



A G E N D A
TOWN COUNCIL MEETING
At Richlands Town Hall
November 1, 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.)
 - a. Approval of Agenda
- V. Consent Agenda**
 - a. Authorization to Pay Bills (October)
 - b. Minutes- Joint Public Hearing on October 11, 2022, and Regular Meeting on October 11, 2022
- VI. Scheduled Public Comment (Five Minute Maximum)**
 - a. Aaron Thomason- Woodlawn Avenue Paving
- VII. Unscheduled Public Comment (Three Minute Maximum)**
- VIII. Agenda Items**
 - a. Police Department Recognition- Mayor Cury
 - b. Concerns- Tim Taylor
 - c. Consideration of Forensic Audit RFP
 - d. Annual Audit Update and RFP
 - e. Consideration of Downtown Revitalization Contract
- IX. Town Manager Report**
- X. Attorney's Comments**
- XI. Council Member Reports (Non-voting Items)**
 - a. Doug Ratliff
 - b. Laura Mollo
 - c. Rick Wood
 - d. Kristen Thompson-Whitt
 - e. Seth White
 - f. Jeff Hurst
- XII. Mayor's Comments**
- XIII. Adjourn Meeting**

Next regular meeting date is December 13, 2022, at 6:00pm.

Check#	Paid To	Description	Check Date	Amount
		Town of Richlands		
		PAID CHECKS REPORT		
		10/12/2022 to 10/28/2022		
12727	NATIONAL BANK	LINE OF CREDIT INT PMT DUE 10.17.22	10/12/2022	\$2,154.94
12728	BRIAN LOWE	B LOWE-RESCUE #551-1 GAL ANTIFRZ TO GET BACK TO RLDS TO JERRY	10/14/2022	\$18.31
12729	CARTER MACHINERY COMPANY, INC.	SANT #648-INSPECT & MAINTAIN CYL HEAD ASSY/GASKET	10/14/2022	\$1,371.18
12730	COMMONWEALTH OF VA-ENERGY ASSIS	COV-EAP-RATLIFF, BRANDY NICOLE-REFUND	10/14/2022	\$334.35
12731	PACE ANALYTICAL SERVICES, LLC	PACE ANALYTICAL-WTP-VA INORGANIC PKG PO WTP00119	10/14/2022	\$1,184.18
12732	TOWN OF RICHLANDS	TEEN VENTURE-UT-PAID BY TOR-PER COUNCIL	10/14/2022	\$875.07
12733	ADAMS, BRENDA MAE	Utility Refund for 909942.00 96	10/18/2022	\$179.03
12734	AMAZON CAPITAL SERVICES, INC.	RESCUE-FILE FOLDERS, COPY PAPER, TONER CART	10/18/2022	\$430.69
12735	DORKOSKI, RYAN PAUL	Utility Refund for 404555.00 93	10/18/2022	\$257.18
12736	EARL COLE INC. DBA-THE VOICE	PUBLIC HRGS/ATVS/BATTERY STORAGE/HOSP/WW PERMIT	10/18/2022	\$1,665.00
12737	ESTATE OF GREGORY THOMAS BEVINS	Utility Refund for 13021706.00 97	10/18/2022	\$128.71
12738	FIRST COMMUNITY BANK	Rescue-Sp Acct-Food Lion/Walmart, Zoning-Cert Mailings, FIN OFFICE office supplies	10/18/2022	\$922.10
12739	GRIFFITH, BRITTNEY NICOLE	Utility Refund for 605642.00 93	10/18/2022	\$67.92
12740	KEEN, JASON ROBERT	Utility Refund for 707814.00 92	10/18/2022	\$144.55
12741	NIDAY, KELLY M	Utility Refund for 11012178.00 97	10/18/2022	\$3.69
12742	RATLIFF, BRANDY NICOLE	Utility Refund for 11011682.00 95	10/18/2022	\$199.40
12743	RICHLANDS POOL & SPA	Utility Refund for 1403794.00 96	10/18/2022	\$57.56
12744	VANCE, DOUGLAS J	Utility Refund for 303032.00 95	10/18/2022	\$159.06
12745	GILLESPIE, HART, ALTIZER & WHITESELL,	GILLESPIE HART-SEPT 2022 ATTY FEES	10/26/2022	\$2,073.75
12746	GRIFFITH, KARA FAITH	K GRIFFITH-UTILITIY REFUND FROM 1.29.21 REISSUED	10/26/2022	\$140.35
12747	HOMETOWNS OF THE CLINCH	CLINCH FLOW GRANT-REFUND-PRJ ON HOLD	10/26/2022	\$1,000.00
12748	KIDD TIRE AUTO PARTS	KIDD-PD-3 SPARE TIRES REPAIRED/FIRE 516 INSP DECAL	10/26/2022	\$544.35
12749	LEONARD ALUMINUM UTILITY BLDGS, LI	LEONARD ALUM-ST-#619-LIGHT BAR INSTALLED PO 146884	10/26/2022	\$1,694.98
12750	LEXISNEXIS RISK SOLUTIONS	LEXISNEXIS-DTF-SEPT 2022-CONTRACT FEE PO 305427	10/26/2022	\$35.00
12751	RICHLANDS GARDEN CLUB	RLDS GARDEN CLUB-4 ORNAMENTS PAID BY CC	10/26/2022	\$80.00
12752	RICOH USA INC.	RICOH-PD-INVESTIGATIONS COPIER-B/W, COLOR COPIES PO 305429	10/26/2022	\$89.48
12753	RICOH USA, INC.	RICOH-FIN OFFICE-RENT, MAINT, COPIES	10/26/2022	\$194.97
12754	SPECTRUM BUSINESS	SPECTRUM-ACCESS CHANNEL-SET TOP BOX . WW TELEMETRY	10/26/2022	\$75.68
12755	SPEEDY LUBE, INC.	DTF-FULL SVC SYNTHETIC, TIRE ROTATION, VA ST INSPECTION PO 3054	10/26/2022	\$125.50
12756	TOWN OF RICHLANDS	PD-DTF CONTRIBUTION FOR 2022-2023	10/26/2022	\$7,000.00
12757	TWIN ENTERPRISES, INC.	TWIN ENT-PD-SVC CALL, LABOR TO REPAIR INDOOR COIL PO 305413	10/26/2022	\$110.00
12758	UPS	UPS-PD-DMV GRANT, WWTP-CREDIT FOR BILLING ADJ	10/26/2022	\$33.26
12759	VERIZON	VERIZON-WTP-2026-SCHOOL TANK VAULT /DTF/WTP LINES	10/26/2022	\$337.17
12760	VERIZON BUSINESS	VERIZON BUSINESS-PD LONG DISTANCE	10/26/2022	\$9.86
12761	VERIZON WIRELESS	DTF/PD/FIN/RESCUE/W/S/E CELL PHONES	10/26/2022	\$1,335.90
12762	WARD, ROSA L.	Utility Refund for 707791.00 98 REISSUED	10/26/2022	\$2.64
		Total Checks:		\$25,035.81
		GRAND TOTAL		\$25,035.81

Town of Richlands			
PAID CHECKS REPORT			
11/1/2022			
Check#	Paid To	Amount	Description
12763	ADVANCE AUTO PARTS	\$495.58	ADVANCE-ALL DEPTS-BATTERIES, PARTS, WIPERS
12764	ADVANCED NETWORK SYSTEMS, INC.	\$692.50	PD-TO IMPLEMENT VPN TUNNELS TO TAZ 911 NETWORKS
12765	ALERT-ALL CORP.	\$1,153.00	ALERT-ALL-FIRE-FIRE PREVENTION WK MATERIALS PO F2091
12766	ANCHORAGE PHOTO & VIDEO RADIO SHACK	\$225.00	ANCHORAGE PHOTO-ST-MS180 STIHL CHAINSAW PO 14755
12767	APPLIED INDUSTRIAL TECHNOLOGIES-DIXIE	\$278.56	APPLIED-SHOP-BATTERIES, WIPING CLOTHS, HAND TOWELS
12768	ARAMARK UNIFORM SERVICES	\$1,176.11	ARAMARK-ALL DEPTS-UNIFORMS
12769	BADGER METER	\$6,540.00	BADGER METER- WATER METERS PO UT0017
12770	BUSKILL SALES CO., INC.	\$384.95	BUSKILL SALES-ST-GRADER-ROAD SERVICE/LABOR 1 TUBE PO 14757
12771	CARROT-TOP INDUSTRIES, INC.	\$356.95	PD-2 VA FLAGS, 2 US FLAGS, 2 THIN BLUE LINE FLAGS PO 305440
12772	CARTER MACHINERY COMPANY, INC.	\$414.60	SANT #648-GASKET KIT,BOLTS/SEALS/WASHERS/PLUG
12773	CHATTACHEM	\$1,036.90	WWTP-HIGH COUNT BAC TABLET, ULTIMATE HAND CLEANER
12774	CLINCH VALLEY REPAIR, INC.	\$265.00	CV REPAIR-TN HALL/ST/LINES/EL FIRE EXT INSPECTIONS
12775	CMC SUPPLY, INC.	\$4,918.75	LINES-WATER LINE REPAIR MATERIALS
12776	COCA-COLA BOTTLING CO, INC.	\$701.70	COCA-COLA-REC-CONCESSION PO RP2874
12777	COMPUTER PROJECTS OF IL, INC.	\$198.00	PD-ANN OPEN FOX MESS MAINT FY22-23 PO 305448
12778	COUNTRY BOY CUSTOMS	\$159.00	PD-SIGN FOR 911/VIDEO SURVEILLANCE
12779	CRAB ORCHARD VETERINARY SVCS, INC.	\$266.40	PD-139 LARGEN ST PIT/139 LARGEN ST CAT -VET SERVICES/BOARDING
12780	D & T ENTERPRISES	\$227.29	SHOP-29 PC DRILL BIT MECHANICS SET PO 14744
12781	DOMINION PEST CONTROL, INC.	\$225.00	OCT '22-PD/RESCUE/WTP/REC PARK PO 305426
12782	ECONO SIGNS LLC	\$194.24	ST-8 OSHA SIGNS, SCREWS FOR TRAFFIC SIGNS PO ST14672
12783	FREEDOM FORD	\$569.90	PD #36-TOWED TO FF, PROGRAM KEY FOB, PROG 2 KEYS
12784	GEMPLER'S	\$934.86	ST/SANT/LINES/SHOP-RAIN DEF QTR ZIP SWEATSHIRTS/HOODIES PO 14741
12785	IDEXX DISTRIBUTION, INC.	\$228.15	IDEXX-WWTP-GAMMA IRRAD COLILERT PO WW81826
12786	JERRY'S AUTO SERVICE	\$985.86	RESCUE #552/552/524/551 REPAIRS
12787	KIDD TIRE AUTO PARTS	\$278.53	FIRE/EL/ST/RESCUE PARTS, TIRES, OIL DRI
12788	KOMLINE-SANDERSON	\$2,476.56	WWTP-PLUNGER PUMP PARTS PO WW81817
12789	LARRY HELTON	\$1,207.00	RESCUE NEW #550-INSTALL LIGHT BAR/ALL LIGHTING
12790	LOWE'S	\$2,178.02	LOWE'S-ALL DEPTS-SUPPLIES & MATERIALS
12791	MARK E. ISON	\$1,800.00	MARK E ISON-NOV 2022-IT SUPPORT, TRAVEL FEE PO 305453
12792	MINEQUEST, INC.	\$169.87	MINEQUEST-ST #635-HOSE ASSY PO ST14747
12793	MOBILE COMMUNICATIONS AMERICA, INC.	\$88.00	MCA-PD-4 SETS TUNING FORKS FOR CALIBRATION PO 305428
12794	MSE COMPANIES	\$62.29	SANT #625-BUSHING, BEARING, FREIGHT PO 14731
12795	POLLARD WATER	\$3,326.48	POLLARD WATER-LINES/EL-PIPE LOCATOR-PO L83607
12796	PYLE SOLUTIONS LLC	\$4,356.00	PYLE SOLUTIONS-WWTP-1800 LB POLYMER PO WW81828
12797	RAVEN SUPER MARKET	\$37.42	WWTP-PAINT,THREAD TAPE, PLUG, PAINT BRUSHES
12798	RICHLANDS FARM BUREAU	\$703.73	RLDS FARM BUREAU-ALL DEPTS-SUPPLIES/MATIERALS
12799	STATE ELECTRIC SUPPLY COMPANY	\$507.36	EL-ST LIGHTS-MOG HPS L AMP (28) PO EL93637
12800	T R LANGHORNE	\$175.00	PD-RON HOLT BACKGROUND INVESTIGATION
12801	TRACTOR SUPPLY COMPANY	\$15.97	LINES-WIRE BRUSHES, MINI TOOL SET PO L83605
12802	TRUCKPRO, LLC	\$308.21	SANT 625/630 PAC, FS, FUEL FILTER, HK350 PO 14740
12803	ULTRA PETROLEUM	\$24,305.00	ALL DEPTS FUEL/WWTP-1,000 GAL TANK
12804	UNITED SYSTEMS & SOFTWARE, INC.	\$1,451.35	UNITED SYSTEMS-WATER ERTS (20) PO UT0009
12805	W-L CONSTRUCTION & PAVING, INC.	\$221.00	W-L CONST-ST 2.08 TONS ASPHALT
12806	WORLDWIDE EQUIPMENT-HERITAGE	\$234.40	WORLDWIDE EQUIP-SANT #630-KIT, WATER PUMP PO 14743
12807	WYTHEVILLE OFFICE SUPPLY, INC.	\$595.66	PD-CHAIR, TONER CARTRIDGE
	Total Checks:	\$67,126.15	
	AMP (SEPT '22)	\$355,989.95	
	CONSTELLATION ENERGY (SEPT'22)	\$22,850.64	
	ANTHEM BC/BS (SEPT'22)	\$108,821.00	
	VRS (AUG'22)	\$70,570.48	
	GRAND TOTAL	\$625,358.22	

The Richlands Town Council held a joint “Public Hearing” with the Planning Commission on October 11th, 2022, in the Richlands Council Chambers at 5:30 pm with the following present:

Mayor: Rod D. Cury

Town Manager: John O’Daniel

Town Clerk: Rebekah Hackworth

Council Members: Jeff Hurst, Doug Ratliff, 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.

The Public Hearing #1 is now open. This meeting is regarding the B-3 Zone. Is there anyone here who would like to come forward or discussion the B-3 Zone on Hospital/Special Care Clinic Conditional Use Permit?

Since no one is here to speak regarding this, I will close this Public Hearing.

Closed!

Mayor Cury- We will now open the Public Hearing #2 regarding the options for operating hours of public access to the Police Department Building. Is there anyone who would like to speak regarding this matter?

Since there is no one to speak on this, we will close Public Hearing #2.

Closed!

Mayor Cury- We will now open Public Hearing #3. This meeting is regarding the proposed changes to the current town electric rates to mirror AEP. Is there anyone here that would like to speak regarding this matter?

Since there is no one to speak on this, we will close Public Hearing #3.

Mayor Cury- We will adjourn this Public Hearing and let the Planning Commission discuss their recommendation.

Adjourned!!

Rodney D. Cury, Mayor

Rebekah Hackworth, Clerk

The Richlands Town Council held a “Regular Meeting” on October 11th, 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.

Greg Horn gave the invocation and led the Pledge of Allegiance.

Mayor Cury- We have before us an agenda. Is there any additions or deletions to the agenda?

Is there anyone here who would like to speak under unscheduled public comments? This would be the three-minute time slot. Okay, Shanna Plaster. Anyone else?

The Town Manager, John O’Daniel, asked me to add Tony Cordle. So, if you please look at the agenda under VIII under A, we have Planning Commission request for a joint public hearing, but John asked that we put Tony Cordle above that. We will call that A. 1- Tony Cordle concerning the Rec Commission. Are there any other additions or changes to the agenda?

Laura- I'm requesting if we could please move letters F and I regarding the Dispatch Discussion and the Halloween Discussion above letter A. Both are regarding the need for Chief Ron Holt.

Mayor Cury- Okay, we can do that. Are there any other additions or deletions to the agenda? Okay, I will entertain a motion to approve the agenda as amended.

Jeff- I make a motion to approve the agenda as amended. Kristen 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- Next, we have the consent agenda. It has two items, the authorization to pay the bills and also the minutes of the Joint Public Hearings, September 13th and the Regular Meeting also on September 13th. Are there any questions regarding the consent agenda?

Laura- I have a few questions. The first is on the check registry. There is a check to First Community Bank, check number 12589. Mr. O’Daniel, a lot of the checks to First Community Bank are grouped together. If we could start having a little note on what those include. It would help us to understand. The next check is 12660 to Blue Ridge. It seems like every time we consult with Blue Ridge Power, we get a big bill for that. Is that because we are consulting with them or is that a regular monthly fee?

John- I know some of it is annual, but anything outside of that budget is extra. Some of the things we have done like the battery or some of these other things have added cost to that, but I have to check to see exactly how much they are charging to come on and speak.

Seth- Are they charging us \$1,000 an hour to come on and talk to us?

John- I don't know what they would be charging us. It would depend on the content of the topic.

Seth- I thought we asked them that last time and she said there was no charge for that because they were discussing the project.

John- That one may have been built into the original cost.

Laura- Can we find that out for sure and have like a breakdown of everything?

John- Yes, I can try to find a copy of our annual proposed budget that breaks everything down on what we pay and what it goes to.

Laura- Okay, I have one more question, check number 12714. This is for Thompson and Litton. This check is actually on here twice. They both have the same mou number. They just have different dates. At what point are we done paying them. Should we not be paying them?

John- What's the other one?

Seth- 12646.

John- My first thought was that maybe part of the SSES additional grant project that they were working on. We should be wrapping that up in the next few weeks. Without digging into it, that's my initial thought. That's the only thing that we have going on that we would be paying them for at this time.

Laura- We need to find out for sure because these are two separate checks with two different dates.

John- Okay, I'll give you all an update on those checks.

Doug- What is check number 12579?

John- I believe that is for our insurance.

Doug- For the employees?

John- I am not sure if it is for our employee insurance or if it is for the personal property liability insurance. I will check on those checks and send an email.

Mayor Cury- Okay, thank you. Any more questions? I will entertain a motion to approve the consent agenda.

Rick- I make a motion to approve the consent agenda. 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- Next, we are on Scheduled Public Comment. This is a 5-minute maximum. We have Michael Yates. He is here to speak about a draining issue.

Michael Yates- I live at 371 Plantation Drive. I moved in a couple months ago, every time it rains, the water comes down Plantation Drive and goes into my yard and floods it. I talked to George West, and he said I need a new drainpipe and if I would buy the pipe, they would do the work, but I don't think I should have to buy the pipe at all because it's the town's pipe that needs replaced.

Mayor Cury- We have several issues like this, so I would like two volunteers to go with me and look at this piece of property and discuss this again at our November meeting.

Rick and Laura agreed to go.

Mayor Cury- Okay, thank you Michael. Next, we have unscheduled public comment. We have Shanna Plaster.

Shanna- I hope that I'm bringing you good news. Hopefully you all feel the same way about it that I do. But I met with you, Mr. Cury, on this back in maybe February, but back in January, the county entered a contract with First Earth, and First Earth to write us some grants. Last week we were awarded a grant to cover a feasibility flood study. It will incorporate Raven, Doran, Richlands and I think we have Bandy and Jewell Ridge also included in the study. We were awarded about \$330,000 towards this feasibility study. The county will have to do a little match on that, but I just wanted to give you all the news.

Mayor Cury- Thank you so much, Shanna. That's wonderful news. We really appreciate your work and the work of everyone involved in solving this problem. Okay, there were no one else signed up to speak, so we will move on to Agenda Items. First up, is Tony Cordle.

Tony- I am here on behalf of the Rec Commission. There are some updates/improvements that need done to some of our recreational buildings/areas. There is some roofing that needs replaced at Critterville. Several of us have come together and gotten some quotes for some of these things. The party room at the Rec Park also needs some updating. The pool area needs updated. Also, I was wanting to get new fencing. I'm coming to you asking to fix the appearances of some of the properties that we have in our beautiful town. Also, the tennis court as you go by the rec park, it looks awful. It has a crack in one of the tennis courts. Some of the things I'm talking about will soon be possible safety issues. So, that is another reason why, I am asking for these updates. So, if you if you drive by the Rec Park, and go inside, you will see that it is very nice. We have done a good job updating that part. Most of that has been through grants and donations. I've been on the Rec Commission for probably 13-15 years. We have received a lot of donations, and lot of grants. Also, we are looking into getting a cleaning machine for the gym. Our budget had been cut in half. When I was a boy, we had about 6 people working at the Rec Park, now we are down to one. So, it is very hard for her and what part time we do have to sweep and mop that whole gym floor. It takes about 6 hours to do that. Also, the garage door is not working right and that things weighs a ton. So, that is quickly becoming a safety hazard.

Back to Critterville, there is a lot of cracks in the blocks, some of the roofing, the shingles, they have all seen better days. That is where our youth plays sports. Some of those will eventually be

some safety concerns that need attention. So, like I said, we have the estimates here. Some of these estimates were done when MaryAnn was on the board. So, we did add 20% for inflation. If this was to get approved or something, we could get some updated numbers, but these are the numbers that we had before inflation hit. You know our area is beautiful, our Rec is beautiful, and we just want to keep it that way. So, please consider investing in our community.

Laura- I have a question for you. I have always wondered this and maybe you have already tried this, but with these estimates here, have you guys taken these to the county and to Cedar Bluff and even to the college? Because with tennis courts, I know they use our tennis courts a lot. I was just curious to see if they can help. That way we could all come together, and it won't look so crazy for council, and we wouldn't be carrying that full burden. If the other towns that are already utilizing our area, would help us out on some of these updates.

Tony- We have before in the past on some things. We have never gotten anything, but we could try again, if that is something you guys want us to do. With the ARPA money, we may have some wiggle room, but I am sure they have some things that they are wanting to update as well.

Mayor Cury- Tony, I would suggest getting with Shanna Plaster since she represents this area anyways and see what you guys can come up with.

Laura- I'm not opposed to any of what you are bringing up, especially the playgrounds and the safety. I think that's a huge priority. I would just ask the other counties and no matter what the council decides, you could go ahead and reach out and just see what they say. If they do decide to help, we could all pitch in and it would be less of a burden on everyone.

Mayor Cury- Are they in order of priority? They are all important and I get that. However, if the Commission would prioritize them, maybe we could look at doing some of these things by priority first.

Tony- No, they are not in order. I would say Critterville is the main priority because our youth uses it 9 months out of the year.

Seth- John, Heather, how much is in our budget for the Rec Park?

Heather- There is no capital that we have for it. Nothing over \$5,000.

Seth- Have they used all of the \$5,000 for this year?

Heather- No.

Seth- Some of this stuff that Critterville is needing is not that expensive. Tony, thank you for bringing all of this to our attention. I feel like we can all work together to figure out how we can get this done.

Mayor Cury- Thank you, Tony. These definitely deserve serious consideration of the Council. I don't know what we can do this very night. However, thank you very much and thank you Jeff for serving on that. What is council's will? Would you suggest that we bring this up in our next council meeting? It's a lot of money.

Seth- I think we need to let Tony and the Rec Commission prioritize and see what they come up with and see if the county can help us out on some of this and us get together and figure out a plan and see how much money we are going to need and go from there.

Rick- I would like to get our supervisor of our street crew to go by there and see what they can do to help us out as well and that will help cut some of our cost out.

Mayor Cury- Here's a suggestion. I appreciate everyone's input, obviously it is important because it's important for our community. I would suggest that Jeff, as our representative to the Rec Commission, and Tony, you are welcome to come too, give us updates on everything you have asked for. We will see what we can do and work with the commission and any other suggestions that come across tonight, please take those to heart and bring them back, is that acceptable?

Tony- Absolutely.

Rick- Can we let Jeff go with George West and look at some of that stuff?

Mayor Cury- I always like to include the Town Manager in on stuff like that as well.

Rick- That's fine. Let them go look at what needs to be done.

Jeff- Yes, we can do that.

Mayor Cury- Okay, thank you everyone. Now we have Chief Holt, and I would suggest discussing Halloween first.

Chief Holt- I have looked at what our neighbors are doing. I would suggest keeping our hours on the 31st from about 5:30pm-8:00pm. That allows the younger kids to get out before dark and then it shuts it off at a reasonable hour where we are not having folks knocking too late. I think that's going to provide for the best experience for the folks here. If you have it on a different date, then you are going to have folks from out of town that will come to it.

Mayor Cury- Is everyone amenable to October 31st from 5:30pm- 8:00pm?

Jeff- I make a motion to have trick or treat on October 31st from 5:30pm-8:00pm. 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- Thank you, Ron. Now on to the dispatch discussion.

Chief Holt- I submitted a proposal to our Town Manager. I put a lot of thought into it and obviously there was a lot of factors that were considered and part of that was the proposal that you had from the Sheriff's Office, and their 911, their leadership there, former interim Chief Hankins, and the concerns that you all had as council members and concerns that the Community had. Obviously, because it is going to be a departure from the way we've done things for a long time. I think the proposal that you have in front of you reaches a good middle ground, and I believe that it's still going to accomplish a high level of service to our community. It is also

going to be like what we are doing now, and in being good stewards of the public purse, we are trying to use our money wiser. Again, we are still wanting to make sure that we provide that safe haven for citizens who need help. We feel like 7 day a week lobby. The doors will be open 10 hours a day. That would keep our current employees, we would not lay anyone off. We wouldn't get rid of any spots. We would still have a place where people could come after hours. After 6:00pm, it would be viewed on a live feed that would be accomplished by establishing a connection between our lobby camera and a TV screen. There will be trained dispatchers that will be watching our lobby. If there's anything that happens there, they can relay that information to responding officers. There will be a phone there that when they pick it up, they will immediately be connected to a trained urgency dispatcher. They can come in for various different reasons. It doesn't have to be in an emergency situation. It can be general questions. So, again this proposal still accomplishes what we have done for years, and it still provides that safe haven. We are still going to have a 24/7 monitor lobby at the police department.

Mayor Cury- Okay, Thank you, Ron. Council, is there any discussion here regarding lobby hours?

Laura- I have ran over this quite a bit. When we talked about it before, this was my favorite proposal. I want to be very clear to the public and people who aren't here. The lobby itself will be open 24 hours a day. There might not be a person behind that window between the hours of 6:00 PM until 8:00 AM the next morning. However, there will still be officers, but there will not be the dispatcher behind the window who was an untrained, unarmed person. Also, when we had the Public Safety Committee meeting, we talked about this just a little bit and Chief Holt has been very, very responsible financially. He's has also been responsible with the public safety. I'm very excited to be able to say this, going with this option, it is going to increase our starting pay. We have some of the lowest paid officers in this area. This is going to allow our starting pay to now be \$40,000. It is going to give raises to the officers who are there now to get them up to speed. I have spoken with Chief Holt and there is also going to be a plan to address the compensation issues for the veteran officers, who are in there right now. I don't have an exact number at this time. However, raising this starting pay is also going to allow them to recruit quality officers. It also shows appreciation to the officers that are there now who have been underpaid and overworked for so long. It is time that this council starts taking care of the people, and our first responders who have taken care of us. Just so the people from Fire & Rescue know, we will be addressing your pay issues coming up.

The lobby doors are still going to be open, and as Chief Holt said there will be a phone there that allows people to call someone in immediately and people will still be able to go into that lobby and have that safe haven. We are not losing any employees in this transition. Everyone is keeping their jobs. We have lost a couple of officers, and the fact of the matter is, despite what Facebook will tell you, some of those officers were leaving before we had any of these discussions. Chief Holt is doing a great job and I support his recommendation.

Mayor Cury- Thank you. Is there any other member of council that would like to comment on this proposal?

Seth- Chief, when you move those people around as clerks, are you going to have other tasks for them to do like paperwork and stuff?

Chief Holt- Yes. So, there's a lot of moving parts with Police Department right now. Accreditation was one of the things that this board expressed to me that that they were interested in moving forward with. I agree, I think it is an important part of the modern-day police department to be an accredited agency. So, with that being said, I've asked some current staff to consider taking on a more prevalent role with accreditation process. If that happens, we will move some of the duties of that current employee to some of the day shift clerks. So, they will be taking on a role with some paperwork. We also do some of the paperwork for Fire and Rescue. Those are some of the things that they can help with among a lot of other things. Like Bob Morgan, he has been a wonderful asset to the Police Department. He is phenomenal. He has been a tremendous help to me over the last several weeks. He is probably one of the most knowledgeable people and he has a non-sworn job. However, he knows everything about that Police Department, so I have asked him to take on that role, and we will shift some of his duties onto those day shift clerks.

Seth- I just want to say, I really like this proposal. I really appreciate your hard work, Heather, John, you, and everyone that worked on this.

Mayor Cury- Thank you, is there anyone else on council that would like to speak regarding this proposal?

Rick- How are we going towards 911? When do you think that will happen?

Chief Holt- If you approve my proposal tonight, I think it is reasonable to transition in the next two weeks. We can switch to 911 as far as dispatching our calls, immediately. It is a matter of, if you approve the lobby hours, I have to get a dedicated phone line installed in the lobby. I talked to the Town Manager, and the contractor is going to have to do some work along with our service provider so they can view our camera footage in a lobby. So, that can be done in a few hours. If you tell me tonight that this is what you want to do, we can move forward and in the next couple weeks we can make that transition.

I feel very confident about this. We have had folks from 911 come down and do some ride along with our police officers. We have had a robust amount of radio checks done to make sure that we are going to have good connectivity with the 911. I feel very confident that this can move quickly. We just have to do those last few steps.

Kristen- Are we going to keep a dispatcher here for the first week or so to make sure everything goes smoothly? I know Bluefield kept theirs for a month, I think.

Chief Holt- That is not something that I've planned for, because I'm fairly comfortable with what they can do now. One good thing about Bluefield implementing this before Richlands considered it is we have identified some problem areas there that we need to check here in Richlands. Again, that is just a good thing about them going before us. I feel fairly confident at this point, that we can make the change and we don't need to have someone there 24/7. Now I will say this, if we find that we are having some problems, some serious issues, maybe we could bring somebody back in until we work those bugs out. However, at this point I'm fairly confident

that we don't need somebody 24/7. I think just with the day shift dispatchers we can work out the small issues that we know we will probably have.

Kristen- Has 911 increased their staffing to be able to handle the extra traffic?

Chief Holt- No, I don't know that they have provided any additional staff at this point. I know we have had a lot of meetings. I would think that if there was an issue with staffing they would have let us know.

Doug- I talked to the Sheriff and he let me know there would be no problem with the call volume.

Chief Holt- And they are familiar with the number of call volume that we are receiving. I have no doubt that if it becomes a burden that they will not hesitate to go to the county...

Laura- They are already taking our 911 calls right now and transferring them to Richlands. So, they know what our call volume is. Public safety and the 911 situation was the whole reason I started coming to these meetings. People can say what they want to about research, but I think it is very important and I have done a lot of research on this. I want to be very clear to everybody, I'm always open to any question that the citizens may have about this. The proposal that we are talking about, the lobby will be open, meaning staffed with someone behind the glass from 8:00am- 6:00pm, seven days a week. There is no losing warming stations because the county actually does those not the town anyways, and I am fully confident that if we are in a situation to need a warming station Chief Holt will make the proper accommodations as does everywhere else in the county. This is going to help provide a pay increase to the men and women in that department. I have full confidence in the Town of Richlands, our staff, our employees, our EMS and the 911 system. This is a very, very positive thing. It's also a safety thing for the person that was in the dispatch area because they were an unarmed dispatcher. This is a good thing, and I would be proud to make this motion to move forward and accept Chief Holt's recommendation for this.

Chief Holt- I want to say one thing before you do that because that was a fair question, a good question. I just want to say, one thing that I will not hesitate to do if I find that there is an issue that comes up, that we are experiencing delays or that we are not providing the services that we expected to make in this transition. I'm going to be the first one to say, hey, we have to do something different here. I am committed to making that happen if we run into any issues. I am also here to answer any questions that you all may have.

Mayor Cury- Thank you, Ron. I know that means a lot to everyone. I know there is a motion on the floor is there any other discussion before we move forward? Since there is no further discussion, Laura will you please restate your motion.

Laura- I make a motion that the council accepts and approves Chief Holt's recommendation for the Lobby hours as option B and to mirror his recommendation in his proposal letter. 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- Thank you very much, Chief Holt. Next, we are on the recommendation from the joint public hearing with the Planning Commission: B-3 Zoning Expansion and 106 Augusta Ave. rezoning request. Councilmember, Kristen, will you give us the recommendation from the Planning Commission?

Kristen- Regarding the conditional use permit, we recommend that the council approve the conditional use permit with no additional conditions. That is the rehab that has asked to go into the Mullins professional building in the new B-3 zone.

Mayor Cury- Okay, is there a motion to accept this recommendation from the Planning Commission?

Jeff- I make a motion that we accept the Planning Commission's recommendation. Seth 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.

Kristen- We did not talk about the 106 Augusta Ave. tonight.

Mayor Cury- Okay, John, can you enlighten us on this?

John- Since we created the B-3 Zone last month, we have another parcel that the Planning Commission would like to add to that and have it rezoned to B-3. We also have a parcel that is M-1 that they have requested to be rezoned as R2 for residential use. They have also requested that we have a joint public hearing for both of those at the December meeting, because they wouldn't be able to attend the November meeting.

Mayor Cury- Okay, so we need a motion to have a public hearing.

Rick- I make a motion to have a public hearing on the B-3 expansion and a public hearing on rezoning 106 Augusta Ave. 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- Next, we have the discussion on Economic Development. I want to share with council my thoughts on this, we all know it's very important. We have talked about this several times, I think rather than labor over it again and again, is there any need for this discussion tonight? I would recommend that we table this and let the new council deal with this in January.

Laura- I make a motion that we postpone any action on Economic/Community Development department discussion until January. Doug seconded the motion.

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

Kristen- Will we lose any grants if we wait until January?

John- I don't know. I know we are still working on the contract agreement for the downtown revitalization. They finally got us the updated contract today. Legal is going to review that. The \$10,000 for that revolving loan, they haven't said if there is a hard deadline for that or not? They just kind of said here's the contract, will you please sign it and they just kind of left it at that. I will have to reach out to them and see if there is a hard cut off on when and what they need.

Seth- I can give you some direction: Sign the contract and turn it over to the IDA with your help and administer the grant. I will put that in the form of a motion.

Mayor Cury- Wait, Seth. We have a motion on the floor already. You can make that motion next.

Mayor Cury- We have a motion and a second to postpone any action on the Economic/Community Development until January, is there 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- Now, Seth, what were you wanting to say?

Seth- I am just saying, we were very clear with John three or four months ago, that whatever you have to do, whatever you have to put to the side to do that, to do it so we won't lose any more grants that have been administered to us. So, I am going to put that in the form of a motion. Because we better not lose any grants that we receive.

Seth- I make a motion for John to sign the contract, accept the grant, ask the IDA to help if you need them to help you administer the grant. Laura seconded the motion.

Mayor Cury- We have a motion and a second, is there 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.

Rick- Mr. Mayor, I have one thing, Michelle Workman called me today from CRVI. We have a grant for \$1,000 from them and she needs a report, and she needed it back in May. How come we haven't done that yet?

John- I responded to the e-mail, but I will have to look into it. Is that the Clinch River grant?

Rick- Yes.

John- I received an e-mail and I responded, but I'll follow up on it.

Rick- She needs a report, or she needs the \$1,000 back.

John- It was our intent to give that \$1,000 back, because we weren't moving forward with that project.

Mayor Cury- John, before you give that money back let me work on that with you.

John- Well, it was for the Green Space, phase two. We received the phase two award from Cumberland Plateau, but because the delays in phase one, they said hey phase one is not closed out yet, we are going to have to take that money back. So, we are going to give those funds back. Then when we are ready to move forward with phase two, after phase one is closed out, we will reapply for both. That was my understanding of how Ashley applied for that additional \$1,000 for that project, but since it wasn't moving forward, we were just going to give it back.

Mayor Cury- Do you want to check on that for him?

John- Yes, I will.

Mayor Cury- Okay, thank you. We are now on Water Treatment Plant Repair Update, Back-up Generator, Values, High Volume Pump. John, do you want to fill us in?

John- Our staff has been working on getting quotes. I just wanted to make sure we are all on the same page. We plan on placing those orders this week. The backup generator, you have the letter in your packet, that is actually from the manufacturer. They say it is still in good shape, and worth the upgrades. The total cost for that is going to be \$125,386.06. I just wanted to make sure everybody was good with that, and we will move forward with those upgrades. Then the valves, we got two quotes for that, it's going to be just under \$24,000. It will be \$23,985 and we are looking at a 14-16 week turn around on that. So, we plan on placing both those orders this week. As long as everybody is still on board with the discussion we had last month. The high-volume pump is a little more difficult. We're still working to try to get some quotes on that. As we do, we will move forward with that as well.

Mayor Cury- Thank you, John. Are there any more questions about moving forward with these needs for the water treatment updates?

Seth- I make a motion that we approve these two expenditures for the values and the backup generator for our water treatment plant. 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- Next item is the Water Treatment Plant and Wastewater Treatment Plant Long Range Plans Discussion. Okay, John?

John- Jeff called me the other day and wanted to kind of know exactly where we were at on some of these upgrades. We are still looking at the one year from when they originally bid them to rebid them. So, I was just going to give an update. That is still our long-term plan to rebid them probably under a year from now and hopefully by then prices will have mellowed out and we can begin having that work done for the remaining items that need to be replaced at both of those facilities. Jeff, did you have any more questions?

Jeff- No, I just didn't know if maybe we could reach out to the Virginia Resources Authority and maybe look at possibilities of other grant funding.

John- I can reach out to Rick Chitwood and see if he can give me a contact to see if there is any funding out there.

Jeff- I just think this is something that doesn't need to be overlooked. It needs to be in the back of our minds that we need to replace the system.

Mayor Cury- Thank you, John and Jeff. Any further discussion on this? Okay, Electric System: Solar Ordinance Update and Rate Discussion.

John- I will start with the solar ordinance update. We received our draft back from GDS. I am working with staff, we don't have somebody that is an electric engineer, so I am having to rely on some other resources we have through Blue Ridge and other municipalities that have engineers. We have talked about how they have implemented the solar exchange process. The proposal that we have right now talks about how we would buy back the excess electricity from somebody that has generated from solar. Before we start considering what they drafted, I want to make sure that we can handle it on our end. I want to make sure we don't say, hey, we will buy back your power, if we don't have meters and things to make sure we track it accurately. Some places don't buy back to excess, it just goes back into the system. However, I think the intent would be to hopefully have a way that we can buy it back at a lower rate than we buy it anywhere else, but still give the customer a little bit of a benefit for selling us their excess electricity. So, we are still working on that, and hopefully we will be able to have a final proposal to discuss at our next council meeting.

Doug- I was wondering, could you reach out to the IDA and let them work on this draft with you? They have some pretty smart people on the IDA, and they have asked that you give them a copy of the draft and let them work with you.

John- I'm not seeing the need to bring them in until we figure everything out how to manage that. They are not going to know how our system works.

Mayor Cury- Doug, I think that is a good idea. I think what could happen is once John has a little more research done then he could include them. But that is just a guess.

John- It is whatever council's desire is. I just think it is over complicating the issue.

Seth- I don't see any problem sharing the draft with them. I am not saying you have to have another meeting or anything like that, but if they want to make some suggestions or red line it for you or ask questions, I don't see any harm in that. I think that would be appropriate if you wanted to share it with the members of the IDA, let them know it's confidential at this point. Because we don't know what we want to do, and I understand we don't want this out until we have made a final decision. You don't want everybody in the public thinking this is what we are going to do and then we do something different. I understand that and just let them know that. However, I don't see any problem with you sharing the draft with them.

John- Okay.

Mayor Cury- Okay, does anyone else have anything else they would like to say?

Rick- I would like to say something. On the Solar buy back, usually how it works if somebody uses so much power and what they don't use it is taken off their power bill.

John- We just have to make sure that we have the meters and the infrastructure and the billing software and things of that matter to be able to do that.

Rick- That is why when we got the new meters a couple years ago, we bought the ones that would be able to do that.

John- I just want to make sure we can do that before we tell everybody that we can.

Mayor Cury- Okay, from what I am gathering there is a desire to engage the IDA on this. So, John, you can engage them in some way that is productive. I think we have covered this if you all are ready to move on.

John- Before we move on, we had a rates discussion.

Mayor Cury- I'm sorry, I'm sorry. We have the Rates Discussion. John?

John- This is just a follow up from our public hearing about mirroring our rates to match AEP.

Mayor Cury- Okay, no one came forward to speak on us mirroring our rates to AEP, so is there any discussion?

Seth- Mr. Mayor, around that same topic and we have been talking about long range planning and those kinds of things, and the contract you sent me that we are going to lose, it is about 14 months now. So, we are winding down and that is on the two megawatts. What's the plan? Is there a plan to replace that or were you going to have to go out to open market?

John- So, right now I think we have to go out to open market.

Seth- Okay, so along that discussion, I've talked to some members of the IDA. I've been pursuing some power generation ideas. We have some that think we are viable that I'm working on right now. However, there are some questions with that, that I don't have an answer for. Who can I talk to? or Can I come and sit down with you? One of the questions are if we brought in power generation, this is a generalized question, but if we brought in some type of power generation, let's say, we could generate 5 megawatts. But the contract that we are replacing is only two megawatts. Does that mean if the Town of Richlands was generating 5, can we use that to offset one of the other things or are we contractually obligated to buy X power under those contracts?

John- I think with some of the contracts that we have, when we don't use it all, we can sell it back, at a loss. However, it is a way for us to get some of that money back. So, if we were to have that issue where we are generating more or maybe I'm guess like 10%- 15% we are buying on open market every year because we are having to fill that gap. You don't want to have a block and always be over that. So yeah, there is some fluctuation every month. So, maybe it would get rid of some of that fluctuation.

Seth- The reason I'm asking that is when we're calculating this, I just need to know, is it five? If we had some way to generate 5 megawatts, can we do that? There's a lot of factors involved in that cost and everything else. I appreciate your answer.

John- We can meet and discuss this and there are some people that I know that we can call that might be able to help us out with this also.

Seth- I think that would be good. If you could plan to meet with me sometime this week, my plan is to throw out a proposal sometime in the next two months because we are 14 months away from losing a 2megawatts contract that we buy at about \$0.03 and half that may not include transmission. That is the kilowatt-hour. However, if you have to go out in the open market and buy today it is about what \$0.15? It is a whole lot more expensive. So, if you figure that in with \$0.15 that is going to raise our electric rates dramatically, no questions asked. So, we have a narrow window of 14 months to prepare and plan. So, we either buy it in open market and everyone's power bill goes up or we look to see if there is an alternative in power generation. If you can get up with me and us have a meeting about this and figure what we can do moving forward.

Rick- Can I be involved in this as well? Because I know a few things where I worked on the power the last time.

Seth- It is up to the Mayor, but this is fine with me.

Mayor Cury- You may. There was a motion about mirroring AEP rates, and I don't know where to go with that. I think it is a very broad motion and maybe we need to narrow it down a little.

Doug- I would still like to explore doing that.

Mayor Cury- I agree, Doug, I think it needs to be explored. I just don't think that we need a motion to mirror that right now, because I don't really know what that means.

Rick- If we mirror that right now, and then we start generating our own and we have the possibility of lower those rates then it would hurt the public. If we mirror them then we have to do what they say from now on.

Doug- At that point we could always make a motion to stop mirroring.

Rick- Well if you don't mind let's just leave it like it is right now.

Seth- Once I get everything figured out with John, I could be prepared to come back in November or December and be ready to put it out for RFP along these lines. There are a few things that need to be answered. I am looking into a gas/fire turbo right now. They can generate 5 megawatts, or they have bigger ones, or smaller ones, or whatever we would need. There is a lot of different ones. I think the end blend for this over the next 10 years for Richlands might look like a bunch of different things. It might be solar, or it might be gas, it might be other things as well, but we must get there. This one is something that we can implement quick. However, we are on a narrow window because we have 14 months to be able to get somewhere, where we can replace this. That is what I'm trying to set us up to do. If we can be ready by November/December to put out an RFP for this. Then because we don't know, and we need to know what that is going to look like, and we can't do it until we can intelligently say this is what we were seeking. and then we can start going down that path.

Mayor Cury- Okay, thank you, gentlemen. Now we are on Forensic Audit Discussion.

John- Essentially, this is just a draft example or an RFP that I found from the City of Bristol. From what I was told, I don't think they moved forward with this, but this is just kind of like an example. We would have to modify this, but if this is something that council wants to move forward with then we would put this out as an RFP on EVA, and anywhere else that we would feel that a potential business would be interested in this. We would like to have an idea of what the focus is. Is it all town accounts? And how far back? If we say just two or three years, I'm sure the cost will be much less than if we say 10 years. So, I need a little bit of parameters of what you want them to look at and look for. So, we all have an idea of what you were expecting from the council.

Mayor Cury- Okay, council, can you give John some direction on this proposed forensic audit?

Seth- I think we all have some questions about something, but I think the narrower we make the focus then the less the count is going to be.

Doug- I would like to go back seven years and check all accounts and see what mistakes have been made. I am not trying to get anyone in trouble. I would just like to go back seven years and see what money has been mismanaged and misappropriated. I know it is going to cost us some money, but it will save us in the long run. Then this will be a road map to the future that we won't make those mistakes again.

Seth- We will solve the DVOT portion of that later. However, I do think that is one of the things that I would recommend the forensic auditor to look at. We looked at a lot of data with that and again, I'll get into it later, but there might be some things that they could pick up where something was submitted or wasn't. There might be something that we can't see from just a general overview.

Doug- My only problem with not doing the whole thing is you can cherry pick what you want to look at and someone could make sure that we don't look at other things. I mean, why not look at all departments? See what's going on for the last seven years and see the mistakes that we have made, and I don't think anyone can pick out certain areas that you want to exclude.

Seth- I'm okay with that. I'm just curious to see what the cost of that would be.

Mayor Cury- I would suggest for council input here that John, you try to follow up with what it would cost to do a full scope of auditing everything for seven years, five years, and three years and get some various estimates if that is possible.

John- 3, 5, and 7?

Mayor Cury- I think so. That would give the council a starting point and then we would know how much it will cost the town.

Doug- I was here on council when \$1,000,000 went missing. If you do not conduct the audit in all departments, then how will you figure out where that money went? Because I know that money was misused.

Kristen- When do we close the books for the year?

John- June.

Kristen- Do we have a contract with someone to do a standard audit already? I just wanted if they could prefer the audit?

John- It is really hard to find a regular auditor to do an audit on governmental use. There is maybe like 1 or 2 in the whole state that will do it.

Doug- A forensic audit is a specialized audit. Someone who does a regular audit wouldn't have a clue on how to do this.

John- I am sure our regular auditor would help us out and answer any questions that we may have. I talked to Corbin about it, and he thought maybe Bristol had done one a few years ago and I went online and found this example.

Doug- I had a company a few years ago and we did a forensic audit, not to get anyone in trouble, but to have them come in and do a look at the company and see how we were doing things and give us a road map for the future. That is what a forensic audit is. We were making mistakes that no one did anything wrong, but that audit showed us how the direction of the company should go. That is what Richlands needs. It needs a full audit of all departments, and it will give us a direction in the future which way to spend their money, for the best buck, and help our citizens.

Jeff- Isn't that what we paid Davenport to do? To look at everything and give us direction on what we need to do? Where are we at with them?

John- I know we provided them with everything they needed, but I haven't heard back from them. I will reach out to them and see.

Mayor Cury- Thank you. John, do you have a reasonable idea on what direction council wants to go?

John- Yeah, I will put it out for a RFP for full time financial review for the last three, five, and seven years. Once we see what we receive then hopefully we can decide. I will try to have those proposals back at the next council meeting.

Mayor Cury- Thank you. Any other discussion regarding the Forensic audits?

Doug- Just one more thing. We have the \$1,000,000 that we know was misappropriated. Okay, we got \$3,000,000 or \$4,000,000 that we ran through in the last 5-6 years, and we were supposed to have a balanced budget. I can't comprehend how you can have a balanced budget and you burn through millions. I can't comprehend that. That is why, to me a full audit is very important to see how we spent that \$4,000,000 or \$5,000,000, and then we proposed a balanced budget every year. That doesn't make any sense to me.

Mayor Cury- Okay, we are all moving on to Payroll Software Discussion. John?

John- Essentially the payroll software that we have is antiquated and is very difficult to use and to make sure the payroll is correct every month. Even when there is a small error, you have to essentially restart. So, Heather has proposed that we update our software, there's a cost to it, but

beyond that I will defer to her to answer any question you may have and give you further information.

Heather- Well, I'm not an IT person, but basically the one that we use now doesn't directly feed into any of the other software. So, we have to do like journal entries for everything. A good example is if my kids were sick and I had to do payroll, I still had to come in when no one was here just to get it done because it is so outdated and it is a little tiny box. It will not transfer to another computer. You cannot access it when you're not at work. We are only allowed to have it on one computer. It's not anything on the cloud or anything like that. It doesn't feed into the time clocks. They bring handwritten timesheets in. It doesn't combine the total. I mean, hours upon hours are spent on payroll. We did receive a time clock with some of the COVID money from the county. But that also doesn't feed into any kind of payroll system we have. Everything is done almost one by one, day by day and put in there and if there's one error on the sheets, then you have to basically wait, and hold that entire department. So, it is very time consuming.

Mayor Cury- Have you researched the software that we need, have you talked to those companies, and do you know how much it will cost?

Heather- Yes, I have that in here. It will cost \$27,500.

Seth- Which company is it?

Heather- It's Edmonds. I have researched it and basically this is the only company that will feed into our current software. So, we have checked other places, but really to purchase something else, we are still going to run into the same thing of doing one part as the journal entries. With everything else it just doesn't flow over to the accounting portion. Everything has to be done by entries.

Mayor Cury- Have you had at length discussions with this company?

Heather- We did a zoom meeting and discussed a lot of different things.

Seth- What does the county use?

Heather- They use Southern Software. However, southern software did not have some of the things that we needed. Some things were better, and some were adding more work.

Seth- So, this is the only software that does everything you need?

Heather- Yes.

Mayor Cury- Heather, do we have the money to cover this?

Heather- No, we do not. Well, yeah, we could allocate some money. I am sure there are other places that may be cheaper, but it's still not going to go in with our system, so it doesn't fix the entire problem.

Seth- So, by doing this software you are going to free up quite a bit of time.

Heather- I hope to. It would free up a lot of her time. I just assist her right now.

Seth- Is there a web-based like clocking in and out?

Heather- They do have that. You do not have to have that, that is extra. However, that is included in this quote. The thing is, it is very difficult, especially if you are on the street department, and it's snowing, they have to come down here, go ahead and clock in before they can start actually getting out and scraping the roads. With this new software, they can request time off in there and the supervisor should be able to go ahead and approve it. That way everybody is on the same page. It is just so many steps to use that other thing and a lot of concern that takes up a lot of HR's payroll time. Two weeks out of the month is spent on payroll, just trying to get it in and correct it and to the employees on time.

Mayor Cury- Well, it sounds like it is a time saver. Initially, it sounds like it will cost us money, but hopefully we can make that up with employee functions that they can do. What is council's will?

Seth- I make a motion that we allocate funds to purchase the new software for payroll to assist HR and Heather. Doug seconded the motion.

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

Jeff- So, we are allocating money that we do not have?

Laura- No, we have it. They don't like when I say it, but we do have ARPA money. We have got to take care of the priorities and get things done.

Seth- Everything that I have seen here tonight is that we have let everything in this town be neglected for the last 20 years. As I sit here, every issue that walks through this door is because somebody neglected to do something. We neglected to put a roof on a building, we neglected our field house, we neglected our rec park, we have neglected everything. Now look, and we are using software that nobody in the free world uses because it's 2022. We've neglected to do that. It is a common theme that we just continue to neglect every single thing in this town. Sometimes you have to fix things, it is the right thing to do. We are going to fix this, and we have fixed a lot of things over the last six months, and we are going to keep going.

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, moving on, we are on Personal Property Tax Discussion.

John. We pulled what we brought in for personal property tax, last year it was \$137,439. So, on average per cent it was about \$6,544. When the county did their reassessment, usually on a used vehicle, the price value drops, but they saw it jump because of COVID like 30% to 35%. I don't have exact figures. When they did the reassessment instead of putting it on the tax roll as 100% of what the assessed values was, they only put 90% on there. So, although it did increase, they didn't do what their original assessment was. So, as of what we will be billing out in the next week or so, it will be 90% of what the assessed value was. There's nothing we can do about that when they give us the values of the vehicles. At this point, if anything were to be changed, we

would have to change the rate that we bill, which is currently \$0.21 and if that is something the council would want to look into, we would need to make a decision tonight because those all go out later this month.

Mayor Cury- Thank you, John, for the updates. Any discussion from members of council discussion? He wants direction.

Laura- I brought this up last time because the NADA, it's the National Automobile Dealers Association guide, the car values have skyrocketed because of inflation, and when nobody could find the chips, used cars were the way to go. You know, the county did 10%, but our citizens who live in Richlands are basically paying twice. So, if we have to change that rate. I think we need to take at least another 20% off of that and give the Richlands citizens some relief. If I'm still here when the next budget comes, I'm going to talk about abolishing this altogether. Double taxing is not okay. So, if you need a motion to change that rate tonight, I don't mind making that motion.

John- If this is something you all want to do, just know that at the end of the year, it is looking like we will be bringing in less revenue than the expenditures that we have.

Laura- Again, I don't agree with it at all. But...

John- We budgeted an additional 20% revenue. We try to keep it at zero, but to get rid of any other increases, we bump that number up based on what we were hearing from the county. We went up 20% to leave room for a buffer because the personal property tax. This is only the second year we have ever had it. So, people are still learning that it is a bill they have to pay. Sometimes we are seeing people get bills for property that they don't live in town anymore, but it was on the old scroll. So, as we go through cleaning it up, we will get a better idea of what our actual collection rate is. If we decrease it, that would be additional revenue that won't be brought in.

Laura- So would it be easier for you if I make a motion to decrease this by 20% each bill period or do you want an actual number?

John- It would need to be an actual number.

Seth- Would that require a public hearing?

Michael- No, you would have to do a budget amendment.

Laura- Is that something we could do tonight?

John- You could vote on it then, I could bring a budget amendment at our next meeting, if that is the direction council wants to go.

Laura- I make a motion that we reduce the personal property tax rate to \$0.16. Doug seconded the motion.

Laura- I know it is not ideal, but I don't want people having to pay this at all. However, I sure don't want them to have to pay more than they did last year.

Jeff- John, what is the lowering of the rate doing to do?

John- It is about \$6,500 per cent. That is about \$30,000 of revenue that we won't have.

Laura- That is just from last year till this year from inflation. This is just taking care of the inflation to try to help the citizens out.

Doug- Also, the real estate taxes went up. So, we will have more tax from that as well.

Jeff- So, if we left the rate the way it is then we would have the \$30,000 to pay for the software update?

Laura- We do have the money. It is called ARPA money. People just don't want to dip into it.

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, members of council. Michael, you will bring the proper paperwork to our next meeting, correct?

Michael- Yes.

Mayor Cury- Okay, we are on VDOT Discussion.

John- Seth, Jeff and I met with Corbin our auditor to explain our VDOT funding issue and Seth and Jeff had a recommendation that they want to bring back to council for further consideration.

Seth- So, at the last Council meeting, granted I was kind of shocked, but I feel like this warrants some clarification because we did meet with Corbin, and he helped me understand what's going on. So, I want to let you know that it is not a misappropriation. But it was, according to Corbin, he agreed with me, a gross mismanagement of public funds.

Doug- To me it's the same thing. I'm sorry.

Seth- Not technically, because if it was a misappropriation, I assure you, I have already called Commonwealth Attorney. I already spoke with the Sheriff. I would have made sure someone would have been charged and I want to clarify that.

Doug- So, it is a mistake, and the forensic audit will help find that.

Seth- Let me finish. It is a gross mismanagement. I'll be glad to answer any questions you have with it, but this is the best way I can explain it. Every year, VDOT gives us \$1,000,000. Sometimes it is a little higher, sometimes it is a little lower, but \$1,000,000, against that \$1,000,000 is 100-page grant document that says you can charge these items: paving, street construction, sidewalks, curbing. There is a lot of things that you are allowed to charge against that. So basically, it costs about \$750,000 to run our street department and the allowable charges that we are allowed to charge back against this because Richlands is unique. Most of the roads are VDOT roads that's why we get a pretty good amount out of this grant because the majority of the roads that we take care of are VDOT roads. Alright, so what has happened is when they would get the million dollars, they were using \$750,000 to fund the Street department, the extra

\$250,000, and what they should have been doing was scheduling paving projects or large scale sidewalk projects or anything else. Paving is the easy one, but it's been many years since we had any paving done in our town, 6-8 years, probably. What happens is VDOT sends you all the money. It's quarterly. So, we get a quarterly allotment. They send you all the money, and we are charging back against that \$750,000 against the million. However, they have already given us \$1,000,000, so there's \$250,000 surplus. Now, some years it is more than that, some years it is less. Then what happens is, instead of appropriating things towards that, or instead of holding that into a reserve account, the former Town Manager, the former Finance Director, used that money to fund other activities in the town. They just kept the money in the general fund, and they used it for budgeting processes. That's why I'm telling you this is a gross mismanagement of public funds. It is wrong to do that, because there is an end day that you have to pay that back. So, if VDOT called us today, we owe \$1.5 million that has been kicked down the road for all of us to deal with. Now some of you sat on council during this time and you may have known about this or had an idea about this, but I don't think that you understood what was happening. I think if you did, and that is why I'm saying it was a gross mismanagement of funds. I believe it was hidden from you of what was taking place.

You know, Mayor, you have been on council for a long time, but I don't think you knew that they were taking money that should have been spent on VDOT projects and paying other salaries or payroll or whatever else they should be doing with that. I want you to understand that I am not here accusing Jeff or Rod or Doug or anybody. I'm not saying that. But what I'm just saying is the management, the Town Manager, and the Finance Manager absolutely knew what they were doing. Jeff and I have come up with a proposal and I think we can fix this. I wanted to clear this up because I don't want to say something wrong in these meeting and I felt like what you guys were describing to me was misappropriation. But that is not the word, it is mismanagement. However, the danger is if you continue down this road in the next 10 years, that is \$2.5 million. If VDOT called today and said we want all of our money back, we would have to take everything we had in electric, water, and everything we had in this town and write VDOT a check. That is impossible, and that is why I say it is a mismanagement of funds because no one knew that ARPA funds were going to exist to bail us out of this mess, but yet they kept kicking the can down the road. So now here we are, faced with a \$1.5 million deficit. Now the only good thing to come out of all this is we do have ARPA money, and what we can do is use that money to do these functions, the VDOT grant. It is not like we are just writing VDOT a check and handing it to them. We are going to do an activity that is allowable under the grant documents, and we will use our ARPA money to fund it. Then we are at least getting something for what we are paying back. That is part one. So, what Jeff and I have come up with, we have this street paving proposal, and these are estimates, but it is about a \$1.5 million. You do not have to do all of this in one year. However, Jeff and I won't be here, but we are trying to make a suggestion to you and that is why I wanted to do this publicly, so you understand. My recommendation is that of course you all talk it over, but in January you prioritize this list. I would go ahead and put an RFP out for all of this because you may get surprised, you may get a better bid. Sometimes you get better bids, and you are able to do more, but at least then you can pick and choose what you want, and you don't have to do them all, but you prioritize these and put that out for an RFP. Then you will know how much of that you can do, and you might want to do \$1,000,000 this

year and a half of a million the next year. Alright, so that is part 1. Part 2 of that is we are still going to be in a \$250,000 excess from that VDOT grant. So, my suggestion is, number one, that should never be put into your budget. You should never look at that money as something you can use for budgeting purposes, because if you do that, you are going to be in the same place 5-10 years down the road. You cannot do that. This is your one chance for us to fix this mess that someone else, employees of this town created for all the people who live in this town. It should make you angry, everybody in this room should be angry. If you are listening at home, I hope you are listening, it should make you angry that this happened. However, thankfully we have this money, and we are able to fix this, and do this paving that we desperately need in this town. Going forward, you cannot put this money into your budget. Get with your Town Manager and you, as a council, go through that program book and say, okay, this year we are going to do an extra \$250,000 for the sidewalk work or we are going to do this project or that project. This is a very good fund to maintain all the paving in the streets. You can maintain all the things that we try to fix, and we do a good job here, trying to make things look better and this is going to allow us to do more. Now the flip side of that is you have to be tighter on your budget and you have to figure out how to come up with that shortfall because in the Town of Richlands for the past 10 years we have used that excess money in the budget cycle, and you cannot do that anymore. So, on the other side of that, there are some things that we are doing that we are going to see some savings from, and you are going to have to use some of that, but your next budget cycle is going to be more difficult.

Doug- It is a choice of words. Our auditors aren't going to come out and say misappropriated funds. They're not going to say that. They are too nice. If I give you money and I say go buy me a car, and you go buy furniture, that is misappropriated funds.

Seth- No, here is the reason that it is not, because they have accounted for every single penny that we still owe. It is like an "I owe you."

Jeff- I agree, exactly what Seth said. We have to avoid this, so we don't do this anymore. I talked to another Town Manager, and they just use a separate account. It has a separate account and ledger page. They know exactly what they have and what they have spent it on.

Mayor Cury- So, what is the recommendation?

Seth- Jeff and I suggest that you all put this out for bid and then as a council you all can select how much of that you all want to do. You may get enough bids that you can do all of this, or you may only be able to do half of this. I don't know, but we have the money, and this is our one shot to fix this and we need to fix this.

John- I just want to say that right now our ARPA money is in our general fund and if we get to the end of the year and we are short because of the personal property tax, or the trash pickup, or it is just a bad year for collection, we need that money to balance everything up. I just want to make sure everyone understands, in two years when you are wondering where all of our ARPA money went to, at the end of the year if we came up short, we are just trying to make a balanced budget.

Doug- I would just ask that we wait on our forensic audit and let us see what we have done wrong first and let the new council fix the problem.

Seth- I am telling you, you have one chance to fix this. If you do not take this \$1.5 million in ARPA funds and pave these roads and get this back to a \$0 balance, you are never going to fix this. Yes, it is highly unlikely that VDOT is going to come asking for this money, but what if something happened and they said you all are not using this much money, we want it back, it would bankrupt our town. That is why I am telling you to fix this now while we have the money.

Mayor Cury- So, Seth, this is your recommendation that you hope will be taken into consideration in January.

Seth- Yes. Yes. Please.

Laura- Please have this on our January agenda for whoever is on the board then.

Jeff- That is why I suggest we use up our ARPA funds, so we don't keep relying on them to keep bailing us out.

Mayor Cury- Thank you, let us move on please. Public Safety Committee Update, Laura?

Laura- The Public Safety Committee met, and it was probably one of the better meetings I have ever attended, and everyone was so willing to work together. There were a lot of issues that we identified. I just want everyone to know that the elevated response times that we are seeing has nothing to do with 911. Like we have sat here and said the former council has kicked things down the road and now we are trying to play catch up. For years, we have told Fire & Rescue to do more, while we give you less. So, we identified some of the response times that we are seeing, and Matt Whited, Keith, and Chief Holt were there and all three have plans to come in and they are going to need our help with getting more staff, and we are going to have to address those pay gaps as well. Also, having to go to the county and what we are responding to out there and having more resources for these departments to be able to respond more efficiently and quickly for our citizens. I believe everyone in that meeting was more than willing to do so. We had a lot of eager ideas on how to bring more revenue in and how to serve our citizens better.

Mayor Cury- Thank you, Laura. Shall we move on? Green Space Stage name. I have a suggestion; I think any name should be in the prevue of the new council. I personally would suggest a generic name like the Commons or something. I don't know. I just do not feel at this time that this is something that this council needs to be doing. I think we should wait on the new council, but that's my take on it.

All members of council agree.

Jeff- I think the more events that we have there, something may come from something like that.

Mayor Cury- Okay, we are moving on to Town Manager's Reports. John?

John- I only have one item for miscellaneous, and then I will give a full calendar update if what we have going on. The roofing that we put out for RFP for the four buildings, we have had some companies reach out for some clarification. We plan on getting that in the newspaper hopefully

next week and then hopefully we get enough bids in that we can have a discussion on how we move forward with that. We have a busy calendar for this month. First item, we have on November 10th, we have a welcome event for Chief Ron Holt into the community. Council will be hosting that. So, there will be a small cost to that. That will go into council's miscellaneous line but it's on November 10th from 11:00am-1:00pm. The second item is the Mad Hattery Event that the library is putting on that is October 15th 6:00pm. They will be closing down Suffolk Ave. right in front of the library for that event. The town is celebrating Halloween on October 22nd. It is the weekend before Halloween, at the Richlands Police Department from 4:30pm-5:45pm. Afterwards, the Rec Park has partnered with Ramp Up for movie night at the Green Space. At 5:30 they are going to have a meet-n-greet with the Sanders Sisters from Hocus Pocus and play Hocus Pocus at 6:30pm.

Council meeting for November has been moved up a week because the second Tuesday is Election Day. So, we will have the meeting on November 1st. The last thing is November 3rd at 5:30pm, we will have our Annual Veteran's Day dinner at the PD. We are going to continue to have that outside. Mayor, I am sure you will have to give the opening speech.

Jeff- Is there any way you can put all of that in an email and send that out to us?

John- Yes, I can do that.

Jeff- Thank you, that would be great.

Mayor Cury- Okay, now we are on Attorney's Comments.

Michael- Last month when we were here, council approved to pay the utilities for Teen Venture. I have here a lease that I think is in your packets as well. The building is owned by the town and is leased out to Teen Venture, and they are responsible for their own utilities. I just wanted to call your attention to that, and let you know that that is the lease they signed.

Seth- I think we made a comment about that. I think we called it a donation.

Mayor Cury- What was the actual motion?

Seth- If we need to change that we can.

Michael- I think the motion said, "We will pay Teen Ventures utility bill up to \$10,000."

Mayor Cury- Okay we may need to amend that motion and change it to a donation, and they can use it to pay their utility bills.

Seth- They are in a hard spot and the bills still have to be paid. Can we not just allocate the money to pay for their utilities?

Doug- Can we just give them a credit?

Michael- I just wanted to call your attention to the lease. Basically, that is their one obligation in the lease.

Mayor Cury- I am just looking for legal advice here. What would you like for us to do?

Michael- I don't think as far as legally that there is anything wrong with it.

Laura- We did say it was only for the Fiscal year.

Mayor Cury- I just wanted to make sure we were not laying bad groundwork for our upcoming council members. Heaven forbid we do that.

Laura- We did put a time limit on there.

Mayor Cury- I understand I just wanted to be clear on that.

John- I have one more question and that is the roof. In the lease it says they are responsible for all maintenance. Is that something we are still going to foot the bill on? Or is that something we should expect them to help with? Since our last meeting, they have also asked for an HVAC and I also need some direction on that.

Kristen- Are they doing any fundraising?

Seth- Yes, they are. I don't think at this time that we do any more than what we had already promised. However, we do need to look at this roof. I think this is a unique situation for them. I think what we did for them was so they don't have to close the doors.

Laura- Absolutely, and if we do not help them out then they will close the doors and then we would be responsible for the roof at that point.

Seth- Let's look at that when it comes and make the decision then.

Mayor Cury- Okay, so shall we move on. Council Member's Reports. (These are non-voting items). Rick?

Rick- I, Mayor Cury, and Mr. O'Daniel met at Mrs. Cox's house and John took some pictures. Our water line is on her property line and all she is asking is a place to park her car. She is parking 3 football fields away and having to walk that and carry her groceries. Mr. O'Daniel doesn't want to intrude on private property, but she has been a lot nicer to us than I would be, and I want to help her in some way figure out a place for her to park her car.

Seth- Is there a workable fix?

Rick- There is. She is not going to have a level parking spot, but she will have a parking spot. I think we need to take the topsoil out and put some gravel in and let her park her car there.

Mayor Cury- John?

John- It just goes back to doing work on private property to improve private property, but we can have the attorneys look at it. But the waterline issue is not where she is parking.

Seth- If we don't have a proper easement for that waterline, why don't we draft a waterline easement and her sign it and in return of her allowing us to have our waterline on her property, we give her a parking spot.

John- Just for a one-time deal and then it is up to her to maintain it?

Rick- Yes, that is all I want.

Mayor Cury- Let me share with you what I believe happened. The street on which she lives is a very small lane and I believe the survey is correct. I believe she parked on the street that was the street and, on her land, and as the years went on and we continued to pave and pave, we inched closer and closer onto her property. I do think we are really on her property. No harm or maliciousness has been done. I just think she needs a parking place. I think what Seth and Rick has suggested is a good idea. Do you want a motion, or do you want to draft something up and let us look at it first?

Michael- I haven't looked into it to see if there is a proper easement or not, but I don't care to look into it and then draft one up if there is not one.

Mayor Cury- Thank you. Seth?

Seth- Last meeting we discussed where a private residence had a demand meter. I stand by this, I still stand by this, but no private resident should have demand meter. Summer Minor reached out, she lives in Billie Sue's old house. It has never been a business, but it has a demand meter on it. So, I am asking tonight, and I will put it in the form of a motion if I need to, that you remove Summer and Robby Minor's demand meter off of their house.

John- So, the first floor of that building has to be commercial. It has to be for zoning. It lost its zoning status in residential. So that is the issue that has come into play.

Mayor Cury- Run that by me again?

John- So, when it was a house, it can remain a residential unit on both floors until it has not been occupied for up to a year. We tried to notify the person selling the house when the time lapsed about what was going on. So that is why there is a demand meter on the first floor.

Seth- I totally disagree with that. We need to fix that.

Mayor Cury- John, I understand what you are saying, but the interpretation needs to be polished. Can we take that up later?

John- I mean those are the rules in zoning.

Mayor Cury- I don't think that is quite accurate.

Jeff- I think we can take this up with the Planning Commission.

Mayor Cury- I am not here to dispute you, but I don't think that is an accurate interpretation. My question is this? Was it not occupied for a year? Did Tommy not sell it to them within a year?

John- It was my understanding that it was left unoccupied for a year.

Seth- Tommy lived in that house many nights.

Mayor Cury- What I am going to suggest, the first-floor business doesn't make sense. The second floor, there is something not right. I would have to look that up. I do understand what you are saying, but I think there is something scudded in that interpretation. I think we need to think

about that very carefully before we say that is the rule. I also think the Planning Commission could really help us out on that.

John- That is just why that is on there.

Seth- I completely understand that. I am just asking tonight that we correct that and remove the demand meter. It has always been a residence. There has never been a business in that location. If there are any more citizens in this town that this is happening to you as well, you need to remove the demand meter. It is not proper at all.

Mayor Cury- I just want to share my thinking. First floor business, second floor residential, but in that case, it was always a house and there never was a business. I just think we need to rethink on how this is framed. I don't mean to admonish you in anyway. So, please don't think that way.

John- When I read the zoning, that is what it said.

Seth- I don't think it failed to be occupied either.

John- And I could be wrong. We did send out letters to the individuals that was selling it. Letting them know that this is what we were hearing, and this is what was going to happen, and we never did hear back from them.

Jeff- Maybe they could discuss it at the Planning Commission and let us know what they come up with.

Laura- These demand meters have got to come off the residents and anyone who has one needs to contact this council and I will advocate for them.

John- We just need to update our policies. Essentially, we have two types of meters: one that tells us how much they used and one that says how they used this much in this short period of time. So, they put an excess demand on our meter, so we charge them a little bit more. Traditionally, the way houses are built and the way it is wired in the breaker panel, you will flip a breaker before you hit that demand. So, we usually put a cheaper meter on the residential. However, these properties are putting that huge load on the system.

Mayor Cury- So, is there two meters on that house?

John- No, it is just one.

Mayor Cury- So, how can the bottom level be on a demand meter but not the top?

John- We have a lot of buildings in Richlands that are very complicated.

Seth- That is not right.

John- If that is the way council wants to go, we just need to find some way to do a policy, so we don't have situations like this.

Mayor Cury- I would suggest that at this time we move this to the Planning Commission to develop a solution.

Seth- Well, it is two separate things. The power meter being one, but the other issue, I want to help you solve.

Mayor Cury- Yes, two issues. One being Summer Minor, the other is a greater issue of demand meters on lower floors, upper floors, and house not being occupied for a year. It is very complex. Thank you. Kristen, will you take this to the Planning Commission?

Kristen- Yes.

Mayor Cury- Seth anything else?

Seth- No Sir.

Mayor Cury- Okay, Laura?

Laura- Yes, can I have an update on the streetlight on Mason St.

John- They are working on it, but I will do a follow up.

Laura- Thank you. The other thing I have are the drains in Hidden Valley. I had a citizen contact me over that. However, we have already addressed that. The minutes of our committee meetings are not being posted. By the Virginia FORA law as of September 1st, we need to have the draft minutes posted within 10 days of their meetings and the approved minutes need to be posted within 30 days. Some of those meetings, they have not been posted for 10-11 months. Can I also have an update on the delinquent tax collection? The RFP was supposed to be put out for that.

John- We are still working on the RFP for that. We have a couple examples, but they were very complicated. But I'll get it out this week.

Laura- Okay, thank you. So, we talked about the personal property tax relief. Ironically, we are talking about the electric bills now. I think that council needs to consider some type of electric bill relief this winter. We have a very unfair way to be put on a payment plan. You cannot be put on a payment plan if you have been late before on a bill if you own your home within 12 months and if you rent within 24 months. Those plans are scudded against the very people that need them the most. Prior to online billing, there were times I was late on paying my bill because I didn't want to drive into town, and I thought paying the extra little bit on it was more convenient for me instead of getting dressed and coming into town. Whatever is going to be easier on you, Mr. O'Daniel and you. Ms. Perry, on what that relief is going to look like, whether it be reducing the late fee, no disconnects in the wintertime, or revising this payment plan to make it easier for the citizens to be on that payment plan. If you could bring that to the next meeting. I am not trying to make it harder on you, but it has got to be easier on the citizens. That is all I have, thank you.

Mayor Cury- Thank you, Laura. Jeff?

Jeff- I just want to thank Tony Cordle and the Rec Commission for what they did and all their hard work on putting that list together and all our updates. I also want to mention the Homecoming Parade is Thursday Night at 6:00 o'clock. The lineup is going to be at the Richlands Tabernacle Church due to the construction on the bridge, they are going to lineup

there and come up Tazewell Ave. I believe. I have had several calls, John, do you have an update on the grapple truck.

John- Yes, the grapple truck was finally fixed. So, anyone that has something they need picked up they need to call Town Hall and let them know, because the people who have already put work orders in, they will go there first.

Jeff- One other thing, a citizen has reached out to me about a light at the P.O.W. display at the police station.

John- We put out some solar led lights at the chair to see if that was enough on what they were asking for. There were a few questions about maybe having to run some new wiring and we didn't want a super bright light and it shine back in the road. But I will get my guys to look at something a little better.

Laura- I agree. I think we need a better light out there, because that chair deserves all the respect from our citizens.

Jeff- Okay, that is all from me.

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

Kristen- I had a citizen asked me where we were with Davenport, but we have already talked about that. I have been working and talking with John about why a business is paying for garbage twice and I think it might be something simple to fix.

John- We are working on it. It is more complicated than I thought.

Kristen- That is all for me. My problems are in progress.

Mayor Cury- Okay, thank you Kristen. Doug?

Doug- Yeah, I had calls about the chair also. So, I am glad you all are getting a better light. One thing I would like to suggest, since we are having so many problems with the electric system, is that we have our own account just for the electric system. So, we can keep an eye on the electrical and make sure our reserves are correct. That would be easily done. We just need a separate account. Do we have any rate increases coming up that were built in for the electrical? It is almost the first of the year.

John- No, we will have to look at it, because where we were at the beginning of the year compared to now, we will probably have just enough to break even or be just a little bit under. I know AEP has done 2 or 3 rate increases in the last 12 months. So, I would anticipate ours to likely follow.

Doug- I think they are going up on the average of \$18 a household. Ours are a lot higher than AEP, I promise you. Okay, what I would like to explain is 3 or 4 years ago, we had a reserve of \$1.2 million in our electrical fund with \$2 million secured. Which is around \$3 million. With all these rate increases in 2 or 3 years, would you have any idea what our reserve is now? They changed our reserve from \$1.2 million to \$1.5 million. So, we have to have \$1.5 million, but

does anyone realize what our reserve is now? It is \$2.2 million. What you are saying don't suffice with what our reserve going up \$1 million in these 2-3 years.

John- You have to base your reserves on worse-case scenarios versus best-case scenarios. We don't want to base it on a best-case and us have a bad year and we be several \$100,000 off. So, we always base it on worse-case scenario and even if we have a worse-case, we are still able to break even.

Doug- Well that is why you have that \$1.5 million in reserve. That is to cover those good and bad years. You have over \$700,000 in the reserve. So, to me it seems like we jumped the gun and raised our rates higher than they should be.

John- But it could also be some major transformers or something within the department.

Doug- The sun could fall... that is If, If, If.

John- That is why you don't present a budget to run a deficient.

Doug- Anybody that tells me If, If, If, they have lost the argument with me.

John- If you want to start budgeting on a negative, we can.

Doug- You have \$1.5 million, and that would cover any problem that you would have.

John- I just don't want to balance the budget using the reserves.

Doug- Why would you raise the rates if you have \$700,000 over your reserves.

John- We haven't even gotten there yet. We haven't started talking about the budget yet.

Doug- Why would you even think about raising rates when you have \$2.2 million in the reserves, and another \$2 million in secured funds. You have over \$4 million in that electrical fund, and yet we have been raising rates for years while the electrical fund is getting rich, and our citizens are getting poor. So, what I am saying, and I will make a motion that we move that electrical fund into a separate account and the council should get a report of the reserves every month to keep an eye on that electrical, because I assure you in a couple years, it is going to be a challenge to keep those rates down, much less trying to build our reserves.

Kristen- John, where is the money coming from for the battery farm? Is it going to be coming out of the reserves?

John- It will be coming out of the reserves.

Kristen- And how much are we expected to allocate for that?

John- I don't know, I would have to pull those numbers.

Doug- After so many months, we are supposed to be in the positive. We are not taking money and buying things. We have no money upfront. They are assuring us that after a year, they are estimating that we are going to make \$600,000. That is not going to be taking any reserves that you are talking about.

Kristen- We have to have to money to pay them to do it though, right?

Doug- If we make \$600,000 a year, then we can decrease rates.

Seth- It is like a whole year that you are spending money and not getting anything. It is \$12,000 a month.

Doug- Okay you are going to spend \$144,000 a year, but you have \$700,000 to plan on before you hit your reserves.

Mayor Cury- Okay, Anything thing else Doug?

Doug- No.

Mayor Cury- Okay, Seth, you wanted to make a motion?

Seth- Yes, I would like to make a motion that we remove Summer Minor's demand meter due to the fact that it is a residence and replace it with a residential power meter. 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.

Doug- I make a motion that we instruct the Town Manager to move the electrical system to its own separate account and out of the main budget. Laura seconded the motion.

Mayor Cury- We have a motion and a second, any further discussion on creating a separate checking account, basically for the electrical department.

John- I would just prefer Heather to weigh in on it. I understand the logic behind it, I just want to make sure we are not creating another problem.

Doug- How many accounts do you have? Don't you have like 25? You have a separate account for everything.

Kristen- But that is also a problem, right?

John- I am just not sure how the electrical system works.

Laura- My reasoning on this is out of those 25 accounts and some of them have to be separated, like the asset forfeiture stuff, I mean that is legal. There is no getting around that. However, we do have some unnecessarily separated accounts that need to be combined. For 2.5 years, I have watched people sit up here talking about the amount of money that comes out of electric, and the arguing back and forth about it. Separating this account will stop that. I mean, if you are taking money out of the electric, that shouldn't be taken out, we are going to see that in a transfer. So that is where I am coming from.

Seth- I am okay with it from the fact that like we talked about earlier, I think for accounting practices, maybe it would be easier if we could do it, but maybe it is not. However, with this, this is basically a unique thing to our town and a handful of other ones in the state of Virginia. I just

think to have all the electric funds in a separate account would be a much cleaner way to treat that.

John- I agree, I just want to make sure with Heather first.

Mayor Cury- Heather, John wants you to weigh in on a motion made by Doug that we take all the money from the electric department and put it in a separate checking account, so that it is easily identifiable.

Heather- It would be no different than what it is already. It is separate now; it all has its own account numbers. You can transfer money in and out all you want.

Doug- I am not coming down on the Town Manager, but a statement was made in a shortfall, we will just take it out of the electrical system. We just need it walled off and separate so that any money that is taken out of the electrical system, we will know it each money and be asked to that. Why do we want to do it for the electrical? Because the next couple years are going to be a challenge to keep those rates down in the electric, where citizens can pay them.

Seth- I think what he is saying is, and I'm not trying to speak for Doug, but I think what he is trying to say is, let's say you had all the electrical money in there, but you did get into a place where you are in a shortfall, you needed to make a transfer, let's say \$100,000 temporary transfer to cover the budget. Then when tax revenue comes back in that \$100,000 would be transferred back into the electrical account, but what that would create is a cleaner, auditable record of what's being transferred in and out.

John- I don't know the logistics of how this would all work on what you all are asking. Can we have till next month to consider how it would work to make sure there aren't any issues that we would run into?

Mayor Cury- Doug, I appreciate you going with it, and I don't think it's a bad idea. If I am wrong, Heather, please correct me. You want to check with Corbin, our auditor, about how this would work? Sometimes, and I am not against what you are saying, and I do think it is a good idea. However, sometimes things we do have unintended consequences.

Heather- Yes, I would like to talk it over with Corbin to see if there are any issues. Because we have monthly bills, and I know what you are saying, but a lot of times we come in here, and I think I have said it before, we have already paid those bills....

Laura- Is that what is happening with the electric? Are there bills getting paid from the electric fund and then you guys are replacing that money?

Heather- No, that's not how it works. I mean, to me, there is really no difference. Everything that comes in and out has something tied to it with the electric system. It is no different than the checking account. Anything that is paid in or out will show in those account numbers. They are all separate.

Kristen- Ledger pages?

Heather- Yes.

Doug- I have talked to the guys on the electrical system and their trucks don't half run. We have neglected our electrical system and used that money for other things. If we have a separate account, anything that we need done for the electrical system, we will be able to do that because that money will be in there. It will not be all mixed into the budget.

Laura- Is it all in one pot, is what I am asking?

John- No, there is the general fund pot, the electric pot, the water system pot.

Laura- Can you explain your comment that you made about taking money out of the electric system if we are in a shortfall?

John- I think that was when we were discussing the VDOT stuff, when we do not have any reserves in the general fund...

Heather- Yes, it was highly frowned upon, but if VDOT came calling for their money and we didn't have any money to give them back...

Laura- No, that is not the comment I am referencing. Doug was saying what he is always saying about the electric and you said, well when we write a check that money has to come from somewhere to cover it.

Mayor Cury- Was this a casual comment?

Laura- No, this was in a formal meeting. It is on YouTube. They were arguing about the electric.

John- I'm trying to understand exactly because it is so convoluted because we don't have the reserves like most places do. We do not have a reserve for every fund. So, now, I have a better understanding.

Doug- You do have a reserve in the electrical. You don't have to worry about it, and as far as the budget, we do a budget every year. You shouldn't have a problem there either. Look at the problem we have had in the last few years, our reserve has grown and grown and grown and it went without notice until I ask a few questions.

John- The general fund is where we are having the issues...

Doug- Well the electric is where we are having problems as well. People cannot pay their electric bills and you have made it tremendously hard for all those citizens out there. It is time that we look and take measures to rein you in or rein the Town in, I should say.

Mayor Cury- These are all separate ordinances voted in by the town, to make it clear. There is a motion and second on the floor. Is there any farther discussion?

Seth- Wait, I have one more question. So, you do have the electric in a separate fund? It is not all setting in the general fund?

Heather- No, it does not sit in the general fund. Everything has its own separate ledger.

Seth- So a separate checking account isn't going to change anything?

Heather- No.

Doug- It is in the same account.

Heather- Are you talking about the same bank account?

Laura- Yes, he is literally talking about the same bank account.

Heather- Yes, it is in the same bank account. But everything gets split up by account numbers.

Doug- All we are asking is to set apart the electrical system, because we are having problems and it is bleeding into the budget.

Heather- No, it won't bleed into the budget because it is separate in the budget.

Doug- I am just going by what John said.

Heather- But you can't do that.

Doug- You do it every year,

Mayor Cury- I understand what you are saying, Doug. I understand what you are saying, Heather. I really think we are at the point that we need to take a vote.

Doug- I just need to say one more thing.

Mayor Cury- I would prefer that you didn't.

Doug- I just want to say to say one more thing.

Mayor Cury- Wait just a minute please.

Doug- You can remove me if you want to...

Mayor Cury- Doug!! I am talking and we cannot do this. I am trying to run a meeting, and this is not proper. I am asking you to say one thing and to keep it short.

Doug- Thank you, Sir. Before anybody ever admitted a year or two ago that money was being taken out of the electrical, it was hidden. You decided all of a sudden, oh, we won't take the \$200,000 out, we will leave it in there to help the system, which had been denied for several years that you were taking it out. That is the kind of things that happen when you have money mixed in with your budget. That's what I'm trying to tell you.

Heather- It still had to be transferred out somewhere.

Doug- But it was denied for years, because it was hidden. Nobody looked at the transfers out. Okay, this way if you have a separate account, honey then we will know when it's transferred out and it won't be hidden.

Mayor Cury- Mayor Cury- Okay, we have all had our say, let's continue. 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- No, Rick- Yes, Kristen- No, Seth- Yes, Laura- Yes. Motion carries -4/2.

Seth- I voted yes, but I just really wish you would talk to Corbin about this first.

Laura- I agree.

Mayor Cury- Moving on. Anyone else want to make a motion tonight? Now is your time. Okay. Mayor Comments. First, thank you everybody for coming tonight. It's always a spirited discussion. Well, sometimes more than others, but it's good to be here. Upcoming events, Veteran's Day. I appreciate you letting me know about that, John. Okay, thank you to people who are doing this for the community and honoring veterans. Next, the library fundraiser is this coming Saturday night. I had several things on my mind, but I think we have covered them. One other thing is, I mentioned that last meeting the Section House would be doing something for Halloween, and we will be meeting and deciding what we are doing. It will not be in conflict with any other group or anything. We will have something fun and that is as much as I can think of to say right now at this hour. I will entertain a motion to adjourn this meeting.

Jeff- I make a motion to adjourn this meeting. Seth 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- Our next meeting will be our regular scheduled meeting on November 1st at 6:00pm.

Adjourned!!

Rodney D. Cury, Mayor

Rebekah Hackworth, Clerk



Dialogue + Design Associates, LLC

October 10, 2022

To:

John O'Daniel, Town Manager
Town of Richlands
20 Washington Square
Richlands, VA 24641

**Re: Town of Richlands, Streetscape and Storefront Improvements
Virginia Community Development Block Grant, Business District Revitalization Project**

Mr. O'Daniel,

Thank you for your feedback on our previous proposal and contract. We've made some revisions and feel like the following document covers the nuances that we've discussed. It is a pleasure for Dialogue + Design Associates, LLC to assist the Town of Richlands with the facilitation, planning and economic restructuring that is part of the Department of Community Development's Community Development Block Grant Program.

Please review the accompanying proposal and contract and let me know if you have any questions or concerns.

Warm regards,

Reed Muehlman, AIA, LEED AP
Senior Associate
Dialogue + Design Associates, LLC
www.dialogueanddesign.com
(434) 466-4815



Dialogue + Design Associates, LLC

October 10, 2022

Proposed Scope of Work for Facilitation and Planning Services:

Context:

This work is funded by a Business District Revitalization Grant from the Virginia Department of Housing and Community Development. Because the area of focus shall include a portion of the originally proposed geographical area, this scope shall serve as phase I of a multi-phased effort (subsequent phases are not included in this contract) that will support further revitalization and additional geographical areas.

General Scope:

During this project D+D shall facilitate a decision-making process that will: define a specific area of focus, will solicit community input, will produce actionable recommendations, and will be based on economic research. Dialogue + Design is the primary contractor and shall sub-contract economic analysis and reporting to Downstream Strategies. Specific details and deliverables are described in the proposed Process and Timeline below, both subject to change.

Process and Timeline:

- Late October or November (2022) – This meeting (virtual) will convene the project. Grant requirements, schedules and related issues shall be reviewed. The schedule for the project will be defined (the following is a recommendation and is non-binding). The planning team, which provides guidance on the project, shall be defined and will include key stakeholders from the town government, building owners, and members of the historic district. Deliverables include meeting minutes.
- November (2022) – Planning Team Meeting (virtual)
- December (2022) – D+D shall issue a survey (virtual) of Richlands citizens and existing small business owners shall solicit public input about the entire geographic area (West End, East End and Middle, in accompanying image) and Downstream Strategies (DS) will begin collection of economic data as basis for the economic restructuring report. D+D shall incorporate economic analysis into the survey. Deliverables include the survey summary.
- December or January (2022/ 2023) – Planning Team Meeting (virtual)
- Mid-January or February (2022) – D+D shall facilitate an in-person meeting, on-site, with the public. The results of the survey shall be reviewed, questions shall be addressed and public input shall be solicited verbally and by visual preference survey. This shall include geographical preference and preference for various types of improvements. DS shall share results of its preliminary economic analysis. Deliverables shall include meeting minutes, definition of key issues, and definition of specific geographic areas of focus.
- Early February or March (2022) – Planning Team Meeting (virtual)
- Mid-January to March (2023) – D+D shall facilitate a virtual meeting, with the public. A draft plan for the specific geographical area of focus shall be reviewed, questions shall be addressed and public input shall be solicited verbally and by written submission to the meeting chat. This shall include preference for various types of improvements. “Boots-on-the-ground” methods of economic analysis shall be executed. Deliverables shall include meeting minutes with refinement of key issues.
- Early February to March (2023) – Planning Team Meeting (virtual)
- Mid-March to April (2023) – D+D shall facilitate an in-person meeting, on-site, with the public. A final plan for the specific geographical area of focus shall be reviewed. This shall include a minimum of three specific vignettes of specific proposed interventions in the focus area. Questions shall be addressed and public input shall be solicited verbally. This shall include

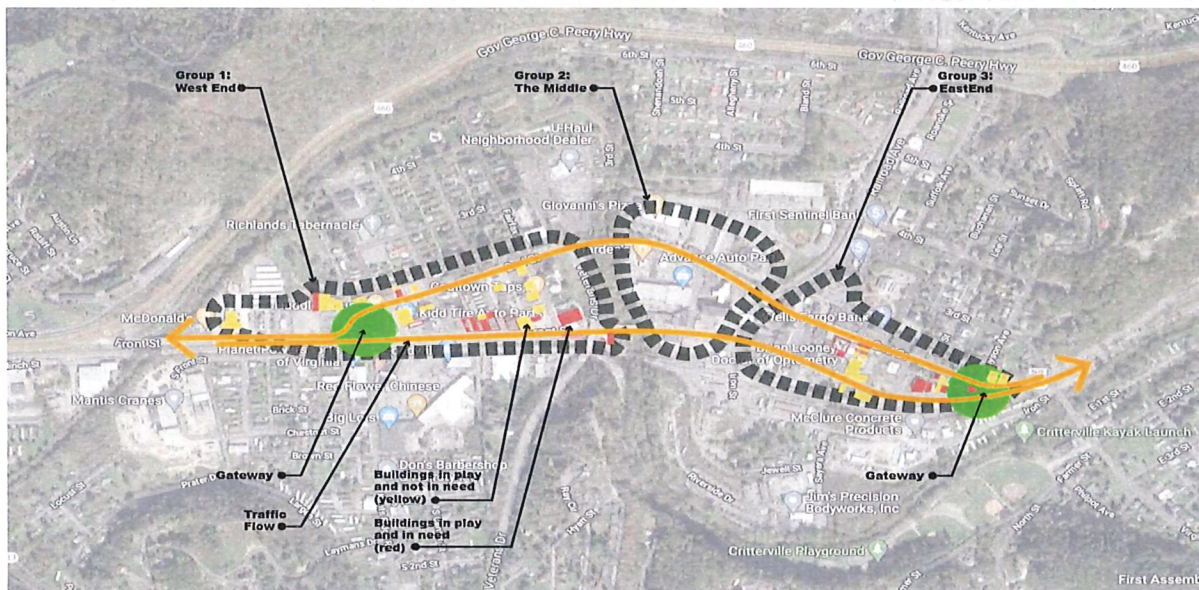


Dialogue + Design Associates, LLC

preference for various types of improvements. Deliverables shall include meeting minutes, and final planning recommendations for the geographical focus area, and a coordinated economic restructuring report.

Notes:

1. All deliverables shall be prepared for use by others in future phases of work, with or without D+D's involvement.
2. Descriptions of geography are based on accompanying imagery and can be modified, within reason, during the process as needed.
3. All findings shall be refined through iterative conversations with the planning team before resulting in deliverables.
4. It is assumed that the planning team will be present at each of the in person meetings.
5. This proposal is valid for 30 days from the date of issue.
6. This timeline is predicated on a 2 week turn around from the Town of Richlands on tasks and questions related to this project.



Fee:

Dialogue + Design Associates, LLC, proposes to execute the work described above for the following cost:

- Guaranteed Maximum Fee of \$50,000
- Reimbursable Expenses are included in the fee above. These include travel (reimbursed at \$0.625/mile traveled), food, accommodation, and printing (reimbursed at cost plus 10%).
- Additional Services: Dialogue + Design Associates, LLC shall perform work beyond the scope of services described on an hourly basis of \$150/hr for architect/facilitator and \$65/hr for architect in training.
- This fee includes hiring Downstream Strategies for economic analysis and production of the economic restructuring plan.
- This fee includes expenses for public meetings. These include but are not limited to meeting space, food, child care, or additional consultation.
- **TOTAL: \$50,000 including reimbursable expenses but not including additional services**



Dialogue + Design Associates, LLC

Contract:

This contract will act as a legally binding agreement between Dialogue and Design Associates, LLC, here after referred to as "D+D", with its principal place of business at 2573 Pea Ridge Rd, Charlottesville, VA 22901, and:

Town of Richlands
20 Washington Square
Richlands, VA 24641

Referred to as "Client" throughout this agreement.

Description of Work:

D+D has been engaged by Client to perform the work specified in the document attached hereto entitled "Proposed Scope of Work for Facilitation and Planning Services" dated August 23, 2022 (hereinafter referred to as "the Proposal"). The Proposal is made a part of this agreement by this reference. It specifies the estimated amount of time involved and the amount of compensation that will be due D+D for execution of the work in question.

Payment Terms:

Client agrees to pay D+D within thirty (30) days of receipt of any D+D invoice. If payment is not timely made, Client agrees to pay an additional fee to D+D equal to one percent (1%) of the amount of the invoice which remains unpaid on said 30th day and one percent (1%) of the amount thereof which remains unpaid on each seventh day thereafter.

Insurance:

D+D shall carry professional liability and general liability insurance for their work and shall not be held liable for more than \$1,000,000 in any one claim and not more than \$2,000,000 for the sum of all claims. Proof of insurance is available upon request.

Change Orders:

Any agreements regarding changes to the scope of work, the fee structure or the estimated time for performance shall be memorialized by the parties in the form of one or more written Change Orders to be signed by the parties. No payment shall be tendered for additional services that have not been previously agreed to in the form of a Change Order by both Client and D+D. All such Change Orders shall be deemed to be part of the present agreement and thus shall be governed by the general terms thereof.

Relationship of Parties:

The attached Proposal requires both D+D and Client to participate in the process of work creation in different ways. By signing this Agreement, D+D acknowledges that they must request this information from Client at least one (1) month prior to a specific need, and Client acknowledges that they are responsible for provision of referenced materials within two (2) weeks after the initial notice has been received. Any deviation from this arrangement can trigger an extension to the overall schedule.

Term and Termination:

This agreement is binding upon the parties hereto and is not severable. This agreement commences upon the date of the signatures included below and shall conclude within the timeframe described in the attached Proposal. The Agreement may be terminated by either Client or by D+D upon written notice delivered to the other party at least 30 days prior to the intended date of termination. By such termination



Dialogue + Design Associates, LLC

neither party may nullify obligations already incurred, including activities or tasks that commence prior to the termination date. Upon termination, Client shall be liable to D+D for fees earned for work completed and expenses incurred through the termination date. The agreement may be renewed by written agreement, signed by both parties hereto.

Failure of Client or of D+D to abide by the terms of this Agreement shall constitute a breach of this Agreement. Breach of the terms of this Agreement by either party shall be grounds for immediate termination of the Agreement.

Rights and Privileges:

Client warrants that: (a) Client owns the rights to use anything provided to D+D ("Client Content"); and (b) using such Client Content does not violate the patent, copyright, trade secret or other property right of any person, firm or entity. Client grants D+D a nonexclusive, nontransferable license to use, reproduce, modify, display and publish Client content solely in connection with D+D's work for Client under this Agreement and in limited promotional uses (such as display in a portfolio) as allowed by this Contract. Client also affirms and represents that this Contract does not conflict with any other contract, agreement or understanding to which Client is a party.

Integration:

This Agreement constitutes the entire agreement and understanding between the parties hereto with respect to its subject matter and supersedes all previous agreements and understandings, written or oral, related to the subject matter. This agreement shall not be altered, changed or amended except by an instrument in writing executed by all parties hereto. This agreement shall be governed by and construed in accordance with the laws of the Commonwealth of Virginia.

Agreement:

By signing below (if a PDF document, digital signatures will be held as legal signatures by both D+D and Client), D+D and Client agree: (a) to all the terms and conditions of this Contract and (b) that all parties have the full authority to enter into this Contract. This Contract is effective as of the most recent date appearing below.

D+D:

Dialogue and Design Associates, LLC

Christine Gyovai – Manager, D+D

October 10, 2022
Date

Client:

Date

Request for Proposals

Forensic Accounting Audit Services

PURPOSE: The Town of Richlands, Virginia is accepting proposals from qualified, Virginia-licensed firms for Forensic Accounting Audit Services related to the Town's financial operations, in accordance with the requirements set forth in the request for proposals. The successful firm must be independent of the Town of Richlands, Virginia in all respects. The original proposal and five (5) copies must be received by the Town Manager no later than December 5th, 2022 at 2:00 p.m. Eastern Time. Offerors shall provide one (1) additional copy with all information considered proprietary redacted and suitable for public inspection in accordance with Section 2.2-4342 of the Code of Virginia. Proposals must be sealed, addressed, and clearly labeled as follows:

Mr. John O'Daniel, Town Manager
200 Washington Square
Richlands, VA 24641

"Proposal for Forensic Accounting Audit Services"
Due date and time – December 5th, 2022 at 2:00 p.m.

Questions regarding requirements set forth in the request for proposals must be submitted in writing to Mr. John O'Daniel, Town Manager at jodaniel@richlands-va.gov no later than one (1) week prior to the due date.

PROJECT SCOPE: The audit shall include forensic audit services associated with all aspects of the Town of Richlands' financial transactions and operations with options for this review to cover the last three (3), five (5), or seven (7) years. The cost for each time frame for review will need to be clearly indicated.

This audit will include identifying areas of fraud and misconduct and transaction mapping from the original invoice inception through the transaction completion cycle. The audit shall include, but not be limited to disbursement of funds, development of contracts, and other agreements. Upon completion of fieldwork, a report of findings will be delivered to the Town Manager and Town Attorney. The auditors may work in conjunction with any legal audit team retained by the Town if the scope of work involves similar transactions. The Town Attorney has the authority to compel the production of documents from third parties if additional documentation is required to cover the scope of services.

TERM: The term of the agreement will be for one (1) year as the work and presentation of findings is expected to be completed within a 12-month period.

COMPETITIVE NEGOTIATION: The successful firm will be selected by Competitive Negotiation pursuant to Section 2.2-4302.2.4 of the Virginia Public Procurement Act for Professional Services – the public body shall engage in individual discussions with two or more offerors deemed fully qualified, responsible, and suitable on the basis of initial responses and with emphasis on professional competence, to provide the requested services. Repetitive informal interviews shall be permissible. The offerors shall be encouraged to elaborate on their qualifications and performance data or staff expertise pertinent to the proposed project, as well as alternative concepts. In addition, offerors shall be informed of any ranking criteria that will be used by the public body in addition to the review of the professional competence of the offeror. The Request for Proposal shall not, however, request that offerors furnish

estimates of man-hours or cost for services. At the discussion stage, the public body may discuss nonbinding estimates of total project costs, including, but not limited to, life-cycle costing, and where appropriate, nonbinding estimates of price for services. In accordance with Section 2.2-4342 of the Code of Virginia, proprietary information from competing offerors shall not be disclosed to the public or to competitors. At the conclusion of the discussion, outlined in this subdivision, on the basis of evaluation factors published in the Request for Proposal and all information developed in the selection process to this point, the public body shall select in order of preference two or more offerors whose professional qualifications and proposed services are deemed most meritorious.

Negotiations shall then be conducted, beginning with the offeror ranked first. If a contract satisfactory and advantageous to the public body can be negotiated at a price considered fair and reasonable, the award shall be made to that offeror. Otherwise, negotiations with the offeror ranked first shall be formally terminated and negotiations conducted with the offeror ranked second, and so on until such a contract can be negotiated at a fair and reasonable price.

INSTRUCTIONS for PREPARING PROPOSALS: Please submit a written proposal that addresses the following:

1. Provides information descriptive of the firm's qualifications and experience with similar projects.
2. Discusses the qualifications of key staff to be assigned to the project.
3. Provides references of five (5) current or former clients, including a contact person and telephone number.
4. Provides proof of financial stability to perform the requested services.

EVALUATION CRITERIA:

1. Firm's experience with similar projects.
2. Qualifications and expertise of key staff.
3. Availability of firm to meet deadlines and complete the project in a timely manner.
4. Completeness of proposal.
5. Nonbinding cost estimates discussed.

EMPLOYMENT DISCRIMINATION, DRUG FREE WORKPLACE, IMMIGRATION LAWS: By accepting an award to provide the requested services the firm must acknowledge, in writing, compliance with the following provisions of the Virginia Public Procurement Act:

Section 2.2-4311 of the Code of Virginia – Employment discrimination by contractor prohibited; required contract provisions – All public bodies shall include in every contract of more than \$10,000.00 the following provisions:

1. During the performance of this contract, the contractor agrees as follows:
 - a. The contractor will not discriminate against any employee or applicant for employment because of race, religion, color, sex, national origin, age, disability or other basis prohibited by state law relating to discrimination in employment, except where there is a bona fide occupational qualification reasonably necessary to the normal operation of the contractor. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause.

- b. The contractor, in all solicitations or advertisements for employees placed by or on behalf of the contractor, will state that such contractor is an equal opportunity employer.
 - c. Notices, advertisements and solicitations placed in accordance with federal law, rule or regulation shall be deemed sufficient for meeting the requirements of this section.
2. The contractor shall include the provisions of the foregoing paragraphs a, b and c in every subcontract or purchase order over \$10,000.00, so that the provisions will be binding upon each subcontractor or vendor.

Section 2.2-4312 of the Code of Virginia – Drug-free workplace to be maintained by contractor; required contract provisions – All public bodies shall include in every contract over \$10,000.00 the following provisions:

During the performance of this contract, the contractor agrees to (i) provide a drug-free workplace for the contractor’s employees; (ii) post in conspicuous places, available to employees and applicants for employment, a statement notifying employees that the unlawful manufacture, sale, distribution, dispensation, possession, or use of a controlled substance or marijuana is prohibited in the contractor’s workplace and specifying the actions that will be taken against employees for violation of such prohibition; (iii) state in all solicitations or advertisements for employees placed by or on behalf of the contractor that the contractor maintains a drug-free workplace; and (iv) include the provisions of the foregoing clauses in every subcontract or purchase order over \$10,000.00, so that the provisions will be binding upon each subcontractor or vendor.

For the purposes of this section, “drug-free workplace” means a site for the performance of work done in connection with a specific contract awarded to a contractor in accordance with this chapter, the employees of whom are prohibited from engaging in the unlawful manufacture, sale, distribution, dispensation, possession or use of any controlled substance or marijuana during the performance of the contract.

Section 2.2-4311.1. of the Code of Virginia - Compliance with federal, state and local laws and federal immigration law; required contract provisions.—All public bodies shall provide in every written contract that the contractor does not, and shall not during the performance of the contract for goods and services in the Commonwealth, knowingly employ an unauthorized alien as defined in the federal Immigration Reform and Control Act of 1986.

INSURANCE REQUIREMENTS: The successful firm, and any of its subcontractors, shall, at its sole expense, obtain and maintain during the life of the resulting contract the insurance policies and/or bonds required. All such policies and/or bonds shall be effective prior to the beginning of any work under the resultant contract.

Professional Liability: The successful firm is required to carry, at a minimum, a \$1,000,000.00 (one million dollars) professional liability policy and provide additional coverages as may be described in any resulting contract. In any case, the Town of Richlands, Virginia shall be listed as an additional insured in the policy.

PROPRIETARY INFORMATION: Trade secrets or proprietary information submitted by the offeror shall not be subject to public disclosure under the Freedom of Information Act, unless otherwise required by

law or court. However, the offeror must invoke the protection of Section 2.2-4342(F) of the Code of Virginia, in writing, either before or at the time the data or other material is submitted. The written notice must specifically identify the data or materials to be protected and state the reason why protection is necessary. The proprietary or trade secret material submitted must be identified by some distinct method such as highlighting or underlining and must indicate only the specific words, figures or paragraphs that constitute trade secret or proprietary information. The classification of an entire proposal document, including any proposal prices as proprietary, or trade secrets, is NOT ACCEPTABLE and may result in the REJECTION of the proposal.

Considering this is a Request for Proposals, no information regarding the proposal records or the contents of responses will be released except in accordance with Section 2.2-4342 of the Code of Virginia. Once an award has been made, all proposals will be open to public inspection subject to the provisions set forth above.