

**TOWN OF RICHLANDS
REGULAR MONTHLY MEETING**

The Richlands Town Council held a "Regular Monthly Meeting" on Tuesday, April 11, 2023, at 6:00 pm in the Richlands Council Chambers with the following present:

Mayor: Rod. D. Cury
Interim Town Manager: Ron Holt
Interim Town Clerk: Amanda Beheler
Town Clerk: Susan Whitt
Council Members: Doug Ratliff, Gary Jackson, Rick Wood, Jordan Bales, Jan White, and Laura Mollo.
Town Attorney: Michael Thomas

The Town Meeting was called to order at 6:00pm and opened with the invocation and the Pledge of Allegiance led by Mayor Cury.

IN RE: Appointment of Interim Clerk, Amanda Beheler

Upon a motion by Laura Mollo seconded by Rick Wood and the unanimous roll call vote of all members present, the Council voted to approve Amanda Beheler as the Interim Clerk.

Mayor Cury asked that there be a Resolution for this at the next meeting.

IN RE: Additions, Deletions, or Corrections to the Agenda

Mayor Cury asked that roman numeral seven-d on the agenda be amended to include the specific wording on which board appointments that will be discussed in Executive Session to include the Planning Commission, Events Committee, IDA, and the Rec Commission. Mayor Cury advised no appointments will be made in Executive Session.

Upon a motion by Jan White seconded by Laura Mollo and the unanimous roll call vote of all members present, the Council voted to approve the amended agenda.

IN RE: Recognition of the RHS Wrestling Team and Richlands Wrestling Club 2022-2023 Season

Mayor Cury gave recognition to the Richlands High School Wrestling Team and the Richlands Wrestling Club for their outstanding performance in the 2022-2023 Season. Cury advised the 2019 wrestling season ended with only fourteen students and now four years later has over one hundred students involved in the program.

IN RE: Rec Commission- Outstanding Volunteer of the Year Award / Tennis Court Updates

Tony Cordle, Rec Commission President, presented the Outstanding Volunteer of the Year Award to Makenley "Mac" Hill. Cordle advised that MaKenley has volunteered her time to numerous projects including the Shirley Hill White Christmas, assisting the Buchanan County Flood Victims, and also delivering meals to the homeless.

Cordle advised that the Rec Commission is currently working on several fundraisers and donations for the tennis courts. Cordle asked the Council to give them six to eight months of fundraising before making a decision on funding for the tennis courts. Cordle also asked if the slides that were removed could be replaced.

Mayor Cury advised those issues are yet to be determined.

IN RE: Authorization to Pay Bills

Upon a motion by Laura Mollo seconded by Gary Jackson and the unanimous roll call vote of all members present, the Council voted to approve paying the bills.

IN RE: Minutes

Upon a motion by Rick Wood seconded by Laura Mollo and the unanimous roll call vote of all member present, the Council voted to approve the following Minutes: Regular Meeting on March 14,2023, Special Called Meetings on February 28, March 7, March 21, March 23, 2023, and Emergency Meeting on March 15, 2023.

IN RE: Police Department Code Enforcement Changes: Request Emergency Vote

Interim Town Manager Ron Holt and Town Attorney Michael Thomas requested an emergency vote on Proposed Penalties and Notice for Existing Code Sections Related to Code Enforcement. Thomas advised the code would not change, the Council only needs to define penalties and time frames.

Jan White asked Mr. Holt how many notices would be given out each mowing season regarding code section 92.02 (b), Mr. Holt advised one.

Jordan Bales asked if there is a defined height on grass, Mr. Holt advised it would be twelve inches.

Upon a motion by Rick Wood seconded by Laura Mollo and the roll call vote of all members present, with Jordan Bales voting no, the Council voted 5-1 to approve the following changes to existing codes:

92.02 (a)- Removal of Trash, Refuse, Garbage, Litter, other substances. Reasonable notice given should be fourteen (14) days.

92.02 (b)- Cutting Grass, Weeds, and other foreign growth. Reasonable notice given should be seven (7) days. First offense \$50.00, 2nd offense \$100.00, and 3rd offense \$200.00

92.03- Removal, repair, etc., of buildings and other structures. Penalty for failure to comply: First offense \$500.00 and second offense \$1000.00.

2209 Code of Virginia- Amend the current language, specifically in subsection H, to "Violations of this section shall be subject to a civil penalty for the first violation not to exceed \$200 and any subsequent violation not to exceed \$500". Penalties: First Violation \$200.00, subsequent violations set at \$500.00.

Laura advised that she had been approached numerous times by citizens concerning Code Enforcement and she wanted to be clear to the people that what just happened gives the Police Department more authority to do Code Enforcement.

IN RE: Healthcare Contract

Susan Whitt advised the Council that Resolution R-2023-04-11 is the annual Local Choice Health Benefits Program and read the Resolution.

Upon a motion by Laura Mollo seconded by Jan White, and the unanimous roll call vote of all members present, the Council voted to approve Resolution R-2023-04-11.

IN RE: Executive Session

Mayor Cury advised the Council would be going into Executive session pursuant to:

- a. VA Code Section: 2.2-3711 (A)(6) Contract Negotiations-WTP/WWTP Upgrades
- b. VA Code Section: 2.2-3711 (A)(6) Contract Negotiations- (Power Cost Projection 2024) Zoom meeting with Alice Wolfe, Blue Ridge Power
- c. VA Code Section: 2.2-3711 (A)(1) Personnel- Town Manager Position
- d. VA Code Section: 2.2-3711 (A)(1) Personnel- Board Appointments (Planning Commission, Events Committee, IDA, and REC Commission and others)
- e. VA Code Section: 2.2-3711 (A)(6)- Contract Negotiations- Rugs and Cleaning Contract
- f. VA Code Section: 2.2-3711 (A)(7)- Pending Litigation- Opioid Litigation
- g. VA Code Section: 2.2-3711 (A)(6)- Contract Negotiations- Fire and Rescue Agreement
- h. VA Code Section: 2.2-3711 (A)(6)- Contract Negotiations- Mowing Contract

Upon a motion by Laura Mollo seconded by Rick Wood and the unanimous roll call vote of all members present, the Council voted to go into Executive Session.

Upon a motion by Rick Wood seconded by Gary Jackson and the unanimous roll call vote of all members present, the Council voted to return to Open Session.

Upon a motion by Rick Wood seconded by Laura Mollo and the unanimous roll call vote of all members present, the Council certified that only VA Code Sections 2.2-3711 (A)(1), 2.2-3711 (A)(6), and 2.2-3711 (A)(7) were discussed during the Executive Session.

Mayor Cury declared a ten-minute recess.

IN RE: Water Treatment Plant Upgrades

Upon a motion by Laura Mollo seconded by Rick Wood and the unanimous roll call vote of all members present, the Council voted to give direction for the Mayor to sign the letter regarding the Water Treatment Plant upgrades asking for an extension of funding.

IN RE: Resolution R2023-04-01

Upon a motion by Rick Wood seconded by Laura Mollo and the unanimous roll call vote of all members present, the Council voted to approve Resolution R-2023-04-01 regarding the Town's participation in the proposed settlement of Opioid-related claims against TEVA, Allergan, Walmart, Walgreens, CVS, and their related corporate entities, and directing the Town's Attorney and/or the Town Manager to execute the documents necessary to effectuate the Town's participation in the settlements.

Upon a motion by Laura Mollo seconded by Rick Wood and the unanimous roll call vote of all members present, the Council voted to approve Mike Thomas as the contact person for the proposed settlement.

IN RE: Events Committee Appointments

Upon a motion by Laura Mollo seconded by Jan White and the unanimous roll call vote of all members present, the Council voted to appoint Joe Ball and Amber Artrip to the Events Committee.

IN RE: IDA Appointments

Upon a motion by Jordan Bales seconded by Rick Wood and the unanimous roll call vote of all members present, the Council voted to appoint Dylan Smith to the Richlands IDA.

IN RE: Mowing Bid

Upon a motion by Jordan Bales seconded by Rick Wood and the unanimous roll call vote of all members present, the Council voted to award the mowing bid to Elite Lawncare.

IN RE: Fire and Rescue Agreement

Upon a motion by Laura Mollo seconded by Gary Jackson and the unanimous roll call vote of all members present, the Council voted to direct the Town Manager and the Mayor to sign the Fire and Rescue Agreement.

IN RE: Scheduled Public Comments

Mayor Cury advised there was no scheduled public comments.

IN RE: Unscheduled Public Comments

Mayor Cury advised Ernest Edgell had left and is scheduled to speak with the Town Manager the following day on Wednesday April 12, 2023.

IN RE: Attorney Comments

Mr. Thomas advised the Council he had forwarded an easement for the Cornelia Cox property to Mr. Holt.

IN RE: Town Manager Report

Mr. Holt advised the Council he had an initial meeting with the Forensic Accountants- UHY Audit team that will be conducting the audit and that the team had requested preliminary documents that are currently being prepared for them. Mr. Holt asked the Council to delay the audit team's arrival until the budget is finished, due to possibly overwhelming the staff.

Mr. Holt reported that he had reserved a table at the Tazewell County Chamber of Commerce Annual Membership Meeting scheduled for Friday April 21, 2023.

Mr. Holt presented a copy of the proposed 2023/2024 Budget to all Council Members and asked that the Council schedule a Budget Workshop on April 20, 2023. Mayor Cury advised meeting would start at 6:00 pm.

IN RE: Council Members Report

Laura Mollo-

- Reported to the Council that Mr. Holt had been very easy to work with and had addressed all of her concerns.

Jan White-

- Advised that the drain at Daw Road off Kents Ridge where the Monk's live is stopped up and every time it rains heavily, it backs up into their yard.
- Advised she had a lady ask her about putting a carport over her driveway and that she was told she couldn't because she was in a corner lot and not thirty feet from the road. Mr. Holt asked Jan if she could e-mail him the lady's contact information so that he could work with Gary and the town attorney on this issue for her.

Jordan Bales-

- Followed up with Mr. Thomas about Michael Yate's covert pipe. Mr. Thomas advised when he looked up Mr. Yates name it showed he owned multiple properties and asked Jordan to send him the correct property address.
- Advised the IDA would like to thank the VCC and SBA for speaking at the last meeting.
- Reported that building repairs were underway at the Rec Park and wanted to thank the town workers for their work.
- Advised Red Oak Trading opens Friday April 14, 2023.
- Advised he's working on the Green Space Grant.

Rick Wood-

- Thanked the Town Council, Town Manager, Town Attorney, and everyone for all of their hard work lately.

Gary Jackson-

- Thanked Mr. Holt and the Street Department for all of their work.

- Advised the Planning Commission is requesting a Joint Public Hearing with Council on May 9, 2023 to consider the request from Lisa Moss with A & O Properties for a Conditional Use Permit concerning the Killen Trailer Park she purchased on Farmer Street.
- Advised Mr. Holt that he received several calls this week about brush, wanted to know if the chipper is running. Mr. Holt advised it is running, but with issues. Mr. Holt advised they will pick up what is already out but is asking residents to not set out any new brush until the issues have been fixed.

Doug Ratliff-

- Thanked the Town Council for working well together and also thanked Mr. Holt for his work. Looks forward to the future of the Town.

Mayor Cury-

- Thanked everyone for participating in this Town and helping when they can.
- Advised he had a membership invoice from the Tazewell County Chamber of Commerce in the amount of \$500 for January 01, 2023, to January 1, 2024.

IN RE: Joint Public Hearing with the Planning Commission

Upon a motion by Laura Mollo seconded by Gary Jackson and the unanimous roll call vote of all members present, the Council voted to approve a Joint Public Hearing with the Planning Commission and Town Council on May 9, 2023, at 5:45.


IN RE: Tazewell County Chamber of Commerce Invoice for Membership

Council Members had a brief discussion about what benefits come from joining the Chamber of Commerce.

Upon a motion by Jordan Bales seconded by Gary Jackson and the roll call vote of all members present, the Councils motion to approve membership to the Tazewell County Chamber of Commerce failed to pass 4-2. Doug-no, Gary- yes, Rick-no, Jordan- yes, Jan- no, Laura- no

IN RE: Adjournment

Upon a motion by Rick Wood seconded by Jordan Bales and the unanimous roll call vote of all members present, the meeting was adjourned.


Rodney D. Cury, Mayor


Interim Town Clerk, Amanda Beheler