

TOWN OF RICHLANDS
REGULAR MONTHLY MEETING

The Richlands Town Council held a “Regular Monthly Meeting” on Tuesday, November 11, 2025, at 6:00 pm in the Richlands Council Chambers with the following present:

Mayor: Rod. D. Cury
Town Manager: Ron Holt
Town Attorney: Mike Thomas
Finance Manager: Ronnie Campbell
Project Manager: Susan Whitt
Town Clerk: Amanda Beheler
Council Members: Seth White, Rick Wood, Jordan Bales, Jan White, and Laura Mollo.

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

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

The following additions/deletions were made to the agenda:

- o Mrs. Beheler requested to add September 23, 2025, Public Hearing Minutes
- o Mrs. Mollo requested to add (a) ATV Operations on Town Roads
- o Mr. Thomas requested to add (e) Resolution to Sale Real Estate R-2025-11-03
- o Morgan Earp requested to speak during Unscheduled Public Comments.

Upon a motion by Laura Mollo, seconded by Jan White and the unanimous roll call vote of all members present, the Council voted 5-0 to approve the agenda as amended.

IN RE: Authorization to Pay Bills (October)

Mrs. Mollo advised her questions regarding the Bills for October had already been answered prior to the meeting.

There were no questions from Council regarding the Bills for October.

Upon a motion by Laura Mollo, seconded by Jan White, and the unanimous roll call vote of all members present, the Council voted 5-0 to approve paying the bills for October.

IN RE: Minutes

Upon a motion by Rick Wood, seconded by Laura Mollo, and the roll call vote of all members present, the Council voted 5-0 to approve the following Meeting Minutes.

- September 9, 2025, Regular Scheduled Meeting
- September 23, 2025, Public Hearing Minutes
- September 23, 2025, Special Called Meeting (Financial Planning Workshop)
- October 14, 2025, Public Hearing- Sale of Real Estate
- October 14, 2025, Joint Public Hearing w/ the Planning Commission
- October 23, 2025, Special Called Meeting

IN RE: Scheduled Public Comments

Greg Newberry, 188 Pond Street, Pounding Mill, VA-
Mr. Newberry advised he was there on behalf of Post 9640 at Pounding Mill to ask the Council and Mayor to consider renaming the bridge that’s being repaired on Front Street after WWII Hero that was from Richlands Virginia, William Porter Little Jr.

Mr. Thomas advised that since it was already an Ordinance, this would be an amendment, which would need to be presented at two meetings.

Mrs. Mollo stated she did not want to amend the Ordinance; she wants to abolish it.

Mr. Thomas stated it was his understanding that to repeal it, it would still be an amendment to it and it would need to be presented at two meetings.

Mrs. White asked Mr. Thomas if he was saying they couldn't rescind the motion, they would have to amend it. Mr. Thomas stated they could repeal it, but that's the process to do it.

Mr. Wood stated that there are no roads or streets that VDOT has approved for side by sides to operate on in Town. Inaudible.

Mayor Cury stated when they are voting on something, he likes paper, but they have an old Ordinance in front of them.

Mr. Holt stated that when Mrs. Mollo first brought this Ordinance to his attention, it was the first he'd ever heard of this particular Ordinance and it's not in the Code Book, so he was completely unaware that there were approved roads. Mr. Holt advised they had been operating under the assumption since he has been the Chief of Police that there was approval given by the Council in 2022, however, no streets had been designated. Mr. Holt stated that since there were designated streets, it was troublesome. Mr. Holt also stated that Mr. Wood was correct, there had not been any talk with VDOT to approve any of the roads and there is no signage posted. Mr. Holt stated he wanted to make it clear that they do not have approval through VDOT or appropriate signage, he does not want citizens to think they can use this as an opportunity to run ATVs or UTVs on the roadways, at this time they cannot lawfully do that. Mr. Holt stated he understood what Mrs. Mollo was saying about it being a problem and they need to correct it.

Mayor Cury inquired if the Ordinance was in the Code Book, Mr. Holt advised it is not in the current Code Book.

Mayor Cury asked Mr. Thomas if Ordinances are registered with the Court House in Tazewell when they are passed. Mr. Thomas advised they were not, they are placed on the Towns website, and in the Code Book, however this Ordinance is not in the Code Book. Mrs. Mollo asked whose responsibility it would be to put Ordinances in the Code Book if one was passed today. Mr. Thomas advised he believed it would be the Clerk who keeps the Official Code Book, Resolutions, and the Minutes. Mrs. Mollo stated that she wanted to point out that it was not the current Clerk, Amanda, she was not the Clerk when the Ordinance was previously passed, Mr. Thomas advised that was correct. Mr. Holt stated he thought this Ordinance was passed during a time of transition unfortunately and didn't make it onto the website but since Amanda had become the Clerk she has kept a very detailed log and he was confident that everything that has passed during her time is on the website and she has all of the appropriate paperwork.

Mayor Cury inquired if this Ordinance is null and void since it was passed but never filed in the Code Book. Mr. Thomas stated he believed it was official if it passed and is in the Minutes.

Mr. White stated he believed the reason this happened was because Shanna Plaster came from the County and asked them to pass the Ordinance because they were working with the County at the time to develop a trail route, Mr. Thomas advised that was accurate and that it was back in 2022. Mrs. Mollo advised it was at Mr. Whites first Council Meeting since he had been appointed after they had just had three Council Members resign, when Shanna Plaster came to the meeting and asked that Council pass it as an Emergency, so Council did. Mrs. Mollo also advised the Financial Director at the time, not the current Financial Director, Mr. Campbell, got involved and stated that it was a bad idea to only have licensed drivers, so they pulled back on licensed drivers. Mrs. Mollo stated she was not pointing fingers at anyone she just thinks the Ordinance is dangerous and wants it corrected. Mrs. Mollo stated that if the Ordinance was being amended and they were changing the wording in it, she would not say let this be the First Presentment, but asked that Mr. Thomas mark everything off of it so they can start from the ground up and work with the Police Chief and Spearhead Trails to get a clear route coming through Town and a clear Ordinance.

Mrs. Mollo withdrew her previous motion.

Mrs. White withdrew her second to the motion.

Mrs. Mollo made a motion that this is the First Presentment to rescind Ordinance O-2022-07-02, seconded by Mrs. White.

Mr. Thomas stated he wanted to alleviate some of the potential concerns and advised that it was his understanding that when the Ordinance was drafted it was basically taken out of State Code, using the language “licensed driver or accompanied by a licensed driver”. Mr. Thomas advised he believed that was still State Code and he would confirm it.

Mrs. Mollo advised she was not an Attorney, but she did check with the Department of Motor Vehicles and Virginia State Law states that you must be a licensed driver to drive the ATVs on public roads.

Mr. White stated that the intent on them passing it was not so that it became effective immediately, and that’s probably why it didn’t get passed on to the Police Chief. Mr. White advised he believed that the intent was if a Trail System got opened and they were just laying out the groundwork because VDOT needed them to have an Ordinance in place to approve the roads so that they could approve the route.

Mr. Mollo advised that she went back and watched the YouTube video.

Mr. White advised everyone who was watching the meeting not to get on the roads on a golf cart, 4-wheeler, or anything else, the Police Department will ticket you.

Mrs. Mollo advised that Council was told at that meeting that the route was already approved to come down Jewell Ridge, when it had not. Mrs. Mollo advised she was in the audience at that meeting. Mrs. Mollo stated that the map that was written to take the route from Jewell Ridge to a specific restaurant that a former Council Member had ties to in Town and went through neighborhoods and alleys to get there.

Mr. Wood- Inaudible.

Mrs. Mollo stated the Council Member was not Mr. Wood.

Mr. Wood spoke about a previous Motion that Larry Johnson had made and he seconded it. Mrs. Mollo asked if previous Council had only made a motion ten years ago, that it is not an Ordinance. Mr. Wood advised they had voted on an Ordinance. Mrs. Mollo advised O-2022-07-02 was the only Ordinance that she had found. Mr. Wood stated there was another one that was done further back than it.

Mayor Cury and Council discussed the current motion for this to be the First Presentment to repeal Ordinance O-2022-07-02 made by Mrs. Mollo and seconded by Mrs. White.

Mr. Thomas advised that since this is not creating a new tax, he doesn’t think it would need to be advertised under Richlands Charter.

Mrs. Mollo advised they had received a FOIA request for this very thing and they had advised them that it did not exist, but it does. Mr. White stated that no one in the current administration knew that it existed. Mrs. Mollo advised she wasn’t blaming anyone there or in Town Hall but stated that the longer it stays in the books that it is not a good situation for the Town. Mrs. Mollo stated that since she’s asking that everything in the Ordinance be marked out, they weren’t creating anything new and it was to protect the Town, she was ok with it being a First Presentment.

Mr. Bales asked that Mr. Thomas define what First Presentment entails. Mr. Thomas advised that when Council amended and changed the Charter, they must have two presentments instead of readings for any Ordinance. Mr. Bales advised he had not seen the Ordinance being discussed.

Mrs. Mollo advised she had it printed and included in the packets. Mr. Bales asked if it was posted online and that he gets his e-mailed to him, and Mrs. Mollo advised it was included in his packet. Mr. Bales stated he felt like the citizens needed to see it and that was his only concern.

Mr. Wood advised it was not on the Agenda.

Mrs. Mollo stated that Mr. Wood really shouldn't be in the discussion because he is the Chairman for Spearhead Trails. Mr. Wood advised he does not get paid for that position. Mrs. Mollo advised it didn't matter; she had contacted the COIA (Conflict of Interest Council Act) Council and the Council amends the agenda all the time, and if that's the case they were not going to talk about Mr. Thomas's Resolution either. Mr. Wood advised that this should be presented. Mrs. Mollo advised Mr. Thomas's Resolution had not been presented and asked if Mr. Wood didn't want to discuss that Resolution either. Mr. Wood advised he did not care.

Mayor Cury stated that he had a thought and it was up to Council, but he was hearing that there was a concern that they need to get rid of the Ordinance and there was a motion on the floor to use this as a First Presentment, so there are two ways to move forward; either with the motion as is or if that motion is rescinded to have the motion in writing at the next meeting and then have a Second Presentment at the next meeting or dispense the Presentment and pass it as an emergency measure. Mr. White asked what the immediate reason is.

Mayor Cury asked Mr. Thomas that if there is a motion to have a piece of paper in front of them at the next meeting in December, if that motion passes instead of the motion tonight because you are being requested by Council to have a document that rescinds or repeals, if it passes at the December meeting after a First Presentment, can they have a motion to dispense with the Second Presentment and pass it as an emergency measure. Mr. Thomas stated that it is his understanding that the Charter now states that it has to be presented at two meetings, they had taken away the readings. Mayor Cury inquired about the emergency measures; Mr. Thomas stated he believed they took that out with the readings. Mayor Cury asked Mr. Thomas if he was definitive that the Charter says that.

Mr. Bales advised he Calls for the Question.

Mr. White asked that Mrs. Mollo restate the motion.

Upon a motion by Laura Mollo, seconded by Jan White and the roll call vote of all members present, with Mr. White, Mr. Wood, and Mr. Bales voting no, the Council voted 2-3 to approve this as the First Presentment for the repeal of Ordinance O-2022-07-02. The Motion failed.

Mr. White advised that if Mrs. Mollo wanted to make a motion to present it at the next meeting he would be all for it. Mrs. Mollo advised she would not, but that she was sick and tired of being treated differently on this Council every single time, so those three better keep the same energy when they get to Mikes Resolution.

Mayor Cury stated he realizes Mrs. Mollo was in the heat of the moment and he was not there to reprimand her but if she wanted something to happen, he would suggest they have a First Presentment at the next meeting.

Mrs. Mollo apologized and said that she shouldn't have said the curse word but advised that anyone who has gotten a ticket from this should come straight after them on it.

IN RE: CDBG Urgent Need Grant Resolution (R-2025-11-01) Matt Boyd/Angela Beavers

Matt Boyd, Planner for the Cumberland Plateau Planning District Commission, advised he was working with Angela Beavers on this project and about midway through the year they got awarded for the Urgent Need Project in Richlands and he believed they would be getting a generator or two and they just needed some documents signed. Mr. Boyd advised he was there to introduce himself and to answer any questions that the Council may have.

Mayor Cury asked Mr. Boyd where he was from and he advised he lived on Hurricane Creek, in Council, VA.

Mrs. Mollo advised that unfortunately they could not pass the Resolution tonight because it would not take effect for 30 days and she is sorry, but she would like to request a ten-minute recess to for the Clerk to print the Charter off for everyone to read what they are supposed to be doing, and stated that if they were going to hold her to it, then everyone would be held to it, including Mr. Thomas.

Mayor Cury declared a ten-minute recess.

Mrs. Beheler provided each Council Member with a copy of the Charter.

Upon a motion by Seth White, seconded by Rick Wood and the unanimous roll call vote of all members present, the Council voted 5-0 to approve R-2025-11-01.

Mrs. Mollo stated that the Resolution would not take effect for 30 days, Mr. Thomas advised that was correct.

Mayor Cury asked Mrs. Mollo if there was a specific place in the Charter that she wanted Council to look at, and she stated that she didn't feel like it was appropriate that she has to tell anyone there about FOIA law or the Towns Charter. Mrs. Mollo stated that she likes Mr. Thomas but that includes him.

Mrs. Mollo stated that the emergency measure they discussed earlier was still in the Charter and it states that no Ordinance shall be passed unless it is presented at two Regular Meetings that are not less than 7 days apart, it is located in Section 3.8 under Ordinances section B and also under the Charter under E it states that every member when present when a question is put shall vote unless excused by the Council but no member who has any personal or financial interest in the results of an Ordinance or Resolution before the Council shall vote thereon. Mrs. Mollo advised the Council has not held each other to this standard and in their packets, they had numerous letters from citizens about Mr. Wood and Spearhead, and she has received a message about it since shed been at the meeting stating that people are uncomfortable about it and its not just Mr. Wood and Spearhead, there had been a lot of votes that a lot of them on the current Council have a personal or financial interest in, so they need to read the Charter and starting tonight she expects the Council to hold her in the same regard that she will hold the Council to from this day on.

Mayor Cury advised there had been some discussion about recessing the meeting and he didn't disagree with it but there are a few items that need to be dispensed with before they entertain a motion to recess.

IN RE: Richlands Athletic League MOU

Mr. Bales advised that the Richlands Athletic League is requesting to once again utilize their fields and nothing has changed since the previous year. Mr. Bales advised he sees no reason to not renew this MOU.

Mrs. Mollo inquired that since the Council cannot act except in Ordinance and Resolution, would this require a Resolution to sign an MOU. Mr. Thomas advised this was not a procedural action but that was correct the Council acts through Ordinance or Resolution, this would be a direction of the Manager to sign an MOU. Mrs. Mollo asked if they need a Resolution to sign the MOU, Mr. Thomas stated that he does not think they need a Resolution. Mrs. Mollo asked why they would need a Resolution for the Urgent Grant but not this. Mr. Thomas stated that was requested through CDBG.

Mrs. White advised that she currently did not have a copy of the MOU. Mr. White advised they vote on it annually. Mayor Cury advised that it does not automatically renew each year, it must be voted on.

Upon a motion by Jordan Bales, seconded by Seth White and the unanimous roll call vote of all members present, the Council voted 5-0 to adopt the Richlands Athletic League MOU and authorize the Town Manager to sign.

IN RE: Richlands Youth Baseball Club MOU

Mr. Bales advised that the Richlands Youth Baseball Club is also requesting to renew their MOU for the Senior League Field, and there had been no updates from the prior MOU.

Upon a motion by Jordan Bales, seconded by Rick Wood and the unanimous roll call vote of all members present, the Council voted 5-0 to approve the Richlands Youth Baseball MOU and authorize the Town Manager to sign.

IN RE: Generator Contingency

Mrs. Mollo requested that Mr. White step out of this conversation, given what number 7 is. Mr. White stated that he was not going to do that because he has no financial interest in the business dealings of CNX. Mrs. Mollo asked if he had a personal interest, Mr. White stated he also has no personal interest in their business dealings, they are his tenants. Mr. White advised that Scott Honaker was also one of his tenants that spoke earlier in the meeting and asked if he was not allowed to vote on anything that one of his tenants spoke on. Mr. White advised that he would call the Attorney General and get his opinion on it or whatever she wants. Mr. White advised Mrs. Mollo that for her to say he has a personal or financial interest in CNX offends him.

Mr. White called a motion to recess the meeting,

Mr. White stated that he would come back with the Attorney Generals opinion, or the COIA Council's because he was tired of this.

Mrs. Mollo stated that when she wants to discuss Generator Contingency, they want to recess the meeting and asked them why. Mr. White advised they do not want to sit there and fight with her all night long.

Mayor Cury stated he thought the best thing to do since this could deteriorate into a very non-productive discussion and he doesn't think they will accomplish anything, so his suggestion is to take the vote to recess or not.

Mrs. Mollo didn't agree with recessing the meeting and advised all this was going to do was fester for a week and she'll come back even more mad, she is sick of being treated different when it comes to her discussions. Mrs. Mollo stated that innocent or not, she asked for something to be on the Agenda and she had to fight for it and tell the Clerk to put it on there herself.

Mr. White- Inaudible.

Mrs. Mollo advised she did not accuse Mr. White, she asked if he would stay out of any CNX discussion.

Mr. White- Inaudible.

Mrs. Mollo advised she wasn't the only one who sees it and that the COIA Council has said he has a personal interest in it, and stated that he rents the building to CNX and if he withdraws the motion she will explain why she thinks he should abstain from the conversation.

Mr. Bales stated he Calls for the Question.

Upon a motion by Seth White, seconded by Jordan Bales and the roll call vote of all members present, with Laura Mollo voting no, the Council voted 4-1 to approve recessing the meeting until November 18, 2025, at 6:00pm.

IN RE: Meeting Recessed until November 18, 2025, at 6:00pm

Mayor Cury opened the meeting with the Invocation and Pledge.

Gary Jackson was absent for this portion of the meeting as well.

Mayor Cury stated these were his own personal reflections and that he wanted to ensure everyone that this Council, as well as himself, is committed to respect and to decorum and they always try their best to do what they can to honor the Town and themselves. Mayor Cury advised he was grateful for everyone's presence, tolerance, and love for the Town and stated that he

didn't think they would be here if they didn't care for the Town. Mayor Cury thanked the Council, everyone in the Council chambers, and staff for allowing him to make this statement.

IN RE: Generator Contingency

Mr. Bales moved that the Council take no action on Item D- Generator Contingency, only discussion. Mr. White seconded the motion.

Mrs. Mollo inquired what action they think would be taken. Mr. Bales said he didn't believe that any action would be taken.

Mrs. Mollo asked Mr. Bales to clarify his motion. Mr. Bales advised that he had spent some time analyzing Roberts Rules over the past week and he thinks it will help the Council by doing this. Mr. Bales advised that in order for them to have a discussion, a motion has got to be on the floor, and that he thinks no action will come out of it, however they must discuss any motion that comes up, so he thinks it would be like any other motion. Mrs. Mollo stated that they handled the Call to Question incorrectly at the last meeting and she wants to make sure that he is ok to continue the conversation. Mr. Bales advised that if something comes up out of the conversation then he will withdraw his motion.

Mayor Cury asked for clarification.

Mr. Thomas advised that it was his understanding that where it was on the agenda, it could be discussed. Mr. Thomas stated that he was confused by the motion and asked Mr. Bales for clarification. Mr. Bales advised he wanted to talk about Generator Contingency, his motion was for discussion and no action.

Mrs. White asked for clarification on the motion as well, Mr. Bales stated they can discuss.

Mr. White stated that during the last meeting when this topic came up, he was told by Mrs. Mollo that he shouldn't take part in the discussion because she believed that he had a conflict. Mr. White advised he requested from the Town Manager and the Attorney to get an answer about if he has a conflict or not, and they do not have an answer back at this time, so he doesn't feel comfortable talking about this until they have that information back. Mr. White advised he will not recuse himself based on one Council Members opinion. Mrs. Mollo advised Mr. White to not recuse himself until they can get the opinion, she is good with that, but she thinks it needs to be discussed and she has given everyone time to express things they want to talk about and she has questions about it so she asked that she get the same reset that she has given to be able to have the conversation. Mrs. Mollo stated they have not talked about the generator publicly in a long time and she thinks it's important.

Mrs. Mollo advised she would not allow her emotions to distract from the issue at hand again and she is sorry for that, but she would like her time to ask her questions and have the discussion about the generator.

Upon a motion by Jordan Bales, seconded by Seth White and the roll call vote of all members present, with Laura Mollo voting no, the Council voted 4-1 to take no action on Item D- Generator Contingency.

Mrs. Mollo advised that a couple of months ago they were made aware of- Mr. Thomas apologized and advised that it was his understanding that when he asked for clarification on the motion, the anticipation was that the discussion did not happen during that motion they would move on to Agenda Item E.

Mayor Cury inquired if he misunderstood the motion. Mr. Bales stated that was his motion and they have one motion per agenda item. Mr. Thomas advised the discussion had happened at that point and it would be the next agenda item.

Mrs. Mollo asked if she could have the floor, Mayor Cury advised she could. Mrs. Mollo stated that she has a Council Member Report at the end of this meeting, and she will be telling everyone what is on her sheet of paper during that time.

IN RE: Emergency Management

Mr. Holt advised they received approval from VDEM to act as their own political subdivision for emergency management only.

Mr. Holt advised this was a request from his staff that was approved by Council. Mr. Holt stated it was a proud moment for Richlands, and they have shown through the two most recent storms that they handled emergency management well.

Mr. Holt also advised they purchased a trailer that will be used as a Mobile Command Unit and it was purchased with budgeted funds.

Upon a motion by Jordan Bales, seconded by Seth White and the unanimous roll call vote of all members present, the Council voted 5-0 to receive and file the Emergency Management Report.

IN RE: Zoning Amendment Ordinance- Second Presentment (O-2025-11-01)

Mr. Thomas advised that the First Presentment for this was at the October meeting, and Mr. Jackson had advised it was the recommendation of the Planning Commission for Council to vote and accept this amendment to the Ordinance.

Mr. White made a motion to waive the reading of the Second Presentment and that Council accepts and adopts this Ordinance, seconded by Rick Wood.

Mr. Thomas advised this would be the Second Presentment, there was no need to waive it.

Mrs. Mollo advised the reading to be removed from the Charter.

Mr. White advised he would amend his motion to just approve the amendment.

Upon a motion by Seth White, seconded by Rick Wood and the unanimous roll call vote of all members present, the Council voted 5-0 to approve O-2025-11-01.

IN RE: Late Fee Ordinance Amendment- Second Presentment (O-2025-11-02)

Mr. White stated that he did not understand Mr. Bales motion to reject the proposed Late Fee Ordinance Amendment O-2025-11-02.

Mr. Bales stated that he thinks the Late Fee was not arbitrary and it exists to offset the real cost of people not paying on time and if cut from 10% to the aforementioned percent, that shortfall doesn't disappear it simply gets shifted onto the PCA, which means every other customer ends up paying. Mr. Bales stated they have roughly 3000 electric customers and only a small percentage pay late and is not responsible financial management in his opinion.

Mrs. Mollo advised that she sees where Mr. Bales is coming from but would like to see it go even lower than the proposed 7%. Mrs. Mollo also stated the Town should not be budgeting in Late Fees into the Budget.

Mr. White advised he understood where Mr. Bales was coming from and that they could actually see an increase in Late Fees.

Mr. Bales advised that for Point of Order, each person should speak once before anyone can speak a second time on a motion.

A motion was made by Jordan Bales, seconded by Rick Wood to reject the proposed Late Fee Ordinance Amendment.

Mr. Bales made a motion to accept the proposed Late Fee Ordinance as written to reduce to a 7% penalty fee.

Mr. Wood- Inaudible.

Mrs. Mollo asked if Mr. Wood was at the meeting where they had previously talked about this.
Mr. Wood asked if this would cause the PCA to go up.

Mrs. Mollo stated they talked about this during the October meeting and Mr. Campbell presented the Council with multiple rates and how it would impact the Budget.

Mrs. Mollo said they should've never approved a Late Fee as a revenue stream into the Budget, Mr. White agreed.

Mr. White said no other power company charges a 10% Late Fee, it was set many years ago, and it is too high.

Upon a motion by Seth White, seconded by Laura Mollo and the unanimous roll call vote of all members present, the Council voted 5-0 to accept the Ordinance as written to reduce to a 7% penalty fee.

IN RE: Monthly Financial Report

Mayor Cury read the Summary.

Mr. Campbell was absent and unable to give the Monthly Financial Report for September; Mr. Holt advised that Mr. Campbell had e-mailed it previously to Council.

There were no questions regarding the Monthly Financial Report for September.

Upon a motion by Seth White, seconded by Rick Wood and the unanimous roll call vote of all members present, the Council voted 5-0 to accept the Monthly Financial Report for September as presented.

Mr. White advised the Electrical Committee is continuing to meet and it is their recommendation to leave things as it is at this time.

Mrs. Mollo stated they were told last month that the PCA would come down in the winter, when it will that happen. Mr. Bale advised he believed Mr. Campbell stated that would happen during the shoulder months of December, January, and February.

IN RE: Attorney Report

Tazewell County Airport Authority- Mr. Thomas advised there was a vacancy for the Town of Richlands representative on the Tazewell County Airport Authority, staff made the recommendation of appointing Greg Smith.

Upon a motion by Jan White, seconded by Rick Wood and the unanimous roll call vote of all members present, the Council voted 5-0 to appoint Greg Smith to the Tazewell County Airport Authority with a term expiring January 2027.

Food Truck Ordinance- Mr. Thomas advised that when this Ordinance was originally passed in 2019 it was not given a Richlands Code Section to be incorporated under Administration, and advised if it was Councils desire, he could present the Ordinance at the December Meeting.

Mrs. Mollo asked Mr. Holt if he had brought back information for Council regarding other Towns and how they handle Food Trucks having business license.

Mr. Holt advised Mrs. Mollo that when he spoke with other Towns around the region and asked how they handle this, it seemed to be all over the place. Mr. Holt advised it was staff's recommendation to set it for 30 calendar days and advised that officers could potentially track those days.

Upon a motion by Seth White, seconded by Jan White and the unanimous roll call vote of all members present, the Council voted 5-0 to authorize the Town Attorney to draft an Ordinance for Councils consideration regarding Food Trucks.

Cedar Bluff Transfer Station Update- Mr. Thomas advised he reached out to Eric Young with the County to get the status of the Cedar Bluff Transfer Station and was advised that their goal

was to redo the Transfer Station so that Richlands would be able to dump there and they had estimated the cost to be about \$400k. Mr. Young advised the low bid came in at over double that amount, so they are putting it back out for bid next month.

Mr. Bales made a motion to receive the update and proceed to the next item. Rick Wood seconded the Motion.

Mr. White stated that he was in the meeting almost 3 years ago when they discussed the Transfer Station. Mr. White advised that it was created so that Cedar Bluff and Richlands would not have to drive their trucks all the way to the landfill. Mr. White advised that Cedar Bluff gave the land for it and Richlands put up the money and the agreement was the County would operate it. Mr. White asked Mr. Thomas if he could follow up once the bids come back next month.

Mrs. Mollo advised that she had asked a couple if months ago about billing for the mileage, because the Town is not billing actual costs and the Town will continue to lose money have wear and tear on their brand new trash trucks and advised that she would like to direct the Town Manager or Town Attorney to bill the actual cost including mileage, gas, and manpower.

Mrs. Mollo made a motion to amend Mr. Bales Motion to direct the Town Manager and/or Town Attorney to find the actual cost and bill the actual cost of the Towns gas, time, and mileage to and from the landfill.

Mr. Holt advised there was nothing currently in the contract for them to be able to do that. Mr. Holt stated that it was his understanding that they do bill for mileage but don't know if they can bill for anything outside of that even though he would like to. Mr. Holt advised he would get clarification from staff about this and send the Council an e-mail with an update.

Mrs. Mollo advised that at some point they were agreeing to pay something additional, but she could not remember what it was, stated she would like to find that agreement and check to see if they can.

Mrs. White seconded Mrs. Mollo's Motion.

Mr. White stated he would caution the Town to do this at this point, if they are getting new bids next month, he is comfortable waiting for those to come in. Mr. White advised he does not disagree with them being compensated but would like to give them the opportunity to redo the Transfer Station and the issue would be resolved.

Mrs. Mollo stated she believed it was important for them to go ahead and investigate this because it had gone on for 2 years and it is not in their current budget. Mrs. Mollo also stated she is fine with Mr. Thomas not contacting the County until the bids come back to see if they accept or reject but would like Mr. Thomas to be prepared so they would know their options.

Mr. White stated they cannot continue to poke the bear for no reason, because of actions by some people on the Council they have created a situation where they have a hostile work environment with the County, and they must stop that and begin to work together. Mr. White advised he would like to give them the benefit of a doubt and wait until the bids come back, if they don't take action, it would be appropriate at that time.

Upon a motion by Laura Mollo, seconded by Jan White and the roll call vote of all members present, the Council voted 1-4 with Seth White, Rick Wood, Jordan Bales, and Jan White voting no, to not amend Mr. Bales motion and to direct the Town Manager and/or Town Attorney to find the actual cost and bill the actual cost of the Towns gas, time, and mileage to and from the landfill.

Mrs. Mollo advised the reason she was going to vote no on Mr. Bales motion was because she believes Richlands citizens first.

Upon a motion by Jordan Bales, seconded by Rick Wood and the roll call vote of all members present, the Council voted 4-1 with Laura Mollo voting no, to accept the Cedar Bluff Transfer Station Update as presented.

Authorizing Resolution R-2025-11-02- Mr. Thomas explained that in 2020 the Town entered into an agreement with First Community Bank to purchase a Fire Truck and within that agreement there were negative covenants and part of the agreement was that the Town of Richlands could not assume any debt from any other source but First Community Bank. Mr. Thomas advised that was against public policy and it was discovered by Bond Counsel. Mr. Thomas advised this Resolution will remove those negative covenants in the agreement with First Community Bank and the Resolution will give the current Town Manager the ability to sign a new agreement that removes the negative covenants, everything else in the agreement would stay the same.

Upon a motion by Rick Wood, seconded by Jordan Bales and the unanimous roll call vote of all members present, the Council voted 5-0 to adopt R-2025-11-02.

Resolution to Sale Real Estate R-2025-11-03-

Upon a motion by Rick Wood, seconded by Jordan Bales and the roll call vote of all members present, with Laura Mollo voting no, the Council voted 4-1 to adopt R-2025-11-02.

Mrs. Mollo explained her reason for voting no to Council, regarding the sale of the building.

Mr. White explained why they could not auction the building.

IN RE: Town Manager Report

Mr. Holt advised that after talking with Karen Patton he and staff talked with Frazier Tire and Auto regarding the commercial traffic in the neighborhood, and he would like to post signage to prohibit commercial traffic solely to Fairfax and making the right onto Tower Street, if Council is agreeable.

Mr. White stated that Mr. Wood wasn't in attendance at the last meeting when this was discussed and he is a commercial truck driver and wondered if it would affect him. Mr. Holt advised it would not.

Mr. Wood advised that he disagrees with it because it is a steep hill and they can't make the swing to go down Patterson Street.

Mr. White asked if there was a provision in the Code that deliveries are not subject to this, Mr. Holt advised that was his understanding.

Mr. Holt advised he can talk with the business owner again and see how many trucks actually use that roadway before anything is voted on.

Mayor Cury and Council agreed.

Mayor Cury declared a ten-minute recess.

IN RE: Council Member Reports

Laura Mollo-

- Skill Games in Town- Mrs. Mollo advised skill games are currently illegal in Virginia and they have them popping back up in Town and they need to decide how the Town is going to deal with it.
- Audit- Mrs. Moll asked when the yearly Audit would be complete, Mr. Holt advised they are still working on it, he expected it to be sometime soon.
- Bench Update- Mrs. Mollo asked for an update on the bench at the Greenway, Mr. Holt advised it was out and on the concrete pad.
- Conditional Use Permit- Mrs. Mollo advised that in December 2023 they talked about the Conditional Use Permits and the conditions they put in them and stated that she doesn't think they are following up on them and would like to make sure the Town is not shouldering the burden of the costs.
- Mrs. Mollo advised that since January they have been in Closed Session over 60 times and most of the reasons cited were VA State Code 2.2-3711 (A) (8) Consultation with

Legal Counsel and Mrs. Mollo read the Code. Mrs. Mollo stated that she believes they all want to do the right thing and she wanted to remind everyone, herself included, that they should never find a reason to close the meeting and ask if the specific matter clearly meets one of the exemptions. Mrs. Mollo stated that ‘Democracy dies behind closed doors’.

- Generator Contingency Report- Mrs. Mollo advised she has had some concerns with this report and advised she didn’t want to put it in her Council Report because she wanted to give everyone a chance to speak about it and let the public see their discussion about the Generator. Mrs. Mollo stated that clearly, they must do something to combat the transmission fees, and generating their own electricity is the way to go. Mrs. Mollo advised that they were told it would come online next year and then dates got moved and they are currently looking at a 2027 completion date. Mrs. Mollo advised that she kept hearing the word contingency funds, so she asked for the report and wanted to know what they had spent of the contingency funds. Mrs. Mollo also advised that she read the contract, and what bothered her the most was when they were talking about environmental studies and not owning the land. Mrs. Mollo advised citizens had reached out to her and advised that the Town not owning the land could come back to hurt them. Mrs. Mollo advised that they have had to pay \$145k to cap the gas well on the land and stated that she would not vote yes to do that, but they didn’t have to take a Council vote because it was in their Contingency Funds, and she personally don’t see the Contingency Funds written into the contract, so her concern is that they don’t have a say or anything with the Contingency. Mrs. Mollo advised she would like that explained to her. Mrs. Mollo advised that they were in a meeting at the college where they had their financial advisors speak to them about the Generator and its cost, and the estimated change in the monthly cost, assuming 1,000 kwh, for FY 2027, they recommend that they raise the electric rates and the total increase would be \$45, the average home in Richlands is 1,800kwh would be \$90 a month. Mrs. Mollo advised she is very concerned about this number and would not vote for this drastic increase. Mrs. Mollo stated that she would like to have this conversation publicly to understand why they are doing what they are doing, and assumes the public has questions as well.

Jan White-

- Asked how the auction went with the equipment, Mr. Holt advised it was somewhere between \$18k-\$20k, he didn’t have the exact number.
- Stated she had a citizen to ask her about a missing brick in the Hidden Valley sign, Mr. Holt advised he would check to see who is responsible for that.

Jordan Bales-

- Advised that at the intersection of Plantation Drive and Crestwood Drive, they might want to consider putting up a guardrail, if possible, there is a very steep ditch.
- Stated that Trick-or-Treating was amazing this year and wanted to give a shoutout to the Town staff for making it happen.
- Advised that Basketball sign-ups are through the end of November.
- Inquired when the rest of the Christmas decorations are going up, Mr. Holt advised they are working on them.

Rick Wood-

- Wished everyone a Happy Thanksgiving.

Gary Jackson- Absent.

Seth White-

- Advised that trees are around 10ft overgrown on the road on Plantation Drive and would like staff to look at this also.
- Stated that the Town has to generate their own electricity in the Town, they have to do something.
- Stated that people who sit on the Council 20 years ago entered the Town into some really bad financial contracts and when the year rolls over into the new year they are already committed to purchase about 5 million dollars’ worth of power already.
- Spoke about how the generator will help save the Town money.

- Stated that when the Council goes into Executive Session it was not a secret, it was to talk about contract negotiations, and things that they cannot discuss publicly such as personnel matters.
- Advised that he hopes they never conduct a meeting like their last one again and stated that he had devoted his life to public service for nearly 20 years and if he felt like there was a conflict of interest, he would recuse himself from that vote, and it was offensive to him.

IN RE: **Mayor Comments**

Mayor Cury-

- Wished everyone a Happy Thanksgiving.
- Advised that Santas Hot Pursuit 5k, Christmas Market, Car Show, and Tree Lighting will all be held on December 6.
- Thanked everyone.

IN RE: **Executive Session**

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

-VA Code Section 2.2-3711(A)(1) – Personnel-

a. Town Manager Discussion

-VA Code Section 2.2-3711(A)(8)- Consultation with Legal Counsel-

a. Generator

b. PSA Contract Update

Upon a motion by Jan White, seconded by Seth White and the unanimous roll call vote of all members present, the Council voted 5-0 to go into Executive Session.

Mrs. Mollo apologized to Mr. White about the FOIA conversation, her point was just because they can, doesn't mean that they should. Mrs. Mollo stated they needed to be more specific on why they were going into Executive Session and asked why they were going into Executive Session for the Generator. Mr. Holt advised that he and Mr. Thomas sat in on a discussion with the attorneys from Enbridge and outside Counsel that could potentially impact what legal routes they need to take from a Town perspective. Mrs. Mollo advised that was fair. Mr. Bales advised that was a reasonable ask, that they be more descriptive on why they are going into Executive Session.

Upon a motion by Rick Wood, seconded by Jordan Bales 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 Seth White and the unanimous roll call vote of all members present, the Council certified that only the following VA Code Sections were discussed during the Executive Session.

-VA Code Section 2.2-3711(A)(1) – Personnel-

a. Town Manager Discussion

-VA Code Section 2.2-3711(A)(8)- Consultation with Legal Counsel-

a. Generator

b. PSA Contract Update

IN RE: **Adjournment**

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



Rodney D. Cury, Mayor

Amanda Beheler
Amanda Beheler, Town Clerk

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