to provide that. Richlands shall provide the High School with that employee. I wanted to clear that up no controversy just wanted to state the facts. There is nothing inappropriate in any of the action, period.

Wayne – If you are going to discuss Councilmember Brown will need to state that he cannot have any participation in that discussion.

Richard – I did

Mayor Cury - I will allow one (1) comment from each Councilmember.

Doug - They found several mistakes, concerned citizens ask for that audit. There were mistakes pointed out eleven (11) or twelve (12) months ago by myself and it is in the minutes that the grant was changed from a full-time to a part-time which it should have never been. I pointed out that they were being paid for 1600 and some hours and they were only working for 1300 and some hours. It was not a clerical error and it was pointed out eleven (11) months ago and if we had been corrected then all these mistakes would have never been found.

Mike - Doug I think there was some things you said in the last meeting that were incorrect in my opinion. The report that you read us told us that and I think you should state on the record that is the case.

Doug - What was incorrect?

Mayor Cury – One comment per person.

Doug - If someone says I made an incorrect statement I need to be able to defend it.

Mayor Cury - Or correct it

Doug – Right

Mayor Cury – Doug give it some thought.

Mike - It is in the minutes, "I am not picking on anybody but one was paid over \$6,000 and the Town had to get in their pocket and pay back to the state"

Doug - It was overpaid.

Mayor Cury - It is incorrect.

Doug - They were overpaid \$5900 and some dollars, the Town had to pay back that was a correct statement. That was pointed out eleven (11) or twelve (12) months ago.

Logan – No comment

Mary Ann – I have a question. The audit that was just done was a routine audit. I am confused Doug and you are shaking your head no; just correct me if I am wrong that was a routine audit.

Tim – I read the email.

Doug - It was not a routine audit, I got the audit it was given to me, said it was caused by a concerned citizen and one (1) council member. I can give you a copy of that if you would like. It was not a routine audit, it was an audit asked for.

Mary Ann - The recent audit he read, if you got this letter twelve months ago why you have kept it a secret. Why have you not shared it.

Doug - I pointed out to all Council the mistakes, if you will check the minutes, I said back then the amount was wrong and they were working the wrong hours, they should have corrected it then. They should have not changed the grant from part-time to full-time and they were not working the correct hours for the amount of money that is in the minutes, Connie found them for me if you want she can show you where I pointed all these mistakes out.

Adrienne – When the grant was applied for it was applied for a certain number of hours for the Resource Officers to work during the Covid, the officers did not work the full amount of hours that were requested in the grant therefore we did not pay the officers for those hours that were in the grant. We paid the School Resource Officer the hours that we worked at the school only. Basically we did not request the full amount of the grant; we don't get the grant money and then spend it. We have to pay the officers and then request reimbursement. What happened and I explained last month you have to file three (3) reports. I don't file these but our accounting clerk does and she is very thorough. You have to file a progress report which is actually by the Police Department that states all the activity of the Resource Officers what they do and what activities you have to show, what you are doing for the grant money and what resources you are providing. We have to file a financial report which shows what we paid the officer for that quarter which has payroll registers, pay check documentation and time sheets. We have to keep those, that are what they audit. In the financial report that Tim was stating there are three (3) columns so when we apply for a grant they fund the majority of that money but there is a match it can be in-kind which can be there equipment, phone or clothing or be in-kind on their wages they are paid to work as a Resource Officer. On the financial report you will have a column that says grant funds, the second column will say in-kind match or cash match and the total. When you file the financial report, let's say you are requesting \$6000 and \$5000 is the grant funded amount and \$1000 is your match and the total is \$6000 the total expenditures for that quarter is \$6000. If we want to be reimbursed from the financial report there is a 3rd form that has to be completed and it is called a request for funds. It actually has the previous request and the total amount you are requesting this quarter and your total request year to date. When you request your quarterly amount you only request the grant funded amount because the Town has to pay the \$1000 match. On one quarter there was a clerical error where the clerk picked up the total column instead of picking up the \$6000 which is the federal grant amount. I don't know the exact dollar amount I am just using as an example I don't know the exact dollar amount that was requested. Instead of requesting the \$5000 reimbursement that quarters just say we requested \$6000. DCJS deposited the full request in our banking account. During the monitoring process that was discovered basically they paid us the grant funded amount and the match amount for that particular quarter which was \$5912. When that was found we wrote a check back to DCJS for \$5912 and we can provide that documentation because we have the pay checks, pay roll registers and all the information sent to the Department of Criminal Justice Service. You will be able to see clearly that no employee was paid more than what they were supposed to be paid. The financial report stated the correct amount for the grant expense the match expense and the total. The request for funds reflected the total instead of just the grant requested amount.

Mayor Cury - Thank you Adrienne, I get that.

Doug - Can I comment?

Mayor Cury - I would rather you not.

Mayor Cury – I will entertain a motion for vote of confidence in Adrienne and Tim for this transaction.

Adrienne – I would like to say if our office had overpaid an officer I would have no problem standing here and saying that we made that mistake because we are human, we are not super human and we make mistakes. I try to do the very best I can and try not to make mistakes because no one wants to make a mistake but we are human. If that had been the situation and if that were the error that our staff made that is what I would tell you today. I would say we overpaid an officer, we made a clerical error and we overpaid an officer and we had to recoup that money. If we made that mistake I have no problem saying we made a mistake. A mistake is a mistake. The fact is that is not the mistake we made if we did I would be more than happy to tell you that. Because it is truly a mistake I have no problem in being honest with what the mistake is, that was not the mistake and I can't say otherwise if it were I would.

Mayor Cury - Thank you

Doug - Can I have point of order from Town Attorney.

Doug - Can I not comment by Roberts Rules, can the Mayor shut me down?

Wayne - I do not know in this particular junction just wrote down I need to brush up on Roberts Rule of Order; I will be fully prepared at our next meeting.

Doug - I would wish that you would. I think we should clarify that before we go any further.

Mayor Cury - I want to operate in the way we should be doing.

Mary Ann – I will make a motion in extreme confidence in our outgoing Town Manager and our excellent Director of Finance Adrienne Cordle and our outstanding Jerry Gilbert, Mike seconded the motion.

Logan – All I would say is that I will vote “yes” in the vote of confidence unless I see otherwise on paper.

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 – Logan- Yes, Mike, Yes, Doug-Abstain, Mary Ann-Yes, Richard –Abstain, Motion carries – 3/2.

Richard - Did you say earlier the contractual obligation with the stage that you changed the completion date to May 1.

Tim - Just because of the length of issues we have had with the apparent low bidder it has caused time, our original time frame was April, if we extend 30 days it is still going to be tight.

Richard - That is final completion date.

Richard - I can withdraw my request if that is going to be the completion date.

Tim - As long as we can resolve the no responsiveness in some form or fashion. We can start negotiating with the second or clean up the first one. I am sorry it has taken a long time to get started.

Mayor Cury – Motion that the Mayor and Members of Council convene in executive closed session for the purpose of discussion of as permitted by 2.23711 (A7) potential litigation.

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

Mayor Cury – Motion that the Members of Council reconvene in open session and accept the Certificate of Executive Session certifying that the matters discussed while in executive session were those both lawfully exempted from the open meeting requirements and identified in the motion by which the closed session was convened.

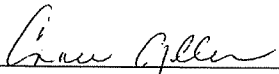
Mike - I make the motion, Mary Ann seconded the motion

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

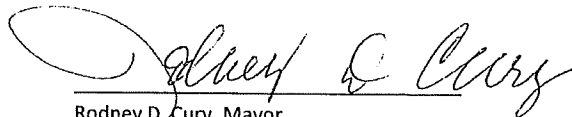
Richard - I make a motion to adjourn, Mike seconded the motion.

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

Adjourned



Connie Allen, Town Clerk



Rodney D. Cury, Mayor