

The Richlands Town Council (Continuation of February 11 meeting) in the Richlands Council Chambers on February 20, 2020 at 6:30pm with the following present:

Mayor:	Paul Crawford
Town Manager:	Tim Taylor
Town Clerk:	Connie Allen
Council Members:	Doug Ratliff, Rod Cury, Mary Ann Strong, Rick Wood, Richard Brown
Council Members Absent:	Vickie England
Town Attorney:	Shannon Cooke

Mayor Crawford – Called the meeting to order.

Mayor Crawford gave the invocation and led the Pledge of Allegiance.

Mayor Crawford – Discuss Point Broadband co-location agreement.

Tim – A little bit of history of what this is, it has been a number of years since we have dealt with it. Basically, it is a fiber project that Bristol VA Utility OptiNet was putting across Southwest Virginia many years ago. There is an opportunity for the Town of Richlands to have point of presence for the broadband distribution. We worked out a deal with Bristol VA Utility OptiNet the colocation of their equipment in part of the Police Department. We were developing fiber communication. It made sense at the time to expedite the project and to minimize the cost and get some fiber in our part of the country and make it happen. We have had an agreement with them for many years. Bristol VA OptiNet has been sold to Sunset Digital and since by Point Broadband. We need a new agreement, the one we have is basically a handshake at that particular time, and we need something more substantial. We had some negotiations already in place, we had 25 MBPS but we need more. Last year we negotiated up to 100 MBPS without any problem under the current handshake of BVU. We want to put in writing with Point Broadband. This agreement is in place for consideration, they will provide us with 100 MBPS synchronous internet service in exchange for the placement of equipment in the Police Department, pole attachment and the use of 12 fibers currently in Town use by Point Broadband. They wanted the terms of five (5) years and terms may be extended for two (2) additional five (5) year renewal terms by written notice. I would like to see it at two (2) years. Shannon you may want to comment on that. Going forward 100 MBPS may not be enough for us.

Shannon - I would probably recommend we come back with a term of two (2) years and five (5) additional two (2) terms after that. We have an option to negotiate more megabites.

Tim – We will need to examine the cost of broadband; it will be less and less as time goes on; we have to have some way to treat. That would be one recommendation. One more part of the legal portion- Page 1 – “services for less or” needs to be clarified better

Shannon - I think you indicated to me that they have already provided their own hvac battery, we don't need that in there, suggest we take out. On page 2 paragraph (10b) I think it is a typo “Licensor no liability for any damage to”, needs to be clarification for our purposes I think you also mention under the first page pole attachment, we need to take the word “free” out.

Tim - It is not really “free” just part of the exchange. Basically, what you are getting, is to be able to provide the pole attachments and the use of the 12 internet fibers in the areas of Town that we need service and place equipment inside of our facility. They pay for electricity and they have their own backup generators and all the maintenance in that room. I think it is a good deal and we don't have to write a check to ISP. We would like to proceed on if that is possible with these changes if agreeable and the authority to sign the document.

Rick – Will we ever have for people to use? I know you can get it if you have a business. We need to go a different route with the internet.

Tim - That has been discussed with them. I have talked to them since they are not part of the BVU group it would be nice to be able to provide fiber to more places. They are interested, they want to talk to Council.

Rick - We need to talk to them asap.

Tim – This would be the first step forward. We get this done will show good faith then we can talk about the other piece.

Rick - We can't grow with what we have now.

Tim - I don't think we will see 5g wireless in the home for a long time. They said they would like to talk to us. We own the right-a-way and the poles. This would be a good start to get behind us. If they don't want to do it, we can come back in March and discuss.

Tim – I need authorizations to sign with the changes discussed.

Rod - I make a motion to allow the Town Manager to sign the authorization/agreement, Rick seconded the motion.

Mayor Crawford- We have a motion and a second, any further discussion? All those in favor of the motion say yes. All those that oppose say no. Motion carries - 5/0.

Tim - Once we get this signed and get behind us, we will try to set up a meeting.

Mayor Crawford – Consideration of adopting a resolution (pending legal review) for confirmation of Town Manager/Treasurer as signer on the First Community Bank Note (\$700,000) for the purchase of new Fire Truck.

Tim - We don't have a resolution prepared but it is part of the documents for the Bank in closing of the loan. They want a resolution from Council authorizing me as Town Manager/Treasurer to sign the note to purchase the new fire truck. In order to meet the deadline by the end of the month, if you clarify tonight and give authorization for the Mayor to sign the resolution, pending legal review and it meets all necessary requirements of First Community Bank note to take place next week prior to the deadline. We need a vote to get that in place.

Richard - Did you find out about the pre-payment penalty?

Tim - We can pre-pay, we got that cleared up. No penalty.

Rod - Consideration of adopting a resolution pending legal review for the confirmation of Town Manager/Treasurer as signer on the First Community Bank note for \$700,000 for purchase of a new fire truck.

Shannon - I would suggest that we actual make the motion to resolve and allow Tim Taylor as the Town Manager/Treasurer to sign all documentation necessary for the loan for the purchase of the Fire Truck, vote on tonight and then the Mayor can sign.

Rod - I make the motion to allow Tim Taylor as the Town Manager/Treasurer to sign all documentation necessary for the loan purchase of the fire truck. Richard second the motion.

Mayor Crawford- We have a motion and a second, any further discussion? All those in favor of the motion say yes. All those that oppose say no. Motion carries - 5/0.

Mary Ann - Would it be possible to add other items to closed session, Prospective New Business 2.2-3711(A5) and filling of the vacant Council seat?

Shannon - I don't think we can do that in executive session.

Mary Ann - Do we wait until the election or can the vacant seat be appointed by Council?

Shannon - Lets do that under Legal Council 2.2-3711(A8) in executive session.

Mayor Crawford – At this time I need a motion for the Mayor and Members of Council convene in executive closed session as permitted by the Code of Virginia for the purpose of discussion of 2.2-3711(A)(1) Personnel, 2.2-3711(A)(29)Contract negotiations for Fire and EMS protection, 2.2-3711(A)(8) Legal Counsel, 2.2-3711(A)(5) Prospective New Business.

Mary Ann - I make the motion to go into executive session, Rick seconded the motion.

Mayor Crawford- We have a motion and a second, any further discussion? All those in favor of the motion say yes. All those that oppose say no. Motion carries - 5/0.

Mayor Crawford - I now entertain a motion that the Members of Council reconvene in open session and accept the CERTIFICATE OF EXECUTIVE SESSION certifying that the matters discussed while in executive session were those both lawfully exempted from the open meeting requirements and identified in the motion by which the closed session was convened.

Doug - I make the motion for Council to return from "Closed Session", Rick seconded the motion.

Mayor Crawford- We have a motion and a second, any further discussion?

Mayor Crawford- We have a motion and a second, any further discussion? All those in favor of the motion say yes. All those that oppose say no. Motion carries - 5/0.

Mayor Crawford – Roll Call Vote - Rick-Yes, Doug- Yes, Mary Ann-Yes, Richard-Yes, and Rod-Yes - Motion carries - 5/0.

Mayor Crawford - Any further business?

Richard - I make a motion to enter into contract with the Firm Stephen W. Gooch, PC for legal services minus the prosecution piece contingent on approval of Chris Plaster, Commonwealth Attorney's office, Rod seconded the motion

Mayor Crawford- We have a motion and a second, any further discussion? All those in favor of the motion say yes. All those that oppose say no. Motion carries - 5/0.

Tim - We have money donations for flood victims, I would like to pass the money to Doug Sheets with Clinch Valley Community Action to disburse with the funds to flood victims as needed.

Rod - I make a motion to authorize Town Manager, Tim Taylor to work with Doug Sheets from Clinch Valley Community Action to disburse with the funds for flood victims. , Doug seconded the motion.

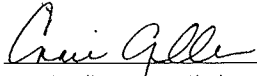
Mayor Crawford- We have a motion and a second, any further discussion? All those in favor of the motion say yes. All those that oppose say no. Motion carries - 5/0.

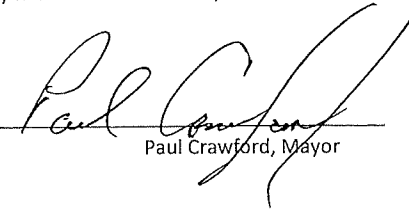
Mayor Crawford - Do we have a motion to adjourn?

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

Mayor Crawford- We have a motion and a second, any further discussion? All those in favor of the motion say yes. All those that oppose say no. Motion carries - 5/0.

Adjourned

  
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Connie Allen, Town Clerk

  
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Paul Crawford, Mayor