

TOWN OF RICHLANDS
REGULAR MONTHLY MEETING

The Richlands Town Council held a "Regular Monthly Meeting" on Tuesday, December 12, 2023, at 6:00 pm in the Richlands Council Chambers with the following present:

Mayor: Rod. D. Cury
Town Manager: Jason May
Office Manager: Susan Whitt
Town Clerk: Amanda Beheler
Finance Manager: Ronnie Campbell
Council Members: 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 Rod Cury.

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

Mayor Cury advised the Agenda presented has been modified to reflect roman numeral seven.

Mayor Cury advised roman numeral seven stated the following: Discussion of Comments from today's Public Hearing and Consideration of Action regarding the proposed conditional use permit (a.k.a., "Special Exception Permit") request located at Tax Map # 105A912 0004 or 1012 East First Street for proposed purpose of replacing existing mobile home.

Mayor Cury asked if there was any additions, deletions, or corrections to the agenda.

Laura Mollo asked that the following additions be made to the agenda:

- J. E/IDA Appointment
- K. Pole Attachments

Mrs. Mollo also advised the year of the Next Regular Meeting needs to be changed to 2024.

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 4-1 to approve the agenda as amended.

Mayor Cury asked if there was anyone present who would like to speak to the Council during Unscheduled Public Comments, there was no one.

IN RE: Authorization to Pay Bills (November)

Mayor Cury asked the Council if there were any questions regarding the Check Register.

Mrs. Mollo wanted to inform the public that check #14861- CNA Fencing for \$16,000, was a check before Mr. May became Town Manager and asked if this had been put out for bid. Mr. May advised he would look into this and bring that information back to the Council.

Mr. Jackson inquired about check #14782 for \$9,450.00 to The Berkley Group, was this the last payment? Mrs. Whitt advised it was.

Mr. Jackson requested Mrs. Whitt to provide a total for The Berkely Group through e-mail at a later date. Mrs. Whitt advised she would.

Mr. Bales inquired about check #14920 to The University of Virginia, Mrs. Mollo advised it was a membership to the Virginia Institute of Government.

Mr. May gave a brief Overview to the Council of what benefits come with this membership.

Mr. Wood inquired about check #14798, Mrs. Whitt advised it was several Amazon invoices combined. Purchases included office supplies, cleaning supplies, etc. for several departments.

Mrs. Mollo also inquired about check # 14880 for \$57.19 to Gillespie, Hart, Poytt, Thomas & Hunter, P.C., Mrs. Whitt advised it was an overpayment for real estate taxes paid to the Town.

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 paying the bills for November.

IN RE: Minutes

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 the Public Hearing Meeting Minutes for November 14, 2023, and Regular Meeting Minutes for November 14, 2023.

Mayor Cury stated he liked the new format that Mrs. Beheler, Town Clerk is using.

IN RE: Scheduled Public Comments

No Scheduled Public Comments.

IN RE: Unscheduled Public Comments

No Unscheduled Public Comments.

IN RE: Discussion from Public Hearing regarding Proposed Conditional Use Permit for Tax Map # 105A9120004 (1012 East First Street).

Mr. Jackson advised the Planning Commission made a motion and approved the Conditional Use Permit provided owner Mr. Lankford pays and ensures the completion of all work to bring the property into compliance with town and county building Codes and provide proof of Certificate of Occupancy prior to occupying the home from the Tazewell County Building Department.

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 the Proposed Conditional Use Permit for Tax Map # 105A9120004 (1012 East First Street).

IN RE: 2nd Reading, Ordinance No.: 0-2023-12-01: Amendment to existing Ordinance for Water and Sewer Rates.

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 the 2nd Reading of Ordinance NO.: 0-2023-12-01: Amendment to existing Ordinance for Water and Sewer Rates.

Upon a motion by Gary Jackson seconded by Rick Wood and the unanimous roll call vote of all members present, the Council voted to adopt Ordinance NO.: 0-2023-12-01: Amendment to existing Ordinance for Water and Sewer Rates and acting as an emergency measure to implement on January 1, 2024.

IN RE: Discussion with Police Chief Ron Holt regarding Security at Town Parks.

Mr. Holt provided an overview of safety measures that have been put in place by the Police Department at town parks such as cameras, extra patrols of the areas, etc.

Mr. Holt advised there are plans in place to add LPR (License Plate Reader) cameras also.

The Council gave consensus that they are in support of moving forward with extra security measures.

IN RE: Power Purchase for FY 2025

Mr. May spoke to the Council about purchasing power for FY 2025. Mr. May advised the timeline for any diversifying of energy creation by the Town of Richlands has at least an 18-

month lead time or build out time. This means the earliest the Town would be creating its own energy is July 2025. With this timeline understood, the Town of Richlands needs to work with its partners to procure energy for the 12 months of FY 2025. Additionally, staff would request the Town Manager be provided with permission to purchase any additional forecasted energy needs for the Town due to extreme weather conditions. Allowing the Town Manager to do so will allow the Town to purchase energy at a lower expense and allow the Town to provide energy to its citizens at a lower cost. Energy can be purchased at any time, a year in advance, a week in advance, a day in advance, and real time. The energy the Town purchases now for FY 2025 will be the lowest cost available to the Town. The real time price is the most expensive. If the Town Manager is not provided with permission, the Town will be purchasing any peak energy at real-time prices. Providing permission will put staff in the best place to procure energy at the lowest cost for its citizens.

Mr. May advised he would like to move forward with FY 2025 Power Purchasing and provide permission for the Town Manager to purchase any additional energy needs throughout the Fiscal Year.

Mr. Bales asked if guidelines could be placed on the load purchase.

Mr. May advised he could reach out for guidance on this from other localities.

Mr. Wood suggested Mrs. Mollo amend her original motion.

Mrs. Mollo withdrew her original motion.

Upon a motion by Laura Mollo seconded by Gary Jackson and the unanimous roll call vote of all members present, the Council voted to give permission to the Town Manager to purchase load power for Fiscal Year 2025 as well as allow the Town Manager to purchase peak power from now until January 9, 2024, on the condition that he informs each Town Council member of that purchase.

IN RE: Recreation Commission Make Up and Amendments to Structure.

Mr. May advised the Council that over the past several months, the Recreation Commission has had a difficult time gaining quorum. This inability to gain quorum has slowed down processed and stalled activity coming out of this commission. The commission meets once a month. At the October meeting, the commission discussed changing the structure of the commission; reducing the number of members and the number of members required for quorum. The Commission would like to respectfully request the number of members be reduced from 9 (nine) to 7 (seven) matching more closely the number of members on Town Council, the Planning Commission, and the E/IDA. The makeup would be amended to four in town members and three out of town members; with quorum being four members. With this amended structure, the commission would have met quorum at each of the last four meetings.

Mrs. Mollo stated she supports reducing the number of members to seven. However, she would like to lower the number of out-of-town members to two, Jan White agreed.

Mr. Thomas advised there would need to be an Ordinance drafted for this.

The Council discussed several options.

Mr. May suggested the Council Table this discussion at this time.

Mayor Cury declared a ten-minute recess.

IN RE: Real Estate Broker

Mr. May gave a brief overview of the benefits of the Town having a Real Estate Broker and advised there would be no cost unless there was a purchase made using the Broker.

Mrs. White asked if the RFP (Request for Proposal) would be open to locals.

Mr. May advised it would be for residents of Tazewell County, with higher scores given to residents of Richlands.

Mrs. Mollo asked if the Council would have the final decision on the Real Estate Broker, Mr. May advised they would.

Upon a motion by Laura Mollo seconded by Gary Jackson and the unanimous roll call vote of all members present, the Council voted to give authorization to the Town Manager to begin the RFP process for a Real Estate Broker for the Town.

IN RE: CPROP- Greenway Park and Sound System

Mr. May advised the Town of Richlands was awarded the Cumberland Plateau Regional Opportunity Program (CPROP) funding from the Cumberland Plateau Planning District Commission. The grant was for \$50,000 and included the need for a \$20,439.46 match. The grant was for improvements at the Greenway Park; to include a projector screen, a sound system, and the installation of turf. To date, the Town has spent \$5,548.95 with \$14,890 remaining for the match to be completed. Currently the Town has quotes on a few different sound systems and a projector screen.

Mr. May stated that the Town is eligible for the same grant at the same level again in July, if the current funding is spent and advised the Town needs to move forward with the sound system and projector screen. However, the turf would cost much more than the remaining \$50,000 in funding and suggested removing all asphalt and concrete that the Town can, and install dirt and grass seed this spring. Completing this would allow the Town to begin utilizing the stage for movie showings, evening concerts, and other Town events.

Upon a motion by Jordan Bales seconded by Rick Wood and the unanimous roll call vote of all members present, the Council voted to give authorization to the Town Manager to move forward with installing the sound system and projector at the Greenway Park and to also ask for a grant modification from the Cumberland Plateau Planning District Commission to install grass as opposed to turf.

Mr. Bales suggested the Town look at drainage for the Greenway Park.

Mrs. Mollo explained to the public that in the beginning she voted no to the Greenway Project because she is against any unnecessary spending. However, she is voting yes to the motion on how to spend the money, because she feels this is the best solution for completing the grant.

IN RE: Oriole Street Bridge Replacement Engineering & Design RFP

Mr. May advised an RFP to providers of Engineering, Design and Construction Services for the design and replacement of the Oriole Street Bridge was published by the Town of Richlands with a due date of November 10th at 1:00pm. The Town received one proposal from Mattern and Craig Engineers & Surveyors. Staff has reviewed the proposal and found all requirements of the RFP have been met and are satisfactory.

Mr. May provided the RFP to the Council.

Mrs. Mollo and Mrs. White inquired about the cost of the project and pricelist provided in the RFP.

Mr. Bales inquired about a timeline for this project, Mr. May advised it could be up to two years.

Mr. Wood requested a meeting between the Street Committee and Mattern and Craig Engineers & Surveyors before a contract is awarded.

Mrs. Mollo inquired about the cost of the road signs currently being used at the location.

Mr. May advised he would arrange the meeting.

IN RE: VRS and Hazardous Duty Benefits

Mr. May advised the staff was asked to investigate the possibility of and the expense of providing hazardous duty benefits for the Town's firefighters and EMT's. Ms. Fields reached out to our contact at Virginia Retirement System (VRS) to request an actuarial study for the addition of this benefit. The Town received correspondence stating the Town is currently at 51.7% funded according to the 2022 actuarial valuation. For the Town to move forward with the additional benefits, the Town would need to increase its funding level to 75%. To gain this level of funding, the Town would need to contribute at least \$3.4 million to its liability.

Mr. May recommended utilizing this information for the FY 2025 Budget and creating a five-to-ten-year plan to bring the funded level up to 80% (the recommended funding level for an organization of this size). This plan will require additional payments to VRS, but the additional funding will be seen as a positive to lenders and to other potential partners in the future. A high funding level for OPEB is a key indicator credit markets and other partners use to rate the Town's financial policies and financial health.

IN RE: Generator- Q&A

Mr. May gave a PowerPoint presentation to the Council.

Update:

- RFP was released on March 13, 2023, for a 4mw to 5 mw Natural Gas-Fired Generator System.
- Proposals were due back by March 31, 2023 (18 days later) during this time the Council appointed an Interim Town Manager. Mr. May advised companies needed more time to submit their proposals.
- One submission was received. Mr. May stated he would re-bid if only one proposal was received, wanted competition.
- The contract was awarded to Quantum Power, Inc. out of Mooresville, NC.
- The first step funds a Primary Physical Equipment Study and Preliminary Engineering Efforts, request was received on June 15, 2023.
- Agreement for Provision of Professional Services signed July 13, 2023.
- Study results received by Electric Commission on November 9, 2023 (5 days before the next Council meeting).

Costs:

- | | | |
|-----------------------|----------------------------------|-------------|
| • Original Bid | 4/13/2023 | \$7,817,000 |
| • Current Pricing | (good through the calendar year) | \$8,287,800 |
| • Projected Increases | January | \$8,503,800 |
| | February | \$8,545,800 |
| | March | \$8,588,529 |
| | April | \$8,631,472 |
- Generator price increased \$470,800 since Bid.
 - Generator prices will increase \$343,672 between now and April.

Additional Cost:

- Site Acquisition Costs (Site owned by Pocahontas) \$150,000
- Grid Infrastructure \$4,671,000
- Infrastructure quote includes \$1,078,000 in contingency.

Load Shape vs Peak Shaving

Financing Options:

- General Obligation Bonds
- Revenue Bonds
- Grants
- Cash

Next Steps:

- Question & Answer session being scheduled for January 9, 2024.

- Members of Quantum Power, Power Engineers, GDS, and Blue Ridge Power will be present and ready to answer all questions.

IN RE: I/EDA Appointment

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 Lynna Mitchell to the Industrial/Economic Development Authority.

IN RE: Pole Attachments

Mrs. Mollo advised the Council that she received an e-mail from CNX that stated they are currently paying one hundred and fifty dollars per year for pole attachments. CNX has requested to pay a one-time fee of two thousand dollars to the Town.

Mr. May advised this may have a short-term gain with a long-term loss.

The Council had a brief discussion regarding pole attachments with Allen Compton.

The Council came to a consensus to authorize Mr. May to speak with CNX about a solution to this.

IN RE: Voyager P-Fleet Fuel Cards

Mr. Campbell advised the Council that the Town currently uses Ultra Petroleum, LLC for its diesel and gasoline supply of fleet vehicles. Ultra owns the tanks and pumps and the Town owns the hardware and software that the system runs on. The system provides data collection and reporting for inventory and accounting. The system is antiquated and requires a \$30,000 upgrade. The staff is considering a Voyager P-Fleet card option for its diesel and gasoline supply. The P-Fleet cards are widely used by localities and private industry for Fleet Vehicles

Mr. Campbell also advised there are no upfront costs, no contracts, and no limit on the number of cards if the Town switched over to the Voyager P-Fleet Cards. Each driver would be assigned a card that can be assigned to multiple vehicles and used at any location. The reporting and accounting would be greatly improved, requiring less manual intervention and allocations for calculation of departmental consumption.

The Council briefly discussed the benefits of the Voyager P-Fleet Cards.

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 the Voyager P-Fleet Fuel Cards.

IN RE: Monthly Financial Report

Mr. Campbell gave a brief overview of the highlights of the Monthly Financial Report that was given to the Council.

Income Statement Summary:

- Compared to previous month, seeing same trends. Mr. May explained the importance of having a healthy fund balance.
- Water and Sewer- Advised Water and Sewer is staying flat. However, Mr. Campbell advised once the new rate increase goes into effect, there will be additional income as well as reserves.
- Water and Sewer Line Maintenance- trending lower at this time.
- Electric- Advised most of the electric is being driven by the past two months of the 10% reduction.

Mr. Jackson asked Mr. Campbell if the shortfall in the electrical was due to the rate decrease and the PCA (Power Cost Adjustment), Mr. Campbell advised it was.

Reserve Balances:

- Unreserved Cash Balance of 4.1 million is down roughly seven to eight thousand dollars from the previous month. This is due to revenues not coming in at this time.

- The Water Department has not had a change in actual balance and surplus, holding constant, no change since last month.
- The Sewer Department, still has a shortage, anticipates a rebound once the rate increase takes effect.
- The Electric Department is down around four hundred thousand dollars from the previous month.

Mrs. Mollo asked Mr. Campbell what the Building Repairs for \$51,333.33 in Department 4300 under Community and Civic Facilities was for. Mr. Campbell advised that for the library renovations that is being paid by ARPA funds.

IN RE: Update on MOU for REC Committee:

Mr. Thomas stated he received a proposed draft of an MOU from the Richlands Athletic Committee.

Mr. Thomas stated that Brandon Goins is in attendance to answer any questions the Council may have.

Brandon Goins spoke briefly to the Council about the updated MOU.

Mayor Cury inquired if this was an MOU between the Town, the Recreation Commission, and the Richlands Athletic League, Mr. Goins advised it was.

Mrs. Mollo asked if this would have an impact on the MOU with the high school, Mr. May and Mr. Thomas advised it would not.

Mrs. Mollo also asked if this MOU would have an impact on anyone wanting to start a new team, such as a travel team, Mr. Goins advised it would not.

The Council suggested removing automatic renewal from the MOU.

The Council requested the MOU be reviewed and recertified yearly by Council, with a thirty-day notice given to Council before the renewal date.

The Council requested an amended MOU be brought back to the Council by Mr. Thomas at the January meeting for a vote.

IN RE: Town Manager Report

Hill Creek Thru Trucks Update:

Mr. May advised that after the Town had received complaints on Hill Creek, 'No Thru Trucks' signs were ordered and placed in multiple locations.

South Center Street Gate Update:

Mr. May advised this gate is not owned by the Town and recommended asking Chief Holt to increase patrols of this street.

Mrs. Mollo advised Chief Holt had already been doing extra patrols.

Projected Council Meeting Dates for 2024:

Mr. May spoke briefly about projected Council meeting dates in 2024.

Property Tax Bills:

Mr. May stated the Property Tax bills have a due date of December 28, 2023. Advised there would be a grace period through January 1, 2024, before any penalties would be added.

Electric Rate Decrease:

Mr. May advised the 10% electric rate decrease was originally approved for a three-month time period.

Mr. Thomas advised the original ordinance needs to be amended or the decreased rate will remain.

Mr. Thomas also advised there would need to be a Public Hearing to inform the public and allow them the opportunity to speak on it.

The Council agreed to schedule a Public Hearing.

Upon a motion by Gary Jackson seconded by Rick Wood and the unanimous roll call vote of all members present, the Council voted to approve a Public Hearing to resume the electric rates as the ordinance states.

IN RE: Council Member Reports

Laura Mollo-

- Stated she would like to talk about doing more with the Section House during the new budget. Would like to utilize and make the Section house more efficient.
- Advised the Towns Facebook page is not consistent, only advertising for certain businesses.
- Advised the Flood Study is complete.
- Advised Bluefield is removing its last wooden park and has updated it to make ADA compliant. Would like to update Critterville.
- Thanked Jan White for all her help on the events committee and expressed how incredible the parade was.
- Stated she has loved her time on the Town Council and it was an honor for her to be a part of.
- Spoke briefly on all the achievements the Town has had during the past twelve months.

Jan White-

- Thanked everyone for all of their help during the Small Business Saturday.
- Thanked everyone for all of their work on the Parade.
- Thanked Mayor Cury and Mr. Wood for helping her find a Christmas Tree.
- Advised all Town restaurants were crowded after the parade.
- Advised the next Town event will be the Freedom Festival.
- Stated Town merchants would like to form a Merchants Organization after the first of the year.

Jordan Bales-

- Stated the Volleyball season is wrapping up, thanked everyone who participated.
- Advised basketball season starts the first of the year.
- Advised on December 30, the Wrestling Club is hosting a tournament.

Upon a motion by Jordan Bales seconded by Gary Jackson and the unanimous roll call vote of all members present, the Council voted to reappoint Tony Cordle to the Recreation Commission.

Upon a motion by Jordan Bales seconded by Gary Jackson and the unanimous roll call vote of all members present, the Council voted to reappoint Francis Meadows to the Recreation Commission.

Rick Wood-

- Wished everyone a Merry Christmas.
- Would like the Town to host more events.
- Thanked Jordan for turning the Christmas Tree on at the Greenway.

Gary Jackson-

- Thanked everyone for their help and support during his first year on the Council.
- Wished everyone a Merry Christmas and a Happy New Year.

Doug Ratliff- Absent

IN RE: Mayor Comments

- Thanked everyone for all of their work on the Christmas Parade and support of the Section House.
- Advised there was no Town money spent on the Christmas Tree, privately funded.
- Stated there was a constant flow all day for Carriage rides during Small Business Saturday.
- Thanked the Police Department for their help closing the streets.
- Recognized Cory Whited for his help at the Section House.
- Also recognized Donna Altizer for her help.
- Wished everyone a Merry Christmas.

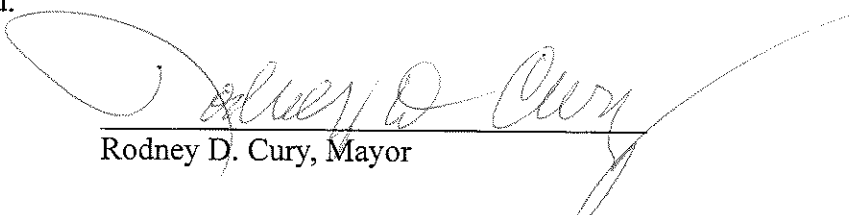
Gary Jackson reminded the Public and Council about the Shirley Hill Christmas Event that would be held on December 16 at 2:00pm.


IN RE: Executive Session

No Executive Closed Session.

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


Amanda Beheler, Town Clerk

