

The Richlands Town Council held a Special Called Meeting on March 21<sup>st</sup>, 2023, in the Richlands Council Chambers at 5:00 pm with the following present:

Mayor: Rod D. Cury

Interim Town Manager: Ron Holt

Acting Town Clerk: Susan Whitt

Council Members: Doug Ratliff, Gary Jackson, Rick Wood, Jordan Bales, Jan White and Laura Mollo.

Town Attorney: Michael Thomas

Mayor Cury opened the meeting, had the invocation, and led the Pledge of Allegiance.

Council, you have before you an agenda, we are now on Roman numeral four but I think we need to add under three, I would ask for your indulgence here. We need a Roman numeral three-a additions or deletions to the agenda. So I will ask first for a vote. Council is there a motion to add to the agenda. Laura- I'll make that motion. Jan makes a second, is there any discussion? There being no discussion, I'll ask for a roll call vote, Susan.

Doug-yes, Gary-yes, Rick-yes, Jordan-no, Jan-yes, Laura-yes,

The vote carries five to one. Thank you, Council.

Michael- okay, so actually for a special- called meeting, it needs to be unanimous to add anything to the agenda.

Mayor Cury-thank you for the correction there. The motion does not carry; it is not unanimous.

So we cannot add to or delete from this agenda. Thank you for the correction and help Mike. So we're going on to Roman numeral four, closed session.

We have Roman numeral four for a closed session for Personnel pursuant to Code Section 2.2-3711(A) (1) and for FY 24 power cost projection- contracts and negotiations, pursuant to Code Section 2.2-3711 (A) (6). Is there a motion to go into closed session for these two code sections. Laura-I'll make that motion. There's a motion made, Jan seconds. There is a second, is there any discussion on this motion? There being no discussion, I would ask for a roll call vote please, Susan.

Doug-yes, Gary-yes, Rick-yes, Jordan-yes, Jan-yes, Laura-yes.

The Motion is unanimous, thank you Council. We will now move into the conference room.

Do we have a Motion for Council to come back into regular session?

Rick-I'll make that motion. Rick makes the motion, is there a second. Gary makes the second. Is there any discussion on this motion simply to come back into Open Session?

Roll call vote please, Susan.

Doug-yes, Gary-yes, Rick-yes, Jordan-yes, Jan-yes, Laura yes. Thank you, Council. Now we need a motion to certify that each member of council did not discuss anything other than a closed session for personnel pursuant to code section 2.2 3711 (A) (1) and for FY 24 Fiscal Year 24

-Power Cost Projection-Contracts and Negotiations, pursuant to Code Section 2.2-3711 (A)(6). Is there a motion to certify that nothing was discussed other than those codes? Laura- so moved. Laura makes the motion, is there a second. Gary makes the second, is there any discussion? There no discussion, I would ask for a roll call vote, thank you, Susan.

Doug-yes, Gary-yes, Rick-yes, Jordan -yes, Jan-yes, Laura-yes. Thank you. The motion is unanimous, we are back into Open Session, and we are certified. So, we have next on our agenda Roman numeral six. We have no action to report at this time.

Roman numeral six, we have a zoom with Mr. Sam Littman to discuss possible grants for electricity.

Sam Littman- via zoom (audio only)

Thank you, I apologize but what I'm going to do is give you as much information as I can, it will be quite bit and I will talk about why I'm here and then I will be very happy to try to answer any questions.

Mayor Cury- I'm sorry Sam, hold on Sam. This is Rod Cury, I'm the mayor and all the members of council are here: Laura, Jan, Jordan, Rick- who I think you've talked to, and maybe Jordan and also Gary and Doug. I want to introduce us, and I am understanding, are you not able to show your slides?

(inaudible)

Mayor Cury- okay, that's all. I just wanted to be clear of what we're doing here, thank you.

Mr. Littman- I am here to give you the information that you need and then again I could always share the slides with you, send the slides to you later. I am very happy to do that as well. Thank you, again I apologize.

Okay, so I want to begin by saying this will be an informational presentation of development of a solar generation facility with the goal of significantly reducing the purchase of outside power system. Results by not only reducing the electrical supply charges, but the service charges also as well and I want to talk about a little bit about who we are. We are 501 C-3 corporation which is basically a (inaudible) for my company, we are basically a social Enterprise Renewable Energy Company that works exclusively with low-income communities. We have a vastly experienced group on of all levels of government engaging utilities. In fact, with some of these utilities we have programmed off or we run the programs, we are a One-Stop shop. We do everything from development to building. We have more than 100 employees and growing. Besides providing full-service project development, we have a fully staffed public policies department-that's going to be important to you in terms of the incentives that we're going to be doing for you. We also have something called TBL fund, which is a sister company to provide low-cost construction and long-term debt financing for our clients. So just a little bit (inaudible) and you don't see this is why, but we have quite experienced teams that I want to just give you a link to. This is a little about myself: 25 years ago I was developing natural gas generating assets for GE power during the utility deregulation days. In 2009, I was recruited by a large solar developer out of Belgium and since then I have held various positions with manufacturing, financial and development companies, from director of development and CEO (inaudible).

Let's talk about potential benefits and incentives available to build a solar generating plant. The biggest driver is the Inflation Reduction Act, and as of August 2022, which basically, that Act increased the investment tax credit allowable from 26 percent which was going to slide down to 22 this year, to a base of 30 percent, (inaudible)... should be able to guide up to a 50 percent investment tax rate and I can break that down in a moment. Another feature of the investment tax rate is the non-profit entities to able to monetize the tax rate. So, in other words, in the solar investment tax credit arena or only profit-making company that actually monetize cash flow. Makes sense, right, but in case there's a new provision that allows the municipality to receive cash in lieu of the traditional tax credits that they can't use as non-profit entity. To make the (inaudible) to own the facility instead of going to a third-party partner, do it yourself but other grants are available. Grants, loan forgiveness, loan sharing, low-cost financing options in municipalities. This represents a second layer of benefits outside of the tax credit being used. There was a lot of competition and limited allocation (inaudible)

The other benefit, and this is actually required, as a routine we have a community workforce training program for all of our projects. This is a requirement for a lot of the funding and it translates to good jobs for the community (inaudible) and these are good jobs because they are based on prevailing wage. Let's break down what I think this 50 percent investment transcript looks like, the base credit is 30 percent, everybody gets that. In addition, you are eligible for a 10 percent NG Community Credit and I think I listened to your battery folks the other day and they talked about energy community. And then we are going to help you with a 10 percent domestic content. So again, what is the energy community by definition for the LPC.

The energy community is an area where a coal-fired power plant has closed since 2010 or a coal mine has closed since 2000, a metropolitan a non-metropolitan statistical area where 0.17 percent or more direct employment or at least 25 percent of local tax revenue related to abstraction and processing of coal. Well obviously, you qualify for that. What is domestic content? That is the required percentage of U.S products to be used in the solar project and that's up to 45 percent for all new construction and in 2025 and we will meet that requirement by basically only using those products.

We need to go over the projects by looking at two financing strategies. The first financial strategy, but before we do that, is no matter what the financial strategy is, the goal is to save money for the Town.

.....inaudible..... so yes what I'm trying to discern here is what is the best solution of financing, if it should be a power purchase agreement or should the Town own the project.

So, to define the Solar Power Purchase Agreement, it is a financial arrangement in which a third party developer or investor owns, operates and maintains the system and the customer agrees to purchase the electric output from the third party at a predetermined agreed price and to buy solar at a predetermined price, which is really a lot like what you're doing with the utility you are working with now. So, the advantage of financing to a power purchase agreement is obviously there's no capital outlay or no long-term debt if you don't own the project there's no operation and maintenance responsibility or liability. The really great benefit is you only pay

for the solar generated. In other words, if you own the system obviously you have payments to make every month and if you don't own the system and you only pay for the power producing (inaudible) the fund doesn't show that. The other thing that is the disadvantage of any kind of strategy is the long-term contract (inaudible) when there's long-term risks for costs (inaudible) So basically our contracts are 25 years which fits the warranty of most solar panels.

And other advantages of course (inaudible) that we actually talked about and adding resiliency which is basically adding power to the grid, that is stable and cost effective and of course energy independence. So, ownership, with all things being equal, with the returns should be highest with ownership I think there are no third-party investors when they're taking their profit. The other advantage and all the other advantages are the same as it is and we saw a purchase agreement but the advantage that I see for going towards the ownership side is that you can't be eligible for these incentives that we talked about unless you own facilities so you may have more incentives than we do and we have to figure out what is the best way of handling that situation as well. By the way, interrupt me anytime if you want to ask a question.

So to a mutual feasibility analysis and you know since I don't have any electricity consumption from the town and to even make some assumptions in order to analyze the feasibility in the project and tell you with a reasonable prediction. The first function was the size of the system, we need the 5 megawatts AC system because that is the basically the largest system that allows you to be eligible for the bonus exemption tax credit and that generates about 10,700,000 kilowatt hours in the first year. How we determined that by (inaudible) in certain (inaudible) the other things for analysis was again, we used 25 years as one percent annual energy escalator and (inaudible) historical information (inaudible) It is assumed that you will provide the land used.

(inaudible)

Mayor Cury: Sam, can you hold one minute please.

Members of council, are there any questions at this juncture for Sam?

Sam, it's not exactly easy to hear, I'll be honest with you. That's for me, I can only speak for me. I would ask council members, any questions at this point and I'll start to my left, Laura.

Laura- yes sir I've got a few questions. The first one would be the interconnection study, what would that cost us as a town?

Sam-if I heard you correctly, an interconnection study is basically (inaudible) and would we have to hire, since you don't have an outside utility here, we would have to hire somebody to do that study who is a qualified utility engineer. Sometimes we estimate the cost to be minimal and sometimes I allow \$100,000 per megawatt and up to a half million dollars for upgrade in my (inaudible) analysis...

Laura- and that cost would be to the Town of Richlands? I'm asking a dollar amount, like even if you can give me a ballpark range dollar amount, what would that study alone cost the Town of Richlands?

Sam- it costs around \$5,000 for the initial application for the study and the study if you raise the research from \$25,000-\$50,000. They're quite complicated, the feasibility, the impact study. So yeah and I included that in my assumptions and by the way I want to give you what I came up with before we get to the next question or even the rest of this question because I took all this information and created it my own model and we came up with an 8 cents per kilowatt hour (inaudible) correct, and if I'm not correct, correct me okay. So I took all of that and including connection costs, all of my assumptions and came up with a 25 year payout at 8 cents per kilowatt hour all in.

Laura- so the interconnection study would cost zero for us is that what you said?

Sam- we pay for the interconnection study, it's part of what we do. When you sign a memorandum of understanding, we start putting our resources together and we start doing these connection study, the environmental Studies and any other application, it's on us to do that.

Laura- so just so I'm understanding this, just a simple yes or no, is this going to cost us anything for the study?

Sam-Zero.

Laura- okay next question, if we were to do this, how long from start to finish would it take our citizens to see savings with generating solar power?

Sam- (inaudible) and trying to gather more grants all the time to be connected by the project but right now if I was giving you an assessment of supply chain and building and all that I'll say a year to a year and half.

Laura- so after a year and a half, our citizens would see savings on their electric bill?

Sam- yeah because we have to start generating the power right?

Laura- right, and what additional costs would that be for the town of Richlands in building, anything, what cost is that going to be to the town?

Sam- well, again, under a purchase agreement, you don't own the equipment so the answer will be zero, okay and the fact that you're still doing the same distribution if you are buying from an outside source, so if you buy from Appalachian Power it goes to your substation and you distribute it from that point if I got this one correct. So, zero. What we're trying to do is keep the contracts flexible so that we get enough grant money you can if you get you down to near zero on the equipment then it's (inaudible) only the equipment if you're not paying for any money for it. Okay does that help, does that answer your question?

Laura-it does. We've got a member of our electrical committee here and I would like to ask Mr. Cook if he has any questions or comments before I finish with my questions.

Shea, do you want to come up and speak so he can hear you.

Shea Cook- Sure. I don't think the format of this briefing is particularly effective. I have difficulty hearing half of what he's saying, there's no slides to present along with it. I don't find this to be particularly helpful. The concept of thinking out of the box and taking advantage of federal budgetary changes and tax credits, they're out there, I know they exist and I know opportunities exist and I have some sense of excitement about what this gentleman has to present but I'm just kind of lost and I don't think that this is an effective way to present this information much less for the town to be able to make a decision in any meaningful way on it. And I say that not to minimize the value of anything this gentleman's presenting but, I couldn't- I don't even know who he is, I don't know what organization he's with because I've sat out here and I can't hear and so it's just as basic as that.

Mayor Cury-Thank you. Laura, anything else?

Laura, No, Mayor. I agree with you. I think this is not the most effective way of presenting this I'm trying to destroy what he presented .

Sam-I am so sorry that you feel this way and that you are receiving in this (inaudible) I really do.

Mayor Cury- okay you have a lot of good things that I'm very excited about this Sam thank you Shea's point is well taken. I want to say as the Mayor of this town and a citizen first it is difficult here and I've already stated that it does not diminish you nor your company in any way simply dissemination of information is difficult on this very evening so I would defer just defer to Jan, she's up next.

Shea-I just wanted to add, that I did not mean to minimize anything this gentleman has to say or the value of information. I think it it's frustrating because I believe that there are things that we should consider that he has to present the difficulty is it's just the pure mechanics of transferring this information. It's this is not an effective way to do that, and you know it's 2023. You know we could probably use these screens and use FaceTime and get more than what we're getting right now. So, I would just like to have another opportunity to have this information maybe in a more meaningful format.

Mayor Cury-thank you Shea, any questions.

Sam-I am an old school guy, and if you would like it, I would be so pleased to come down there and do this in person.

Mayor-sir, I couldn't hear you....

Mayor Cury- I suggest hold on Sam, I suggest that's a plausible thing to do but with respect to all members of council, I've asked one member for questions. Everyone else should have the same turn so if you can please hold.

Jan- what has been your success rate in applying for these grants?

Sam-I am sorry, I didn't hear the question. Can you repeat that please?

Jan- what has been your success rate in applying for these grants?

Sam-We are one of the leading successful grand people in the county, we do a lot for the low income (inaudible), we are registered with the DOE and all of the major governments, we run programs, we have a large grant writing system so this is one of our biggest strengths. A lot of the stuff we do is not only with solar but all the energy efficiency stuff.

Mayor Cury- anything else, Jan. Jan- not at this time.

Sam-(inaudible)

Jordan -so just two quick questions, what is the average size city or town you work with?

Sam-a lot of our business comes from rural type communities, not necessarily municipality themselves but we work with co-ops so you know that the structure is equivalent to a municipality in that they distribute power to their members. So I don't think we deal with major cities except how we deal with major cities is we do a lot of energy efficiency with multi-family units, low income family units. That tends to be an urban area.

Jordan-okay, I just have one more question- what are some of the tertiary economic benefits, or job creation that comes along with solar, that you've seen in your experience.

Sam-I am not sure long-term, that's going to be your savings to the community and to your members, so with it being a solar project and there is a little maintenance afterwards, but there is not a lot maintenance that goes with that. So, basically, it's construction and of course it brings revenues into the communities (inaudible).

Jordan-so are there any special certifications our linemen could get to be certified to work on these special solar converters or panels? that are beneficial to the marketplace?

Sam- are you asking if they need certification or if we can get them certification?

Jordan-well I'm asking if that's a marketable skill that we could use to attract workers from out of town to come here and get trained on it and then they do what they want with that afterwards. A benefit if you will. Have you seen that in your experience?

Sam-Absolutely and this is what it's for, they can get trained and go on and have a career in this field.

Jordan-ok, that answers my questions, thank you.

Mayor Cury-thank you Jordan. Okay Sam, next is Rick Wood.

Rick-Sam, I've talked to you quite a bit, I'm going to give Shea your phone number and let him give you a call and maybe y'all can talk, because he's on our power committee.

You didn't tell him what all you all have done. We've talked quite a bit, he's worked in Mexico, he's done whole towns in Mexico, not for the town but for the individual homeowners. It's kind of different which state you're in as to what they regulate on and they do have seven grant writers that work on this all the time. The deadline on getting the grants in, is when Sam?

Sam-I'm sorry, did you ask me a question?

Rick-I did. When's the date for getting a grants written and get them in?

Sam-the grants are starting to open right now a lot of the first rounds are being closed by the end of July, so we would want to get this started as fast as possible. (inaudible)

Rick-that's all I've got, Rod. I've talked to him quite a bit, I think he's going to have to come and see us or something for us to work out but he's got a great thing he can help us a whole lot. I've talked to him hour after hour after hour for days, so I have spent a lot of time talking to him and they are a non-profit organization.

Mayor Cury-thank you Rick for your research and your questions. Next is Gary Jackson, member of council.

Gary- Hello, Sam. I'm with Rod there, I wish you'd had the slideshow to where we could have followed along. I'm having a little difficulty hearing and being able follow along too. I know there's some study analysis that still has to be done to find out what we have and everything, but I look forward to listening to the presentation at another format at another date if we can work that out.

Rod-Thank you Gary

Mayor Cury- We'll talk to you about that at the end of this presentation, Sam. Next is councilman Doug Ratliff.

Doug- Hello Sam, can you hear me? I've always felt that Richlands has an advantage that not many other communities have and that would be we're sitting on more gas than, as much gas anybody in the United States and what I'm wondering, you've sort of zeroed in on solar, are there grants for gas? Because Mexico, they've got sun, a lot of sun, everybody has a lot of sun. But not everybody has natural gas and I always thought that was the way to go for the Richlands community and what I'm wondering are there many grants out there or do you work with grants that work on gas, natural gas?

Sam-okay, are you talking about other fuels in this case?

Doug- well, I'm talking about gas .....(inaudible)

Sam-yes, you guys do have natural gas and you do have an advantage over the propane guys out here. As far as gas, we do a lot of heat pumps and all that. (inaudible) sitting next to me is the grant guy, he's phenomenal. We do everything in the house, weatherization and all the other things you can possibly do (inaudible) if you want natural gas because they have an incentives or other things they can do there (inaudible)

Okay, can you still hear me?

Doug- yes sir.

Grant guy?- so you are asking if there are grants for building natural gas, is that right?

Doug-correct. I feel that we have an advantage that not many other communities have and we should use that advantage, that's my feeling.

Grant guy-Absolutely, so most federally funded weatherization programs through the Department of Energy, most of them, what they do for heating is high efficiency natural gas, most (inaudible) or the end user is a very cost-effective way to do it. You can also work with the

utility companies they have incentives for high efficiency natural gas devices because a lot... I'll give you my example, is I have it in my house right now, I have a natural gas water heater and a furnace and they run for a long time, well past their useful life. Mine is 30 something years old and I'm paying a lot more than I should. If you get higher efficiency equipment, if you do that which there's a lot of money to pay for it. on both Federal money and utility money and even state and local money. You can cut the cost for heating down a lot. It's actually probably cheaper to cut down costs that way than it is to electrify. Electrifying a building will get you to the lowest cost at the end of the day but it also costs more to do so. So if you're really looking to get the most bang for your buck in reducing costs for the end user, you know at a lower with less sort of resource needed up front, high efficiency natural gas equipment is super super useful to that end. There's a lot of existing funding streams right now to do that in fact through the bipartisan interest act, all the weatherization, weatherization guidance for low-income homes has gone through them and most weatherization agencies that do HVAC or heating stuff they're all working with natural gas. Most of them don't they can't do electrification it's too expensive.

Doug- what I guess my point is a little different. My point was that Richlands has its own utility, electric, as you know. What I was speaking of, or what my thoughts were, that are there any grants like we to build a plant a gas-fired plant maybe a 5 Mw, that we could use to distribute and lower our cost for electricity. That was my point, not each homeowner, I'm talking about the town as a whole having its own generation of power by gas.

Grant guy-so distribution level?

Doug- yes, yes sir.

Grant guy- Dept of Energy...(inaudible) and it can be used it can be used for electric or gas whatever it'll be a little less competitive but if your end result is reducing the cost especially for disadvantaged or low-income communities it's probably still really competitive and there's a lot of money out right now for well it's just one big round of money specifically for utilities whether they're investor owned or municipal or even like Rural Electric Co-op or sort of those sorts of infrastructure of it on the grid programs the grid reliability and infrastructure program I think. So they're looking at trying to help people, especially folks that have limited resources upgrade transmission and Distribution Systems in a way that leads to lowering costs for lower income communities.

Doug- I guess that's my point, from my point of view, that's the direction Richlands should go since we have an abundance of gas and that would be a great direction if we could get grants for generation of our own power through gas. Thank you.

Mayor Cury-thank you Doug.

Grant guy-(inaudible) probably twice a year for the next three or four years until they run out of this money.

Mayor Cury- Thank you Sam. I would like to suggest sir, right now I believe sir, may I suggest that we say goodbye to you but we will be in touch. We need to reschedule, we'll have to work on that and we'll talk amongst ourselves and we'll ask our town manager to be in touch with you to reschedule. I think we've asked all the questions I know to ask at this point. Is Council amenable to that. Alright, thank you so much. Have a good evening. Okay thank you. Yes we're saying goodbye, have a nice evening, we'll talk with you soon.

So there's no point going on right now in my opinion. I can't hear very well, we did need slides, we're all in agreement. Shea is here as a member of the electric committee, as are too council members and if everybody's amenable for that, I think we'll have to ask our manager to be in touch and schedule another meeting with them and I would suggest probably at our April meeting is that acceptable to everybody. We don't need a motion on that. I need a 10-minute recess, I need to be excused, thank you.

Council is now back in session. Thank you for the needed recess. At this time, I would entertain a motion to go back into closed session for Personnel, Pursuant to Code Section 2.2-3711 (A) (1). Is there a motion to go into closed session? Laura- so moved. Laura makes the motion. Is there a second. Gary makes a second. Any discussion on this motion. There being no discussion, roll call vote please, Susan. Doug-yes, Gary- yes, Rick -yes, Jordan-yes, Jan-yes, Laura-yes. Thank you. The motion carries. Council, we will move it into the conference room, thank you.

Mayor Cury-the chair will entertain a motion to come back into Open Session.

Laura makes the motion, Jan makes the second. Any discussion. There being no discussion,

so moved Laura makes the motion to return to open session is there a second not second Jan makes a second. Any discussion. There being no discussion, Susan would you please take a roll call vote: Doug-yes, Gary- yes, Rick -yes, Jordan-yes, Jan-yes, Laura-yes. The motion carries, it is unanimous.

Mayor Cury-now the chair will entertain a motion that we were in closed session for Personnel pursuant to Code Section 2.2-3711 (A)(1) for Personnel, that no business other than Personnel was discussed. Is there a motion to such effect? Rick makes the motion; Laura makes a second. Is there any discussion on this motion? There being no discussion, I would ask for a roll call vote, Susan, thank you. Doug-yes, Gary-yes, Rick-yes, Jordan-yes, Jan-yes, Laura-yes. Thank you.

Interim Manager comments- Ron Holt-

Thank you, mayor. The first thing that I want to talk about is the fiscal year 23-24 proposed budget. I've talked with the board and I think it's your direction that we are going to have a proposed budget that we're going to deliver to you at the April 11th meeting and we've posted where we've canceled the budget workshops for now until you have an opportunity to get that proposed budget that the staff and I will prepare for you and then if you so choose then we can schedule a budget Workshop after the April 11th meeting. I just want to make sure that that was still okay and that's your direction.

Mayor Cury- speaking on behalf of myself, it's fine. Laura, are you good with that? Yes sir . We'll just take a consensus: Jan-yes, Jordan-yes, Rick-yes, Gary-yes, Doug-yes.

It's unanimous consensus sir.

Ron- Thank you, Mayor. The town manager position, I just wanted to make you aware and I sent everybody an email earlier, I don't know if you have had an opportunity to look at it but the RFP for the executive search firm, we've put that out and we have reached out and let potential firms know that our RFP is active on the website. So that's up and that's up and going. We're looking forward to hopefully getting some feedback here soon and we'll let you know as soon as that happens. Thank you, the other the other item that I have is a budget amendment for your consideration. It was council's direction at the last regular meeting that we go ahead and we pay the remainder of what we had promised to our pop-up winners. We were able to do that utilizing pop-up funds for Bleachy Mama. We were unable to do that for Miss Horton for a variety of reasons. Those funds come with a lot of strings attached because they come from different pots, some of that from grant funding. We would be able to go ahead and pay her the remaining balance of \$2,852. if Council would be agreeable to doing a budget amendment tonight from the general fund and we would move that to Town Council funds and be able to cut that check tomorrow.

Mayor Cury- I have one question, Ron. Had Ms. Horton supplied all the documentation that she needed to be able to be paid for the pop-up funds?

Ron-yes, this is not a refusal on her part, she's just provided everything shehas to date, Mayor.

Mayor Cury- well that's all I'm asking, so that's why we're having to maybe rely on Town funds?

Ron-yes, sir.

Rick- I have a question, I thought we had that money set aside to do this.

Ron- Sure, and to answer your question, councilman, we do, however, where she had to close, she's not able to produce any more receipts or expenses because she's closed her doors at this time. So the direction was by the board is to go ahead and pay that in full. Unfortunately, we can't do that out of pop-up funds because she's not going to have any more expenses to show and we can't cut that those checks out of those particular funds because they have specific requirements that we have to meet to issue it out of the pop-up.

Rick- so, she's done closed, so she's out of business?

Ron- yes sir.

Doug-one question, we gave \$25,000 from the budget to that pop-up, didn't we? Okay, where is that?

Ron-I imagine it's still in the pop-up funds. Gary- is that a separate account?

Rick- yeah, but what he's saying is she's done closed, she cannot produce no more receipts to get this money out of that because that's got strings attached so what he's asking us to do is take it out of the general budget fund and give it to her if we want that done. I don't know if that's right...

Ron-well I'm just looking for your direction.

Doug-I'm thinking, are we going to leave those funds forever in pop up and I thought we were thinking about doing away with pop-up.

Laura- I would I think everybody knows how I feel about how pop-up has went thus far. It's not that I think it's a bad idea, I think the execution was rushed and etc, etc. I think if these funds sit in there, I think we're looking at a year at least before we move forward with that. But I don't know how we're going divide the funds back up because like you said Council, previous Council had given \$25,000 for it. I think VCC has been spent at this point, but I think, what was it I think VCC solicited from Thompson Charitable Foundation, a couple different places. I'm fine with giving that back, but my deal about all that, my thoughts on it and I'm only one person, is I think when we get a new town manager that's going to be something to talk about there. I'm not going to look at an interim manager and say hey can we percentage this fund out and you know what I'm saying, so that's just where I am with it.

Mary Cury-any other thoughts and we could bring it to a vote.

Jordan- I just have a super quick question about clarification. You said we have documentation, or we don't?

Ron- no, we do have that. There were two drawdowns, so, there were two payments she submitted everything for, and she did submit everything she has now and we've paid out everything that we can out of the pop-up because those what she had submitted, those did meet the criteria to pay out of the pop-up funds, however this, the remainder- which is the \$2,852.04, she's not going to be able to show any expenses because she's had to close,

Mayor Cury- so she has not been able to submit and will not be able to?

She has not and will not be able to submit any receipts to for the balance because she's out of business and the only way that pop-up funds can be used is with the proper documentation.

Ron-yes, that is exactly correct, for very specific expenses related to the business, because there's grant monies and different things in there that we just can't and then you know if we were audited, and they would catch it. Obviously, we want to make sure that we're doing things right and we would probably have to pay that back anyway and I certainly don't want to do things when I know that's contrary to what we need to do as far as good practices.

Doug- one question-she doesn't have \$5,000 worth of receipts while she was in business?

Ron-she was in business for a short time and I can tell you that when I called her and there's some very personal things she's related to me that I don't want to really hear an open meeting.

The expenses that she has with her business are still mounting up, she's just looking for the funds maybe to help with that I feel like she will use the money if it's if it's given to her to pay off those final expenses that she had related to the business that's what was relayed to me.

Laura-just to chime in here and just to remember Chief Holt was not the manager when a lot of this went on, when any of this went on so he's getting the end of it.

I'm not trying to toss anyone under the bus but there were other payments made out of that pop-up money that did not meet the criteria previously. Chief Holt was not here when that happened. I've sat in the IDA meetings, and I know Jordan has. I wish we all had sat in there and listened to the back and forth, there was a lot of confusion and to me, a budget amendment is not ideal but these people were presented this money. The mayor presented them a big check of \$5,000 and hey you guys won pop-up and I think at this point you just we just need to make it right and kind of move on.

Mayor Cury-to be clear, it was a humongous check, it was not real money. It was a photo op, I don't dole out money. (laughter)

Rick- I don't want to give that back but I want to keep it to where we can get more money so I will make a motion to do that at this point, to move the funds that you need to move to pay the lady and that will end all pop-up Richlands?

Ron- well, yes the two that we have currently active that are that are talking with us and then have done their part.

Rick makes the motion, Laura seconds. Any discussion on this motion which I don't have in front of me. The motion is to move funds from our general budget to the Council budget, to amend the budget.

Ron- so it would be it would be \$2,852.04. we're going move that from the general fund miscellaneous account 10-4040-519000, we're going to move that to council miscellaneous 10-4010-519000.

Rick makes that motion and Laura seconded it. Any discussion on this motion?

There being no discussion Susan I would ask for a roll call vote please:

Doug-yes, Gary- yes, Rick -yes, Jordan-yes, Jan-yes, Laura-yes. Thank you, the motion carries it is unanimous.

Ron-I think that's all for me, Mayor.



Attorney comments: Resolution 2023-02-01

Mike -we talked about this last month, I guess last week now. Has everybody had the chance to look over the policy?

Laura- yes,sir.

Mike- I would recommend that if you have any questions, let me know and I can try to answer them and then if not we can just read the resolution.

Mayor Cury-does anyone have any questions regarding Resolution 2023-02-01?

It's about virtual meetings. Would Council like me to read this as a public document, just the resolution?

Laura- yes, please.

Mayor Cury read Resolution 2023-02-01 and called for a vote.

Laura makes the motion to pass Resolution 2023-02-01, Rick makes the second.

Any discussion on this motion. There being no further discussion, I would ask for roll call vote:

Jordan- yes, Gary -yes, Laura-yes-Doug-yes, Jan-yes, Rick yes. The motion carries, it is unanimous.

Mayor Cury-our next meeting of the Richlands Town Council will be held at its regular meeting date of April the 11<sup>th</sup> as of this evening, will be April the 11th with our regular scheduled meeting at six o'clock here at the Town Hall Chambers.

Is there a motion to adjourn? Laura makes the Motion, seconded by Gary.

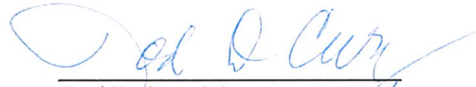
.Ron- before you adjourn, I know it was the wish, maybe of council and I just want to make it clear, are we still going to have the meeting at five o'clock with the electrical committee? I didn't know if the board wanted to be here for not or if we just wanted to have the members on the 11th Mayor Cury-I think you can include that in an email but our regular meeting will be at six o'clock.

Mayor Cury- Council, if you will stay just a second after this motion. I don't want to mess up on the agenda, there's a motion and a second and there being no discussion, all in favor of adjourning say aye really loudly. The Ayes have it. The motion carries. 6/0.

Council, I would like to remind you that we have before us, the invitations to the Tazewell County Chamber of Commerce Dinner, it's the annual membership dinner and it is Friday April 21.

Adjourned.

  
Susan Whitt, Interim Clerk

  
Rod D. Cury, Mayor