



**A G E N D A**  
**JOINT TOWN COUNCIL AND RICHLANDS PLANNING**  
**COMMISSION MEETING**  
**At Richlands Town Hall**  
**December 13, 2022**  
**5:30 P.M.**

- I.** Call the Meeting to Order
- II.** Invocation
- III.** Pledge of Allegiance
- IV.** Public hearings
  - a. Open Public Hearing #1 (5:30pm)
    - 1. Rezoning 106 August Avenue from M-1 to R-2
    - 2. Close Public Hearing
  - b. Open Public Hearing #2 (5:45pm)
    - 1. Rezoning 3150 Clinch Street from M-1 to B-3
    - 2. Close Public Hearing
  - c. Open Public Hearing #3 (5:50pm)
    - 1. Zoning Ordinance Amendment to add Roof Top Solar
    - 2. Close Public Hearing
  - d. Open Public Hearing #1 (5:55pm)
    - 1. Solar Use Ordinance (Interconnection)
- V.** Planning Commission Recess to Discuss Recommendation
- VI.** Adjourn





**A G E N D A**  
**TOWN COUNCIL MEETING**  
**At Richlands Town Hall**  
**December 13, 2022**  
**6:00 P.M.**

- I. Call the Meeting to Order**
- II. Invocation**
- III. Pledge of Allegiance**
- IV. Additions/Deletions to Agenda** (Includes the removal/transfer of Consent Agenda items as needed.)
  - i. Approval of Agenda
- V. Consent Agenda**
  - a. Authorization to Pay Bills (November)
  - b. Minutes- Regular Meeting on November 1<sup>st</sup>, 2022
- VI. Special Recognition- Mayor Rod Cury**
- VII. Scheduled Public Comment (Five Minute Maximum)**
- VIII. Unscheduled Public Comment (Three Minute Maximum)**
- IX. Agenda Items**
  - a. Appalachian Voices- Emma Kelly
  - b. Pop Up Update
  - c. Public Safety Committee Update
  - d. Planning Commission Request for Joint Public Hearing
  - e. 106 Augusta Avenue Re-zoning First Reading (O-2022-12-01)
  - f. 3150 Clinch Street Re-zoning First Reading (O-2022-12-02)
  - g. Rooftop Solar Zoning Ordinance Amendment First Reading- (O-2022-12-03)
  - h. Electric System Discussion
    - i. Resolution- Interconnection Requirements (R-2022-12-01)
    - ii. Power Purchase and Generation Discussion
  - i. RFP Discussion and Rec Park Pricing
    - i. Forensic Audit Discussion
    - ii. Annual Audit
    - iii. WTP- High Service Pump
    - iv. Fencing- Tennis Courts
    - v. Fencing- Pool
    - vi. Resurfacing- Tennis Courts
    - vii. Rec Park Pool- Slide (Sole source)

viii. Rec Park Renovations- Material Cost

**X. Town Manager Report**

- a. Miscellaneous

**XI. Attorney's Comments**

**XII. Council Member Reports (Non-voting Items)**

- a. Doug Ratliff
- b. Gary Jackson
- c. Jordan Bales
- d. Seth White
- e. Kristen Thompson-Whitt
- f. Jeff Hurst

**XIII. Mayor's Comments**

**XIV. Adjourn Meeting**

Next regular meeting date is January 10, 2023, at 6:00pm.



# Memo

**To:** Mayor and Members of Council  
**From:** John O'Daniel, Town Manager  
**CC:** Town Attorney; Clerk of Council  
**Date:** 12/8/2022  
**Re:** Check Registry-November 2022

---

Due to Town illness, the check registry has been delayed. I will get this to you as soon as possible.



The Richlands Town Council held a “Regular Meeting” on November 1<sup>st</sup>, 2022, in the Richlands Council Chambers at 6:00 pm with the following present:

Mayor: Rod D. Cury

Town Manager: John O’Daniel

Town Clerk: Rebekah Hackworth

Council Members: Doug Ratliff, Jeff Hurst, Rick Wood, Kristen Thompson-Whitt, Seth White, and Laura Mollo.

Town Attorney: Michael Thomas

Mayor Cury opened the meeting.

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

Mayor Cury- We have before us an agenda, before we move forward, under scheduled public comments we have Aaron Thomason. Is Aaron Thomason here? Okay, well he may show up later. Is there anyone in the audience that would like to speak under unscheduled public comments? That is a 3-minute time frame. Okay, so if everyone would please add Blake Ray under unscheduled public comments. Since there is no one else we will move on.

Are there any additions or deletions to the agenda?

Seth- Mr. Mayor I have a question, under agenda items #8 b, we have Mr. Taylor here to address some concerns. Will we be able to ask questions after his presentation?

Mayor Cury- Tim, would you mind coming forward? Are you going to take questions after your presentation?

Tim- I wasn’t really planning on it, but I can. I would like to ask a special favor of you all. If you all will let me, get through my presentation without interrupting me. Let me finish without any interruptions. I would like for it to go on record what I am saying then I will answer your questions.

Seth- I don’t think he is going to have any problems with that. If we are making an exception to put a citizen under agenda items, according to the charter, we are allowed to ask questions. So, I was just making sure we were allowed to ask questions, or I was going to move him to a scheduled comment. But I am good with that.

Mayor Cury- Okay, is that to everyone’s satisfaction?

Members of council- Yes.

Jeff- Mr. Mayor under #8, can we add f for Rec Park Request Update?

Mayor Cury- Okay, did everyone get that?

Laura- Mr. Mayor, we also need the electric relief update.

Mayor Cury- Okay, we will add that under #8 and call it g. Electric Relief Discussion.

Okay, are there any other changes to the agenda that need to be addressed at this time, members of Council? To recap, we have added Blake Ray under unscheduled public comments, and we have added under #8 f Rec Park Request Update and under #8 g Electric Relief Discussions. Is there a motion to accept the agenda as amended?

Kristen- I make a motion that we accept the agenda as amended. Jeff seconded the motion.

Mayor Cury- 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. Roll Call- Doug- Yes, Jeff- Yes, Rick- Yes, Kristen- Yes, Seth- Yes, Laura- Yes. Motion carries -6/0.

Mayor Cury- Thank you. Okay, so we have before us the consent agenda, which is the authorization to pay the bills for October. We also have the minutes from Public Hearing and the Regular Scheduled Meeting for October the 11th, 2022. Are there anything that needs to be addressed on the bills or in either of these sets of minutes?

Laura- Mr. Mayor, I am missing half of my packet. All the even pages to the minutes are missing.

Heather- Seth let me know that right before the meeting and I was working on recopying those actually before the meeting started, although we only have three thus far. They should be ready.

Mayor Cury- I would suggest that until we all have the full sets that we set the Minutes aside for approval. With council's approval, I will simply ask for a motion to authorize payment of bills.

Seth- I make a motion to authorize the Town Manager to pay the bills for October. Jeff seconded the motion.

Mayor Cury- 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. Roll Call- Doug- Yes, Jeff- Yes, Rick- Yes, Kristen- Yes, Seth- Yes, Laura- Yes. Motion carries -6/0.

Mayor Cury- I would suggest that we come back to the minutes as to keep the meeting moving. Is Mr. Thomason here? Aaron Thomason? Okay, he doesn't seem to be here tonight.

Okay, it looks like we have the minutes before us. Does everyone have the complete set of minutes? Would you like to take a few minutes here to look over the minutes to make sure they met the satisfaction of the council?

Members of Council- Yes.

Laura- On page 28, I said "FOIA" laws not "FORA" laws.

Mayor Cury- Okay, Bekah, can you correct that?

Bekah- Yes Sir.

Rick- I make a motion to approve the minutes as amended. Jeff seconded the motion.



Mayor Cury- 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. Roll Call- Doug- Yes, Jeff- Yes, Rick- Yes, Kristen- Yes, Seth- Yes, Laura- Yes. Motion carries -6/0.

Mayor Cury- We are now on Roman Numeral VI- Scheduled Public Comments by Aaron Thomason. I know Aaron and I do not see him. We are sorry Mr. Thomason maybe next time. Moving on to Unscheduled Public Comments by Blake Ray.

Blake- Mayor Cury, Members of Council, you guys have heard me say a lot that we have about five years to fix the problem that is going to happen. Here is why, a \$30 trillion wealth transfer is coming over the next decade to decade and a half. \$9 trillion of it is expected to move out by 2027, from baby boomers to millennials. So, typically, it's going to be about ages 18 to 32. Those are the people that are going to get that money. The average median household age between men and women in Richlands is 48 years old. There's \$459 million on deposit right now in Richlands across seven institutions. Do you think that money is going to stay? It's not. It is going to leave. Five of you have experience in running businesses, and you know that money dries up and growth is gone. We have a problem, and we are fighting over stupid stuff. I mean, I heard that the auditor resigned, and I don't blame him. I mean, think about this, why would you want such a small fish on your books that is going to cause a lot of problems for your other clients that pay a lot more than the Town of Richlands. Why would you want that reputation? I don't blame the resignation at all. Do better. In five years, this place will not be the same. It is coming. You can see it in the trending reports. Talk to any banker and financial advisor who does business in this community. They will tell you we have a serious problem coming. We have to focus on the right activities to fix the real issues, and that is not what is happening. Thank you.

Mayor Cury- Thank you, Blake. There being no further speakers, we will go on to Agenda item A- Police Department Recognition by Mayor Cury and I've asked Ron Holt to present these recognitions because he is way more familiar with it than I am.

Chief Holt- Thank you, Mayor Cury and Council for providing the opportunity to recognize some members of our department. I wanted to introduce you to Captain Crouse. He is our newest face of the department. He is the captain of operations. He is going to help me provide oversight to the entire operations of our department. He is also going to serve as the coordinator for our code enforcement efforts. I'm certainly blessed to have him aboard. This guy comes with 20 plus years of experience at the Sheriff's Office. We are blessed to have him with us in the Town of Richlands.

I was also very proud over the last few weeks to be able to promote some officers who are very deserving. The promotions honestly are not enough for what they do for our Police Department. However, it was all I could do to pay them back. I have said thank you probably a thousand times to these guys and to the people in our department for the service they provided over the last month. So, Matt Whited was promoted to First Sergeant. He is taking over our patrol division. Sergeant Short is going to be one of our Shift Supervisors. When I first started a little over a month ago, I was met by these two guys who said listen Chief, we are here to help you in any way we can and every step of the way, to help build this department into something that we can be proud of. They are doing that and so much more. Shawn shared with me that this town and this department has been so good to me in times when I really needed this department to step up and provide for me. I

am not going to go anywhere. I love this town and this department, and I am going to stand right here with you. Shawn, you don't know how much that means to me.

Matt has taken over our scheduling for our entire operations. He has taken over our fleet and I would encourage you guys to come to the department and see what he has cleaned up. The place looks amazing, and I am very proud of it and that is a testament to Matt's hard work. So, if you would please help me thank them for the jobs they have done over the last month.

Thank you, guys, so much for what you do. I am proud of you, and proud to serve alongside of you, and I look forward to working with you in the years to come. I really am excited about the future of our police department. We can't do that without the support of the board members, and the Town Manager, and the employees here. Everyone has been so wonderful. I am really excited, and I think great things are on the horizon.

Mayor Cury-Thank you very much for the work you are doing. It is very much appreciated. Thank you, Officers Crouse, Whited and Short. We are more indebted to you than we can possibly say. Sometimes I think police protection is very personal to me, if I need someone at my house, I know they are going to be there, and that is the personal side, and we all hope for that and think that. However, the greater side of that is you also are representing this community to everyone and public service that we do. We are grateful to you for your service. Sincerely thank you.

Mayor Cury- Okay, Next on the agenda is Concerns by Tim Taylor and at Tim's request he has whatever time he needs to have an uninterrupted presentation and then afterwards he will answer any questions that you all may have.

Tim- Thank you, Mayor and Members of Council. My purpose for coming here tonight is not to make any more negativity, but I just want to speak the facts and try to put some more perspective into what is going on. Adrienne Cordle, my former Director of Finance was not able to be here tonight. She had a conflicting appointment. She is the Assistant Director of Tazewell County Public Services, and she had a meeting with the Board of Supervisors. So, I need to go ahead and get started. I won't take a lot of your time. I promise it will only take me about 15 minutes. So again, thank you Mayor and Members of Council for providing me a moment tonight to address these allegations of "gross mismanagement" that I heard discussed in the previous council meetings. Both my director finance and I were accused of gross mismanagement. I find this very upsetting. I would normally attribute all this blame game to political rhetoric, especially since I am retired with no presence at the board meeting. I don't have a voice. However, Mr. White attempted to validate his opinion of mismanagement with conversation with your Auditors. These actions, along with continued discussion from Mr. Ratliff about possible misappropriations continue to still be very upsetting and are untrue and force me to be here this evening. I find it hard to understand that after 34 years of faithful service, of which 30 were as the Manager of the Town, why such statements need to be said. To begin with, I don't believe for an instant that a professional auditor would use such language as "gross mismanagement." If such action did exist it would have been noted in the annual financial statements with language such as significant finding, material weakness, or a finding, not gross mismanagement.

The annual audits never mentioned anything about this type of activity. Therefore, I do not believe the auditors would have said such a thing. As I understand, all members were not present during

these meetings, only two, well really only one member of council verbally announced such an action. I would ask a question, “have the Mayor and/or Manager ever received a formal response concerning the alleged comments from the accounting firm with Robinson, Farmer, Cox Associates or in particular Corbin Stone, the gentleman you have been talking to?” If you have, I would like for you to make that correspondence public to me and to the audience and recorded in the minutes regardless of what it is. If not, I would like for you to formally ask for an opinion from the firm based on the statement made in a council meeting and published in the newspaper as fact. I think an official response from your auditors will be in order. Either way, I would like this statement to be recorded in the minutes that I adamantly disagree with that particular statement, and I further state that the former Director of Finance and myself did not mismanage or misappropriate any funds.

I would like to take a few minutes to elaborate on details. It is important because the matter of interest is the integrity of myself in the town and it is important that the public and new members of council hear some supporting facts. I am going to give you this presentation along with the supporting documents, but on page 35 of the fiscal year 2020 financial statement of the town explains the procedures used by the town in establishing the budget of the town each year. It is available on the town website as well as the Commonwealth of Virginia Auditor of Public Accounts (APA). I have a copy of this page that I will quickly read the excerpts that I want you to hear and leave it as an attachment to my comments. Page 35 of that paper document, you have this information from the auditors. These are budgetary information. So, this says the following procedures are used by the town, establishing the budgetary data reflected in the financial statements:

- Town Manager submits to the town council a proposed operating and capital budget for the fiscal year commencing the following July 1. The operating and capital budget includes proposed expenditures and the means of financing them. The General Fund has a legally adopted budget.
- Public Hearings are conducted to obtain citizen comments.
- Prior to June 30<sup>th</sup>, the budget is legally enacted to passage of Appropriations Resolution.
- The Appropriations Resolution places legal restrictions on expenditures at the function level. Only the town council can revise the appropriation for each category. The town manager is authorized to transfer budgeted amounts within general government departments. (that is the point I wanted to make)

The rest of the language talks about accounting procedures and so forth. At the bottom of that page, it says the fiscal year ended June 30<sup>th</sup>, 2020, expenditures did not exceed the appropriations at the fund basis level for any funds.

I hope everybody understands the process, that is how every town does that. Okay, I need to look back in time to clearly identify of how we got here. The town recognized in the early to mid-2000s the need to grow its tax base to try to transition providing governmental services without large transfers of funds from the Electrical Department. The policy of using the revenue generated by the Electrical System to offset taxes and fee-based policies had been in place for many, many years. This existed a long time before I became Manager. Many municipalities that owned their own Electric system used a transfer to help with governmental needs. It is considered a payment

in lieu of taxes that an investor owned utility would be obligated to pay such as Appalachian Power Company.

I have included some sheets in this particular document. The following two highlighted sheets provided by the Comparative Report Summary of Enterprise Activities for the Year Ended June 30, 2022, from the Commonwealth's APA Website. It shows the transfers for Electric Municipals in Virginia. I have included that in your handouts when I give them to you. I've highlighted from the fiscal year ending June 30<sup>th</sup>, 2020. I highlighted the electric municipals in the state of Virginia, and how much transfers that they do. I'll just give an example on this page for town of Bedford. I think that's your buddy Bart Warner. He is the manager. They transferred \$400,000. Front Royal transferred \$3 million, and here is Richlands at Zero. You can see there is more. Danville was like \$15 million, and so forth and so on. So, that is good data to have. In other words, other people are doing it. Now, I am not saying you have to do this, I am just saying it is okay to do that.

The town was successful in a voluntary boundary adjustment which included the areas of Hidden Valley, Daw Road, Purcell Addition, Birmingham, etc. The adjustment provided a larger tax base because we had to have a larger tax base, but those people demanded services. Part of the services they wanted was increased police protection, new street pavement, water and sewer. The agreement between the county and the town at that time was to provide that.

The town instantly had to purchase 10 police vehicles at \$25,000 a piece at that time, that was \$250,000 in one shot. We hired additional personnel, police officers, and we hired some extra street crew and began preparing for utility improvements followed by street paving. From 2010 to 2017, the town paved streets not only all the new boundaries adjustment which they were obligated to do but all over the town with a total cost of approximately \$1,700,000. The paving program was accelerated because VDOT was eliminating the Revenue Sharing program with new methods for funding with the SMART Scale. By 2017 the town had paved most of the streets that qualify for use of VDOT highway maintenance funds and must be maintained with local governmental funds. There is only 20% of roads in this town that doesn't qualify for that money. That is why if you look at the fiscal year budgets over many years, we always budgeted approximately 120% of the annual Highway Maintenance funds in that department. On the 20 % that it doesn't cover, you still have to strap snow and add gravel, storm drainage and streetlights and so on. The VDOT funding had never reached \$1,000,000, it came close but never reached that much. In previous years, throughout this progress the revenue was lower. The way that works is you get incremental increases over the year, and it ends on a formula that the state has and the availability of their funds. Some years it's more or less just depends on the legislature. We never budgeted \$700,00 and somehow moved \$250,000 in an effort to fool or confuse council. I promise you that. The finance office has a detailed listing of all activity as it is audited with additional reporting that is required to the Cooper Center for Public Service.

Since qualified roadways didn't need paving for three or four years, because we had paved it up. It was decided to wait and pave at a time when we could apply for a Community Development Block Grant (CDBG) which the department of Housing and Community Development (DHCD). These plans were a result of interests at that time from Mayor Crawford and some of the Council members. If delayed, paving and concrete work such as curb and gutter, and brick inlays, all the things that goes with that, including storm drains and so forth, that \$1,000,000 that we carry over

and collect year after year while we were waiting could be used to leverage our million-dollar grant that we talked about. So, in other words, you could get \$2 million worth of work with \$1,000,000 grant. That was the plan and that is the reason that the Director of Economic Development was hired (Connie Allen). She was there not only to do Festivals and things, but she was also there to prepare the grants. Street work in the target area from the West End Downtown Revitalization could be deferred to a later date. Unfortunately, COVID-19 was a reality and delayed some of these plans. Everybody had to change their plans after that, and everybody was faced with that in the State of Virginia for sure. Most of this is identified in the comprehensive plan. It is on the website. It was produced by the Planning Commission and adopted by council. My staff and I also produced a Needs Assessment and Planning Resource Guide that is in the Office of Engineering at the Town Hall. I hope this clarifies some of comments made last council meeting about the town never planning, because there's lots of people involved in that.

In an effort to reduce the subsidies of revenue to the governmental fund from the Electrical Department, this is very important, by vote of the council, a plan was put in place to not transfer revenue from the Electrical Department to the Governmental Fund. I don't recall the exact date to that. It was somewhere around 2009 or 2010. But there was a problem. The plan cannot work without the governmental fund initially receiving reserves to buffer the governmental transition to self-supporting. It is supported by fees and taxes. The governmental services acquired the initial revenue for this use, until council could find a balance of tax and fee adjustments for even departmental service cuts. The revenue that was initially put in was never governmental money. It was never revenue generated from taxes or related fees as the town before this time had never had the ability to generate reserves with the Electric Department. The initial governmental reserves were only intended to get things started in a fashion providing a smooth transition so the people could budget and plan with as few negative impacts as possible, because council recognized there had to be some taxes put in place.

Now here's where the problem comes in. I'm not being derogatory to our councils either today or in the past. It's hard to do what you are doing. It's hard. It's a difficult job. I wouldn't have it, but don't take this the wrong way, because it is often human nature to do what you can do for people. I understand that but unfortunately the council had a hard time implementing the plan because the reserves provided an easy means to balance the budget every year. So instead of trying to make the tough decisions, it was just easier to start using the reserves. From 2010-2019, the town did adjust some existing taxes and imposed some new ones. However, this was not enough. Unfortunately, additional issues began to affect the plan that wasn't anticipated. This is the real killer that got the budget.

In previous years the town had decided that they would provide rescue or EMS services for Richlands, Cedar Bluff and areas in Tazewell County. Emergency Medical Services (EMS) is the sole responsibility of counties and cities per Virginia State Code not towns. However, the town council decided to enter into agreement with Tazewell County, thus giving the town permission to provide this governmental service for the county. Richlands did this for several years, only losing minimal dollars. So, initially it was a pretty good idea. It worked well. Unfortunately, in or around 2013, the losses for that department were significant, and they were raising pretty bad, and they would continue to raise, and they did continue to raise. It had to do with demographics, most of the aging population, the people that demand the services didn't have the money to pay. We

informed the council and with the authorization, I wrote the County Administrator with a request to review the existing contract because the \$10,000 a year that the county gave the town just wasn't enough. The town exercised many attempts to convince the county to negotiate an increase in contributions to the town, but the county would not increase the payment. So, the council said we are going to attempt to try to do something better. So, the council attempted to offset the revenue losses with increased bad debt collections. I think Mr. Wood was here on that one and so was Mr. Ratliff. They tried to increase the debt collection because people weren't paying, and it was getting bad. As well as looking at starting an ambulance transport service ending with no economic success. I think the debt collection service worked a little, but the transport service just didn't work. Over a period of just five years, staff had determined the loss to be \$1.2 million. The town council was appropriated revenue from the governmental reserves to overcome this loss. That was the only choice they had at that time without raising something. Think about this, Richlands was doing the business of the county, which we didn't have to do, with Richlands' Taxpayer Dollars for approximately 40% for the entire county's population. Finally, in 2020, council was able to get assistance to correct this budget drain with Supervisor Hackworth and Lester's help. Tazewell County agreed to renew the contract and pay Richlands for performing this service entirely. After renewing the contract in June 2020, the general fund would have an additional \$200,000 plus going forward with true ups annually if Richlands suffered losses. We also would have had an approximately \$300,000 gain if council had not reversed a cigarette tax implemented in 2014 after only two months of collections delaying it for 4 years before we got it reinstated. These two issues alone cost the taxpayers and that general fund budget \$1.5 million.

Now, I'm not going to stand here and tell you that wasn't hard on council. It was, everybody understood that and that's a tough job when you say, well, I'm just not going to do it anymore. I'm not trying to blame council, that is a tough decision because if you are going to do that and nobody does it as well as you do, there is going to be lives lost. So, I guess they just kept thinking maybe we will get better, but it never got better. And today I think, I don't know what the revenue is that you get today. I didn't make it to the true ups. So, I don't have any idea how it is performing. But that is when we had trouble because the money that you are talking about, the VDOT money, we started using, not the carry over money but the money that we started using out of that carry over started depleting in 2019. We recognized that and we brought that to councils' attentions. So, that budgetary process started in the Spring of 2020. It was a hard discussion. So, I am including in this document copies of two memos with recommendation for proposed fiscal year 2020-2021 budget. As well as part of the June 16<sup>th</sup>, 2020, minutes to illustrate the financial position of the town in regard to the governmental fund. I think you may find the conversation that formed it. However, I would recommend that you go back and read all the meetings. So go back and read all that and maybe you will understand that it was a tough time trying to figure out what to do. The budget recommendations that I made, would give us \$250,000 with tax increases and fee increases. Then another \$200,000 that we were going to start getting from the county would have given a \$450,000 boost for next year. I felt like and staff felt like that would have buffed up the general fund that we wouldn't have to use the cash in the VDOT money. It would have squared it up so you wouldn't have been having that conversation. If we have that \$1.5 million in there, we wouldn't be sitting here today.

Alright, it is in the handouts, the suggested adjustments and service cuts in my memos were aggressive but necessary since the town government reserve funds were gone and existing annual revenue was not adequate. We spent all the savings. The use of the funds was discussed many times going back to 2013. Supporting documents on file in the office showing many, many, budget work session presentations showing the problems with not trying to introduce some increases to the general fund revenue. Continual warning from staff and the auditors that the town is going to run out of money if measures were not taken, but it was ignored by council. Council totally disregarded the staff's recommendations. To me the problem is clear, the council kept appropriating expenditures that exceeded revenue (money) including reserves.

Before closing, there is one last thing, I want to address that was said in council meeting. I want to make it very clear, I never admitted in a meeting that I committed a \$1.5 million mistake. I had to pay the bills and I did so. The council appropriating spending each year, they are the only ones that can do that, and every check that was issued was only after council review and council approval at every monthly business meeting.

So as of June 2020, per the Financial Statement, there was \$4,264,184 in unrestricted funds available to spend by council through appropriation ordinance. Now, we all know that's electrical and water money. I retired from the town with the only governmental debt being the new fire truck and that was part of the discussion in that June meeting and IT improvements. I don't know the financial business in the town today, almost two years later. So, I will not be presenting any comments except the deferred VDOT highway fund (unearned revenue). As of June 30th, 2020, it was \$1,079,631, and according to what I heard at the last Council meeting is already up to 1.5 million. So, that tells me you have got to start paving and start obligating...I mean, again. I said I wouldn't give recommendations... I am going to say this, the town can, I guess, use the ARPA money as seed money for the governmental fund as was done in 2009, to try to find some balance of taxes and utility transfers or they can continue to use that funding as an easy way to balance the budget each and every year, and be at the same position 3 or 4 years later as they were in June 2020.

So, I've made a copy of all that, and I would like for every member of council to have a copy of it, the clerk to have a copy, the Mayor and Town Manager and I would like for it to be a part of the official minutes just for history. You don't have to say it is accurate, it is just what I am saying, and you can fact check me. Warren Hinkle with The Voice, if they are here tonight and Jim Talbert can have one too. I also request because I'm confident that you give a copy to Davenport, your financial advisor and if you hire a forensic auditor, I would like for you to provide one to them as well.

In my closing statement, I would like to say that Ms. Adrienne Cordle and I are fully prepared to defend our position on all of the allegations that have been made from members of council both past and future regardless of what happens. Thank you for your time and attention. That's all I have.

Mayor Cury- Thank you, Tim. I believe that some of our members have questions for you.

Seth- Tim wasn't here at the meeting or the meeting before that so I want to explain how we got here. In the meeting before that, we had asked the staff to provide a roads list to look at paving

projects. There hasn't been any paving done in our town in the last 5-7 years. So, the street department, along with the Town Manager and staff prepared a paving list. We know that we get this amount of money every year from VDOT, and when I was in the county, we always appropriated our paving, and we did a lot of matching grants. A lot like you were talking about. So, I was thinking this is very simple. So, I'm sitting here and saying we can do this, this, this. And everybody is just looking at me, and I said I don't understand. What am I missing, what do I not know? One by one, everyone began to speak and said we do not have that money. The million dollars, or \$1.5 million now or \$1,047,000 when you left continued to grow by about 250,000 a year, to \$1.5 over last two years. Which is on the same pace as it was when you were here. So, they said we don't have that money because we use that money to balance the budget which was the same thing that happened when Tim was here. So, I said well that that sounds a little alarming to me, and I said that sounds like a misappropriation. That's where that word came from. So, after the meeting I said, well I think we need to look into this. Because this all just came up here in the middle of the meeting, in open session, we were discussing this. So, after the meeting, John called me and said before you go to the Commonwealth Attorney, would you please talk with Corbin, our auditors? I said absolutely. So, Jeff and I scheduled an appointment with Corbin. I asked a lot of questions and he explained and what he explained to us, when we use the number a million it is approximately a million. It is really \$975,000 whatever. Okay, so approximately \$1,000,000 every year comes in and the Street Department takes about \$750,000. If you don't do any extra paving projects or large projects, there's an excess of approximately \$250,000 based on what we are charging back against the grant. So, Corbin says basically you are given all this money quarterly, and what council has done over the past six years is take that money and balance the budget. John was in that meeting and said, if we stop doing this, we have to come up with somewhere to get the other \$250,000. Is that correct, John? I don't want to put words in your mouth. You have to come up with a different plan. So, I said let me make sure I understand. For the past six years in this town, we get this \$1,000,000 from VDOT and whatever we don't charge back against it instead of pooling that money because we did that many times in the county. That money was separated, and we never touched that money. We would save that money up for a larger paving project or whatever. Instead of doing that, that money was used to balance the budget for the last six years. That is four years that Tim was here and the last two years because that had been the common practice. Corbin confirmed that that was correct. He said the reason it is not a misappropriation is because we have an accounting of every penny of this. I said good, and I appreciated that. So, I said it's not a misappropriation, but it's a gross mismanagement of public funds and he agreed with me. If we continue to kick this ball down the road and add \$250,000 to this every year, in 10 years, that's \$2.5 million. Corbin said but VDOT has never asked for this money back. Okay maybe they won't. But if you all remember, 7-10 years ago, VDOT shut down every convenience area in the state of Virginia because they had a budget shortfall. So, to make up for budget funds, they had to find areas to do that. What is to say that next year we have a budget shortfall, and they call the towns and say we want that money back. I said Corbin, if they called today, how do we pay this money back? He said, well, technically we have the money, but you would have to take the money from the power, and water, and all this money and pay them back. However, now we have ARPA funds, which is a different pool of money. But the four years that you were here, you didn't know that ARPA funds were coming, and the budget continued to be balanced with grant money from the VDOT fund. So, you began a pattern, and I am not saying



just you, maybe the council was complicit or whatever, but from what I understood, this is just the way that it was done. So, this can continue to be kicked down the road. If we don't fix this now, we are never going to be able to fix it. So, Jeff and I, in that meeting devised a plan whereby we can pave all the roads in Richlands. The approximate list from the street department is about \$1.5. We will have to put that out for AFP which we plan on doing that in January. But we can charge that back against the grant and get that hopefully balanced to zero. The second piece of that is we can never do this again, cannot rely on those funds to balance the budget. That's what I wanted to make clear that this is not a good system and Corbin again agreed with me in that meeting. Jeff was there. Jeff, have I misstated anything that happened in that meeting?

Jeff- No.

Seth- Now, Tim, I appreciate you coming, and I appreciate what you said, and I understand that.

Tim- In all fairness, and you probably didn't think about that, but if you would have called me, I could have explained this to you. It's not quite like you say, not because it doesn't seem that way, because what you said does make sense to people that don't understand what the plan was. Maybe John, don't get it either, I don't know. But here is what was happening, we did not use that money to balance the budget for several years until it got flagged that we had to dip into it. If you look at the financial statements, now that is not to say we didn't carry over the funds, but we had cash up until about the second or third quarter. I don't have the books, so I am just going off memory. So, that could be off a little bit. But based on my memory, it was somewhere around the second or third quarter that Adrienne said we are out of reserves and in order to pay the bills, even with taxes, it looks like you are going to have to get into those funds. Because there is no other way to pay the bills. That's why we got so aggressive in 2020, because we seen a relief. So, from a cash flow perspective it was never planned like that. The cash flow, if you go back and look at the charts, and I might be way off base because I don't have Adrienne with me, maybe we can further discuss that with John or Heather, and I don't mind to give you time for that. But here is what happened. That's why we were so aggressive. You are in that money that is giving me trouble because we can't spend that money. You are right, we shouldn't be doing that. Once we met that \$1,000,000 cap of carryover to match the grant, then that money is a deferred revenue. My plan to get that money was to get the EMS problem off my back. That is \$200,000 more dollars and if you would have implemented the other tax increases that have been almost \$450,000. By the time we would have gotten that bid out with maybe another tax increase or maybe you would have had to transfer a little money out of the electric. I don't know, but you would have been back up, but we could have solved that problem of getting that to pay the bills. The problem is you didn't have the \$1,000,000 to pay the payment. Now that plan didn't get followed, but you did get the taxes in. After I was gone, you got taxes, right? You got more money. I don't how much that is, I have no clue. However, if the formula works out that those additional taxes with the EMS off of that and plus the rate increases, we had for fees and garbage truck, if that adds up, it should balance back out in two or three years. You should be able to do that without the ARPA money. That was our plan. You have to go in and look in the actual financial statement to know that. If you take a broad look and in all fairness to you, you are coming in cold. You are hearing, all of you kind of are... except for Mr. Ratliff, Mr. Cury, and Mr. Woods, but we flagged it. We discussed that in budget work sessions, Seth. Go look, they are there. We told council and that is how those comments about the VDOT fund... we don't want to get in all of those. I cannot pay the bills

without doing it. Unless you let me transfer money out of the electric. I did not want to do that. I wanted to try to stay with the flow of that, because it was just too easy to do. You shouldn't do that. I was getting ready to leave anyway and I didn't want to leave a mess and I didn't think I did. But you don't know that plan, Ms. Mollo does not know that plan and all the way around the board.

Seth- And I understand what you're saying, but Corbin should have known that plan.

Tim- Corbin did not know the plan. We just talked some about the books. I mean some of this plan came back through when Crawford was here and getting those grants to be obligated to the million-dollar match so we could get the downtown revitalization. It was a bad time to try to start downtown revitalization but council's focus at that time was we must do it even if we have to raise taxes. We have to do that because our town is dying, and we just cannot not do it. I know your heart strings get pulled, it does mine too, but think about the job of the poor ole Town Manager. He has to go cut people's power off. Not that I want to do that, that is a tough job. Just like you all have a tough job as well. When you get down in the weeds and you look at all that happened and all the planning that took place, you are going to see unless you spent more money than I thought. Your cost may have gone up, or maybe you made more appropriations to spend the money that I had planned to be spent. I know your costs have gone up. I understand that inflation, and COVID, all that played a role in this, and our funds were depleted. However, there is plenty of towns around the state that when their money coming in from taxes didn't hit and people couldn't pay their bills and their taxes. They had to sit around the table and make tough decisions and figure out how to pay the bills. I assure you that me and Ms. Cordle would have never, never on purpose done that and we would never have done something that council wasn't aware of. That's why there was such an argument. We went to the 11th hour on June 30<sup>th</sup> and passed a budget that I really didn't approve of because they passed the expenditure budget that didn't have anything lowered and the revenue streams were there, but never passed the taxes. Then they looked at me said pay the bills. Now what am I going to do? I mean, I don't have a choice, and Corbin probably meant a mismanagement of the whole mess to be quite frank with you. We have got a financial, I don't know if you're using it, but we have financial policies that council adopted in 2019 that tells you the amount of reserves we should have, how much balance the tax base should be, how much data we should carry. The good thing about it is the town didn't have hardly any debt. That's a good thing, but it doesn't help with the cash flow. You all have to figure that out as elected officials. I mean, John is faced with trying to make it happen for you financially, but you got to believe in him. And I'm not saying the council didn't believe in me. I think everybody understood. It was just a tough decision. You all have to do what you think is right. But I assure you, that was not just to lay back and just take money out of that and go on with business as usual. Now, Corbin, I can't believe he meant to say it that way either, because I asked him personally about this. I said do you want council to restrict those funds so that I cannot spend them? I said that. He can tell you that. Can we restrict those funds so we can't spend them? Council could do that by ordinance. And he says no you can't do that because you can't tie their hands. What if some big emergencies happen. You have to have that money to pay for that right then? Then you can't tie their hands legally. He says you can't do that, I said but that would force them to do so. That sounds bad, but I was trying everywhere in the world to get it done right. So, you have to look at my point of view. I'm the treasurer, and the commissioner of revenue when I was

here and trying to make the bills and pay them. We never missed a bond payment. We never missed a bill that any vendor my entire 34 years. You can't have too many towns that can say that.

VDOT would never ask for that money back. Why would you give it back anyway? If you did have it? You just pave. I mean, we knew that would be a problem going down the road, but we could still kick it down the road. I didn't think it would ever get to \$1.5. I think you had enough money to do that. I'm not picking on y'all. John didn't know the plan either. I only had a day and ½ with him. That's all I had. That wasn't my doing, but whatever. Heather, you lost your boss, the director of finance. So, I don't blame you for thinking it looks like that. I am not pointing any fingers at anybody, but we don't need to fight about it. I promise you this, I don't think you want to do this before the first of the year but Seth, you can still be involved in this, but Ms. Cordle and I, if you would want us to, that's not stepping on your toes, it is just purely assistance. We would meet with whoever the council members are, we will meet with you all and explain our side of what we think you should do as an advisor. We would do that in ever how many meetings you would need. Not to do John's job. I'm not going to do that. I know it's intimidating. But what is the matter with a little help? I am a citizen. I pay taxes in this town. Now, I know it doesn't lessen the pain any, but you have to know we are not crooks. I mean really. My God, I have been here for 34 years. I mean, why would I, when Kevin Blankenship left, he was the director of utilities right in the middle, and I don't blame him either, but he left right in the middle of trying to renovate and rehabilitate the water and sewer plant. Now Kevin makes \$75,000 a year then when you add in all his benefits, it would have been about \$125,000 a year. I did his job and my job for two years. I saved the town \$125,000 times 2. Now, if I'm a bad person, why would I have done that? I could have just said I don't have the time. I love this town too, Seth. Ms. Mollo, you research everything. One thing good about this council, and I'll say that about Mr. Ratliff too, he's always trying to think of a way. We have had our ups and downs over the years. But if you are all in agreement, or you are all apathetic and don't try to check one another, you can't get stronger. I'm not trying to school you either, but I'm an old man and I have been here a long time. It works better if you check each other. But you have to trust each other too. I don't know if you have any more questions. I've talked way too much.

Seth- I just want to finish clarifying. So, the second meeting, when we came back from the meeting, I wanted to make sure, and I asked the mayor. I said Mr. Mayor, it's important to me because we had talked about misappropriation, which is a very harsh term. If that is what we had found, then you would have had a visit with the Commonwealth Attorney. So, I wanted to clarify that, but that's the meeting that you got angry about when we talked about mismanagement. But Tim it is a gross mismanagement. Now that may not be just solely on you and maybe it was the council too, but you can't spend funds from a VDOT grant on things that you shouldn't spend it on with no way to pay it back. I understand you had a plan, but that plan goes over many years and nobody in here knew about it. John didn't even know about it apparently. I understand what you are saying, but that's kind of easy to say that today that you had a plan, but nobody knew about that plan.

Tim- Well, the other council members that were with me knew it. Rick Wood knew it. He was there. You didn't talk to him about it, I guess, but either way, I don't want to point fingers. Like I said, you all are going to do whatever you all need to do.

Seth- I wanted to clarify that you didn't do anything criminally wrong. That was our whole point on why we met with Corbin. But regardless of whether it's your fault, Adrienne's fault, some of the council's fault, whatever, this was a mismanagement of those funds. Those funds should have never been spent. You admitted so just a minute ago yourself, they should have never been spent to balance the budget.

Tim- They were spent with authorization from council. I made myself clear, they appropriated the funds in that June 30th meeting knowing those funds were what I was going to use. I want everyone to be clear on that. So, I don't want anyone to be confused about that. That money was spent because they voted on a budget that had those expenditures in it and there was no place else to get the money and they knew it. So, you can say what you want to in semantics, but and you don't know that, but I know that. You can go back and look at the minutes, at the work sessions. So, you just can't assume that. You have to go do your research. That is why I would appreciate it if you would have called me. Maybe we can look together.

Doug- Can I speak to that?

Tim- I really don't want to sit here and do more of this. I know that you all are going to do whatever you all are going to do, and I'm not trying to sit here and defend myself. I've spoken enough and we can get into a she said, he said. I know, Mr. Ratliff, you will get excited about it and I don't want this to turn into a circus here tonight.

Doug- I am not going to get excited.

Tim- Okay, I'm sorry, you know, we have had our issues. So, go ahead.

Doug- The council, myself, and I know of several others, had no idea that money was spent. One of the conversations, you came into a meeting and the council knew nothing about it, and you said I've spent \$1,000,000. I shouldn't have, and I don't know how to put it back.

Tim- No, Sir. No, Sir. No, Sir.

Doug- Rick, did you remember that?

Rick- It was in closed session.

Tim- And you're saying, Rick, that I said that?

Rick- No, I am not saying you said that. I'm saying that you and Adrienne both came in and told us that you all had to use some of that money to pay the bills.

Tim- Well sure and we had the ability to pay that back. When you are writing checks and you get \$500,000 in one month, you have to move money around to pay those bills. At the end of the day, you put it back. The problem is...

Doug- Did you know any...

Tim- See there we go. At the end of the day, it is going to be a disagreement with me and Mr. Ratliff. If you did not hear it, it doesn't mean that it wasn't spoken.

Doug- Did you know that money was not spent on VDOT, Mr. Wood.

Rick- I did know that we had spent \$1,000,000.

Doug- Did you know that he had spent VDOT money?

Tim- We did not spend \$1,000,000. I am telling you.

Rick- I did know that we had approved it in council.

Tim- We did not spend \$1,000,000.

Rick- I don't remember the exact number.

Tim- Well Adrienne could tell you if she was here.

Doug- I had no idea any VDOT money was spent. You came in and said I have spent this money and I don't know how to put it back and that was the first of it that I had heard. Do you remember a conversation that we had in 2009.

Tim- In 2009?? Can you give me a little hint.

Doug- We hadn't been taking any money out of the electric fund. You came to me and said Doug, we need money. Can I start taxing the electric fund to the tune of over \$200,000. I said no, I wouldn't vote for that. Why don't you tell the Council you need to cut the budget instead of taxing the electrical fund.

Tim- I don't have a clue about what you are talking about.

Doug- Well you came and asked me, and in 2009, we were not taking anything out of the electrical fund.

Tim- That is right. We still haven't, but you are not convinced of that. But after 2010, we didn't do it.

Doug- You came to the other council members, and they gave you permission to start taxing the electrical fund to the tune of \$200,000. Okay, that wasn't enough. After that in 2009, 2010, and 2011, you came back and wanted to take direct funds out of the electric fund and move them to the budget. I said Tim, why don't you tell the council members to cut the budget? If you notice the last 8-9 years I have voted no on every budget. However, you wouldn't do that. You came and got the council to vote that you could take funds out of the electric fund. I told you when you did that you would regret that, because it is going to put a lot of pressure on those electric rates and that is going to cause them to raise. You made the statement a few minutes ago that it is to easy, that once you start taking funds out of one department and moving it to the other...

Tim- This is why I didn't want to do this. But let me tell you one thing. That is why I gave you that handout. Go to the audits at the state site and look at the contributions and see what it is. It will tell you. It is not what he says. This is why I didn't want to do this. But I will agree to meet with you in a round table, me and Ms. Cordle both will. If you want to take us up on it, but you may want to wait until the new council because you have to do it over again. I don't care, but I'm not going to do anymore.

Doug- I just want to ask one more question.

Tim- I don't want to do any more.

Doug- Just one more.

Tim- Are you going to accuse me of something or ask me something?

Doug- I'm not saying... I'm saying it was mismanagement.

Tim- Well, that's your opinion, and I don't want to do this anymore.

Doug- I just want to ask you one more thing.

Mayor Cury- Gentlemen, Doug, you will have your say in a minute. Tim, you asked us for two things: you would like an official response from Robinson, Farmer, & Cox.

Tim- I would and I think you all need that and if it is against me than it will be whatever it is and Mr. Stone can say what he wants to, and I'll probably disagree with him also. But that is an opinion. That is not a crime. It is an opinion.

Mayor Cury- Okay, I am just trying to take notes here. The other thing is you are offering to sit around the table in a work session with the new council with Adrienne and you talk about where you have been.

Tim- Yes, where I have been not where you all are going. That is your job and maybe learn not to do it that way again if that is the case, or why we did it so you can understand not to do it again. Whatever it is that comes out of this. I will accept your opinions; I am not trying to change that. I just wanted to make that clear.

Mayor Cury- I appreciate that and I am sure council does too. That would be in the hands of the new council, I am sure. If that is the desire of the council. Doug, you had one last question? Is it a question or a statement.

Doug- No, it is something I did. When I found out that \$1,000,000 had already been spent. I had no idea that it had already been spent. I called the auditor and I said, did you know about this? He said yes, and I said is that proper to do that, to spend earmarked money on other projects in other departments? He said no, that should not have happened, and it was wrong, but that a lot of other towns do that. Okay just because a lot of other towns do this doesn't make it right. He said it was wrong.

Tim- I would just like to make one final statement on that council knew about it and they approved it, and they passed the ordinance on it, and it was all legal. They shouldn't have probably done it and I tried to get them to restrict it, but the auditor wouldn't let me. You can ask Adrienne about it. That is all I want to say, I don't want to interact anymore because it is not going to get pretty, and I don't want to taint this meeting. I enjoyed the conversation, and I am not trying to change the opinion of anybody. I did the best that I could do with the money I had. I wish you the best. I am still going to live here, and I am still going to pay taxes here. I wish you the best. I hope it works out well for you all.

Laura- Mr. Taylor if I could just ask two clarifying questions.

Tim- Okay.

Laura- If you and Adrienne did come back and talk to the new council, would you do that at a rate or as a courtesy?

Tim- Oh no. I do not want to be paid and Ms. Cordle would not want to be paid. It is just being a citizen and help to you all if we can.

Laura- Just for clarification because it is hard for citizens and me sitting up here because I wasn't in those closed sessions with you guys, but primarily, is the only thing that you are disagreeing with is what we are calling a gross mismanagement? Are we on the same page that the money was spent... and I am not blaming you. I have always said, no matter what you did this council has always approved it. It comes back to the council.

Tim- That is a fair question. I can't answer what those figures are without Ms. Cordle being able to get with Heather and going over that. I would like to know the magic date that we had to dip into that, because it sounds like we did it on purpose all these years and I don't think that's the case. I think it was later on. Now we did on purpose carry over that \$1,000,000. But that wasn't spent, that was deferred revenue that we were hoping to make up with these adjustments that we were hoping to spend later, because we didn't need it until later. So that's a good question. I don't know, but yes, it was with council's permission. I am not really too bent out of shape, but I wanted my voice, because everyone has an opinion. I guess it's just a sticker shock when you see the paper. I haven't really been keeping up with what you all are doing. I don't know your financial position today. When I retired, I pretty much didn't take anything, and I just went home.

Laura- Just so you know in that council meeting, councilmen Seth White was very adamant that he didn't believe that this was intentional or malicious or anything illegal. It was just...

Tim- I understand that. I do. I respect Mr. White and I understand that you are just trying to do the right thing. I hope that whatever it is, if it is gross mismanagement, then there is plenty enough blame to go around.

Mayor Cury- Thank you, Tim, and thank you members of council. Lance, thank you. Okay, next on the agenda is Consideration of Forensic Audit RFP. John?

John- So I can give you all a copy of the RFP that we plan on putting out because forensic audits are so complicated and so expensive, I just wanted to make sure that this document states exactly what you all want us to put out there for procurement. I just want to make sure before we put this out there and bids start coming in and something not line up with exactly what you want. So, I just wanted to give you all a copy of this and if you all are fine with it then we will put it out, probably tomorrow.

Mayor Cury- Has everyone had an opportunity to read this proposal?

John- Legal has reviewed this.

Laura- May I have just a moment. This was part of mine that was missing.

Mayor Cury- Absolutely.

John- There is a second contract in your packet as well that I think was missing, so if we have extra time, if you all could look at that one as well.

Seth- Mr. Mayor, this appears to match the motion that we made in our last meeting.

Doug- Can I make a suggestion? Would there be any way that we could let all our applicants come to our attorney? Then let maybe two council members converse with our attorney. Maybe Ms. Mollo and Seth and choose one and bring it to the council with their suggestions on who they think the auditors should be.

Mayor Cury- What is your reasoning for that Doug?

Doug- If we are going to do an audit, I think the attorney should be in charge of it along with two council members, not go to the Town Manager. Because he is in charge of the daily operations. I just think the smart thing to do would be to mail all applicants to you (town attorney) and you work with council on who you choose to do the audit.

Mayor Cury- Does anybody else want to weigh in on Doug's suggestion?

Seth- I understand what you are saying Doug, but I don't think that is really his forte in opening bid packets.

Doug- Once he gets them, he would prefer to two council members such as you two. I just don't think if somebody is being audited that they should get to choose their auditor.

Seth- But it is public. It's a public database. It's not like we are auditing John or the Director of Finance.

Michael- Just to clarify it is to audit the council as well. So, the whole theory of the town manager should choose it then the council shouldn't either.

Seth- Right. The audit includes the whole scope of our work, and past council and the votes that they have taken. Did they appropriate funds correctly, did they do the bidding process correctly? All those things.

Doug- I just want to choose the best firm.

Jeff- Well, we need to get the bids first.

Seth- All that staff is doing is choosing the certified low bidder. Then we can have a meeting with these two firms, the two top three firms. We can have a meeting with these two firms then we take a vote with the whole council and decide which one we want to go with.

Doug- I just think it would be a much cleaner...

John- I would anticipate if we got them here and designated a time for them to be here and anybody is welcome to be here for that opening. Then we would bring those to council and discuss those in closed session anyways. Because likely it will not be a lump sum because they really don't know what they are getting into until they get here, and they start working. So, I think it would be some kind of an hourly rate based on the auditor. That isn't ideal but with something like this that's really hard to know what to expect them to come back with.



Mayor Cury- Thank you all for your suggestions. John, I expect you want a motion to move forward with this?

John- Correct.

Mayor Cury- Is there a motion to authorize the Town Manager to move forward with the request of proposals for the forensic audit.

Laura- I make a motion to authorize the Town Manager to move forward with the request of proposals for the forensic audit. Seth seconded the motion.

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

Laura- I just want to clarify for citizens that what we are doing here is getting bids to perform a forensic audit. Anyone who has given us a number of what this is going to cost is just an estimate. None of us really know what this is going to cost at this point. It could be \$10,000 or it could be \$100,000. No one knows at this point. This is what this is for is to get the bids to do so.

Mayor Cury- Okay, if there is no further discussion. I will ask for a roll call vote. All those in favor of the motion say yes. All those that oppose say no. Roll Call- Doug- Yes, Jeff- No, Rick- Yes, Kristen- Yes, Seth- Yes, Laura- Yes. Motion carries -5/1.

Mayor Cury- Thank you. The next item is Annual Audit Update and RFP.

John- As you all know Corbin Stone and their firm has withdrawn their offer to do our audit for this year. I have found the proposal we put out. We have to put that out for rebidding every three or four years. I plan on putting that back out, I just wanted to make sure everyone was fine with that. So, if you see something in the paper or on EVA, we are just putting it back out there for bid. We have received a couple of leads on a couple different firms. We just want to make sure that they are aware of it. It still might put us behind with this as well as getting our year end reporting done. It is going to put us a little bit later than we normally do, but as long as we get someone in and get these things started, and we will get an updated timeline of when we anticipate that all being completed.

Mayor Cury- Thank you, John. Any questions about the Annual Audit Update and RFP for a new auditing firm?

Seth- Do you need a motion to approve that?

John- No. I just wanted to give you all an update.

Mayor Cury- John, I have a request. Will you please provide the council with copies of the email that Corbin Stone sent you?

John- Yes, I can.

Mayor Cury- Thank you, I would appreciate that. Next, we have Consideration of Downtown Revitalization Contract.

John- So, this was a second contract that was front and back and you may all be missing the second page. So, if you want to take a second look at it. Essentially, this was the contract that I mentioned

a month or two ago that we have gotten a copy in. The attorneys had some issues with how much insurance coverage and the way they were doing their pricing. Based on what they have submitted now, I think that we are more comfortable with the proposal. It is more of lump sum cost versus an hourly wage. So, their proposal is for the \$50,000 which is the grant plus if there's any additional cost because we asked for additional services beyond what was in this original agreement. So, if you all want to review that before we sign into this contract to move forward with our downtown revitalization. It is kind of the initial phase with the architect to narrow down the area and what buildings of what we could see in that area and then after that is all put in place that we would look at the additional million dollar grant to do streetscapes and facade grants and things of that nature.

Doug- I have a question. The grant was for \$1,000,000?

John- No, this one was only for \$50,000 for the architecture planning and review to try to narrow down what area is going to have to most benefit. Then we would go after the \$1,000,000 grant.

Doug- Is it obligating any of the town's budget to pay for this?

John- We received this \$50,000 grant. As long as we keep this under the \$50,000 then there is nothing that we have to pay out unless we ask for additional services. But there shouldn't be any cost to the town. That was my understanding.

Michael- That was a big hold up that we had as well. It was that they didn't have that capped and that was something that we felt they needed to do. You can see on the second page that it has a guaranteed maximum fee of \$50,000. If there is anything additionally that is added on to it that would then be an obligation to the town.

Seth- It looks like we would have to ask them to do additional services anyways. So, if that is the case, we can just make sure they clarify that.

John- It would be an addendum to the contract.

Mayor Cury- John, would you like a motion to move forward on this?

John- Yes, one way or the other.

Seth- I make a motion to move forward with this contract with Dialog & Design and Associates. Rick seconded the motion.

Mayor Cury- 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. Roll Call- Doug- Yes, Jeff- Yes, Rick- Yes, Kristen- Yes, Seth- Yes, Laura- Yes. Motion carries -6/0.

Mayor Cury- I consider this an improvement for the Town of Richlands, so thank you. Next, we have an update on the Rec Commission. Jeff?

Jeff- Last meeting Mr. Cordle came from the Rec Commission and discussed updates for safety issues and safety hazards. I just wanted to have discussion about it. I would personally like to move forward with it. If we need that in the form of a motion then I would like to make that motion tonight.

I make a motion that we allocate \$250,000 of the relief recovery funds for the improvements and upgrades per the Rec Commission's recommendation on how the money is spent.

Mayor Cury- So, you are making that a motion?

Jeff- Yeah, that's what we talked about. Even if we didn't do all the projects, that would be enough for them to prioritize them at the time based on what the Rec Commission felt like was most important.

Mayor Cury- Is this everything they needed?

Jeff- Yes, unless they get into something that they haven't anticipated.

Mayor Cury- Okay, we have a motion is there a second?

Rick- I have a question, I thought Tony was getting us prices on everything first?

Jeff- Well, they haven't met again. I talked to them today and they won't meet until after our next meeting. I talked to Jessica today and they had a guesstimate on some of those things, but they had also put the increases in there. So, they were just going to prioritize that was most important first.

Seth- I want to caution you guys again. Number one, you can't use any of those bids that they have, they are not valid because they were not put through an RFP. If we are going to do this, then it has to be done properly. You can't just have anyone coming out here and bidding.

Jeff- That is why I am giving it to the Rec Commission to prioritize what was needed first. Then we will go through the proper channels on putting it out for bids. They are not going to be spending the money. They are going to tell us what projects need to be prioritized first and then we can put that out for bids.

Seth- I just think that is cart before the horse because what if they need more money? I would say let them have their meeting, prioritize what they want, then let John's department put out an RFP, then we can allocate the funds.

Rick- I will go with you on your motion once they have their meeting and prioritize what needs to be done first and we put that out for bids, then they could bring that back out to council.

Doug- I am all for helping the Rec. My only problem is 75% of the people that use the Rec Park are from the county. Okay, I don't think it's fair that we take our money, all of it, 100% and spend it on the Rec and the county not help us at all. That is unfair to the people, and the citizens of Richlands.

John- What if we earmark the funds so the Rec Commission knows that money is earmarked for that purpose. So, they know to go after this grant, because they know they have this certain amount of money to match it. Or, if you know the money is there when we needed it then you won't have to rush into spending it this year or the next six months. It would still be the town's call and you still must go through the procurement and the council could still have some oversight, but at least it's earmarked for that purpose, and it gives them a little more freedom to try to find the best way. Then if you do go to the county or there's a partnership with somebody else, you would already have the match or whatever it might be. I don't know if it would free up the Rec Commission for

any additional grant funding. But, if you could take \$100,000 to get a \$50,000 grant, then you have just increased your value.

Mayor Cury- Is the earmarking the same thing that Jeff is asking for?

John- It just kind of depends on what you all are wanting to do versus if you put it out for bids, then you are stuck to those. I am just throwing out another opinion that may give them some more flexibility. However, it is up to council on how we want to handle the request.

Laura- I just think this is a little premature. Just like the VDOT stuff that we were talking about, we must prioritize that as well. If we earmark that now, then we are bound to that and what if something comes up in a bid and they need a little bit more or a little bit less. I am all for seeing that money go to those bids....

Doug- Can I finish my statement? I was interrupted and never got to finish. My statement was, Richlands is in horrible shape with the budget. We are killing them with the electric rates, and it is always Richlands that has to come up with all the money. How much did Tazewell County get? They got millions on the COVID money. Why is it always Richlands that has to give and we are in much worse shape than the county. I am sure the people of Richlands wouldn't mind if the county would help. I would say that most of the citizens in Richlands would disagree with giving all of Richlands' money and the county is 75% and they are not having to do anything.

Mayor Cury- Doug, would you like a member of council to address the county and ask them if they would help?

Doug- I just think the Rec Commission should address the county.

Jeff- And I'll tell you how that meeting will go.

Seth- Jeff said you guys had already talked to the school board. Because one of the things that we wanted was the tennis courts. I know when I was in school, all the high school matches were played at the Rec Park. I understand that is not the case now because they fixed the tennis courts at the high school. I don't know that it would hurt, but I think it might be a good idea. I would probably send a member of council to the county board of supervisors meeting.

Mayor Cury- I would elect Doug. Doug, you have talked about it, would you be willing to go talk to them?

Doug- I think if the Rec Commission wants their money, then they should go to the county. I think they would pull more weight than just Doug going there and asking. I would just say look you guys make up 75%, I think they should help us with these updates.

Kristen- Doug, I think you would be perfect for that.

Mayor Cury- Doug, I am serious. You have said it greatly. I think you need to be the one that goes.

Jeff- I have went and it didn't help. So, I think Doug should go.

Laura- I think like the way Teen Venture came in with their kids that maybe you could do something that like.

Jeff- Oh, we have done it with other projects with the county and it doesn't work. They always say well if we do it for Richlands then we have to do it for Tazewell and Bluefield and so on.

Doug- I think what got us in trouble to start with was we took care of 40% of the county and didn't ask any money for it, and here we go down this path again. We have done this for years.

Seth- I think a lot of that overhead is just like deferred maintenance stuff that we have got to fix. Have you talked to George with the street department to see if there are any other small fixes? Could you have them look at that before our next meeting? Just because I know there is some things and I feel like they could spend a day, or two days and they could knockout a ton of stuff on that list. But that is the low hanging fruit. That is not the expensive stuff.

Mayor Cury- That's a good idea too but the street department is also pulled in a lot of different directions.

Seth- I know that and I am not trying to pull them away.

Mayor Cury- There is a motion and no second. Is there a second to Jeff's motion? There is no second so the motion dies for lack of a second. Maybe at our next meeting they can give us some updates on this.

Rick- Can we put that out for RFP to see what that is going to cost?

Laura- I think the first step is letting the street department go over there.

Seth- Or let the Rec Commission go one at a time and see what is priority.

Jeff- Well, we did that at our last meeting. The pool, the tennis courts, the fencing and the slide.

Seth- We will put those out for RFP.

Rick- Can we do that?

Seth- I make a motion that we authorize the Town Manager to work with Jeff and the Rec Commission to craft two RFPs. One for the tennis court and one for the fencing, slides and resurfacing of the pool with council approval. Rick seconded the motion.

Mayor Cury- Does that help you, Jeff?

Jeff- Yes.

Seth- Then we could approve it at the next council meeting.

John- I don't think I will have a problem with the RFP for the fencing and the tennis courts, but the pool is more of a resurfacing? So, nothing architectural or anything?

Jeff- No.

John- Okay, that shouldn't be an issue RFP wise. We can also meet with George to get an updated quote on some of this as well.

Doug- How much did the Rec Park bring in in membership from people who live in town and in the county.

Jeff- I don't know those numbers right off. We can maybe do a presentation about the Rec Park at our next meeting.

Laura- So, when those bids come in those are brought before the council for approval, correct?

Jeff- Of course. Then I thought maybe the Rec Commission could come and make their recommendation on what they thought.

Mayor Cury- 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. Roll Call- Doug- Yes, Jeff- Yes, Rick- Yes, Kristen- Yes, Seth- Yes, Laura- Yes. Motion carries -6/0.

Mayor Cury- Next, we are on Electric Relief Discussion. Laura?

Laura- I asked for you guys to bring back some options for some electric relief over the winter until the council next year can address those rates in the next budget.

John- So Heather and I were talking about this, but we haven't really come back with any concrete options at this point. I'll let her speak to that. There is fuel assistance and things of that nature to help people through those winter months and cooling in the summer. I just don't think that is something that we should have the capacity to try to take on. I think the lowest hanging fruit on this one would be maybe looking at our late fees. Maybe when someone gets cut off instead of doing a cut off fee, call it a delinquent fee and then change it to a flat fee instead of a percentage. That might be our best option, but even that, it is an ordinance. So, we would have to go through that whole process of advertising and doing the public hearings and then approving it. I think that would be the quickest way to do something that would help those people who do get behind or forget to pay a bill and then get hit with fees on top of their bill. That would probably be the best and quickest option that we have come up with.

Kristen- Have you all discussed payment budgeting available for more people?

John- That is something we can discuss. I think the more we do something like that, the more liability we are taking on for somebody who isn't able to pay their bills and then leaves town. I will leave that up to council. I think that would be a different, better option than waiting and allowing them to be a month behind before we cut them off. It isn't always the nice thing when somebody falls behind on the \$200 bill, the next month is \$500. We have just put them in an even more difficult situation than cutting them off on the original bill. But those are some options that we can look at. I would just like to know, what are the options that council is most interested in?

Seth- Why is our late fee so immediate? So, if you do not pay your bill by 4:00 o'clock on the 15<sup>th</sup>, then you immediately get charged this massive late fee.

Heather- Actually, that's what I've been doing. I've been trying but I have very limited time to focus on extras and I would have to call this an extra. So, I have been looking on my phone to see what other places are charging for their late fees? What is their structure set up? I try to focus on places near here. They don't have to be right beside us, but near here. I agree with that and that's why I was telling John, I wouldn't feel comfortable speaking to the specifics, as far as the payments goes. Your best bet would be to find someplace that would allow payment that you could call in, and they would take them over the phone like the previous place. With that website, you could go

on there and log in and they would allow payments so people wouldn't be late. They pay us immediately, and they are paying them the extra and that's how that company makes their money. They process the cards and keep the fee from processing the card and then they are offering that as well. So, we get our money. But they're making their money off the people that is making those payments dripping it out over time. So, we don't have this offer to do that, but that is something that they are focusing on. So, that could be an option to look into something like that. It's an option to restructure and to make what I would call fairer to everyone. I would feel like everybody is getting the same treatment, because sometimes I feel like it is unfair, but those people are home seeing this person getting cut off, they go pay, they don't get that fee. Or if that person is at work and they get the fee because they didn't see it and so on. I don't really feel like that is fair, because they're just as late as that person. They're just coming to pay and that is the second fee.

Seth- So is it by statute? Is this something that we approve by statute, the amount and what is charged? Or is it by ordinance or is this just a management decision?

Michael- It is in the Town Code.

Seth- So, we would have to change the code to change the late fee structure?

Michael- It is just an ordinance.

Heather- You could change the ordinance.

Seth- But we have to advertise for an ordinance change.

John, Heather, & Michael- Correct.

Heather- But I feel like there is a lot of options and things we can look into.

Seth- How many days can you be late now before you get cut off?

Heather- It varies and that is another thing I would like to look into.

Mayor Cury- I have a suggestion, when people come in to pay their bills and all they have is a credit card...

Heather- That is an option now. The reason we couldn't do it before was because we had entered in that agreement...

Mayor Cury- Are they going to be able to do it now?

Heather- I don't think so. They called last month and said we can't change to the online process...

John- It is something that we are going to try to figure out to get back to that.

Heather- It is going to have to be something like what they are being charged when they call in. Really and truly, I feel like if they are coming in, I can see them and verify who they are. With them calling in, I just think that is going to be more difficult. It is going to have to stay like it is for now. We definitely don't want to lose money.

John- I guess if the late fee and delinquent fee is something you all want us to look at, we can do that, because then we know a specific thing that you want us to look at. We can then look at other places and see how they word it and implement it; then come back with some options.

Seth- So the two things that I found to be most disturbing is the late fee, how it is implemented, and how quickly you terminate someone's power. There has to be a way that we don't cut people off so quickly, and then charge this massive late fee when you are an hour or day late.

Mayor Cury- John and Heather are you all clear on what you all need to look at?

John- Yes.

Heather- Yes, and I have talked to Laura about that before. I hate the way that is set up. If you see your friend across the street being cut off, even if you are just as late on your bill, if you pick up the phone and call, and pay then you avoid that cut off fee. Even though you were just as late as your neighbor because you called before they cut you off; then you avoided that additional fee.

Seth- The late fee is like 10%. It is ridiculous.

Laura- On the late fee, we could say if your bill is \$500 then you pay a flat \$5.00. If your bill is \$501 and up, then you pay \$10 or \$15.00.

Heather- Before we get too far into this, I would just like to know what we need to focus on. So, late fee and delinquent reconnect?

Seth- Payment plan options

Mayor Cury- Heather and John, would it be easier for you to take this feeling from the council instead of a direct suggestion right now...

Heather- Well I have been working on it...

Mayor Cury- Then come back to the council with proposals.

John- If that is the direction of the council, we can definitely look into some options and what places do around us and try to come up with something more equitable.

Laura- Is there something that we can do tonight because we are getting into the cold months, and I don't want to see people getting disconnected and at the same time, I don't want to see the town losing money either. For instance, don't cut them off in the winter months if someone is paying 20% of their bill.

John- People would then accumulate these huge bills that they could never pay and if they move then we are stuck with that.

Heather- During the winter you can get fuel assistance.

Rick- Yeah, but that usually pays nothing for the average person.

Laura- And that depletes very quickly.

Mayor Cury- So, Laura, you would like something done tonight?



Laura- Yes, anything that we could do...

Seth- Could we maybe extend the cut off? Like instead of cutting people off in 10 days, lets extend that to 60 days or whatever.

John- I think the complaint would be with that is they are already getting next month's bill when you are cutting them off, so they would be like well why do I have to pay two bills?

Laura- But it would have past due amount plus a current amount. So, let's just do that.

Heather- Let's say you get your bill on the 2nd, 3<sup>rd</sup>, or 4<sup>th</sup>. I think they are guaranteed to be to be in your box by the 1<sup>st</sup>, but we all know that don't always happen by the 1st. Like this month, it might have been on the 28<sup>th</sup>. Well next month it might have been on the 26th. I think that's kind of a problem for me because I will forget that we are having to do our cut off today. To me the 26<sup>th</sup> is much different if you get paid on the 28th. So, I just feel like whatever the 30th is on unless it is February then the 30<sup>th</sup> would be your last day. Not the 28th but the 30<sup>th</sup>. Unless that falls on the weekend; then it would fall to that Monday. That is a whole month.

Seth- Can we do that? Do we need something special to do that?

Michael- Any amendment to that would be on the code. I don't know if that would technically be a budgetary one for the late fee.

Heather- Basically, it is whatever the bill says, it says you can be cut off by the 20<sup>th</sup>. All of the bills are going to continue to say that. I can't change that. That is how they have been printed. If it continues to happen, I guess you can change it later on.

Seth- Who sets the cut offs right now?

Heather- Amanda.

John- If the 20<sup>th</sup> is on a Friday. we usually wait until the following Monday. We do try to work with people. We don't want people coming home from work on Friday and not having any power all weekend.

Seth- I make a motion to direct our Town Manager, to direct Amanda, or whoever sets this arbitrary date, that this new arbitrary date be temporarily set for the winter months to the last day of the month unless it is on a weekend then it would be the next business day. Laura seconded the motion.

Mayor Cury- 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. Roll Call- Doug- Yes, Jeff- Yes, Rick- Yes, Kristen- Yes, Seth- Yes, Laura- Yes. Motion carries -6/0.

Mayor Cury- Thank you, council. Now we are Town Manager Report.

John- The only thing I have is we are looking into doing roofing RFPs and I put that out on EVA. I received a bunch of responses from people wanting the bid packaging so they would know the specifics and how big the roof is and what kind of roof it is. That is just out of my expertise, and I didn't feel that it was fair to have all these people bidding on these projects that is this complicated. So, I wanted to bring this back to council and see if maybe we can get an architect to come and look at this and help with this RFP for those four buildings. So, we know when someone puts a

bid in that they are all bidding on the same thing and quality of product. So, do you all want me to put another RFP out for that or do you want me to just move forward with the company that we have used in the past?

Seth- Hold up. Why can't you just get George to come and look at it and see if we can get a quote on a 12-gage metal for this building and 30-year agricultural shingle?

John- I just feel like it is a lot more, and I honestly don't know how to put it on paper so that anyone across the state could bid on the same project.

Seth- You just need to tell them the type of materials that you want.

Rick- Have a job showing. That is what VDOT does, and everyone is on the same page at the end of the day.

Heather- What is basically happening is this looks like a roof but then there is all this extra space up there and they can't tell by all this open space where all these leaks are coming from. You can look up and that part maybe dry, but you have all this water running down. I don't know what that roof is called, but that is here. I don't know what all these other roofs are. We have actually had someone from the street department come up here and look at it.

Rick- Just invite the contractors to come up here and do a job showing. They will look at it and tell you what you need to do.

Mayor Cury- With it being governmental money, I don't know if it works like that.

Rick- Well VDOT does it all the time.

John- But they have someone there that knows exactly what they are asking someone to bid on. I just don't know anything about roofs to answer their questions.

Mayor Cury- I have a suggestion, I think we are at an impasse here personally on what we need to do. I follow what you are saying but to be fair we are a government, and we want to make sure everyone is bidding on the same thing. I also get what you are saying and maybe we do not have the expertise in house to be able to do that. I also follow what you are saying that we do not need an architect. I just don't think we are ready to do this right now. I think we just need to wait until our next meeting and discuss this again. We need to find out more.

Seth- Will you at least call George and find out what he thinks and if he is comfortable doing it? If not then we will go a different route.

John- Yes.

Mayor Cury- I think that is our problem, we are relying on someone for a ton of expertise, and I am not sure that is his field. Can you report back to us on this next month?

John- Yes, and that is all I have for tonight.

Mayor Cury- Okay, let's see. Now we have Attorney's Comments.

Michael- I did receive a phone call this week and I did need council's direction on whether or not you all wanted me to look into this or not. My call was from someone at the Police Department wanting me to have a sit down with them regarding code enforcement and updating codes with them. Of course, I would need council's blessing to do that.

Laura- Do you need a motion for that?

Michael- I think a consensus would be fine.

Members of Council- You have our consensus.

Mayor Cury- Thank you, Michael. Do you have anything else?

Michael- One more thing, with the election next week, there will be two new council members, I just wanted to throw that out there. As far as the seats, it would be the seats that Laura is currently in and the seat that Rick is currently in. So, you all wouldn't be able to take office until January 1<sup>st</sup>. Under these special elections they would take office immediately once they are qualified.

Laura- Yes, I am aware.

Mayor Cury- Okay, thank you, Michael. Council Reports. These are non-voting items. Doug?

Doug- Last council meeting, we voted to move the electric fund into its own separate account separate from the budget.

Heather- That hasn't been done. We have literally had like 3 weeks, and we don't have an auditor now. So, there wasn't anyone I could ask to decide if that was the correct move at this time.

Doug- I just don't see the problem. We have a separate account for VDOT. We have admitted that we have problems with the electric fund, I just don't see what problem it could be for it to have its own separate account.

Heather- It is going to be a lot of accounting problems, because overall when you write a check, in order for that to clear you are going to have to be transferring money back and forth and it is going to look more suspicious than it does now.

Doug- Why? You shouldn't be moving money out.

Heather- We are not moving it. We are just writing checks out of it and we have to make sure they are covered.

Doug- How are you going to do VDOT?

Heather- Again, we are going to have to look at it and see how that is budgeted in the budget. But that has nothing to do with the electric, water, and sewer. They all have their own line. They all have their own reserve and everything else. We do not receive taxes every month to help cover our bills. So, if we are going to do it that way, then we are going to have to have somebody else tell me how to do it that way. Because we won't be able to pay the bills.

Seth- Doug, if you remember that was one of the provisions, and that is they would reach out to our auditors and see what they needed to do and come back with a report. Our auditor resigned so now they can't do that.

Doug- Seth, the auditors quit two days ago, and they had all month to do this. It is a question of they are not going to do this unless we force them to. They are just stalling as usual. They will do whatever they want to do in their own time unless the council puts their foot down, it is not going to be done. If you guys can let them do that and not do as we voted, then that is on you. They had a month to check. They have no intentions of doing it unless we force them to.

Mayor Cury- Doug, let me add this. The motion has the power of a motion, but I think this is a little more presumptuous. I think it is not that they don't have any intention. I think they will get it done. She has explained that it is a difficult process at present. Any further discussion here? Doug, did you have anything else to say?

Doug- Yes, with this VDOT money, in all due respect to Mr. Taylor, I want you to imagine this. we have a council sitting down, the town manager comes in and says, we are not supposed to do this but if you guys are okay with this, we are going to take money out of the VDOT fund and use it for other departments. Can you imagine? I mean, that is ludicrous. People know me, I would never agree to that stipulation. I mean as a council member, I would never agree to that, and I don't think any of the others would either. Would you agree with that, Mr. Woods? No. So, that tells you council did not know that money was being spent other than what it was earmarked for. That is all I have.

Mayor Cury- Thank you, Doug. Okay, Laura?

Laura- At the last meeting, I had asked about the minutes for the other committees not being posted and they are still not being properly posted. That is a Virginia Code, not just what people need to see. So, we need to make sure those are being done, please. Also, can I get an update about the light on Mason Street?

John- It was my understanding that it was put up over a month ago.

Laura- I have driven by and it is still not on. It maybe up but it is not on.

John- I'll follow up with it, but I think it is a motion sensor light.

Laura- Thank you, also the POW chair has the lights zip tied on and that decal is coming off. The Veterans dinner is this week, and this has been something that multiple people here have brought up, is that going to be fixed before that dinner? Because that is a pretty big deal.

John- I will get with our guys and see. We will do our best. I am just not sure how much it is going to take to get those lights in there. I know they were busy last week putting up those banners, but I will check and see.

Laura- At least that decal. I mean something needs to be done for the Veterans before that. Also, we had a situation, not to bring up the auditor again, but I don't know about anyone else, but I found out that the auditor had quit when Kristen put it on Facebook. I do not appreciate being left out of the loop on that, because we cannot make sound decisions as a 6-member council if some

of us do not have all the information. That is something you really need to consider going forward. Also, I am not sure if councilman Wood will bring this up, but we visited that house on Planation Drive, Mr. Yates. Are you going to discuss that?

Rick- Yes.

Laura- Okay, I will let Rick talk about that. That was all I had for tonight.

Mayor Cury- Thank you, Laura. Rick?

Rick- Laura and I visited Mr. Yates, it is like they just sawed out the side of the concrete and the water is coming out in his yard. The scary part is, there is a transformer there and I know we do not have power over there, but us letting the water run around that transformer is pretty scary. So, I think the town had already agreed to put the pipe in for the guy, do we have the pipe, John?

John- We may, we may not. I have no clue.

Rick- Well, I think we need to do that. I am thinking about children and pedestrians other there.

Mayor Cury- Since these are non-voting items, are you just wanting a consensus?

Rick- I think we need a consensus or something and have it on our next meeting's agenda.

Laura- You can make that motion at the end whenever everyone finishes.

Rick- Okay, I will just wait and do that.

Mayor Cury- Okay, thank you, Rick. Kristen?

Kristen- I just wanted to clarify something that I said in our last meeting. I said it took two phone calls to get a call through to 911 and Laura researched part of this and what had happened is both calls were between 10-15 seconds, but the calls were not connecting. It was dead space, and they actually had a third person calling when 911 was calling them back because it did connect right at the end when she hung up. It may have been more phone issues than 911 issues, but still I wanted to clarify that.

Laura- Thank you.

Mayor Cury- Thank you, Kristen. Seth?

Seth- I would just like to say that Blake got up here and presented a bleak outlook for our town and things that is going on, but I just wanted to let you guys know there is some great things happening. I had an opportunity, a couple weeks ago to go over to the fish farm and it was amazing. I'll try to get an e-mail to John. The county had sent us a video kind of a rendering of what it is going to look like. They are moving a ton of dirt, and every 60 seconds a truckload of gravels is going in. Now that is bringing in a ton of work and one of the things that is exciting to me about this whole project is that the college became a junior college and that has brought in a ton of more people into our area. With this fish farm coming in, you are talking about 500 construction workers coming in over the next few years. That means more people in our restaurants, more people in our hotels, more people renting houses, and more people renting apartments. One of the amazing things is we are probably going to have a housing shortage. They are actually looking at some people

affiliated with the fish farm and building some single-family housing. They will be spending millions of dollars to build single family housing. So, I feel like that you can always turn on the news and you can see all the terrible, negative things, but sometimes we need to remember there are great things happening, really good things happening here. I want to encourage you guys with that because it was a really great trip. The second thing I wanted to say was I really appreciate Chief Holt and what he has been able to do with our Police Department in a month. I just respect you guys so much. There is a lot of talk about so many people quitting but one of the things I wanted to clarify for some of the citizens is we did have three officers apply to the Virginia State Police Academy when the former Chief was Chief, not when Mr. Holt was Chief. So, two of those folks are going on and one decided because they like working in the department with Mr. Holt that person was going to stay here. I think that speaks volumes about his leadership and ability. There are some other people that left that had already applied for other jobs. You can take a narrative and you can make it look like anything that you want to, and you can say anything you want. Also, you know you can get on Facebook or Twitter and make it look and appear anyway that you want to but a lot of that is fake news and a lot of the rhetoric that's happening around this transition with Mr. Holt and our Police Department has been fake news. We had a lot of good officers there before and we have a lot of good officers there now. He is bringing in some very qualified, credential people and I really believe we are going to see this police force become the best that it has ever been over the next year. I just really want to say thank you for what you are doing, Mr. Holt. We really appreciate your hard work.

Laura- Yes, I completely agree with that.

Mayor Cury- Thank you, Seth. Anything else?

Seth- No Sir.

Mayor Cury- Okay, Jeff?

Jeff- Yes, I wanted to thank Chief Holt and the Police Department for the trunk or treat and safe Halloween. We didn't have any problems yet that we know of then they had a movie showing with Hocus Pocus down at the Green Space. It was really well attended, so a lot of things going on, especially around this time, so we appreciate everybody's hard work.

Mayor Cury- Thank you, Jeff. Okay, we will move to Mayor Reports. I have two requests and they have asked me to read them. I'll read as rapidly as I can. These are requests for money. "Dear Sir, Madam, one person can make a difference and influence the course of human events how thousands of volunteers can create change. The AmeriCorps Seniors and RSVP program volunteers at Clinch Valley Community Action have been making a difference in their communities for 50 years. An estimated 6000 volunteers aged 55+ have served 6 million hours during the past 50 years. These volunteers have served in food pantries, hospitals, nonprofit organizations, civic organizations, nursing homes and assisted living centers, veterans' organizations, throughout community and the Virginia counties of Buchanan, Russell and Tazewell have worked to address food insecurity. We all know that is a real thing. Individual transportation needs, home repairs, disaster response, civic improvements, capacity building through fundraising, free tax return preparation, and they have addressed disabled adults and elderly citizens, and social isolation through telephone safety checks. These are just a few of the

accomplishments made possible with the dedication of perseverance of these wonderful individuals. These volunteers, maybe your neighbors, customers, family members, members of your church, or those in your community or service area. All of our amazing volunteers are helping to make a difference in the lives of others. Clinch Valley Community Action has the task of matching 30% of the federal and local yearly budget of the for the AmeriCorps seniors RSVP program. This amount averages \$69,000 annually. The RSVP program appreciates local government support along with generous income support from a variety of given resources. RSVP staff and volunteers also work together in fundraising activities, which have been severely limited over the last two years. The task of finding this amount of matching funds annually has become challenging, just as these volunteers have donated time and energy to create change. Your generous contribution helps Clinch Valley Community Action continue to sponsor the AmeriCorps seniors RSVP program and all it means to the community. Please consider making a special gift to honor and celebrate this program's 50th anniversary. We have enclosed a stamped, self-addressed envelope for your convenience. If you have any questions about this wonderful program at the volunteers it serves, contact Susan White, director of Senior Volunteer services. Thank you for your support, Roberta A. Robin Boyd.”

Now that would involve a contribution of the council, so I am going to sit this over here.

Okay, I have a second request here. “To whom it may concern, I'm a third-grade student at Richlands Elementary School. I have been nominated to represent my school and community at the NYLF Pathways to STEM program in Raleigh, North Carolina. By attending NYLF Pathways, I will join other motivated students from around the country for an experiential, envision leadership career exploration program. I've enclosed a sample of our itinerary for your review. As you can see, this will be a powerful experience enabling me to interact with respected professionals in various fields while building relationships with students that would be my future colleagues. Attending this program will allow me to further my interest in medicine and reach my career goals of becoming a nurse. I maintain straight A's and I am involved in cheerleading and volleyball. I have been granted awards such as Leadership, and a Certificate of Excellence in math, etc. Imagine if you have been given this opportunity for a life changing experience when you were in school and were unable to participate for lack of funds. That is why I am writing to you today. My participation in the program depends on whether I can raise \$2,500 in scholarships. I'm investing every dollar I can of my money to make sure I don't miss out on this unique experience. I am also taking on extra jobs. (This is a third grader.) I'm taking on extra jobs to raise the funds. In addition, through my family, friends and neighbors, I have reached out to their families and businesses with similar fundraising requests. My tuition must be paid no later than November 30th. Your support for my sponsorship request would be greatly appreciated. I will contact you next week to discuss the possibility of receiving your support. I've enclosed background materials on the program to answer your questions and help you make your decision. Please contact Katie McClanahan for any further information.” This is signed Zoe McClanahan and on the back is the identical letter signed Abigail McClanahan.

I would suggest unless council feels otherwise that anyone who wants to donate could donate personally. Does anyone have a different opinion of this? Okay, that is the consensus of council for the McClanahan and for Clinch Valley Community Action. Thank you for allowing me to read that. There was a special request for me to read that in full and we wish you the best. If people

would like to make an individual contribution, I have all the information right here. That would be a personal choice.

I just want to say thank you to all the members of the community and the Police Department for the program for the Halloween and trunk or treat. The Section House had an event, and we want to thank Ramp Up for the movie that they did at the Green Space. Also, all the other things, and even our neighboring Town of Cedar Bluff, which did a superlative, bang up job with Halloween Town. So, it's good to be neighborly and say, hey you did a good job, and we hope they will recognize what we do too. So, thank you very much, Cedar Bluff. There were also activities at the museum. So, I had lots of trick or treaters at my house, not as many as we used to have in previous years. But I have a lot of candy in my car. That could sound a little leery, but if you want to go to my car, I'll give you some candy. Doesn't that sound inviting? It is okay, the Lord gave me my humor. The next thing is we have a program coming up. Veteran's Day on November 3rd. The real Veteran's Day is November the 11th. It is going to be a wonderful program. There will be all kinds of people honoring veterans. This is for all veterans who served and died and those who have survived. But different than Memorial Day. I have nothing else to report.

Oh, I did. Sabrina Homes, who is the principal of Richlands Middle School, ask me about getting some help with the streetlight that they need because there is a public safety danger there at night. It's particularly dark during basketball games. So, John met with Mrs. Holmes, Miss McGee, and their custodian, Mr. Hubbard, and we looked at it and John was going to check with the electrical people. John, have you had an opportunity to do that?

John- I haven't.

Mayor Cury- Okay, if you would do that and please get back to me if we can be of some help. A bucket truck or whatever that we need to do. We have enjoyed a wonderful relationship between the Town of Richlands and Tazewell County Public schools, and I would like to foster that and continue that relationship. It's very important not to be taken lightly. I don't know what expense it will incur, but until we know that we can't really say so. I just am asking you, John, to do that. If you'll find out and then we could meet with her again and say what we can do, would you be able to do that and get some more information?

John-Yeah. I can do that.

Mayor Cury- Thank you. Then we had a request from Tim to get an official response from Robinson, Farmer & Cox. I think that is appropriate as well as the e-mail that you received from the auditor. Would you please send that out to the council?

John- I will.

Mayor Cury- Thank you, John.

Seth- Mayor, Mr. Absher wanted me to remind councilman Ratliff that he and I, when we were on the Board of Supervisors, we did pay for the resurfacing of the pool. We pulled our district funds together and fixed the pool. I'm sure Jeff remembers that as well. So, the county did pay to fix the pool. Mr. Absher wanted me to make sure I told you.

Mayor Cury- See, when these things come to light, we have to entertain them.



Rick- Back to the Mr. Yates' pipe and installing of pipe. I make a motion that we fix Mr. Yates pipe. Doug seconded the motion.

John- So 100% town cost? Or is it 50/50?

Rick- Yes, because I think we are the ones who made the problem over there.

John- And are we going to replace the concrete as well because it's paved over, correct.

Rick- It is paved, but he's going to repave the driveway. All he is wanting is the pipe put in and just dig across. It is like 100 feet of pipe put in there.

Laura- Also, we did say to him that from this point on this will be his responsibility. So, we need to make sure we have something drawn up that says that after that pipe goes in that it is 100% his responsibility.

John- Can you drawn something up Michael? Basically, saying we are going to replace the pipe. What size is that?

Rick- 12 inches

John- Is that what is in there now?

Rick- No, 8 inches is what is in there now, but it is stopped up from just how much stuff washes down.

John- So, you think 12 inches will work?

Rick- Yes, 12 inches is great.

Mayor Cury- So, we have a motion and a second on the floor and John has clarified what the council's desire are in the motion. Are you good with that?

John- Yes, as long as it passes, I'll have legal draw up an agreement and we will move forward as directed.

Michael- Is Mr. Yates the landowner?

Mayor Cury- I am assuming. I don't know the details.

John- I believe so, but I will get you the details.

Mayor Cury- 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. Roll Call- Doug- Yes, Jeff- Yes, Rick- Yes, Kristen- Yes, Seth- Yes, Laura- Yes. Motion carries -6/0.

Mayor Cury- Okay, I will entertain a motion to adjourn the meeting.

Jeff- I make a motion that we adjourn this meeting. Rick seconded the motion.

Mayor Cury- 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. Roll Call- Doug- Yes, Jeff- Yes, Rick- Yes, Kristen- Yes, Seth- Yes, Laura- Yes. Motion carries -6/0.

Adjourned!!

---

Rodney D. Cury, Mayor

---

Rebekah Hackworth, Clerk

**ORDINANCE NO.: O-2022-12-01**

*Amendment to Existing Ordinance*

**TITLE XV: LAND USAGE**

**CHAPTER 154: ZONING**

**Town of Richlands Zoning Map**

**BE IT ORDAINED** by the Council of the Town of Richlands, Virginia, that it hereby enacts the following changes to the Town of Richlands Zoning Map, pursuant to §§154.015(B) and 154.205 of the Town of Richlands, Virginia Code of Ordinances, in order to reclassify the zoning designations of certain parcels of real property located within the Town as identified below, and to reconfigure the Town of Richlands Zoning Map accordingly:

**Tax Map Parcel Nos.:** 105A408100034-0035  
Reclassify from INDUSTRIAL, GENERAL, DISTRICT M-1 to  
RESIDENTIAL, GENERAL, DISTRICT R-2

*(all other designations as indicated on the Zoning Map of the Town of Richlands remain unchanged)*

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

A motion was made by \_\_\_\_\_, and seconded by \_\_\_\_\_,

VOTE:	Bales	_____
	Hurst	_____
	Ratliff	_____
	Jackson	_____
	Thompson-Whitt	_____
	White	_____

\_\_\_\_\_  
Rodney D. Cury, Mayor

\_\_\_\_\_  
Rebekah Hackworth, Clerk

Effective Date (30 days from passage, unless passed as emergency):



**ORDINANCE NO.: O-2022-12-02**

*Amendment to Existing Ordinance*

**TITLE XV: LAND USAGE**

**CHAPTER 154: ZONING**

**Town of Richlands Zoning Map**

**BE IT ORDAINED** by the Council of the Town of Richlands, Virginia, that it hereby enacts the following changes to the Town of Richlands Zoning Map, pursuant to §§154.015(B) and 154.205 of the Town of Richlands, Virginia Code of Ordinances, in order to reclassify the zoning designations of certain parcels of real property located within the Town as identified below, and to reconfigure the Town of Richlands Zoning Map accordingly:

**Tax Map Parcel Nos.:** 105A3A 0021

Reclassify from INDUSTRIAL, GENERAL, DISTRICT M-1 to  
BUSINESS, GENERAL, DISTRICT B-3

*(all other designations as indicated on the Zoning Map of the Town of Richlands remain unchanged)*

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

A motion was made by \_\_\_\_\_, and seconded by \_\_\_\_\_,

VOTE:	Bales	_____
	Hurst	_____
	Ratliff	_____
	Jackson	_____
	Thompson-Whitt	_____
	White	_____

\_\_\_\_\_  
Rodney D. Cury, Mayor

\_\_\_\_\_  
Rebekah Hackworth, Clerk

Effective Date *(30 days from passage, unless passed as emergency)*:



**ORDINANCE NO.: O-2022-12-03**

*Amendment to Existing Ordinance*

**TITLE XV: LAND USAGE**

**CHAPTER 154: ZONING**

**BE IT ORDAINED** by the Council of the Town of Richlands, Virginia, that it hereby enacts the following amendment to Sec. 154 Zoning of the Richlands Town Code in order to add rooftop solar as a conditional use to the following zoning districts:

- Residential, Limited, District R-1
- Residential, General, District R-2
- Business, General, District B-2
- Industrial, General, District M-1
- Agricultural, General, District, A-1
- Conservation, Special, District C-1

**§ 154.071 USE REGULATIONS. (amended)**

In each district, the following will be added as a use with a conditional use permit:

Rooftop Solar- Solar panel installation only after a public hearing has been held by the governing body on an application submitted to the body for such use. The Governing Body may request the Commission submit a recommendation to them concerning such use applications. In approving any such application, the governing body may establish any such special requirements and regulations for the protection of adjacent property and make requirements as they deem necessary in the public interest.

*(all other uses identified in this section remain unchanged)*

(Ord. of 02-08-2022)

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

A motion was made by \_\_\_\_\_, and seconded by \_\_\_\_\_,

VOTE:

Bales	_____
Hurst	_____
Ratliff	_____
Jackson	_____
Thompson-Whitt	_____
White	_____

\_\_\_\_\_  
Rodney D. Cury, Mayor

\_\_\_\_\_  
Rebekah Hackworth, Clerk

Effective Date *(30 days from passage, unless passed as emergency)*







**RESOLUTION  
R-2022-12-01**

**WHEREAS**, the Town of Richlands desires to enact an interconnection policy; and,

**WHEREAS**, the IDA was referred to this topic and has submitted a recommendation; and

**WHEREAS**, the full Richlands Electric Department Interconnection Requirements for new distributed generators

**NOW, THEREFORE, BE IT RESOLVED THAT:** The Town Council of Richlands hereby adopts the attached interconnection requirements for the Richlands Electric System.

The Town of Richlands Town Council,

\_\_\_\_\_  
Rodney D. Cury,  
Mayor

*Attest:*

\_\_\_\_\_  
Connie Allen,  
Town Clerk

Ayes:	
Nays:	
Absent:	





RICHLANDS ELECTRIC DEPARTMENT  
INTERCONNECTION REQUIREMENTS FOR NEW DISTRIBUTED  
GENERATORS, CONNECTED IN PARALLEL WITH PRIMARY DISTRIBUTION  
CIRCUITS AND CUSTOMER SECONDARY SERVICES

ANY FORM OF CUSTOMER-OWNED GENERATION  
INTERCONNECTED WITH THE RICHLANDS ELECTRIC  
DEPARTMENT (RED) MUST COMPLY WITH THE APPLICATION  
PROCESS HEREIN, BE REVIEWED BY, RED AND RECEIVE THE  
EXPRESSED CONSENT OF RED IN WRITING WITH AN  
APPROVED APPLICATION BEFORE ANY INTERCONNECTION  
AND PARALLEL OPERATION BEGINS

December 13th, 2022

Any generation that cannot operate in parallel with RED  
is not subject to these requirements but requires a site-specific  
interconnection agreement.

## Table of Contents

1. General
2. Scope
3. Application Process
4. Standardized Interconnection Requirements (SIR)
  - 4.1. Design Requirements
    - 4.1.1. Common
    - 4.1.2. Synchronous Generators
    - 4.1.3. Induction Generators
    - 4.1.4. DC Inverters
    - 4.1.5. Inductive Generators
    - 4.1.6. DC to AC Inversion Systems
  - 4.2. Grounding
  - 4.3. Operating Requirements
  - 4.4. Dedicated Transformer
  - 4.5. Disconnect Switch or Device
  - 4.6. Power Quality
  - 4.7. Power Factor Correction
  - 4.8. Stand Alone Islanding
  - 4.9. Required Testing of Distributed Generation Systems
    - 4.9.1. Type Testing
    - 4.9.2. Verification Testing
  - 4.10. RED Back-up or Stand-by Power and Capacity
  - 4.11. Interconnection to Primary and Secondary Network Distribution System
5. Insurance Requirements
  - Appendix A** — Glossary of Terms
  - Appendix B** — Application Form for Wind / Photovoltaic 20kW or Less
  - Appendix C** — Application Form for all other Installations
  - Appendix D** — Examples of Disconnect Switch Warning Tags
  - Appendix E** — Reference & Construction Standards

## 1.0 General

### 2.0

This document standardizes the technical requirements for interconnection of Distributed Generation (DG) equipment to the Richlands Electric Department (RED) Distribution facilities in all sizes to a maximum of 50 kW. After RED reaches 750 kW of distributed generation connected to its electric system, additional distributed generation will no longer be accepted. Customer Net Metering is available in the RED service territory. Richlands does not bank or buy excess energy. See the metering section for more detail.

**Generation not operating in parallel, i.e. isolated from RED grid, does not qualify for interconnection under these terms.**

### 2.0 Scope

This set of interconnection requirements defines the application process, technical interconnection requirements and agreement elements for interconnecting new distributed generation facilities to **Sub-transmission Circuits, Primary Distribution Circuits and to Customer Secondary Services**. <sup>1</sup>This document addresses only those points in which the customer, developer, operator, equipment manufacturer and the utilities have a mutual interest and is primarily directed toward the safety aspects of the interconnected distributed generator.

The Distributed Generator may also need to get approval from other entities, including but not limited to Tazewell County, Town of Richlands, PJM Interconnection, American Electric Power (AEP), Virginia Department of Environmental Quality (VADEQ), and the Federal Energy Regulatory Commission (FERC) depending on size and power export plan. This document does not address the policies and procedures of any organization outside of RED.

<sup>1</sup> See Glossary for definition.

### 3.0 Application Process

#### Key Steps in the Application Process for the Interconnection of New Distributed Generation Connected to Primary Distribution Circuits and to Customer Secondary Services Operating in Parallel with the RED Grid. (General Guidelines)

#### Application Process

##### STEP 1 - Initial Communication from the Applicant.

Communication will range from a general inquiry to a completed application. The applicant should supply as much technical information as possible. Applications for small residential, commercial or industrial distributed generation systems less than 5 kW shall strictly adhere to the requirements outlined in the National Electrical Code NFPA-70-2017 and list all proposed equipment. Applications for all commercial or industrial distributed generation systems greater than 5 kW shall strictly adhere to the requirements outlined in the National Electrical Code NFPA-70-2017 where applicable, the National Electrical Safety Code IEEE C2-2023 include a listing of all proposed equipment and include a one-line control /interconnection diagram signed and sealed by a licensed Virginia Professional Engineer.

**ZONING-** A zoning application must be sent to the Town of Richlands for all solar installations.

##### STEP 1A Expedited Application Process for Installations 20 kW or Less.

- 1) Prior to installation the system (20 kW or less), applicants must submit a fully completed first page of the Application (see Appendix B) to RED,
- 2) After RED receives the completed application and conducts the appropriate review, it will inform the applicant if it can proceed with the interconnection, or if a more detailed interconnection study is required (see Step 4 below).
- 3) After the applicant has received permission to interconnect from RED, has completed the installation and has received the appropriate municipal inspection, the applicant must submit a fully completed and signed application (all pages) to RED. This application must include the signature of the local inspection official, or a copy of the approved municipal inspection certificate.
- 4) The following sections apply to 20 kW or less installations:
  - a. 4.2 Metering
  - b. 4.3 Grounding
  - c. 4.6 Disconnect switch or device
  - d. 4.7 Power Quality
  - e. 4.10.1 A Compliance with IEEE 929-2000
  - f. 4.10.2 Verification Testing
  - g. 4.12 Connections to Network Systems

**STEP 2 - The Inquiry is reviewed by RED to Determine the Nature of the Project.**

A RED representative shall discuss the scope of the project with the potential applicant (either by phone or in person) to determine what specific information and documents (such as an application, agreement, technical requirements, specifications, listing of qualified Type tested equipment/systems, application fee information, applicable rate schedules and metering requirements) will be required by the applicant. The preliminary technical feasibility of the project at the proposed location may also be discussed at this time. All such information, and a copy of this application, will be sent to the applicant in no more than thirty (30) business days following the initial communication from the applicant. A RED representative will serve as the single point of contact for the applicant in coordinating the project.

**STEP 3 – Filing an Application**

All applicants for wind or solar photovoltaic installations of less than 5kw will be sent to Tazewell County Building Safety Department for review before being sent to the town for approval. Applicants for 5kW-20 kW and less must file an application in the form of **Appendix B** as described in Step 1A and apply for and be permitted through the TCBSD. Applicants for wind or solar photovoltaic installations greater than 20 kW, and all other proposed installations, shall file an application in the form of **Appendix C** and apply for and be permitted through the TCBSD.. The filing must include a completed application form and/or other information as indicated in **STEP 2**. Within thirty (30) business days of receiving the application, RED will notify the applicant of receipt and whether the application has been completed adequately. Several exchanges of information between RED and applicant might occur until the application has been completed according to RED's technical requirements for interconnection. RED will review all applications over 20 kW and may restrict systems sized over 5 kW due to available distribution feeder capacity. RED feeder sizing prohibits installations above 50 kW or those installations that represent, along with all distributed generation on the circuit where the applicant proposes to install the distributed generation that have a capacity rating of greater than 1/4 of the circuit load. The total system-wide amount of distributed generation RED will accept is 750kW.

**STEP 4 .Preliminary Coordinated Interconnection Review and Cost Estimate Development**

Upon completion of the application, RED will conduct a preliminary Coordinated Interconnection Review<sup>3</sup> and will inform the applicant of any necessary RED system additions/modifications, and of any agreement requirements which RED may require for interconnection. Applicant will be provided with an assessment of the technical feasibility of the proposed interconnection, a preliminary schedule, and a good faith, detailed estimate of the interconnection costs, if applicable agreement elements might include a parallel interconnection agreement, coverage of interconnection costs, agreement to tariff conditions, requirements for design, and O&M specifications.

Depending on unit size, export capability, and or circuit characteristics, a full Coordinated Interconnection Review may need to be performed by RED to determine if the new generation on the circuit results in any relay coordination, fault current, and/or voltage regulation problems.

**A full Coordinated Interconnection Review may not be needed if:**

- The aggregate generation is less than 20 kW on a single-phase branch of a distribution circuit; or
- The proposed installation is not interconnected to a Network System; or
- The proposed generator has no power export capability.

**Note:** Units without export capability must either be sized for 50% or less of peak facility demand (or average energy consumption) or be equipped with Reverse Power Relays to prevent power export into the RED System.

**Framework for Standardized Interconnection Study Costs for systems that do not meet the criteria outlined above:**

The following are "standardized" study costs for customers seeking to interconnect systems to RED's Electric Distribution System, when such Distributed Generation systems (individually or in aggregate) meet the criteria specified below. These charges would be in addition to any application fee.

- 1) For requests to interconnect (i) single phase systems on single phase branches where the total aggregate generation is greater than 20 kW, or (ii) single phase and 3 phase systems on 3 phase feeders where the total aggregate generation is greater than 50 kW but less than or equal to 100 kW, the study cost may be up to, but not exceed, the cost of 3 man-days of study labor at the current RED loaded labor rate. As an example, for RED this cost would not exceed \$2,880 (based on the current loaded labor rate). These charges will be based on actual time incurred up to the maximum cost.
- 2) Requests to interconnect any generation over 100 kW will be individual quoted.

**STEP 5 - Applicant Commits to RED's Coordinated Interconnection Review of the Project Design.**

If discussions with the applicant, review of the application or review of the proposed design indicate a major impact on the interconnected RED facilities.

The applicant will be required to:

- Provide RED with a cost-based advance payment for the RED review of the proposed generator.
- Submit a detailed design package.
- Confirm with RED a mutually agreeable schedule for the project based on the applicant's work plans and the discussions held in STEP 4.

Additional exchanges of information between RED and the applicant may be required to complete the design package according to RED's technical requirements for interconnection.



## **STEP 6 – RED Review of Applicant's Design Package**

RED will:

Conduct a review of the design package to ensure that the plans/design satisfy the technical requirements for interconnection.

Upon completion of the review, notify the applicant of its final acceptance of the applicant's design or an explanation of the technical requirements the design fails to meet. In addition, this notice will include any site-specific test requirements applicable to **STEP 9**.

For Type tested systems, RED will complete its review in ninety (90) days.

## **STEP 7 - Applicant Commits to RED Construction of RED's System Modifications**

The applicant will:

- Execute a standardized interconnection agreement or commit in writing to the applicable tariff requirements; and
- Provide RED with an advance payment for RED's estimated costs associated with system modifications, metering, and on site verification. (Estimated costs will be reconciled with actual costs in Step 11.)

## **STEP 8 - Project Construction**

The Applicant's facility will be constructed in accordance with RED accepted design. RED will commence construction/installation of system modifications and metering requirements. RED system modifications will vary in construction time depending on the extent of work and equipment required. The schedule for this work is to be discussed with the applicant in **STEP 5**.

## **STEP 9 - The Testing of the Applicant's Facility in Accordance With RED's Technical Requirements.**

The applicant will develop a written testing plan to be submitted to RED for review and acceptance. This testing plan will be designed to verify compliance of the facility with the applicant's RED accepted drawings and details of the interconnection. The final testing will include testing in accordance with the SIR and the site-specific requirements identified by RED in **STEP 6**. The final testing will be conducted at a mutually agreeable time, and RED shall be given the opportunity to witness the tests.

## **STEP 10 - Interconnection**

The applicant's facility will be allowed to commence parallel operation upon satisfactory completion of the tests in **STEP 9**. In addition, the applicant must have complied with RED's contractual, tariff, and/or technical requirements.

## **STEP 11 - Final Acceptance and RED Cost Reconciliation**

Within 30 days after interconnection, RED will review the results of its on-site verification and issue to the applicant a formal letter of acceptance for interconnection. RED will also reconcile its actual costs related to the applicant's project against the application fee and advance payments made by the applicant. The applicant will receive either a bill for any balance due or a

reimbursement for overpayment as determined by RED's reconciliation. Commercial operation of the customer's generator will begin after balance due is paid to RED or overpayment is refunded to applicant. Failure of the customer to begin construction within one (1) year of receiving RED letter of acceptance will cause interconnection approval to be revoked and queue position to be forfeited.

## 4.0 Standardized Interconnection Requirements (SIR)

### 4.1.1 Common

The generator-owner shall provide appropriate protection and control equipment, including an interrupting device, that will disconnect<sup>4</sup> the generator in the event that the portion of RED system that serves the generator is de-energized for any reason or for a fault in the generator-owner's system. The generator -owner's protection and control equipment shall be capable of disconnecting the generation upon detection of an Islanding<sup>5</sup> condition and upon detection of a RED system fault.

**Note:** For certain generators without export capability, Reverse Power Relays must be used to prevent export. These Reverse Power Relays will also effectively prevent any possibility of Islanding.

The generator-owner's protection and control scheme shall be designed to allow the generation, at steady state, to operate only within the limits specified in this proposal for frequency and voltage. Upon request from RED, the generator owner shall provide documentation detailing compliance with the requirements set forth in this proposal.

The specific design of the protection, control and grounding schemes will depend on the size and characteristics of the generator. In addition the facility load level and the characteristics of the particular portion of RED's system where the generator-owner is interconnected must also be considered.

**Note:** Additional Islanding protection or Interrupting devices are NOT required for installation of <20 kW units that are compliant to IEEE 929-2000.

### 4.1.2 Single Phase and Three Phase Generators and Inverters with an aggregate capacity of 100 kW and Less

The generator-owner shall have, as a minimum, an interrupting device(s) sized to meet all applicable local, state and federal codes and operated by over and under voltage protection (installed in each phase and wired phase to ground), as well as additional loss of phase protection. The interrupting device(s) shall also be operated by over and under frequency protection.

- The interrupting device shall automatically initiate a disconnect sequence from RED system within six (6) cycles if the voltage falls below 60 V RMS phase to ground (nominal 120 V RMS base) on any phase.

<sup>4</sup>See Glossary for definition <sup>5</sup>See Glossary for definition

- The interrupting device shall automatically initiate a disconnect sequence from RED system within two (2) seconds if the voltage rises above 132 V RMS phase to ground or falls below 104 V RMS phase to ground (nominal 120 V RMS base) on any phase.
- The interrupting device shall automatically initiate a disconnect sequence from RED system within two (2) cycles if the voltage rises above 165 V RMS phase to ground (nominal 120V RMS base) on any phase.
- The interrupting device shall automatically initiate a disconnect sequence from RED system within six (6) cycles if the frequency rises above 60.3 Hz or falls below 59.3 Hz.

#### **4.1.3 Three-Phase Inverters and Generators with an Aggregate Capacity of 100 kW and Greater**

Distributed Generators with an aggregate capacity greater than 100 kW shall utilize special voltage and frequency settings to adhere to Pennsylvania, New Jersey, Maryland (PJM) interconnection requirements and RED system requirements. The use of Multi-Function Micro-processor based protective relays will require utilization of a second unit for back-up. Further, these distributed generators shall limit operation to 98.5% leading or lagging power factor (pf) or better.

Voltage sensing shall be three phase line to line with a protective relay or internal element on each line to line voltage. The secondary line to line voltage may be either 120 Volts or 208 Volts, the Distributed Generator shall utilize appropriate relays whose range shall match that of the secondary line to line voltage.

- Undervoltage - 3 phase line to line. Pick-up at 90% nominal with a 5 second trip at 0% nominal.
- Overvoltage - 3 phase line to line. Pick-up at 110% nominal with a 10 cycle trip at 120% nominal.
- Under Frequency \* .5 second delayed trip if frequency is less than 57.5Hz. (PJM requirement) It may be necessary to use an external time delay relay to achieve the desired 5 second delay.
- Over Frequency .10 cycle delayed trip if frequency exceeds 60.5 Hz.
- Directional Power \*. If the Applicant's installation will not export power into the RED system, it shall be equipped with a Directional power relay. In order to avoid unnecessary operations during faults on the Distribution system the Directional power relay should be equipped with a 5 second time delay relay.

\* Note: RED operational and maintenance procedures may require the ability to by-pass and physically block the time delays associated with Under Frequency and Directional Power during "Live Line" maintenance. RED personnel shall have reasonable access to the DG facility to by-pass and block the time delays and temporarily place these devices on instantaneous operation. The need for additional protection equipment shall be determined by RED on a case-by-case basis. RED shall specify and provide settings for those relays that RED designates as being required to satisfy protection practices. Any protective equipment or setting specified by RED

shall not be changed or modified at any time by the generator-owner without written consent from RED.

To avoid out-of-phase reclosing, the design of the generator-owner's protection and control scheme shall take into account the RED practice of automatically reclosing the feeder without synchronism check after being tripped. Before the distributed Generation device is re-connected to the system after a Trip, the control system shall wait five (5) minutes after normal system conditions are reestablished.

The generator-owner shall be responsible for ongoing compliance with all applicable local, state and federal codes and RED system design and operating changes as they pertain to the interconnection of the generating equipment.

**Protection circuitry, potential and current sensing shall not be connected with RED revenue metering.**

A failure of the generator-owner's interconnection protection equipment, including loss of control power, shall open the interrupting device, thus disconnecting the generation from RED system. A generator-owner's protection equipment shall utilize a non-volatile memory design such that a loss of internal or external control power, including batteries, will not cause a loss of interconnection protection functions including all pickup set points.

All interface protection and control equipment shall operate as specified independent of the calendar date.

#### **4.1.4 Synchronous Generators**

Synchronous generators shall require synchronizing facilities. These shall include automatic synchronizing equipment or manual synchronizing with relay supervision, voltage regulator and power factor control. Synchronous generators shall normally require the below listed minimum protective equipment:

- 1) **Directional Power Relay ANSI device # 32**, Single phase sensing. Activation of this relay causes immediate tripping of the generator breaker and immediate shutdown of the engine / prime mover. Note: The directional power relay is used in those systems without export capability.
- 2) **Reverse VAR Relay ANSI device # 40**, Acts as a loss of excitation relay, single phase sensing. Activation of this relay causes immediate tripping of the generator breaker and immediate shutdown of the engine / prime mover.
- 3) **Current Balance Relay ANSI device # 46**, three phase sensing. Activation of this relay causes immediate tripping of the generator breaker and immediate shutdown of the engine / prime mover.
- 4) **Over Voltage Relay ANSI device # 59**, single phase sensing. Activation of this relay causes immediate tripping of the generator breaker and immediate shutdown of the engine / prime mover.

- 5) **Phase Sequence / Under Voltage Relay .ANSI device # 47 / 27**, three phase sensing. This relay protects both the Distributed Generator and the RED circuit from either loss of RED power and or fault during parallel operation. Activation of this relay causes immediate tripping of the generator breaker and immediate shutdown of the engine / prime mover.
- 6) **Over / Under Frequency Relay .ANSI device # 81 O/U**, single phase sensing, with settings for over and under frequency the time delays adjustable in cycles. This relay protects both the Distributed Generator and the RED circuit from either loss of RED power and or fault during parallel operation. Activation of this relay causes immediate tripping of the generator breaker and immediate shutdown of the engine / prime mover.
- 7) **Generator Overcurrent, time and instantaneous .ANSI device # 50 / 51**, 3 phase sensing. This relay protects both the Distributed Generator and the RED circuit from either loss of RED power and or fault during parallel operation. Activation of this relay causes immediate tripping of the generator breaker and immediate shutdown of the engine / prime mover.
- 8) **Ground Overcurrent - ANSI device 51G**, includes a grounding and current sensing system mounted in the generator neutral / ground lead. Activation of this relay causes immediate tripping of the generator breaker and immediate shutdown of the engine / prime mover.
- 9) **Automatic Lock Out Relay w/ manual reset .ANSI device # 86**, all generator electrical protective devices shall actuate an electrically operated / manual reset lock out relay. This lockout relay shall be a high speed tripping grade device that trips and blocks closing of the generator circuit breaker. Manual reset can be accomplished only after all protective trips have been cleared.
- 10) **Auxiliary Trip Input** .The Distributed Generator shall be equipped with an auxiliary trip input to be used by RED, if required, to initiate a Direct Transfer Trip (DTT)<sup>6</sup>(See last paragraph of Section 4.2).
- 11) **Surge Arrestors** .All three phases of the load side of the Distributed Generator circuit breaker shall be equipped with metal oxide type surge arrestors. These arrestors shall be sized in accordance with accepted standards to the appropriate maximum RED interconnection circuit voltage.

**Note:** Protective functions 1 through 8 may be accomplished with either discrete devices or with a multifunction device. Depending on the size of the Distributed Generator and / or types of protective devices used, the Applicant may be required to provide a level of redundancy for safety. Also the Applicant should be aware that the listed minimum protective functions are designed to primarily protect RED personnel and circuits, and that total protection of the applicants' equipment may require additional protective functionality.

<sup>6</sup>See Glossary for definition

#### 4.1.5 Induction Generators

Induction Generation may be connected and brought up to synchronous speed (as an induction motor) if it can be demonstrated that the initial voltage drop measured at the point of common coupling is acceptable based on current inrush limits. Generally, Induction Generators greater than 100 kW shall not be allowed to be brought up to speed as an Induction Motor, without specific RED review and approval. The same requirements also apply to Induction Generation connected at or near synchronous speed because a similar voltage dip is present due to an inrush magnetizing current. The generator-owner shall submit number of starts per specific time period and maximum starting KVA draw data for RED to verify that the voltage dip due to starting is within the visible flicker limits as defined by IEEE 519-1992, "Recommended Practices and Requirements for Harmonic Control in Electric Power Systems (IEEE519)".

Starting or rapid load fluctuations on Induction Generators can adversely impact RED's system voltage. Corrective step-switched capacitors or other techniques may be necessary. These measures can, in turn, cause ferro-resonance. If these measures (additional capacitors) are installed on the customer's side of the Point of Common Coupling<sup>7</sup>, RED will review these measures and may require the customer to install additional switching equipment. In all cases where Induction Generators are deployed it shall be the owners' responsibility to supply the necessary VAR requirements of the Induction Generator so that the total Power Factor as seen by RED at the Point of Common Coupling is better than .85 lagging with the customer importing power from RED. If a "Purchased Electric Power" agreement (See the RED Tariff for Electric Service) is in effect, during those periods that the customer is exporting excess power into the RED system, the Power Factor as seen by RED at the Point of Common Coupling shall be Unity or up to .9 Leading. **Also see Section 4.8**

#### 4.1.6 DC to AC Inversion Systems

Direct current generation (Fuel Cells, Photovoltaics and even high frequency Permanent Magnet Generators) can only be installed in parallel with RED's distribution system using a synchronous inverter for power conversion and conditioning. The design of the inverter shall be such as to disconnect this synchronous inverter from the RED distribution system upon a RED system interruption. Line-commutated inverters do not require synchronizing equipment if the voltage drop is determined to be acceptable, as defined in Section 4.5, Power Quality, of this document. Self-commutated inverters with external frequency sensing can be used to synchronize to RED. Stand-alone, self-commutated inverters with internal frequency references shall not be used for parallel operation with the RED system.

<sup>7</sup>See Glossary for definition.

## 4.2 Metering

The need for additional metering or modifications to existing metering will be reviewed on a case-by-case basis and shall be consistent with RED metering requirements. Customer is responsible for any incremental metering costs. Richlands does not buy or bank excess energy. Customer's production may offset usage only. Battery storage for energy generated is strongly encouraged by RED.

## 4.3 Grounding, Neutrals, & Service Compatibility

All Distributed Generation connected to the RED Distribution and Sub-Transmission System shall meet the grounding requirements and the physical electrical characteristics of the system to which the DG is connected. Direct Physical connections shall meet the criteria listed below. Qualified units 5kW or less do not need to meet the physical interconnection criteria outlined below. In many cases especially at the Primary and Sub-Transmission level, due to either limitations in generator single phase to ground short circuit duty (impedance grounding) and/or generator terminal voltage, a two winding interface transformer will be required. Before proceeding with equipment purchase the DG applicant must have the proposed system reviewed by RED for physical interconnection suitability.

### Also see Section 4.5 - Dedicated Transformer.

- SECONDARY SERVICE INTERCONNECTIONS
- Single Phase 120 VAC devices shall have one leg solidly connected to the system neutral which is solidly grounded.
- Single Phase 240 VAC devices shall have center point neutral solidly ground referenced. If the device generates at 240 VAC and does not have a ground referenced center point neutral, the device will be connected to the grounded system through a 2 winding transformer whose Primary (generator side) is 2 wire 240 VAC and whose Secondary (RED System side) is 240 VAC 3 wire with a grounded center point Neutral. Exception will be made for units 5 kW or less that generate at 240 VAC 2 wire and do not have a grounded neutral reference.
- 3 Phase .120 / 208 VAC & 277 /480 VAC, WYE connected, neutral solidly connected to ground with balanced electrical output. DELTA connected induction generators directly interconnected to 4 wire WYE services shall require a DELTA /WYE transformer. DELTA connected induction generators directly connected to 240 VAC open or closed DELTA services may be connected without the use of an interface transformer. One or more single phase inverters producing a total output of 5 kW or less may be interconnected as a single phase device to a 3 phase system or in a 3 phase open DELTA configuration. If the total output of any qualified system interconnected to a 4 wire, 3 phase service exceeds 5 kW, that system shall be connected as a 4 wire, 3 phase balanced system.

### PRIMARY SERVICE INTERCONNECTIONS

- 3 Phase - 2,400 / 4,160 VAC & 7,620/13,200 VAC, WYE connected, neutral solidly connected to ground. This application may require a dedicated interface transformer. Impedance grounded generators cannot be directly connected to these systems without an interface transformer.



- All interconnections at 69,000 VAC and above, are major complex applications that will require a full RED, AEP interconnection / PJM coordination study.

#### **4.4 Operating Requirements (Does not apply to Qualified units that are 20 kW or less)**

The generator-owner shall provide a 24-hour telephone contact(s). This contact will be used by RED to arrange access for repairs, inspection or emergencies. RED will make such arrangements (except for emergencies) during normal business hours. The generator-owner shall not be connected or export power to the RED system during any outages of the feed that serves the Point of Common Coupling. The applicant's generation may be operated during such outages only with an open tie to RED. Islanding will not be permitted under any circumstance.

The generator must be equipped with an automatic, electrically operated interrupting device that will disconnect the generator from the RED system if system voltage parameters fall out of the ranges described in Section 4.1.1. That interrupting device may be the Disconnect Switch described in Section 4.4, if it is capable of both automatic and manual operation, or other RED approved device. This generator disconnect shall utilize potential monitoring of the incoming RED feed and interlock the generator circuitry to prevent the generator from being connected to the RED feeder if the system parameters are out of the ranges described in Section 4.1.1. Certain protective functions that are equipped with time delays may be required to have a provision to allow instantaneous operation when RED Line Crews are performing "Live Line" maintenance. In these cases RED shall be provided reasonable access to the DG facility to bypass and physically block time delays during "Live Line" maintenance.

**A Generator that cannot operate in parallel with the RED's system is not subject to these requirements but requires a site specific interconnection agreement.**

**The generator-owner shall not energize a de-energized RED's circuit for any reason.**

The **Disconnect Switch** specified in Section 4.4 of this document may be opened by RED at any time for any of the following reasons:

- To eliminate conditions that constitutes a potential hazard to RED personnel or the general public.
- Pre-emergency or emergency conditions on the RED system.
- A hazardous condition is revealed by a RED inspection.
- Protective device tampering.

The Disconnect Switch may be opened by RED for the following reasons, after notice to the responsible party has been delivered and a reasonable time to correct (consistent with the conditions) has elapsed:

- A generator-owner has failed to make available records of Verification tests and maintenance of its protective devices.
- A generator-owner's system interferes with RED equipment or equipment belonging to other RED customers.

- A generator owner's system is found to affect quality of service of adjoining customers.

The customer shall be allowed to disconnect from RED without prior notice in order to self-generate.

Following a generation facility disconnect as a result of a voltage or frequency excursion (parameters are described in Section 4.1.1), the generation facility shall remain disconnected until the service voltage and frequency has recovered to RED's acceptable voltage and frequency limits for a minimum of five (5) minutes. RED may require Direct Transfer Trip (DTT) <sup>9</sup> whenever:

- 1) the minimum load to generation ratio on a circuit is such that a ferro-resonance condition could occur;
- 2) it is determined that the customer's protective relaying may not operate for certain conditions or faults and/or
- 3) the installation could increase the length of outages on a distribution circuit or jeopardize the reliability of the circuit. The Distributed Generator shall be responsible for all costs required to deploy a DTT protective scheme

<sup>8</sup>See Glossary for definition <sup>9</sup>See Glossary for definition.

#### **4.5 Dedicated Transformer<sup>10</sup>**

RED reserves the right to require a generation facility to connect to RED system through a dedicated transformer. The transformer shall either be provided by RED at the generator-owner's expense, purchased from RED, or conforms to RED's specifications. The transformer may be necessary to ensure conformance with RED safe work practices, to enhance service restoration operations or to prevent detrimental effects to other RED customers. The dedicated transformer that is part of the normal electrical service connection of a generator-owner's facility may meet this requirement if there are no other customers supplied from it. A dedicated transformer is not required if the installation is sized, designed and coordinated with RED to protect RED system and its customers adequately from potential detrimental net effects caused by the operation of the generator. Also see **Section 4.3** Grounding. If RED determines a need for a dedicated transformer, it shall notify the generator-owner in writing of the requirements.

#### **4.6 Disconnect Switch or Device**

All generating equipment shall be capable of being isolated from RED system by means of an external, manual, visible, gang-operated, load break disconnecting switch or circuit breaker. The disconnect device shall be installed, owned and maintained by the generator-owner and located between the power producing equipment and its interconnection point with RED system. The Disconnect Switch or Device must be rated for the voltage and current requirements of the installation. The Basic Insulation Level (BIL) of the disconnect device shall be such that it will coordinate with that of RED's equipment. Disconnect devices shall meet

applicable UL, ANSI and IEEE standards, and shall be installed to meet all applicable local, state and federal codes.

The Disconnect Switch or Device shall be clearly marked, "Generator Disconnect", with permanent 1 inch letters or larger. Whenever possible, the disconnect device shall be located within 10 feet of RED's external electric service meter, or the location and nature of the distributed power disconnection switches shall be indicated in the immediate<sup>10</sup> proximity of the electric service entrance.

The Disconnect Switch shall be readily accessible for operation / locking and or disabling by RED personnel in accordance with Section 4.2 of this proposal. The Disconnect Switch or device shall be lockable in the open position with a standard RED padlock with a 3/8-inch shank. If the disconnect device cannot be physically locked in the open position, it must be able to made in operative and the operating mechanism locked, blocked or drawn out. RED shall review and assist the generator owner design an acceptable disconnect device.

<sup>10</sup>See Appendix D and Glossary for definition.

**4.7 Power Quality** The maximum harmonic limits for electrical equipment shall be in accordance with IEEE 519 - 1992. The objective of IEEE 519 - 1992 is to limit the maximum individual frequency voltage harmonic to 3% of the fundamental frequency and the voltage Total Harmonic Distortion (THD) to 5% on RED side of the point of common coupling. In addition per IEEE 1453-2004, any voltage flicker resulting from the connection of the customer's energy producing equipment to RED system must not exceed the maximum short term (Pst) flicker of 0.8 and maximum long term (Plt) flicker 0.6 as defined by the maximum permissible voltage fluctuations border line of visibility curve, Figure 10.3 identified in IEEE 519 -1992. This requirement is necessary to minimize the adverse voltage effect upon other customers on RED system.

**4.8 Power Factor Correction (Does not apply to units that are 50 kW or less)**

No Distributed Generation Installation shall degrade the Reactive performance of the RED system. All facilities, utilizing Distributed Generation resources providing 90% or less of the required electrical load of a given facility, shall have a Power Factor at the Point of Common Coupling of 98.5% lagging or 98.5% leading or better. If the Distributed Generation Resource can at times provide more than 90% of the facilities electrical power or is designed for export, the Power Factor shall range from unity to .9 leading.

In all cases where Induction Generators are deployed, it shall be the owners' responsibility to supply the necessary VAR requirements of the Induction Generator so that the total Power Factor as seen by RED at the Point of Common Coupling is in accordance with the criteria described above. The method of power factor correction necessitated by the installation of the generator will be negotiated with RED as a commercial item.

Induction power generators may be provided VAR capacity from RED system at the generator-owner's expense. The RED Tariff for Electric Service, Standard Terms and Conditions, makes provision for Special Facilities Charges. If it is necessary for RED to provide the necessary reactive compensation to correct the generator-owner's facility's Power Factor at the PCC to unity, the generator owner shall be charged on an ongoing monthly basis, 1.66% per month of the capital costs of a capacitor bank, switching devices and controls to supply the required reactive correction. Capital costs are dependent on the amount of reactive power required; RED shall give the generator-owner an estimated cost before installing said reactive compensation. The installation of VAR correction equipment by the generator-owner on the generator-owner's side of the point of common coupling must be reviewed and approved by RED prior to installation.

#### **4.9 Stand Alone Islanding**

Interconnected Distributed Generation systems must be designed and operated so that stand alone islanding is not sustained on any distribution circuit. The requirements listed in this document are designed and intended to prevent islanding. See the first paragraph of Section 4.1.1 for more information.

#### **4.10 Required Testing of Distributed Generation Systems**

This section is divided into Type testing and Verification testing. Type testing is performed once by an independent testing laboratory for a specific equipment/protection package. Once a package meets the basic type-test criteria defined by UL 1741-2005 the design is accepted by RED. If any changes are made to the hardware, software, firmware, or verification test procedures, the manufacturer must notify the independent testing laboratory to determine what, if any, parts of the type testing must be repeated. Failure of the manufacturer to notify the independent test laboratory of changes may result in withdrawal of approval and disconnection of units installed since the change was made. The equipment in the field must have a nameplate that clearly shows the model number, firmware version (if applicable) and that it meets the requirements of UL1741-2005. The manufacturer shall certify in their literature and technical brochures that a unit meets the requirements of UL1741-2005. This certification applies only to devices and packages associated with protection of the interface between the generating system and RED. Interface protection is usually limited to voltage relays, frequency relays, synchronizing relays, reverse current or power relays, and anti-islanding schemes. Testing of relays or devices associated specifically with protection or control of generating equipment is recommended, but not required unless they impact the interface protection. At the time of production, all interconnecting equipment including inverters and discrete relays must meet or exceed the requirements of ANSI/IEEE Standards C37.90.1-1989, IEEE Standard Surge Withstand Capability (SWC) Tests for Protective Relays and Relay Systems, or the most current version or one year after the issuance of the revised standard, but not earlier than one year after the commercial availability of test equipment required to demonstrate conformance.

Verification testing is site-specific, periodic testing to assure continued safe acceptable performance.

#### **4.10.1 Type Testing**

All interface protective equipment must meet the Utility Compatibility criteria as defined in 5 Section 46. Type testing shall be utilized by the manufacturer to determine if the protection system and settings meet these requirements. Underwriters Laboratory or other qualified independent testing laboratory shall conduct the tests prescribed by UL 1741-2005 to determine and certify performance consistent with UL 1741-2005.

Prior to testing, all batteries shall be disconnected or removed for a minimum of ten (10) minutes. This test is to verify the system has a non-volatile memory and that protection settings are not lost. A test shall also be performed to determine that failure of any battery not used to supply trip power will result in an automatic shutdown.

#### **Single-Phase Generators and Inverters equal to or less than 20 kW and Three-Phase Inverters 50 kW or Less**

All generators and inverters shall be designed as non-islanding systems as defined by IEEE 929 - 2000. Small generators and inverters 20 kW and below shall at the time of production meet or exceed the requirements of IEEE 929 - 2000 and UL 1741- 2005. Specifically, the generator or inverter shall automatically disconnect for an islanding condition with a Load Quality Factor of 2.5 or worse within two (2) seconds. All inverters and equipment protected by voltage / frequency relay systems shall initiate a Trip from the Utility system for Voltage and Frequency variations as shown in UL 1741-2005.

#### **4.10.2 Verification Testing**

Upon initial parallel operation of a generating system, or any time interface hardware or software is changed, a verification test must be performed. A Virginia Licensed Professional Engineer or qualified individual working under the direction of a Virginia Licensed Professional Engineer must perform verification testing in accordance with the manufacturer's published test procedure. Qualified individuals include factory trained and certified technicians, and licensed electricians with experience in testing protective equipment. RED reserves the right to witness verification testing or require written certification that the testing was performed.

Verification testing shall be performed every four years. All verification tests prescribed by the manufacturer shall be performed. If wires must be removed to perform certain tests, each wire and each terminal must be clearly and permanently marked. The generator-owner shall maintain verification test reports for inspection by the connecting RED.

Single-phase inverters rated 20 kW and below may be verified once per year as follows: once per year, the owner or his agent shall operate the load break Disconnect Switch and verify the power producing facility automatically shuts down and does not restart for five minutes after the switch is closed. Any system that depends upon a battery for trip power shall be checked and logged once per month for proper voltage. Once every four (4) years the battery must be either replaced or a discharge test performed.

#### **4.11 RED Back-up or Stand-by Power and Capacity**

The RED Tariff for Electric Service makes provision for the costs associated with RED providing Back-up and Stand-by service for Distributed Generators under certain rate schedules. Stand-by Service agreements are contractual vehicles committing both the Applicant and RED for a minimum 12-month period.

#### **4.12 Interconnections to Primary and Secondary Network Distribution System<sup>11</sup>**

Distributed Generators including Photovoltaic or wind systems that can export power beyond the common network bus will not be permitted to be interconnected into RED's distribution system in primary and secondary Network areas. Further, all such systems, even those proposed as non-export, must be reviewed and approved by RED prior to installation to ensure that network system safety and integrity will not be affected by the installation. For those systems proposed to be installed in a network area, the maximum size of the units must be 50 kW or less, or represent 33 % of the minimum load on the network bus to which the Distributed Generator is connected, whichever is

<sup>11</sup>See Glossary for Definition

### **5.0 Insurance Requirements**

**5.1 Units of 20 kW or Less:** No additional insurance is required.

#### **5.4 Units Greater Than 20 kW:**

If the Distributed Generator has a nameplate rating greater than 20 kW, the owner shall demonstrate prior to the date on which the Unit is first placed into operation, and continuing all the while the generator is interconnected with the RED system, at its cost and expense, shall maintain and keep in full force and effect, for the term of this Agreement the following insurance coverage by an insurer licensed to do business in the State of Virginia

A. Comprehensive General Liability Insurance (occurrence form) including premises, contractual liability, products liability, completed operations, independent contractors, broad form property damage and coverage for explosion, with the following minimum limits of liability: bodily injury \$2,000,000 each occurrence; property damage - \$2,000,000 each occurrence.

B. All risk Property Insurance to cover the replacement cost of owner's facilities where the Distributed Generator is installed. This coverage shall contain a waiver of subrogation against RED.

C. All Liability coverage shall name RED as an additional insured to support the obligations assumed by the owner as described in this Section 5 and provide that this coverage is primary and without right of contribution from insurance carried by RED.

D. The completed operations coverage shall be provided and remain in effect for a period of at least two (2) years after the owner disconnects and removes the Distributed Generator.

E. Prior to the start of interconnected Distributed Generation under this agreement, the owner will deliver Certificates of Insurance to RED evidencing this coverage is in effect and providing at least thirty (30) days' notice to RED of any cancellation, termination or material alteration of required insurance. The owner shall be obligated to furnish these Certificates on an annual basis as long as the Distributed Generator is interconnected with the RED system, to show evidence of continuing insurance protection

F. The owner shall notify the RED Electric Department immediately by telephoning 540-587-6071 after the occurrence of any accident as a result of the owner's Distributed Generation activities.

G. The insurance requirements as described are to protect RED from claims by third parties including, but not limited to, employees of the owner or its agents, subcontractors and invitees. Required insurance is not to relieve or release the owner, its agents, subcontractors and invitees from, or to limit their liability as to any and all obligations that result from Distributed Generator operation. The owner shall carry insurance naming RED as an additional insured so that this coverage is primary and without right of contribution from insurance carried by RED.

## APPENDIX A – Glossary of Term’s

### Glossary of Terms

**Automatic Disconnect Device** – An electronic, electro-mechanical or mechanical switch used to isolate a circuit or piece of equipment from a source of power without the need for human intervention.

**Alternating current (AC)** the movement of electric charge periodically reverses direction. It is the usable form of energy which may be produced by an inverter and necessary to interconnect with RED.

**Coordinated Interconnection Review** - Any studies performed by RED to ensure that the safety and reliability of the Electric Distribution System with respect to the interconnection of Distributed Generation as discussed in this document.

**Dedicated Service Transformer or Dedicated Transformer** – A transformer with a secondary winding that serves only the Applicant/generator owner.

**Direct current (DC)** is the unidirectional flow of electric charge which may converted to AC by an inverter

**Direct Transfer Trip (DTT)** - Remote operation of the Distributed Generator Automatic Disconnect Device by means of a communication channel by RED.

**Disconnect (verb)** - To isolate a circuit or equipment from a source of power.

**Disconnect Switch**– A mechanical device used for isolating a circuit or equipment from a source of power. In some applications the Automatic Disconnect Device and the Disconnect Switch maybe the same device.

**Energy Conversion Device** – A machine or solid state circuit for changing direct current to alternating current or a machine that changes shaft horsepower to electrical power.

**Islanding** – A condition in which a portion of RED system that contains both load and distributed generation is isolated from the remainder of RED system. [Adopted from IEEE 929 - 2000].

**Point of Common Coupling (PCC)** – The point at which the RED and the Grantee electric interface occurs. Typically, this is the Grantee side of RED revenue meter. [Adopted from IEEE 929 – 2000].



**Primary Distribution Circuit** – Refers to the circuit that originates from a RED substation and distributes 3 phase power at a primary level voltage of 4 kV or 13 kV.

**Grantee Secondary Services** - Refers to the Grantee service connection at voltage levels of: 120 V / 240 V single phase, 120V/208V 3 phase, or 277V/480V3 phase.

**Sub-transmission Circuit**- Refers to a circuit supplying 3 phase power at a primary level voltage of 69 kV.

**Type tested** - A protection device or system that has been certified by a qualified independent testing laboratory as to meeting the requirements listed in the testing section of this proposal is considered "Type tested". It is expected by RED, that equipment manufacturers will sponsor Type testing.

**Network Distribution System** – means an electric delivery system characterized by multiple uni-directional sub-transmission or primary level voltage feeders that are transformed and converge to a secondary voltage level, where secondary conductors are commonly interconnected via automated secondary switches.

**RED**-Richlands Electric Department a department of the Town of Richlands

**RICHLANDS INTERCONNECTION APPLICATION  
FOR 20 kW OR SMALLER**

**A. Applicant Information**

Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
Street Address (if different from above): \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code : \_\_\_\_\_  
Daytime Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_  
Electric Utility Name (from utility Bill): \_\_\_\_\_  
Electric Utility Account Number: Customer ID \_\_\_\_\_ ; Location ID: \_\_\_\_\_  
Electric Energy Third Party Supplier \_\_\_\_\_  
Electric Energy Third Party Supplier Account No.: \_\_\_\_\_

**B. System Information**

Manufacturer Name Plate AC Power Rating (for the entire installation) : \_\_\_\_\_ kW  
System Type: Solar Wind Other (circle one)  
System Location: \_\_\_\_\_  
Inverter Manufacturer: \_\_\_\_\_  
Inverter Model No: \_\_\_\_\_ Inverter Serial No: \_\_\_\_\_  
Inverter Location: (Indoor) (Outdoor) (Self Contained) Location: \_\_\_\_\_  
Outdoor Manual AC Disconnect Switch -Location: \_\_\_\_\_

**C. Installation Contractor Information/Hardware and Installation Compliance Installation**

Contractor (Company Name) \_\_\_\_\_  
Contractor's License No.: \_\_\_\_\_ Proposed Installation Date: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_  
State: \_\_\_\_\_ Zip Code: \_\_\_\_\_ Daytime Phone: \_\_\_\_\_  
Fax: \_\_\_\_\_ Email: \_\_\_\_\_

If PV, the proposed System hardware is in compliance with Underwriters Laboratories (UL) 1741, Standard for Static Inverters and Charge Controllers for Use in Photovoltaic Systems; UL 1703, Standard for Safety: Flat-Plate Photovoltaic Modules and Panels; and IEEE 1262-1995, IEEE Recommended Practice for Qualification of Photovoltaic (PV) Modules. If PV, System must be installed in compliance with IEEE Standard 929-2000, Recommended Practice for Utility Interface of Photovoltaic Systems. All System types must be installed in compliance with applicable requirements of local electrical codes, the Electric Utility and the National Electrical Code® (NEC) and must use a non-islanding inverter as defined under IEEE Standard 929-2000 (section 3.2 to 3.4).The System must have a lockable, visible disconnect device, accessible at all times to Electric Distribution Company personnel. If the System is designed to provide uninterruptible power to critical loads, either through energy storage, back-up generator, or the generation source, the System will include a parallel blocking scheme for this backup source. This function may be integral to the inverter manufacturer's packaged system.

Signed \_\_\_\_\_ Date: \_\_\_\_\_  
(Contractor)

Contractor Name (Print): \_\_\_\_\_

**D. Additional Terms and Conditions**

**a) Operation/Disconnection** If it appears to the Electric Distribution Company, at any time, in the reasonable exercise of its judgment, that operation of the System is adversely affecting or may adversely affect the Electric Distribution Company's electrical system, the Electric Distribution Company may immediately take any and all steps it reasonably believes necessary to mitigate or cure the conditions including, without limitation, disconnecting the System from the Electric Distribution Company's electrical system. Applicant/Owner shall at all times permit Electric Distribution Company employees and inspectors reasonable access to inspect, test, or examine the System or metering equipment after notice by the Electric Distribution Company. Applicant/Owner may be liable for the costs and expenses incurred by the Electric Distribution Company related to disconnection and reconnection of the System by the Electric Distribution Company when disconnection is permitted under this paragraph D.

**b) Liability/Indemnity** Applicant/Owner hereby covenants and agrees to assume all risk of and liability for personal injuries (including death) and damage to property arising out of or caused by the operation of the System. Applicant/owner hereby covenants and agrees to indemnify, protect, defend and save harmless the Electric Distribution Company, its affiliates, officers, directors, employees and agents from and against any and all claims and demands for damages to property and injury or death to persons which may arise out of, or be related to, or caused by, the operation of the System or its interconnection to the Electric Distribution Company's electrical system, except if caused solely by the gross negligence or willful misconduct of the Electric Distribution Company as determined by Virginia court of law.

**E. Electrical Code Inspection**

The System referenced above satisfies applicable electrical code requirements.

Inspector Name (Print): \_\_\_\_\_

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
(Inspector)

**(In lieu of the signature of the Inspector, a copy of the final Inspection Certificate may be attached)**

Date: \_\_\_\_\_

Municipality: \_\_\_\_\_

**F. Customer Acknowledgment**

The System has been installed to my satisfaction and I have been given System warranty information, and an operation manual. I have also been instructed in the operation of the System by the manufacturer and/or the installer of the System. I agree to abide by the terms of this Application /Agreement and I agree to operate and maintain the System in accordance with manufacturer's recommended practices as well as the Electric Distribution Company's interconnection standards. Further, I agree to notify the Electric Distribution Company 30 days prior to modification or replacement of the System's components or design. Any such modification or replacement may require submission of a new Application to the Electric Distribution Company. I agree not to operate the System in parallel with the Electric Distribution Company until this Application/Agreement is accepted by the Electric Distribution Company. I also agree to install a warning label provided by the Electric Distribution Company on or near my service meter location.

Signed (Owner): \_\_\_\_\_ Date: \_\_\_\_\_

Name (Print): \_\_\_\_\_

**INTERCONNECTION APPLICATION  
FOR SYSTEMS 20 kW OR SMALLER (Continued)**

**G. Utility Application Acceptance**

The Richlands Electric Utility does not, by acceptance of this Application/Agreement, assume any responsibility or liability for damage to property or physical injury to persons. Further, this Application/Agreement does not constitute a dedication of the customer's System to RED's electrical system equipment or facilities. This Application is accepted by RED on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

Richlands Electric Utility Signed RED Representative): \_\_\_\_\_ Date: \_\_\_\_\_

Name (Print): \_\_\_\_\_

Please send completed applications to:  
Richlands Electric Department  
200 Washington Square  
Richlands, VA 24641  
Attn: Town Manager  
Phone: 276-964-2566  
E-mail: [jodaniel@Richlands-va.gov](mailto:jodaniel@Richlands-va.gov)

## APPENDIX C – Application Form for all other Installations

### Application for Connection of Distributed Generation to the RED Distribution System Wind or Photovoltaic Greater than 20 kW and all other Proposed Installations

#### Applicant Information

Company: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_, State: \_\_\_\_\_ Zip: \_\_\_\_\_

Tel: \_\_\_\_\_ Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

Existing RED Account Number: Customer ID: \_\_\_\_\_ Location ID: \_\_\_\_\_

Location of proposed Distributed Generation Equipment: \_\_\_\_\_

Estimated Service Date: \_\_\_\_\_ Size in KW: \_\_\_\_\_

Application Fee: All units up to and including 20 kW - \$100

All units greater than 20 kW - \$500

Size of unit as % of facility normal load: \_\_\_\_\_

Size of unit as % of facility peak load: \_\_\_\_\_

If unit size is greater than 100% of facility peak load, state intended use of  
excess capacity: \_\_\_\_\_

If the Applicant does not plan to export excess power, explain the mechanism to  
be used to prevent export: \_\_\_\_\_

If the Applicant intends to export excess power outside of the Local Distribution  
Circuit, explain intended Grantees and location: \_\_\_\_\_

Note: If the Applicant intends to export and sell excess Distributed Generation  
capacity outside of the Local Distribution Circuit utilizing the Pennsylvania-New  
Jersey-Maryland (PJM) Interconnection High Voltage Transmission System and  
the American Electric Power (AEP) Transmission System, it will be necessary to  
file an application and secure permission from PJM and AEP before any such  
exports are made. PJM can be reached on the Internet at [www.pjm.org](http://www.pjm.org)

Will RED be expected to supply Back-up power to support the facility in case  
the Distributed Generator is unavailable? Yes No (circle one)

Terminal Voltage: \_\_\_\_\_

Generator or Inverter: \_\_\_\_\_

Single or 3 Phase: \_\_\_\_\_

Inverter Type: Line commutated or Line Synchronized

Generator type: Induction or Synchronous

Method of Neutral Point Grounding: \_\_\_\_\_

If Induction, list full load VAR requirement: \_\_\_\_\_

Source of Capacitive VARs: \_\_\_\_\_

Proposed point of connection: \_\_\_\_\_

Prime Mover: Reciprocating Engine, Combustion Turbine, Fuel Cell,  
Photo-Voltaic or other (circle one or describe other)

Other: \_\_\_\_\_

Manufacturer \_\_\_\_\_

Fuel Type \_\_\_\_\_

If Natural Gas \_\_\_\_\_ SCFM and Pressure @ Full load Utility

Application Acceptance Richlands Electric does not, by acceptance of this Application/ , assume any responsibility or liability for damage to property or physical injury to persons. Further, this Application/Agreement does not constitute a dedication of the owner's System to the Electric Distribution Company's electrical system equipment or facilities. This Application is accepted by the Richlands Electric on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

(Electric Distribution Company Representative)

Name (Print): \_\_\_\_\_

Please send completed applications to:

Richlands Electric Department  
200 Washington Square  
Richlands, VA 24641  
Attn: Town Manager  
Phone: 276-964-2566  
E-mail: jodaniel@Richlands-va.gov

**Additional Instructions:**

Enclose a preliminary site electrical One-Line Diagram of the proposed facility, all applicable elementary diagrams, major equipment, (Generators, transformers, inverters, circuit breakers, protective relays, batteries, number and location of PV Panels, transfer switches, etc.) specifications, test reports, etc., and any other applicable drawings or documents necessary for the proper evaluation of the interconnection. Also, please provide the street address or GPS coordinates of the proposed facility.

Is One-Line Diagram Enclosed with this application Information (see Note below)? Yes · No ·

Is a DER layout plan with major equipment locations provided with this application? Yes · No ·

Enclose a copy of proposed site documentation with layout site plan map (e.g., USGS topographic map or other diagram or documentation, GPS coordinates, Google Earth KMZ File). that shows physical location of the proposed DER equipment

Is Site Documentation Enclosed? Yes · No ·

Proposed Location of Protective Interface Equipment on Property: (Include Address if Different from Application Address)

---

Enclose a copy of any site documentation that describes and details the operation of the protection and control schemes.

Are any Available Operation and Protection Documentation Enclosed? Yes · No ·

Are proof of Comprehensive General Liability Insurance Policy Enclosed? Yes · No ·

## Appendix D – Examples of Disconnect Switch Warning Tags

### Example of Safety Disconnect Tag (Reference Section 4.6)

The Tag should be either glued with Silicone adhesive or mechanically attached. Size of the Tag should be as large as practical to fit on or near the disconnect switch. In any case it should not be less than 4 inches by 6 inches. The Tag shall be made of yellow laminated engraving stock with at least 5/16 inch high black letters.

## Customer Owned Parallel Generation RED Safety Disconnect Switch

If the disconnect switch is not located at the meter, than another Tag must be made that will be placed at the meter and direct RED personnel to the Disconnect location. The following tag shall be placed at the meter, on the meter pan or on the CT cabinet.

## Customer Owned Parallel Generation Safety Disconnect Switch is located at rear of building

If the Disconnect Switch is located at the side of the building it should say so. It should be specific enough so that RED personnel can easily find the disconnect switch.



## Appendix E – Reference & Construction Standards

Construction should adhere to the following industry standards:

- ANSI C84.1-1995: Electric Power Systems and Equipment – Voltage Ratings (60 Hertz)
- EN 50524-2009: Data Sheet and Name Plate for Photovoltaic (PV) Inverters
- EN 50530-2010: Overall Efficiency of Grid Connected Photovoltaic (PV) Inverters
- IEC 61683-1999: Photovoltaic Systems – Power Conditioners – Procedure for Measuring Efficiency
- IEC 62109-1: Standard for Safety of Power Converters for Use in Photovoltaic Power Systems – Part 1 – General Requirements IEC 62109-2: Standard for Safety of Power Converters for Use in Photovoltaic Power Systems – Part 2 – Particular Requirements for Inverters
- IEEE 1547A: Standard for Interconnecting Distributed Resources with Electric Power Systems (including use of IEEE 1547.1 testing protocols to establish conformity)
- IEEE 100-2000: Standard Dictionary of Electrical and Electronic Terms
- IEEE 519-1992: Recommended Practices and Requirements for Harmonic Control in Electrical Power Systems
- IEEE C37.108-1989 (R2002): Guide for the Protection of Network Transformers
- IEEE C37.90.1-1989 (R1994): Standard Surge Withstand Capability (SWC) Tests for Protective Relays and Relay Systems
- IEEE C37.90.2 (1995): Standard Withstand Capability of Relay Systems to Radiated Electromagnetic Interference from Transceivers
- IEEE C57.12.44-2000: Standard Requirements for Secondary Network Protectors
- IEEE C62.41.2-2002: Recommended Practice on Characterization of Surges in Low Voltage (1000V and Less) AC Power Circuits
- IEEE C62.45-1992 (R2002): Recommended Practice on Surge Testing for Equipment Connected to Low-Voltage (1000V and Less) AC Power Circuits
- IEEE 929-2000: Recommended Practice for Utility Interface of Photovoltaic (PV) Systems
- IEEE 1262-1995: Recommended Practice for Qualification of Photovoltaic (PV) Modules
- IEEE 1453-2004: Recommended Practice for Measurement and Limits of Voltage Fluctuations and Associated Light Flicker on AC Power Systems
- NEMA MG 1-1998: Motors and Small Resources, Revision 3
- UL 1741-2005: Standard for Inverters, Converters, Controllers and Interconnection Systems Equipment for Use With Distributed Energy Resources
- UL 1703: Standard for Flat-Plate Photovoltaic Modules and Panels





PO Box 2310  
 730 W. Main St  
 Salem, VA 24153  
 Tel. 540/378-0193  
[www.BRPA.org](http://www.BRPA.org)

*Blue Ridge is a united group of municipal and cooperative utilities dedicated to joint action that enables its members to meet their customers' current and emerging needs.*

Town of Bedford  
 Central Virginia Electric Coop  
 Craig-Botetourt Electric Coop  
 Town of Front Royal  
 City of Martinsville  
 City of Radford  
 Town of Richlands  
 City of Salem  
 Virginia Polytechnic Institute and State University

To: John O'Daniel  
 From: Alice Wolfe  
 RE: Electric system – portfolio strategy  
 Date: December 8, 2022

In operating its own electric system, one of Richlands' major responsibilities is to provide reliable electric supply. Around 2007, the Town began moving to a portfolio power supply strategy.

A portfolio strategy means that the Town purchases energy from a variety of different generators and sources. The Town is not putting all its eggs in one basket. This is a sophisticated strategy chosen by many electric utilities for several reasons.

One key reason is rate stability. The portfolio approach lets the Town layer in resources that start and stop at different times. In the early part of this century, Richlands (along with other Blue Ridge members) was getting all its power from a low-priced Cinergy contract. When that contract ended, all members saw significant increases in power supply costs. Having a variety of power supply sources means Richlands has more stability in its rates over time.

Another key benefit of the portfolio approach is to diversify risks. Say the Town was getting all of its energy from one generator, and that generator was destroyed by a hurricane. The Town would then be at the mercy of the open markets for all of its energy needs. Because Richlands gets small amounts of power from several different resources, there is only a small impact on the Town's overall purchased power costs if any one of them goes out of service.

Every strategy has both positives and negatives. A drawback of the portfolio approach is that it takes more effort for the Town to understand and manage

Prior to the last year, the energy markets were relatively stable. In 2021 and 2022, however, energy prices have been much higher and more volatile. The table below compares Richlands wholesale power supply costs if the town had been buying power 100% on the spot market this summer, versus the town's actual costs. If all of Richlands energy had been purchased on the spot market, the town would have paid another \$27.94/MWh (\$0.02794/kWh), or \$462,091.

While I hope that the high market prices of the past 2 years do not continue, they may. The analysis below uses recent, actual financial data to provide context as the Town considers its electric system needs.

<b>Richlands Savings Versus Market</b>				
	June	July	August	September
MWh	4,054	4,460	4,371	3,652
Market Prices	\$ 97.88	\$ 97.23	\$ 105.70	\$ 87.15
Capacity/Transmission	\$ 26.53	\$ 24.79	\$ 25.74	\$ 29.46
100% Market Rate	\$ 124.41	\$ 122.03	\$ 131.44	\$ 116.62
Actual Rate	\$ 98.37	\$ 89.37	\$ 95.72	\$ 101.60
<b>Savings (Rate)</b>	<b>\$ (26.03)</b>	<b>\$ (32.65)</b>	<b>\$ (35.71)</b>	<b>\$ (15.01)</b>
Savings (Dollars)	\$ (105,545)	\$ (145,629)	\$ (156,090)	\$ (54,828)
<b>Total Savings (Rate)</b>	<b>\$ (27.94)</b>			
<b>Total Savings (Dollars)</b>	<b>\$ (462,091)</b>			

Data provided by AMP via email, 10-19-22



# MEMORANDUM

**TO:** ALICE WOLFE, DURWIN JOYCE, JOHN O’DANIEL  
**CC:** SYDNEY SPRAGUE  
**FROM:** GARRETT COLE  
**DATE:** DECEMBER 1, 2022  
**SUBJECT:** MARTINSVILLE & RICHLANDS – 2022 PROCUREMENT

The electric departments of the City of Martinsville and the Town of Richlands, VA serve their customers energy needs via a layered and diversified portfolio primarily composed of resource generation and market-based energy block transactions.

These power supply portfolios are based on a programmatic hedging strategy including long-term, intermediate, and short-term procurement benchmarks and guidelines. Both Martinsville’s and Richlands’ power supply portfolios include a variety of long-term allocations of AMP resources that supply long-term baseload and peak energy hedges, respectively making up roughly 73% and 72% of annual energy requirements. On an intermediate basis, Martinsville and Richlands typically purchase annual, around-the-clock energy blocks in which the same volume of energy is delivered in each hour of each day over a multiple year term. To fill its short-term energy requirements, both load following and fixed load shape block products are typically reviewed. Load following products, which are typically priced at a premium, refer to a product in which all remaining needs are met by a supplier, significantly reducing or eliminating any need to balance energy excesses or deficiencies on the balancing market. Fixed load shape products refer to a product in which multiple blocks of varying sizes across each month of a given year are combined into a single product and purchased to best serve remaining needs, with the expectation that a small portion of energy (typically roughly 5% of annual need) will be bought and sold into the market. The following is a summary of Martinsville and Richlands existing energy hedges:

**Martinsville and Richlands Current Power Supply Portfolio:**

*Figure 1: Generation Resource Allocation Summary*

Resource	Martinsville Allocation (MW)	Richlands Allocation (MW)	Online Date
AFEC	6.037	2.208	2012
AMP Hydro	4.297	1.5	2016-2017
Landfill Gas	1.0	-	2012
Martinsville Hydro	1.2	-	1932
PSEC	5.772	2.59	2012
SEPA Hydro	1.6	0.5	Ongoing
Martinsville Solar	8.0	-	2024
Martinsville BESS	8.0 MW	-	2023

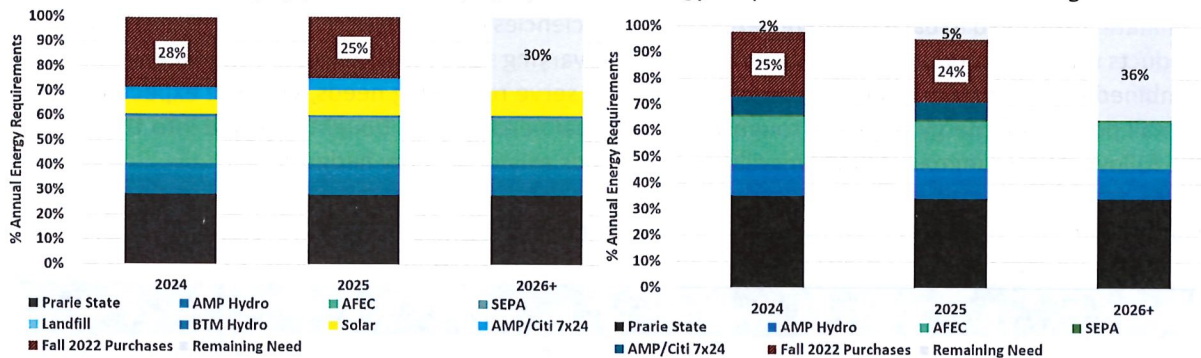
MARTINSVILLE & RICHLANDS – 2022 PROCUREMENT

Figure 2: Existing Block Purchase Summary

Term	Supplier	Size MW	Type	Delivery Point	Price \$/MWh
<b>Martinsville</b>					
2022-2025	CITI	1.0	7x24	PJM West Hub	\$35.50
2022	Morgan Stanley	Varies	Monthly	PJM West Hub	\$29.45
2023	Morgan Stanley	Varies	Monthly	PJM West Hub	\$29.30
<b>Richlands</b>					
2022-2025	CITI	0.5	7x24	PJM West Hub	\$35.50
2022	Constellation	Varies	Monthly	Blue Ridge Agg	\$31.95
2023	Constellation	Varies	Monthly	Blue Ridge Agg	\$31.70

This Fall, Martinsville and Richlands solicited indicative prices on these short-term load following and fixed load shape products to determine the most competitive products to fill remaining needs for calendar years 2024-2025. These products make up roughly 25-30% of Martinsville’s and Richlands remaining load requirements for these two years.

Figure 3: Martinsville (Left) & Richlands (Right) Annual Energy Requirements and Current Hedges



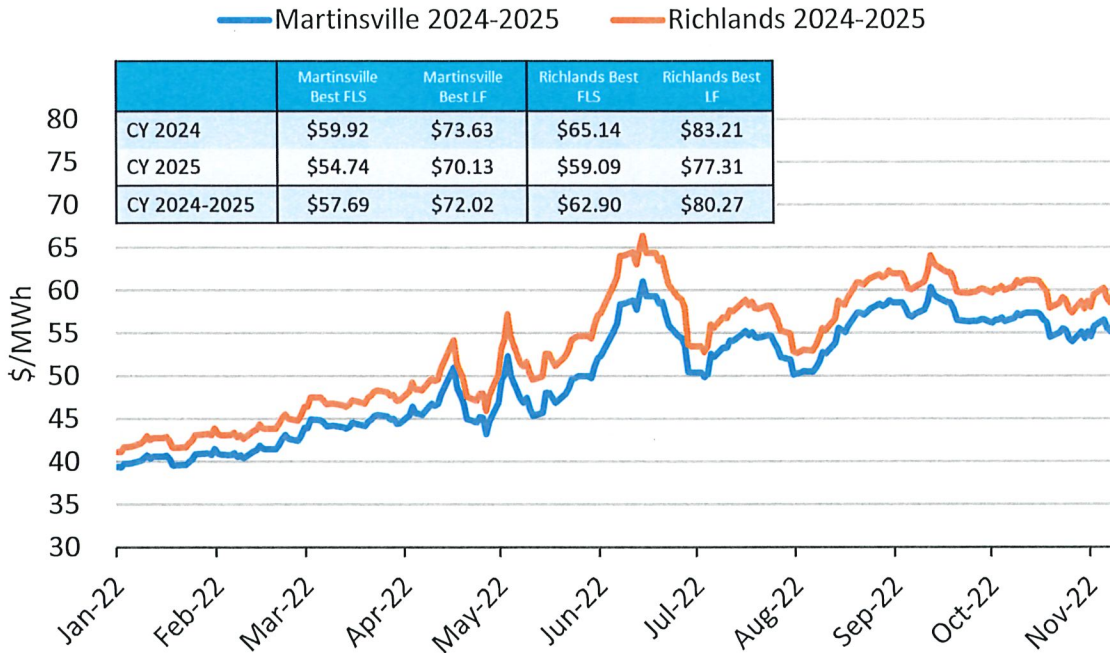
Indicative proposals were received on November 7, 2022, at which time six individual suppliers provided pricing on all, or a sub-set of the products requested. Each of the respondents provided pricing on the fixed load shape products, while only three provided pricing on the load following, as those products come at a higher risk to suppliers, particularly given the current higher-priced energy market environment. Of the total respondents, five are currently enabled to transact with Martinsville and Richlands under existing EEs or via an agreement with American Municipal Power (AMP).



CONFIDENTIAL

MARTINSVILLE & RICHLANDS – 2022 PROCUREMENT

Figure 4: Product-Weighted Rolling Market Forwards (AEP-Dayton Hub)



Although load following products have historically come at a premium to fixed load shape monthly blocks due to the higher transfer of risk from the buyer to the supplier, given the steep increase in market prices and electric power forwards over the past year, the differences between those products is now elevated. For over a decade, the price of electric power in the U.S. has, by and large, remained low and stable, largely due to an abundance of natural gas supply. In 2021, a number of factors including the February 2021 North American Winter Storm (Uri), economic recovery from the pandemic that outpaced the return of natural gas production to meet supply, and a number of rolling heat waves began to drive up natural gas and subsequently, power costs. As conditions began to normalize, the Russian invasion of Ukraine occurred, resulting in far greater, global natural gas supply issues as Russian gas exports were primarily cut off. As a result, in the Spring and Summer of 2022 natural gas and electric power prices reached 15-year highs. It's a difficult reality that prices are now higher than what has been experienced prior to these events, but this is a perfect example of the reasons that Martinsville and Richlands both pursue a diversified energy strategy with a significant portion of supply otherwise procured from long-term resources.

The following illustrations demonstrate the net effective rates for the offers received on 2-year fixed load shape and load following products requested as a part of the RFP. In order to appropriately compare pricing between load following and fixed load shape products, these figures are based on the same volume of energy for each product and represent the effective price on all of Martinsville and Richlands unhedged load which includes balancing market interaction. Congestion is assumed to bring all of the products back to Blue Ridge Aggregate for even comparison, which is the final delivery point for energy supply. As anticipated, bidders had less of an appetite to price load following, and those that did so provided a notable premium for both Martinsville and Richlands.



CONFIDENTIAL

Appendix with illustrations and detailed price data to be provided to council during closed session





Search 



Click on image to zoom




## Lake Tahoe Water Slide

PF SLIDES | SKU: 203+

EST. LEAD TIME: **11 TO 12 WEEKS**

Watch as members race down the 2 slides on the Lake Tahoe Water Slide. With one spiral slide and one curved slide, this set is a perfect addition to any country club, lake, or pool area. You can

Contact an Expert Today!  888.920.4628

Search 

### Features

#### FEATURES

- Slides only require 10 to 20 gallons per minute making them more economical than other slides
- 2 climbs made from polyethylene decks help ensure a safe ascent
- 30" flume diameter
- 260 pound weight capacity per slide

#### MATERIALS

- Soft foam padding covers the metal pipes to protect riders
- Aircraft Grade Aluminum Structure
- UV resistant Polyethylene Roofs & tubes


### Specifications

Capacity	260 pound weight capacity per slide
Equipment Weight	2000 lb
Deck Height	10 ft

Option #1

Price: **\$33,200.00**

Shipping calculated at checkout

Select color 

Post Padding Color

Search 

Contact an Expert Today!  888.920.4628

Search 

Capacity	260 pound weight capacity per slide
Equipment Weight	2000 lb
Deck Height	10 ft
Fall Height	120 in
Use Zone	Minimum water depth: 3.5' Recommended depth: 4'
Made In USA	

#### SPECIFICATION DETAILS

- T6-6061 Schedule 80 Aircraft Grade Aluminum Structure
- Soft foam padding covers the metal pipes to protect riders
- UV Resistant High Tenacity Polypropylene Netting
- 316 Marine Grade Stainless Steel Hardware
- Polyethylene Roofs made with UV resistant resins
- Polyethylene tubes made with the highest quality UV resistant resin



# Vortex Swimming Pool Slide

[Ask a Question](#)

Starting At: **\$23,500.00** – **\$29,995.00**

Can Be Added To Any Of Our Swimming Pool Kits.

Americas Largest SR Smith Dealer!

No Hidden Costs At Checkout!

Color

Blue

Flume

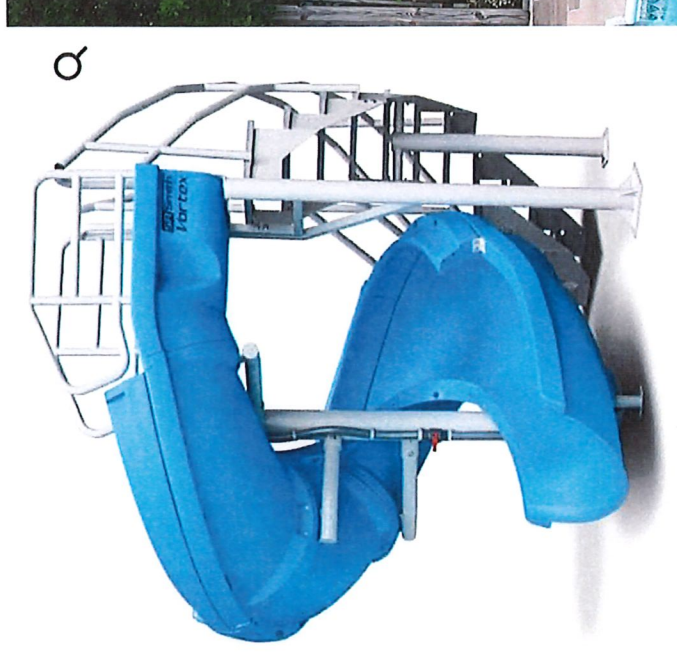
Closed

Entry

Search ...



Home / Shop / Pool Equipment & Accessories / Swimming Pool Slides / Vortex Swimming Pool Slide



Option #2



### Rec Park Materials for Renovation

	Item	Quantity	Cost per	Total
1	24-24 Ceiling Panl Fashtone 16	41	\$43.48	\$1,782.68
2	SS Warm Honey Oak 23.21 SQFT	113	\$69.39	\$7,841.07
3	Manual Diaphrm Flush Valve	3	\$137.47	\$412.41
4	Highc Ultra Bowl W	3	\$169.43	\$508.29
5	Man Dia Urinal FV, .05 GPF, CH	1	\$119.96	\$119.96
6	DEXTER URINAL- TOP SPUD	1	\$174.11	\$174.11
7	EL MANS COMMERCIAL PLASTIC OPE	3	\$29.98	\$89.94
8	ELKAY 25-NX22- IN SS 8-IN 20G	4	\$129.00	\$516.00
9	42- IN PEENED GRIP 1 1/2 SM SS	2	\$49.98	\$99.96
10	36- INPEENED GRIP 1 1/2 SM SS	2	\$44.98	\$89.96
11	OURO ROMANO 6-FT 9277-46 BAR	2	\$119.00	\$238.00
12	2x4 LI FLTPNL LED 400K( -10339	34	\$62.98	\$2,141.32
13	T-Bar Perforated Return R6 Ins	13	\$57.47	\$747.11
14	FLEXCO 4-IN x 120-FT TPR BLK D	3	\$79.98	\$239.94
15	Comercial Hinge	15	\$14.72	\$220.80
16	KW SC ENTRY KNB TYLO	4	\$15.98	\$63.92
17	620-FL OZ SHOWCASE SATIN UW/BS	6	\$216.00	\$1,296.00
18	620-FL OZ SHOWCASE SSEMI UW/BSA	1	\$229.00	\$229.00
19	ENT 1G TOG PLATE 10-CT IV	1	\$4.98	\$4.98
20	ENT 1G STD DUP RECEPT PLATE IV	17	\$0.57	\$9.69
21	ENT 15A-125V COMM RECEPT 10-CT	2	\$24.75	\$49.50
22	12 FT WALL MOULDING- White	40	\$6.74	\$269.60
23	12 FT MAIN BEAM- WHITE	30	\$14.48	\$434.40
24	2 FT CROSS TEE- WHITE	500	\$2.94	\$1,470.00
25	4 FT CROSS TEE- WHITE	500	\$5.78	\$2,890.00
26	WIRE KIT 18 GUAGE 24-PIECE	60	\$4.18	\$250.80
			Total	\$22,189.44

