



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

- I.** Call the Meeting to Order
- II.** Invocation
- III.** Pledge of Allegiance
- IV.** Open Public Hearing
 - a. Creation of B-3 ZoneClose Public Hearing
- V.** Planning Commission Recess to Discuss Recommendation
- VI.** Adjourn



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

- I. Call the Meeting to Order**
- II. Invocation**
- III. Pledge of Allegiance**
- IV. Additions/Deletions to Agenda** (Includes the removal/transfer of Consent Agenda items as needed.)
 - a. Approval of Agenda
- V. Consent Agenda**
 - a. Authorization to Pay Bills (August)
 - b. Minutes- Joint Public Hearing on August 9th, 2022, Town council Meeting on August 9th, 2022, Town Council Workshop on August 23rd, 2022, Town Council Workshop on August 25th, 2022, Continued Workshop on August 29th, 2022,
 - c. Budget Amendment
- VI. Scheduled Public Comment (Five Minute Maximum)**
 - a. Michael Sizemore- Water Treatment Plant
- VII. Unscheduled Public Comment (Three Minute Maximum)**
- VIII. Agenda Items**
 - a. Creation of a B-3 Zone First Reading (O-2022-09-01)
 - b. Appointment of Police Chief
 - c. Electric Battery Discussion
 - i. Closed Session if needed- 2.2-3711(A) (6)– Contract Negotiation
 - d. Utility Rate Schedule Discussion
 - e. Water and Wastewater Plant Maintenance
 - f. Economic/ Community Development Department Discussion
 - g. Town Building Maintenance
 - i. Town Hall Roof
 - ii. Police Department Roof
 - iii. EMS Department Roof
 - h. Christmas Tree Discussion
 - i. Dispatch Hours of Operation Discussion
 - j. Council Insurance Discussion
 - k. Public Safety Committee Discussion
 - l. Library Project Funding

- m. Street paving discussion
- n. Fluoride Update and Discussion

IX. Return to Open Session, Certification, Report on Action

X. Town Manager Report

- a. Emergency Phone Update
- b. Miscellaneous

XI. Attorney's Comments

- a. Utility Easement
- b. Electric System Contract Review

XII. Council Member Reports (Non-voting Items)

- a. Kristen Thompson-Whitt
- b. Seth White
- c. Doug Ratliff
- d. Rick Wood
- e. Laura Mollo
- f. Jeff Hurst

XIII. Mayor's Comments

XIV. Adjourn Meeting

Next regular meeting date is October 11, 2022, at 6:00pm.



Memo

To: Mayor and Members of Council
From: John O'Daniel, Town Manager
CC: Town Attorney; Clerk of Council
Date: 9/9/2022
Re: Check Registry- August 2022

Due to Town staff being away from the office to attend to a family medical issue the check registry has been delayed. We hope to have this to you before the council meeting Tuesday evening.

The Richlands Town Council held a joint “Public Hearing” with the Planning Commission on August 9th, 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: Doug Ratliff, Jeff Hurst, Rick Woods, Kristen Thompson-Whitt, Seth White, and Laura Mollo.

Town Attorney: Michael Thomas

Vice Mayor White opened the meeting.

Vice Mayor White gave the invocation and led the Pledge of Allegiance.

Mayor Cury- Thank you, Seth for getting us started. We have before us the joint public hearing with the Planning Commission. The public hearing is now opened. This is regarding the Drug Rehab as an Added Use in the B-2 Zoning.

Michael- Mayor, it is not a Drug Rehab as an Added Use, it is Hospital Special Care with Special Use Permit.

Mayor Cury- Okay, thank you for your help. I was just reading it off what the agenda says. Okay, just to make it clear, this is a joint hearing for Hospital Special Care as an Added Use in the B-2 Zoning. Is there anyone here who would like to speak on this issue?

Okay, since there is no one here to speak, I will close the public hearing.

Closed!

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 August 9th, 2022, in the Richlands Council Chambers at 6:30 pm with the following present:

Mayor: Rod D. Cury

Town Manager: John O’Daniel

Town Clerk: Rebekah Hackworth

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

Town Attorney: Michael Thomas

Mayor Cury opened the meeting.

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

Mayor Cury- First off, I would like to say congratulations to our newest council members, Rick Wood and Laura Mollo.

First thing on the agenda are additions/deletions to the agenda. Does anyone have any additions or deletions to the agenda?

I would like to make one addition on Roman Numeral III, I would like to add a III (A) Timekeeper- Morgan Earp.

Seth- I make a motion that we approve the agenda as amended. 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 on the agenda is the consent agenda. Does anyone have any question about the consent agenda.

Laura- I do have a question, what is the etc, on the check registry? And can we get a copy of what we are spending and receiving from the Rec Park?

John- I will have Heather take a look at the check registry and get back to you.

Yes, I can see about getting you guys a copy of the spending and receiving from the Rec Park. I think we have done that before and I will see about getting that to you guys again.

Mayor Cury- Thank you, John. Any more questions? If there are no more question, I will entertain a motion to approve the consent agenda.

Jeff- I make a motion to approve the consent agenda. 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- We know have Scheduled Public Comments with Cornelia A. Cox.

Cornelia A. Cox- 580 North Tazewell Street. Richlands came in and on my private property and tore up our property markers and illegally put in a water line. They have destroyed my property and made a horrible mess and I just wanted to say I am taking back my property and putting my property markers back up.

Mayor Cury- Thank you, Cornelia. John, do you know anything about this?

John- No.

Mayor Cury- Okay, I am going to have John investigate this and report back to us at our next meeting.

Next, we have Unscheduled Public Comments, and I would like to have motion to approved Morgan Earp as the Timekeeper.

Kristen- I make a motion to approve Morgan Earp as the Timekeeper. 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. Blake Ray, you are first up on unscheduled public comments.

Blake Ray- 426 Buchanan Street. I just wanted to come and give a quick update about Pop-Up Richlands. We plan on starring Pop- Up again on September 8th and running it for 6 weeks. I just wanted to say thank you to the council for the continued support of the program. It has been a success. It has created 7 jobs and filled and renovated 2 of the vacant building here in Richlands. I am very excited to see what it is going to do in September.

Mayor Cury- Thank you, Blake. Next, we have Morgan Earp.

Morgan Earp- 1618 6th Street. There are a couple railroad ties next to the dump that's next to the river and they need to be moved. I had one more thing to say but I forgot it, so yeah, that's all I have to say tonight.

Mayor Cury- Thank you, Morgan. Next, we have Ernest Edgel.

Ernest Edgel- 206 Terry Drive. We have a lot of people parking in the street in Hidden Valley. Who takes care of that? We also have a lot of junk cars, there are several on Kents Ridge. Also, what about garbage cans? I thought you had to have them put up by a certain time? How long are they allowed to sit the road before something happens? I just think we need to clean up this town, if we are wanting people to move and stay in our town.

Mayor Cury- Thank you, Ernest. Next, we have Mickey Smith.

Mickey Smith- 524 Sycamore Lane. We need to pave East Second Street. My friend lost two buyers on her house because they didn't want to drive through East Second Street every day to get to their house.

Mayor Cury- Thank you, Mickey. The council and I will agree with you and Mr. Edgel that we want our town to appear better.

Laura Mollo- Mr. O'Daniel 4 out of the 5 people that have spoken tonight have concerns about their property. I have heard a ton of people complain about this and none of it gets taken care of. At our next meeting, will you please update us on what is being done for these citizens.

John- Yes, I will do my best.

Mayor Cury- Thank you and thank you to everyone that has spoken tonight. Next on the agenda is the Utility Rate Schedule Discussion. John, I will let you take it from here.

John- When we were looking at the right increases, council chose to hold off on the project for a year. Then subsequently you hold off on the rate increases for a year. I was asked to go back through our documents and see how that would impact us. As I looked through our contracts, there really wasn't anything that would truly answer what would happen if we held off for a year. So, I included the e-mail from DEQ, who did the funding for the wastewater project. From what I could tell, they are fine with us holding off on the rate increases for that year. There was also a letter in there from DEQ, which was a little bit of a different response.

I have Kelly Ward on a zoom call to talk to us tonight and hopefully answer any questions you all may have with the funding for the wastewater plant. However, with both projects, if we hold off or go forward, the wastewater plant came in above what we originally proposed. So, we have to get that approved as well from VRA to make sure that the funding is an inappropriate amount for tonight's discussion.

I just wanted to give you guys an update on what I found on the rates and then discuss Kelly's response to the e-mail that I sent her.

Mayor Cury- Okay, let us welcome Ms. Ward. Ms. Ward, thank you for coming on to speak to us tonight.

Kelly-Thank you very much. It is the standard practice of the drinking water (SRF) that in order to consider the disadvantages that the water rates are 1% of the NHI or higher. Because of the nature of the great study that was done by Karl Brown in summer of 2020. We allowed the town to submit a combined rate of \$50 and some odd change, allowing a 50/50 split rather than accepting just 1% for the water rate alone. This was done because Mr. Brown intentional said the first of the increases on the water rates were really good, but that the sewer rates really needed to be increased. So, in order to not be overly burdensome, they accepted the 50/50 split granting a disadvantage status with the understanding that the rates will be raised small amounts for the next three years. The 2021 rate increase was passed. The 2022 was not passed and I don't know about the 2023. Obviously, it is yet to be decided. The rate was just to open the door to principal forgiveness and the 30-year repayment was not a statement that said the rates are sufficient to establish the funds that Virginia resources authority requires. In my experience, with over 20 years in the state revolving fund program, that residents do much better with small consistent increases. Rather than a big hit all at once. I was provided information from 2009 to 2019, there no rate increase and then there was a 16% increase. In my opinion alone, that is a bit much to bear. Then there was a subsequent rate increase in 2021. Even still the water rates, the combined

rates for the Town of Richlands are considerably less than surrounding communities. I cannot tell you what to do, but I can say that you need to satisfy not just the disadvantaged status for principal forgiveness, but the requirements that VRA will hand down. They are the financial co-administrators for the fund, tasked by the General Assembly to take care of the loan underwriting and to manage the finances. I don't have any sway with them. There are requirements that are usually 115% of the dit service. I am simply trying to help the town make the best decision possible.

Mayor Cury- Ms. Ward, thank you very much. Are you open to any questions that members of council may have? So, that we can better understand what you are say.

Kelly Ward- Sure.

Kristen- Ms. Ward, I was one of the members who voted no last time. It wasn't that we didn't want the increases. There was no documentation showing us where these numbers and figures came from and that is why we voted no. We just wanted some documentation so we could show people why we were doing what we were doing. Everyone here is at such an economic disadvantage anyways, and those rate increases really hit hard. So, we wanted to be able to show why we were doing what we were doing.

Kelly- Fair enough. The rate study was not paid for by the drinking water (SRF). It was my understanding that the town did that, but I did not read all of it, to be honest.

Kristen- That has been a lot of our issue. We have had so much turnover that a lot of the people who are here were not here when this first started and couldn't answers that question either.

Mayor Cury- Thank you, Kristen. Does anyone else have any questions?

Seth- I just have one thing. I read your e-mail, Ms. Ward and it says "it's disappointing to learn that this current council is unwilling to adhere to the commitments made by the prior council. You have been around for, you said 20 years in local government. You understand that no current council can bind any future council's decision. So, this is an elected body. Just like every other elected body in Virginia and when councils change, things change. However, we were faced with a last-minute show up by our engineer saying we are not going to do the project. Now after this council has already spent \$1,000,000 in engineering on a project that we are now not going forward with.

I just read your comments and I wanted to just wanted to address that point with you but also there's a lot more going on here than just us deciding not to raise water rates or sewer rates and every fee that our citizens have been increased over the last few year, it is taking a toll on them. We are at an unprecedented amount of inflation in this country right now. Everything costs more than it did a year ago, two years ago, and three years ago.

I think that it is definitely the consideration of this council that if we are not going to build a plant, what is the point of making an increase immediately? It is not necessary, and I understand your point. I've served on the PSA. I served as chairman of the PSA, in Tazewell County before and I understand all of this. However, we just feel like the immediate need is not to raise the water and sewer rates. If we get into a position where we can build this, and it has to be done

then we go back with good information to our citizens and say this is what the rate has to be in order for us to get loan forgiveness. That is a whole different discussion at that point.

Mayor Cury- Thank you, Seth.

Kelly- I understand that there was definitely a lack of communication. I just knew that the rates were denied. Mr. O'Daniel has been the only one that has communicated with me. Mr. Taylor was very good at communicating and sharing along the way. Thompson and Litton have done an excellent job in showing how all of these pieces and parts are integrated. When I got the information, I did say that we would be happy to save the place and offer for the town. It doesn't make sense to spend addition money right now.

I am not unreasonable. You are charged with making the decisions. I don't happen to agree with it, but that's not for me to decide for your town. I can say that it is better to do it this way based on my experience, but that is across the Commonwealth that is not specific to the Town of Richlands.

Mayor Cury- Thank you Ms. Ward. Is there anyone else who has a question for Ms. Ward?

Kelly- One more thing. It was my understanding that a referendum was signed by the former council saying that they would do these things that were outlined by this rate study.

Mayor Cury- As far as a referendum is concerned, there were none. It may have been a resolution. I am really not sure, but we could check.

Thank you, Ms. Ward for your time.

Doug- Could we have the Town Manager do a comparison of rate increases in the other counties.

Mayor Cury- Doug, I am only asking, would it matter in this situation when we are looking at finding a new and improvement system.

Doug- Well she mentioned some of the other areas were integrated. I just think it would be good to have a comparison because we are not the only that is at a disadvantage.

John- I gave one out a while back. I can update that and send that back out again.

I started looking into those documents and I realized that if both parties agreed to hold off for a year, then it was pointless to go through all those. So, I just need some direction on what you guys want me to do. If you guys still want those documents, then I can work on scanning those and emailing those to you or having them delivered in you all's packets. I will try to put a memo in there explaining how they are all connected. So, you guys can kind of see where all these numbers are coming from.

Rick- Can you just put it in our next packet?

Doug- I would like an emailed version also.

John- Okay, I can do that. I can try to have them emailed to you guys in the next 10-14 days.

Mayor Cury- Thank you, everyone. Any other questions?

Thank you, Ms. Ward so much for joining us tonight. I hope you have a wonderful evening.

Next, we have Zoning Added Use, Second Reading of the Hospital Special Care O-2022-07-01. Kristen, would you like to give the update?

Kristen- We have discussed this at length, and the recommendation right now is that the council not add the Hospital Special Use as a permitted use of the B-2 Zone. For us to revisit two options: Redefine the Hospital Special Use to be a little narrower and not encompass the whole of B-2. Or the other options would be to create a B-3 Zone inside of B-2, that would allow these types of activities. So, we could control a little more with what was next to residential areas or more linked to the Hospital, Washington Square, Home Health, and Scottie pharmacy. The Mullins building has traditionally had medica stuff in it before. So, those would be things we would look at it as well.

Probably a little bit better way to do it would be to create a B-3 within B-2. I think it would be a little bit cleaner way to do that.

Mayor Cury- The consideration of the Planning Commission is always important. I would recommend that we have discussion about this Ordinance and go from there. Mike what would you suggest?

Michael Thomas- Of course, that is up to council. If they are fine with the first reading from our last meeting, then you could wave your second reading and have discussion about it. Or you could table it till the next meeting. That is totally up to council.

Mayor Cury- Okay, I will seek the will of the council on how to proceed.

Doug- I don't want to hold these people up. Is there any way that we could move to satisfy the Planning Commission and move forward within 30 days?

Kristen- There is time to write up a new ordinance, put that in the paper, and have a public hearing by our next meeting. We could dispense with the second reading and pass this as an emergency Ordinance.

Doug- That sounds fair.

Rick- I am a little bit behind on this. Has there ever been another medical facility in that building?

Kristen- Yes, and we are not against it being in that building. Our suggestion wasn't to change all of B-2. It was just to make it more narrow zone to be medical including that type of use.

Rick- I am good with that. I just can't sit here and tell these people no when we have had other medical in that building before. I think we have to do. I don't see that we have any other option.

Kristen- They haven't applied for conditional use permit yet. So, I don't think that will hold them up for us to do it by the next meeting. If that is council's wish.

Mayor Cury- John, creating a new zone is a whole new ordinance within itself. Which requires public hearings, etc. and that requires a lot of work. So, pardon me if it seems I am patronizing you in anyway. I really am not trying to do that.

John- I think for this one especially, it would just be copying B-2 and then just added the hospital or rehab language in there. It really wouldn't be a whole lot beyond that. We would have to do the public hearing and the first reading. I don't think this would be a lot of hard work and paperwork to put this in place.

Seth- So, how did we get here? Was a permit put in place and then denied to operate in that building?

Michael- Where we are at now is Richlands Town Code has a definition for hospital/special care. That does not currently have a place in the Town Zoning that it can go. It does not go under B-2, R-2. It is not a listed use in any of those areas.

Seth- So, what did other building apply for like the diet clinic or the OBGYN care that went into that building before?

John- I guess those fell under primary care.

Seth- What if I wanted to go into a counseling practice in there, because that is primarily what these people are doing.

Michael- I did look at counseling. I don't see that as a listed use. There is not a definition for it. I am not sure if that would fit into any of these others. Maybe under Hospital General. I am really not sure how those people got in there. The Hospital Special Care just didn't fit into anything, so they were requesting that to go into B-2. It sounds like B-2 is such a big zone and that is what the Planning Commission's big hold up is.

Doug- Isn't a diet clinic counseling?

Seth- Yes, that is what I don't understand how these other people go in here. I know John has inherited a lot of messes, and it isn't his fault this stuff happened before he got here, and I understand that. I just don't want to tell a business, that could go anywhere in the county and put in their business without any regulations. I just think sometimes we make this process much more difficult than we need it to be.

So, what you are saying is there is no way they can go in and fill out an application and go into that building today?

Michael- Under the way that it is presented today as Hospital Special Use with a Conditional Use Permit. Even if it is an Added Use in here, they will have to come in with a Special Use requesting to be placed within there.

Seth- Would it not be simpler instead of us changing things, for them to just apply and us approve them as a special use.

Michael- It still has to go somewhere in the zoning and there still isn't anywhere we can add them.

Jeff- We cannot approve the conditional use because it isn't in there, correct?

Michael- Correct. You would have to approve this and then let them apply for a special use permit.

Seth- So, even if we approve this Ordinance, if anyone wants to move anywhere within this zone we still have to approve them, right?

Michael- Correct.

Seth- Well that is the simplest thing we can do tonight. Approve this and if anyone else wants to do something similar maybe next to a residential building that would be an issue with parking, this council would have to issue a special use permit at that point. So, we are not hurting all of B-2 by saying you can do ahead and open this up wherever you want. This is just the simplest thing to do.

Doug- I agree, you can limit where they go from when they apply for the Special Use Permit.

Kristen- We just need to be very careful because you are going to have people say, "well you did it for this person."

Seth- That is not what our attorney is saying.

Michael- You will have to approve the Special Use Permit, but as Kristen is saying, if someone else comes in and says, "well we want to go there and you allowed someone else to do that, why are you denying us?"

Seth- But if it is a like type of business that is not dispensing medication then I don't have a problem with it.

Kristen- What is to stop them from opening up a pharmacy that close there?

Seth- You cannot do that.

Kristen- See that is where you are getting into some legal issues where you are adding conditions saying you cannot be within 75 feet of a pharmacy. You are adding special cases and adding to the complexity of this issue.

Seth- At the end of the day we are here to help businesses come here. Not make it to where people have to jump through 15 hoops that they wouldn't have to go through if they went through the county.

Rick- So, what is the hospital under?

Michael- There is a definition for hospital. The hospital is already a permitted use within B-2.

Seth- So, all we are doing is adding a use.

Michael- That is correct. That is all we are doing. We are just looking to see if that is an added use or should be a permitted use.

Mayor Cury- Okay, we have had discussion and the Planning Commission has already given their recommendation. Does council want to act on this motion or table it to our next meeting?

Laura- I have a question, is there a way to define what the conditional uses are before we put that in there? So, we don't run into any problems with this going forward?

John- That is what the Planning Commission was wanting to do, to try and narrow the conditional use down, so you are not running into some of these problems.

Michael- There is a definition for the conditional use, of course if you wanted to change it to what needs to be in there, that is totally up to the council. The relevant part here is “these permits shall be subject to such conditions as the governing body deems necessary to carry out the intent of this chapter.” So, it seems pretty open at this point that the council can make any changes to it.

Mayor Cury- Thank you, Mike.

Rick- I have a question for the lady that is representing them that is here tonight.

Mayor Cury- Sure. Miss, will you please come forward and state your name and who you represent.

Desiree- My name is Desiree Andrews and I am the area manager for Spero Health.

Rick- Desiree, my question is when are y'all going to apply for the permit? Are you all ready today or tomorrow?

Desiree- We were hoping to open up by the end of the yea, preferably by October. As far as applying, I am not sure where we are at with that, but I can find out.

Doug- Well, we do not want to hold you up.

Michael- If I may, it is not that they are waiting to apply. It is that they can't apply because they don't fit into zoning anywhere and that is why we are here today. We are trying to decide if they are allowed into B-2 and then they can apply.

Mayor Cury- Okay, what is council's pleasure on the attorney getting with the Planning Commission and forming a B-3 zone?

Doug- Yes, Jeff- Yes, Rick- Yes, Kristen- Yes, Seth- Yes, and Laura- Yes.

Mayor Cury- Okay, Michael, could you have something ready by the next meeting? So we can have a public hearing and the first reading and dispense with the second reading and pass it as an emergency ordinance? So, then they can apply for the permit?

Michael- Yes.

Desiree- So, we can come to the meeting next month and we will be ready to apply?

Mayor Cury- Yes. Thank you, Desiree, and thank you members of council for all of your input.

Okay, now we are on Economic/Community Development Department Discussion. Does anyone have anything they would like to say about this topic?

Laura- I have something to say. I spoke as a citizen about this at our last meeting, as holding off and waiting because of the expense, but at the same time we cannot afford not to do it. I was doing some research and in the Virginia Code, it actually allows the IDA to function as an EDA (Economic Development Authority). I was doing some research and a few years ago Tazewell actually created like a hybrid. Theirs is called I/EDA. If we were to do something like that our

IDA could function as an I/EDA and let them handle some economic development and grants and lean on the county to still help us. It will also save us from having to hire that position out.

Jeff- Are they paid?

Laura- No, they function as the IDA does.

Jeff- Okay, I knew some of their Commissions are paid.

Laura- Oh, Tazewell does?

Jeff- Yes, their Planning Commissions are paid.

Laura- The Town Code allows us to be able to pay someone to do it.

Jeff- I just wonder if we would be able to find someone who would want to do that.

Laura- I think in the Town Code it allows us to pay someone up to \$50 a meeting.

Doug- That is still a lot cheaper than \$40,000-\$50,000 a year.

Mayor Cury- I appreciate the discussion on pay, but I think the more important discussion is the community developer.

Jeff- Sorry, I was just curious as to how that got people to serve.

Laura- Just like our IDA board as soon as you have a vacant seat, there is always someone willing in serve in their place.

I haven't looked at Tazewell a whole lot, but we can take a closer look at it and see how they function before we consider hiring someone for this position.

Mayor Cury- What is council's wishes for the Economic/Community Development as the position stands right now?

Doug- I think what Laura came up with is great. As far as hiring someone new for the position, I am a no. We already have 9 people in the central office.

Mayor Cury- Okay, does anyone else have any thoughts?

Kristen- Do we have contacts at Tazewell that we could reach out and see how they are operating?

John- I could probably reach out and see. I am sure they have staff that helps with the day to day of this job.

Laura- And I am not opposed to that, I think it is fine to hire someone part-time to do the day-to-day tasks of this job. I think we just need to explore every other option before we jump right into hiring someone full-time for this position.

Jeff- I was thinking more of a part-time position, and then see if their a need for a full-time position.

Kristen- We just need to look at who is going to be doing the grants?

Mayor Cury- Is the desire of council to hire someone part-time or wait and get some more information from Tazewell?

Laura- I think waiting is the best options, so we can get some more information from Tazewell, because no one wants to see someone lose their part-time job if we decide we are needing someone full-time.

Mayor Cury- Okay, any other comments? So, is it the will of council to wait until the next meeting to discuss this again and get some more information from Tazewell?

Jeff- Sure. We can move on.

Mayor Cury- Okay, we are on Personnel Policies Updates. Heather, did you want to explain this?

Heather- Basically what you are looking at is the policy the way it is now is holiday hours are counted as work hours. So, you are allowed to carry that holiday over and you have 60 days to use them. I just feel like it would save money and people wouldn't lose their holiday hours if they just received their regular rate of pay within that same pay. Take away the carryover and take out the wording of what is considered regular work hours because some places are actually open on holidays and those people have to work. This way people would still receive their pay, but it is not going to be considered as overtime pay. It would be way easier for their supervisors and payroll to keep up with and no one is abusing it.

Mayor Cury- Okay, are there any questions on the proposed Amendment #1 and Amendment #2. I assume you want a motion?

Heather- Yes. On the second one, basically I spoke with the Virginia Sharing Association and we were just going over some things and she mentioned that our policy stated that the FMLA is for a calendar year which would be January to December. She said technically it should be a rolling 12 months, because if you were to take it in December then you could turn around and take it again in January. So, that that's why she suggests that and brought to my attention.

Mayor Cury- Makes sense.

Seth- I make a motion we approve these two amendments. Doug 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. Next, we have Rescue Captain Truck (EMS Command Vehicle). We have a letter from Matt Whited. Is there any discussion on this?

John- Essentially, this is a vehicle that Matt uses and has broken down and he is not able to use it anymore. We did not foresee this happening. So, we do not have it in our budget to buy him a new vehicle. I have Matt here tonight to answer any questions that you guys may have for him. I just need some direction to see if this is something that you guys want to look at purchasing even though this is not in the budget.

Mayor Cury- Matt, would you care to speak?

Matt- The vehicles that we currently have is a 2006 Ford Explorer. We got it on a grant, so the town had about \$5,000 in it for the total \$25,000. It has about 69,000 miles. We were hoping to use it for about another year or so at least, but the transmission is out in reverse. So, you can only go forward, and the frames has a lot of rust on it. The AC system goes in and out depending on how hot it is outside. So, to replace that vehicle getting a quote on the state bid contracting is about \$39,000 for the vehicle and about \$10,000 for the upfit of equipment.

Doug- What model is it?

Matt- 2006.

Doug- Okay. I mean this is what we spoke about a few minutes ago. We are talking about hiring people and putting new people in the office and we have trucks running that is a 2006. I mean that's ludicrous. The employees are not given what they need to function, and you got a truck that is 16 years old. We are not giving them what they need to work with. To me that's ludicrous. The first thing we should do is have a budget that functions correctly and that we can give our workers what they need to do their job. I mean this is a great example of why we don't need to go out and hire people and not worry about the budget. We better look at the budget and get the workers what they need instead of just blowing it on more employees.

Mayor Cury- Thank you, Doug. Does anyone else have any other comments?

Rick- I do. Over here it says that the maintenance on this vehicle was not preformed regularly. Why is that? This is one of our emergency vehicles. That should be priority.

Matt- That was prior to me getting it. That was the old administration.

Rick- We have to do better than that.

Jeff- We don't want to buy a truck and it not get taken care of.

Rick- No, this is a lot of money that we are spending, and it not being taken care of. I am not for that.

Kristen- And there are no grants available to help with this?

Matt- No, this vehicle was bought on a grant. They give out very few of these grants because of the use and misuse of these type of vehicles.

Seth- Did you have anything in your budget this year for this?

Matt- No, we didn't think we would have to replace it this soon. We were trying to make it last as long as we could.

Seth- John, where would we have to get this money from to replace this vehicle?

John- I don't know. We would have to look into it.

Seth- I don't think any of us are against purchasing a new vehicle. We just may have to do a blended strategy and repair this one until we can get another one in 2023. I am in favor of us buying a new vehicle. You obviously need one, we just need to let John look at it and see where

he could get the money from. Maybe from another department that we have budgeted for something else that could wait a little bit. If there is a way to get the money from somewhere in the budget, I think we need to do it.

Doug- Wasn't there another vehicle in the budget?

John- There was another truck in last years budget that we ordered hoping to get it this year, but its not coming until next year.

Seth- Is this going to be the same way? If we order it now, will we have to wait until next year to be able to get the vehicle?

Matt- The company that I got this quote from J&H Chevy in Richmond they had 3 on their lot, but when those vehicles are gone, we would have to order one and wait until it came in.

Laura- Can we use ARPA money for that? I mean I know it's not ideal.

John- Essentially the money, hopefully over the next six months won't be ARPA money, it will be freed up funds in a balanced reserve. So, it can be spent however council chooses.

Laura- Being that this is for Rescue, could we do that right now? Could we take it out of the ARPA fund?

Michael- I'm not as up on the ARPA money, I think Brad was looking at that. So, I would have to look into that. I was thinking that the ARPA funds were used as lost revenue for salaries for last year.

John- And the auditors are working on helping us get all that lined up so then it will be freed up as a fund balance.

Laura- So, how and I'm genuinely asking you, how were we able to take \$25,000 from our ARPA fund and use it for Pop-Up Richlands? We are sitting here with a rescue captain who can't go in reverse.

John- Essentially, we are taking the ARPA money and spending it on salaries. Then the money we have in the budget for the salaries is now freed up. So, that's where that money came from. It is no longer ARPA money at that point. I just try to not call it ARPA money, so we don't have to go through those restrictions.

Seth- So if that's how you are going to find it. If you had those funds available to do that in the budget, then I don't care to make a motion to approve the purchase of a new vehicles.

Laura- And I will second the motion.

Rick- So there is already a vehicle approved to purchase in this year's budget?

John- For the fire department, it was supposed to be purchased last year.

Seth- It has already been ordered, I am assuming?

John- No. it has not been ordered.

Laura- Is his functional Heather?

Heather- He is driving it, so I assume so.

Rick- I know everyone wants a new vehicle, I mean I do too.

Heather- I don't think that's the issue. I mean I think that the problem that Keith will possibly run into is even if he does purchase one currently, then we will not get it until our next budget. Even though we have got it in there.

Rick- Can we move that money to purchase this vehicle since it is sitting in Richmond?

Heather- I mean I couldn't just automatically do that.

John- We would have to do a budget amendment.

Heather- So if that is the direction council wants to go then we would have to do a budget amendment just like we did with this one.

Seth- At the same time go ahead and order that one for next year, if that's the case.

John- We can do that. We will bring a budget amendment and put it in the consent agenda for next month.

Laura- Or if you wanted to use ARPA funds or however you guys are doing it.

Seth- I make a motion to move forward to purchase this vehicle for the Rescue Department at the discretion of our Town Manager and Finance Director figuring out how we are going to do that inside the budget. Whether it is moving funds from the existing vehicle or funds from these other funds. Laura seconded the motion.

Mayor Cury- Okay, does everyone understand the motion? We have a motion and a second. Do we have any discussion?

Doug- Okay you all just made my point that I've been trying to get across all night. See how hard it was to buy a vehicle for the rescue? Yet we were sitting here 15 minutes ago talking about hiring a person and paying \$47,000 for an Economic Developer. I mean that makes no sense at all. We should be buying for infrastructure, like vehicles for the police and for things that we need before we add personnel that we can do without. I mean that's my take on it.

Jeff- My only concern is like when we talked about. I mean I don't mind spending the money if it is going to be taking care of.

Laura- There needs to be accountability with the maintenance.

Rick- I'm with Jeff. We need maintenance records kept on all your vehicles. I mean that one and the fire department both is going to have to start keeping and turning in their maintenance records. If it happened once, it could happen again, and they will be back in here wanting another one. I don't care to buy one but when we buy something, we need to start taking care of them.

Laura- The Town Council used to have the department heads in here every month giving reports and at some point, that stopped. So, if you wanted to bring the department heads in every month

and have them be responsible for that. If at some point, we are seeing that they are not doing that then council can deal with it.

Mayor Cury- Matt, I think what members of council are saying, are you accepting the responsibility personally to make sure this vehicle is looked after?

Matt- Oh yes.

Mayor Cury- Okay, thank you, Matt. 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 Water Treatment Plant Repair Discussion.

John- So, I spoke to some of our water guys, and they have had some equipment start to have some issues. They are working on getting some quotes and trying to find ways to not replace some of that. I was hoping to have some of that information present, but they are still working on trying to get together on a proposal. Essentially, they have had a couple valves that are not working and when they are coming in the next morning, it is causing several hours of work just to get back to being able to operate. So, because this is costing us money, time and production, I think this is something that we need to discuss. Even if we are holding off on the major project, I think we need to start doing some small repairs, even though it might be a little expensive along the way to make sure we don't get to a place where we are losing more money than the cost would have been. Especially with the delay, right now if we were to order some of these parts, we are looking at six months to a year.

Mayor Cury- It is necessary to maintain the water plant which supplies us with potable water.

John- So hopefully I'll be able to get some more information at our next meeting.

Mayor Cury- Thank you, John. Does everyone understand that? We want to be able to drink our water.

Next, we are on Charter Change Discussion (Mayor, Ordinance, and Term Limits)

In our packets we have the Resolutions that were passed by the council along with a copy of the charter. These are up for discussion.

John- So, essentially these are the three that were approved by the council several months back. We were not able to get them to the General Assembly in time for them to consider these changes. There were other changes considered that the council discussed. Laura asked where we were on this, and I told her, and she asked if we could start up that discussion again. So, if there is something we want to bring back to the General Assembly, this is the process.

Mayor Cury- Thank you, John.

Laura- So, like John said I was the one who requested this to be placed on here. As the process happened, I was here on the other side of the podium speaking about it as a citizen. I believe it went very quickly. There were some changes that were made that between the public hearing and then the passage of it all and everyone who did speak on it, citizen wise, were against most of

everything. So, because it did not go through the General Assembly like we were told it was going to, I think we need to hold off on the charter changes. I think it is such a big deal, but the charter changes need to be taken a lot more slowly. If this is something that the council wants to do in the future, but for right now, I am making a motion to resend Resolution R-2022-01-01.

Mayor Cury- Okay there is a motion on the floor to resend Resolution R-2022-01-01.

Doug- I seconded that motion.

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

Michael- And that is the charter change for term limits, correct?

Laura- Yes, and I plan on doing these resolutions in three separate motions.

Seth- So, what is the issue with term limits? I think term limits are necessary.

Laura- The only issue with me was with how quickly everything moved along and some of the wording in it. I think there might be some other things in a charter change that we want to change. Just somethings that the citizens have brought up and somethings I have been talking about in council about employees working for the town at the same time as being on the town council. Stuff like that and I think if we are going to make charter changes, this is not something we need to be doing frequently. So, if we take all of these off of the table right now rather than taking one to the General Assembly right now and then taking another one in six months. Let the current council or the council coming in January discussed if they want to change the charter and what changes they want to implement and holding off on doing these at this time.

Seth- I wouldn't want to vote on any charter changes seeing that I'm just going to be on here till December. Since you have a new council coming in January, could you not just table these until January? Then change whatever they think is necessary. I don't see anything wrong with this but here is my question, let's say on the new council that everybody agrees that this is a good resolution, but if you decide to resend this now then you are going to have to have another public hearing and have to go through the whole process again.

Laura- It is basically going to have to happen anyway because the vote that was taken was to push this through the General Assembly last year.

Seth- I understand. So, we are going to have to redo this anyways.

Laura- We are going to have to do that anyways because that General Assembly session ended and a new one is getting ready to pick up and they are going to want the new resolutions.

Seth- I just wanted to understand why we were doing what we were doing.

Jeff- So, we can't put this year's Resolution into next year's Resolution?

Mayor Cury- We could, Jeff. It just depends on how the vote goes. There is a motion and a second.

Jeff- As the current Resolution that we have passed, since we didn't get it to the General Assembly last year, can we take it to this year's Assembly.

Michael- If you wanted charter changed, you would need to do that before January when they go into session. So, we had submitted that to Delegate Moorefield, but it was after the time that they had set everything for the legislative session.

Jeff- So, is he going to present it for next year?

Michael- I am unsure if he is going to present it or if we would need to restart. I think it would be appropriate to resend if that is what council's desire is.

Laura- I think if we are going to do that, they would want a more current motion not something from last year. I think we need to wait until January and allow the new council which would be a more permanent council to make that motion then.

Seth- Well you have a good framework and maybe not reinventing the will.

Laura- That is right.

Kristen- If we waited until January and presented it then, then nothing would happen until the following year, correct?

Michael- They start in January, so if you did want changes, I would suggest having it ready to present to Delegate Moorefield and Senator Hackworth before January.

Laura- But in all honestly, the timeline to submit new things to the General Assembly has already passed or at least coming upon it.

Kristen- Could these be pulled back in January if they were left alone before they were presented?

Mayor Cury- It could, by the council. Whether or not it could be introduced in the General Assembly by Senator Hackworth and Delegate Moorefield. I worked with Delegate Moorefield over something that was not council related and he wanted it in by October. So, to answer your question, January is late.

Kristen- Right. So, if we table these for now and leave them where they are, then in January, he could present them the way they are, but if we resent them, we have to start completely over and we are looking at two years out. Even if the new council thought these things were reasonable.

Doug- I just think we need to give the new council their say in it.

Kristen- That is what I am saying, even in January if the new council didn't agree, then we could contact Delegate Moorefield and Senator Hackworth and say we need those back.

Doug- I think if they were ready to present, then January would be too late. I think in January, we would have a full new council and we should take it kind of slow. I am for term limits also, but these were kind of hurried and I think the new council should have a say on some of these.

Jeff- How were they hurried?

Laura- They were just rushed through the whole process after you guys made some changes to them. We didn't get to have another public hearing about them. So, if a citizen was concerned about something, they didn't have time to speak.

Jeff- There were like three public hearings on them.

Laura- No, there were only one. You had a public hearing and you guys made some tweaks to it and I asked over and over for another public hearing and it was never granted. Under the premise, we had to get it in so that it could be affective July 1st of last year, which didn't happen. I just think the new council should get to decide whether they are fine with these changes or if they want to change something else in it. Changing the charter is such a big deal, it is the founding document of this town.

Rick- Has anyone ever changed the charter before?

Jeff- Yes, John gave us a paper of all the changes that has been made. Doug, I think you were on there the last time the charter was changed.

Mayor Cury- Everyone voted yes.

Jeff- See Doug, you voted yes. You have changed the charter before.

Mayor Cury- Okay, I would like for us to move on. There is a motion and a second. Is there any further discussion?

Seth- Since there are three different Resolutions, if we are all fine with the term limits, why don't we go ahead and send that one on to the General Assembly and then maybe hold off on one of the others, if we do not agree with something in the other Resolutions.

Laura- If council wants to move forward on any of these Resolutions, just to be on the safe side, we do need to have another public hearing. The motion that was made last year was to submit it for last year's session. That session has come and gone, so we need to make a motion to submit it for this year's session. They can't just pick it back up without a motion for this session.

Jeff- My motion last year was just to present it to the General Assembly. That is why I was asking Michael, if we needed to make a new motion or if they could just present it this year.

Michael- The motion that was made last year was just to present. I would have to reach out to Delegate Moorefield or Senator Hackworth and find out if they would need a new motion to be able to present it this in this upcoming session. I haven't had any contact with them on whether they plan on presenting it or not. That would be up to the council's discretion on whether or not you would like me to reach out to them and ask them to present it or table it.

Laura- Mr. O'Daniel have you had any contact with Senator Hackworth's office?

John- I spoke with Tom, it was my understanding that they did not plan on resubmitting it unless they got direction from council to do so. I don't want to put that in as official, but that is what I recall from our conversation. If I would have known we would be going in this direction, I would have gotten it in writing.

Mayor Cury- Okay, we have a motion and a second. Is there any desire from Laura or Doug to resend their motion to consider this a different way?

Doug & Laura- No.

Doug- Why can't we resend them, and the new council can act on all three of them? I just think they were hurried. I am not against term limits; I just think we need to let the new council decide on what they want to do.

Mayor Cury- So, Ms. Mollo you want your motion to stand?

Laura- Yes.

Mayor Cury- Doug, do you want your second to stand?

Doug- Yes.

Mayor Cury- Okay, if there is not further discussion, I will ask for a roll call vote, all those in favor of the motion say yes. All those that oppose say no. Roll call- Doug- Yes, Jeff- No, Rick- Yes, Kristen- No, Seth- No, Laura- Yes. -3/3.

Mayor Cury- Okay, there is a tie, and this is a motion to resend. I will vote No. Motion fails- 4/3.

Laura- I make a motion to resend Resolution R-2022-01-02. Doug seconded the motion.

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

This is about the duties of the Mayor and Vice Mayor.

Doug- I think it would be hard for the Vice Mayor to conduct an unbiased meeting and still have vote on the motions.

Jeff- I don't understand what you trying to say. Basically, if the mayor is not here, we have to have somebody that runs the meeting. If the mayor is not here, then it is the Vice Mayor that conducts the meeting and they do not get a vote.

Doug- It changes the whole focus of the meeting. Unless it is a tie, the mayor does not get a vote. That gives the Vice Mayor more power she can vote anytime and run the meeting. You cannot run an unbiased meeting.

Mayor Cury- Let me make a suggestion. We have various opinions, and they are all being respected by the office of the Mayor. That being said we have a motion and a second. I will ask for discussion one at a time and I suggest that each person contain their discussion to one time only. Who would like to speak?

Jeff- I have already spoke, that was my one time.

Mayor Cury- Thank you, Jeff. Doug, would you like to speak?

Doug- Can I save mine to last?

Mayor Cury- No, we are going to go in order. I can't hear if everyone is speaking all at once. So, you may go ahead.

Doug- Someone who runs the meeting cannot be unbiased because they can portray that meeting and they can make certain statements that would change votes. The Mayor or Vice Mayor can focus that meeting in a different direction and I think it would be biased for them to run the meeting in a way to focus their votes on what they want the votes to be. That is why you don't get a vote unless it's a tie. That is why the Vice President of the United States doesn't get a vote unless it's a tie. There is a reason for that because they run the meeting and common sense would tell you if you were running that meeting, you can change the direction of that meeting and sort of be biased in your opinion and then you turn around and vote the way that you focus that meeting.

Jeff- But the Vice Mayor wouldn't get an additional vote. It would just be their vote as a council member. It would be 3/3, the motion fails. It doesn't pass. If we are going to continue to do this, like I said, why don't we just move it forward with more public hearings to discuss these. If that is what we want to do or if that's what pleases the council members to do. If they want more input from the public that's fine with me.

Laura- I'm good with that on the term limits. However, on this one part of what I really disagree with was you guys took out the fact that the Mayor is not a member of council. That is going to be very confusing with the term limits. I mean you guys simplified it before it came into this final resolution. The acting Mayor would get two votes if it were a tie they would vote once as a council member and once as the acting Mayor.

Jeff- No, we are elected as a councilman.

Laura- Am I incorrect? If I am incorrect, someone please tell me.

Jeff- That is what Brad told us. They would not break the tie. It would be 3/3, the motion fails. If Rod is not here and I am the acting Vice Mayor, I vote and it's a tie 3/3, the motion fails. I don't get to vote again because we don't have the Mayor here to break it.

Laura- So, is that the language of this resolution?

Jeff- Yes, because there would never be a Vice Mayor. No one would ever take it.

Doug- I was a Vice Mayor for 10 years.

Jeff- But you wouldn't take it. Mary Ann asked you to take it and you wouldn't take it because you thought you would lose your vote.

Laura- Are we ever going to run into a situation where the acting Vice Mayor would come in and say, I'm not voting I am just vetoing. Because voting and vetoing is two completely different things.

Mayor Cury- The charter says that the Mayor or Vice Mayor cannot vote on Ordinances and Resolutions.

Michael- On a Resolution or Ordinance you have to have 4 votes anyways. So, it would fail regardless.

Laura- I asked a question earlier and the attorney started to answer and got interrupted.

Michael- So, my understanding, they would get their original vote as the Vice Mayor because they are a member of council, but they would not gain an additional vote to break a tie. I think we are just rehashing something that is going to have to be voted on again anyways. I just need some direction on whether or not I am going to present these charter changes to the General Assembly.

Laura- So, would it be better for me to resend my motion and us vote on whether or not we are going to send this to the General Assembly.

Michael- Yes.

Laura- Okay, I withdrawal my motion.

Doug- I withdrawal my second.

Laura- I make a motion to hold off on presenting Resolutions R-2022-01-01, R-2022-01-02, R-2022-01-03 to the General Assembly. Doug 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- No, Rick- Yes, Kristen- No, Seth- Yes, Laura- Yes. Motion carries -4/2.

Mayor Cury- Next, we have Electric System Discussion/Update. Okay, John, would you like to speak to this?

John- Essentially, we sent out information and I haven't heard back on anything. I don't know, Seth if you have heard anything recently from them?

Seth- Mary called me today actually. So, one of the things that they have asked that we do is if we could have our legal counsel look it over. I told them I would bring this up at our meeting tonight. We would need everybody to give their permission to do it. John has a copy of everything that they have sent to AEP. AEP would like for you to review the contracts and also to involve Blue Ridge into discussion. We just to see you know if we were to sell to AEP what does that look like. However, they want us, from our perspective, to have our legal counsel say if we did this then X would happen, or Y would happen or whatever it is. Do you mind doing that? You can call me when you get into that, and we can discuss it further. What she's wanting us to do is to come back to them with a response from how we view this legally. If we withdrew from these contracts, this is what would happen. It could take six months or a month or whatever. Just so they can enter that into their equation and then they can get us an answer. I relaid our last conversation from the last meeting that we have two major things that are in limbo until we know what their answer is. That is the truck and the battery storage project and I told him we really need to get some information back before September meeting if at all possible. So, if we can make this a priority if council and the Mayor is okay with reviewing the contracts with Blue Ridge and I guess AMP and whatever else it is.

John- Yeah, I can do that.

Seth- Just see what it would look like for us to pull out of that and that kind of thing. They just want to make sure they understand everything.

Doug- Okay, one question. I don't think it's a question if we withdraw because we own and that's going to really be a tickly situation because we own part of those plants. We own like 2% of 1 so you just can't withdrawal.

Seth- Right, but the question is where can we sell our capacity. With kind of agreement it would have a place if someone was to exit this agreement you either have to sell your capacity or whatever that is or the other question was are they transferable? Could these things be transferred to AEP. They just want to understand from their legal end of it what does this look like if this does take place.

Doug- Okay, there is another problem. If we sell the electric system, there are lean months in the budget. We are a million and 1/2 in the hole. The only way that the budget survives is it floats on that reserve in the electric and they true it up at the end of the year. So, there would be lean months that we could have a problem with payroll.

Seth- The difference is we are going to have a big pool of cash if we sell the electrical system. There will be a reserve.

Doug- Let me ask you this, six years ago we had a \$1,500,000 to \$2,000,000. I don't think governments have ever been good at taking care of the reserves. Everyone spends it and in six or seven years they will spend that reserve. If we don't have an electric system to fall back on to make the budget, what are we going to do? I mean I have been here 20 years and we still haven't figured out how to get Matt a truck or I am ashamed when I see town workers run these trash trucks that are about to fall apart. I'll just tell you how I feel. I know I'm probably in a minority but if the electric system is reformed and run correctly and not taking \$500,000 - \$600,000 a year off the top of it then it's a God sent to Richlands. If we sell our gift that only a few communities in Virginia have. I'll be long gone, and the next council will come in here and waste what we got. I don't trust future councils anymore then I have trusted the last 20 years of council. They are not very good stewards.

Mayor Cury- Doug, I will ask you in a simply question. Are you doubting us selling our electric system?

Doug- Yes.

Seth- This is a future discussion. All we are doing right now is trying to figure out if it is possible to sell to AEP.

Doug- I have studied our electric system for years and it makes money. We just spend it wrong. It makes over \$1,000,000 a year and we waste it. It is a money maker if we had a council that would take control of it and run it correctly.

Kristen- I thought when we talked to the Battery Storage people that they had to have a discussion by the end of August.

John- That is part of our next discussion. I am going to try to schedule some workshops and start from the beginning and figure out what we need to do. If we schedule a meeting in a week or two hopefully, they will have their figures in line and be able to give us some more answers. You

would also have a little bit of time to think about it before we had to make our decision at our next meeting.

Mayor Cury- John, would you like to set a date at this time?

John- We have three different workshops, and I am not sure that we could do all three in one night. I think we could do the electric system and the property on Iron Street in one night. Then wait and do the dispatch discussion another night.

Mayor Cury- What dates were you looking at John?

John- I was thinking the 23rd or the 25th. I was trying to give Blue Ridge and GDS two dates in case one didn't work for them.

Mayor Cury- I think everyone is good for the 23rd at 6:00.

Do you want to go ahead and give us the update on Iron Street or wait until the 23rd?

John- I can give you the update now. I received a call from DEQ. The current owners are planning on moving forward go ahead to do the additional soil removal and replacement property. They will have done everything that is required of them and then there are some potential grant funding and things that we can do to make sure that site is good for a business to go there. I believe that after they do this last sediment issue that they will have a seal of approval from DEQ to be able to use that property. I wanted to bring them in and let anyone ask any questions. It has been a while since we talked about that property. The new owners are potential looking at giving that to the Town, but our concerns were the environmental impact and ensure all the requirements were completed. So, I think some follow up discussion and bring up everyone up to speed. I think we have been working on this property for 13 or 14 years. So, I think it be a great property for economic development or something to eventually go there.

Mayor Cury- Okay, are we ready to move on?

Michael- Real quick, is it council consensus for me to start looking over the contracts with the electrical system.

Members of Council- Yes.

Mayor Cury- Okay, Dispatch discussion. Do you want to set a date for that?

John- Dispatch is something that we want to look into moving to the county. Jerry and I have had some discussion about what some of those changes will look like. They have also put a freeze on hiring people at the police station until we decide what we are going to do. I just think we need to all sit down and have discussion about it and what that transition will look like.

Mayor Cury- Let's talk about a date for the dispatch discussion.

Laura- I am fine with the 23rd. id say let's just do it all at one time.

Kristen- Yes, it can't be no longer than a council meeting.

John- Okay, can we pick a back-up date in case Blue Ridge and GDS can't make it on the 23rd.

Mayor Cury- Okay, what is another date that would work for you guys? Is the 25th, at 6:00 okay?

Members of Council- Yes.

Mayor Cury- Next, we have Executive/Closed Session Pursuant to VA Code Section.

Jeff- I make a motion that we go into closed session pursuant to VA Code Section 2.2-3711 (A) (1) Personnel. 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- We are back in regular session. I will entertain a motion to return to regular session.

Laura- I make a motion that we come back into regular session. 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- Next, I would ask council to make a motion to certify that the entirety of the conversation was precisely to observe the Executive/Closed Session Pursuant to Virginia Code section 2.2-3711(A)(1) -Personnel. In doing so you are certifying that nothing was discussed other than the business at hand. Is there a motion for that?

Laura- I make a motion that nothing was discussed except for the business at hand. 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, members of councils. Okay we shall move on to our next order of business. We are on Town Manager Report- Year End Reporting Contract Update and Miscellaneous. John?

John- Okay, so I have the year reporting contract. I mentioned this a couple months ago, we put it out for bid, and we only received one bid that we felt was extremely high and some from somebody that we didn't feel was qualified to do the job. I have two copies of the new proposal. I have tabbed what their cost is. They just put an hourly cost in there because it depends, and each place is a little bit different. Then up to the second tab is the other municipalities that they currently work for and there's a list of them there that are all the municipalities near us that we can easily compare ourselves to. Heather reached out to several of them today and their cost on the year end reporting is usually \$25,000-\$30,000 depending on how much they have going on. That is for the first year then it drops after that to \$20,000-\$25,000, but that's kind of what we are expecting on this. This is who our auditor also recommended because they are used to working with them on other audits for these new municipalities. So, I wanted to get a consensus from

council to move forward with this so we can get that taken care of. So, they can start closing out the audit and getting that ready to present.

Kristen- Who has been doing this for us?

John- Adrienne did it for us last year and then before that I believe she did it as part of her duties as Finance Officer, but this was something that we knew was going to come up, we were just trying to put it off as long as possible. She didn't have the time to do it for us this year.

Kristen- What is the expected cost?

John- We expect \$25,000 to \$30,000. Heather called and talked to some of the other municipalities on that list and that's what they said for the first year because I think the first year, they have got a little more work to get it you set up and then hopefully the next year it is not as much. Some drop up \$5,000 to \$10,000.

Rick- So, how much does the audit cost?

Heather- Basically from everybody that I have spoken to says you are looking at anywhere between \$15,000 to \$20,000. Just for your regular audit and then you have another \$15,000 to \$20,000 for them. So, might most people budget around \$40,000- \$50,000. That is locally that uses these same two people.

Mayor Cury- Just some quick glance it looks like everyone around us uses this firm. John, do you want a motion of this?

John- Yes. Just some direction.

Seth- Mr. Mayor, I make a motion to hire Hicok, Brown & Company to perform this audit. Laura seconded the motion.

Mayor Cury- We have a motion and a second, any further discussion? All those in favor of the motion say yes. All those that oppose say no. Roll Call- Doug- Yes, Jeff- Yes, Rick- Yes, Kristen- Yes, Seth- Yes, Laura- Yes. Motion carries -6/0.

Mayor Cury- Thank you, John. Did you have anything on miscellaneous?

John- It was already mentioned, but I did want to tell everybody that we did receive \$105,000 grant for doing small business revolving loans for those businesses. Originally, we applied for \$75,000 but we applied in a year that they didn't have a whole lot of solid applications. So, we were able to receive additional funding for that. So, that is something we are hoping to get the ball rolling on. We plan to work with Mary Ann because they do a similar program. We just want to see how they do it and what their requirements are. We are not trying to reinvent the wheel on that, but it is a new program. We are excited about trying to help some of our small businesses that maybe more difficult for them to find financing for their small businesses.

The last thing, I mentioned earlier is we have had a lot of transition and turnover if there is ever anything on the agenda or comes up that you are caught off guard or not aware of what is going on just shoot me a text or an e-mail and I'll try to bring you up speed or i will have it represented.

Doug- The revolving loan, how does that work?

John- So, essentially a business may need \$5,000 for inventory and they can't go to a traditional bank without paying 10 %-15% interest. We could give them a loan at 3% interest. They would borrow the money from us, and as they repaid it, it would go back into that fund to go back out and be reloaned. Essentially, this is the nest egg to be able to give those small business their loans and help those businesses through those times where they need more inventory and just don't have the capital.

Doug- So, if they don't pay it back, who is responsible?

John- The individual. So, the way Mary Ann does it, it is attached to the individual versus the business. So, if the business files bankruptcy it falls back on the individual. It is more like a personal loan. However, I'm not in banking but that is what I understand how Mary Ann does it to make sure it goes with the person not the business.

Doug- Have they ever had a lot of defaults?

John- I think Mary Ann had one in the last 5-10 years. I don't know how long they have been doing this.

Doug- Who is going to be in charge of this?

John- It was going to be to Economic Developer, but I don't know we will have to figure that out with our discussion on the IDA/E/IDA.

Seth- I talked with John about this and he was going to get the parameters that Mary Ann uses for their program. No sense in reinventing the wheel since they have been doing it successfully for many years. So, basically it is simplified, if you meet A, B, criteria then John can approve or the IDA or whoever that proving body is can approve them for the loan. You would set two dates or one day a month and all applications have to be received by the 10th of the 5th or whatever that is before the meeting then he can give the recommendations and the IDA can approve them.

Doug- Can we have regular updates with the council?

Seth- Yeah, I think you could he would just roll that into the next council packet and say we approved these loans or whatever because it is all public knowledge. We had a similar revolving loan fund on Cumberland Plateau, and they still used it. It is for larger dollars and sure you are going to have defaults but every bank in this town people owe money to. However, that is not the main focus. Like he said if they had one default in 10years, that is pretty good. You are trying to help people who are in business to be able to do some things that they may or may not be able to do. Most people are appreciative enough of that to make the payments.

Mayor Cury- Okay, thank you everyone. Does anyone have any further questions? Next, we have Attorney Comments. Michael?

Michael- I received an e-mail to look into a property for an easement electric ride away. I haven't had the ability to do a full search on that. I did find a plat here, but I would need the time to do a full-on title search. It sounds like there is a request to move a power pole. Is that correct? Where Shoney's is at.

John- Where Shoney's is there is a potential business that wants to take that down or rebuild a new structure and they need their electricity to be running from the back versus from the front. We need to make sure that we have the proper easements through that property to that pole that is already there. In our little bit of a search, we were not able to determine for sure. So, before they spend a whole lot of time and money. We need to look into it and make sure we do it properly. Essentially, y'all wanted council's approval to move forward with that.

Seth- If you have to you can just condemn for the easement to move it since it is utility, correct?

Michael- I'm not for sure on that one right off but as far as I know there is probably an easement there.

Seth- Okay, yeah just go for it. We need that business here.

Mayor Cury- So, do you want a consensus approval or motion?

Michael- Yeah, I think just a consensus is fine.

Members of council give their consensus.

Mayor Cury- Okay, thank you. Anything else?

Michael- I did receive back the red so the red has been filed and has been approved by the Judge for the special election. So, there will be two special elections this November as well as the normal elections.

Also, I was going to say that I did send Morgan the letter under you guys' direction. So, I assume he received that letter.

Mayor Cury- Okay, anything else?

Michael- No, that is all I have, thank you.

Mayor Cury- Okay, we are on Council Member Reports, and these are none voting items. Kristen?

Kristen- Nothing from me. I think we have talked about everything I had.

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

Seth- Same for me. I am good.

Mayor Cury- Okay, thank you, Seth. Doug?

Doug- I have two things. First thing is the road that goes up to Phillip Horton's house. Is that a private road or I've had a lot of complaints on that road.

Laura- I have had a lot of citizens contact me about that as well. I was told that it is private and potentially public to a certain extent. So, that would be something I would assume the Town Manager is going to have to look at.

Doug- Well, it is in very poor repair. If we could help him out some way if it is private.

John- Yeah, I'll look into it. If it is private, the best thing we can do is probably pay for some gravel and bring it out there and spread it for him, but I'll look into it. I'll include that in my e-mail update with a couple of other items you all have requested tonight.

Doug- Are there anyways we can turn it over to the town to maintain?

Seth- The town is a little different than the county, but I can give you that conversation anytime you want. Anytime somebody comes with a road like that we had like literally hundreds of what we call orphan roads that we took over and you are agreeing to take care and maintain that road for all eternity.

Doug- The next thing is I can understand why anyone would want to sell the electric system because it's been terrible for the citizens. The cost and we are much higher than what you pay for AEP. If we decide not to sell it, just my suggestion, I will make a motion later once we get through this that council agrees to mirror AEP's price. The same price and the same structure and I can assure you if we do that, we will make money. We won't lose it and we will make money for the shared expense plus be equal to AEP. I think citizens will understand if we have to go up or if we go down if we stay with AEP and that's the way it should be because they are regulated by the SCC. We are not. If we stay with them then I think that will assure our citizens, we are doing the best we can with prices.

Mayor Cury- Thank you, Doug. Rick?

Rick- Do we have a public access channel?

John- Yes, we do. It's 188 on spectrum problem.

Rick- People have asked me and I didn't know what to tell them. I have one more thing. The sewer lines smoking, where are we at on that?

John- I believe they are done now.

Rick- We are done? Okay. because if you have to do it again, please notify the people because they are getting calls to 911. I know that if 911 gets a call, they have no choice but to go out on it and that can be a costly trip when nothing is wrong.

Mayor Cury- Thank you, Rick. Laura?

Laura- I have a couple things that I told people I would bring up. One was the Cliff St property another concern is on Mason St. It is completely blacked out. They don't have a streetlight. They asked a couple years ago, and we were told that this couldn't or wouldn't whatever the case was put a streetlight up there. If we could look at the possibility of that. Another citizen asked about the trash and the junk cars on Buschel Ave and the enforcement on that. One citizen asked me to bring up the there's a section on Plantation Drive in Hidden Valley that is very narrow, and the town has never maintained it because they have had a hard time paving it and it is in pretty bad condition and citizens feel like if they are paying the taxes, everybody deserves the same equal services. Which also brings up paving on 609 which is on Kents Ridge that road is in horrible condition. The sides of it are not even being patched at this point. At some point, in the past, there was like a paving schedule. I don't know if paving is being done right now or what the deal

is. I know it's impossible to pave all the roads at once but even to take sections like with the paving schedule and help people out. The last thing for the citizen concerns was the brakes on the trash truck are bothering a lot of people especially early in the morning. I'm not sure if you guys hear it but it sounds kind of like an airhorn going off when they come down the street. My concerns, I had a question about the town website. before you were here Mr. O'Daniel, there was a donation of some sort for the town website to be updated and it was never done. I don't know where, who, what, when, where, or why.

John- I know that Ashley was working on that before she left. They were working on it through the county.

Laura- If we could find out because the website is not very user friendly. Also, I had asked about the amount of accounts that the town currently holds. A couple years ago in a yearly audit, there were less than 10 and the town council at that time were told that that was to many accounts. Now we have 25 and some of those accounts I know have to be separated but what can be consolidated I think we need to look into consolidating. So, that it is easier to keep track of everything. The last thing that I have is a couple weeks ago there was a ribbon cutting for a new business, I was not made aware of it until the morning of by private citizen. I would have loved to have been there, but it was done on such short notice. So, if you could give notice to the council prior to these ribbon cuttings, I'm sure you would see more of us attending. Thank you very much.

Mayor Cury- Thank you, Laura. Jeff?

Jeff- Yes, I have a couple things. I wanted to say how excited everything was about Saturday, July 30th. The Don't Stop Believing 5K had around 100 participants. The 5K-10K started right at the section house and I would like to say thank you to Jerry Gilbert and all his staff for helping us organize it, plan it, and make sure all the runners and walkers were safe. I thought it was a great turn out, and a got cause to support Saint Jude Children's Research Hospital. Later that night, Ramp-Up Richlands put on the 1st annual Rock the Clinch, and it was overwhelming successful. People are still talking about it and we had a great time down there at the Police Station. I just had a fun night, and everybody was just ecstatic about it and I thought it was great success. It sortof set us up to move forward next year to have it bigger and better hopefully. So, we are looking forward to that and want to remind everybody about the Back to School Bash this weekend. It is Friday, Saturday, and Sunday. There is a free movie on Friday night at the Greenway. Then Saturday at Critterville, there will be backpacks. I think there were volunteers down there tonight packing the bag. So, I want to appreciate all their help and all the hard work that they put together this.

Mayor Cury- Thank you, Jeff. Next, we have Mayor Comments. I just want to say, I was out of town that weekend. I had a vacation plan with my family. We had a great time. I did see on Facebook lots of pictures and I was very pleased that people participated, and it seemed like quite a variety of ages that participated. We are very pleased that they wanted to have it there and they made a concerted effort to have a display of race T-shirts and things there to go along with this. I have had a lot of compliments on the concert, the Journey Tribute Band. People have talked to me about it a lot. So, I want to thank all those who supported it because town events are

important. Obviously, I don't know when the next one is. I guess it would be the fall festival. Is it scheduled?

John- I don't see anything on the calendar for that. After the Back to School Bash, I guess it would be the Honey Festival or the Christmas parade. However, there is nothing unless Ramp-Up has something on their calendar.

Mayor Cury- Okay, well I appreciate that. We have traditionally had something the past two or three years in the fall and I just wanted to check on it.

John- I know there was a community organization that did last year but there's nothing the town sponsored.

Mayor Cury- Thank you, John, and one other thing, one of my former students who's an employee at food lion, after we passed the ordinance about Recreational Vehicles, every time that I am in there, he wants me to give him a copy of the ordinance and I am reluctant to do that. I said you can read it online, but it wasn't signed until I could get over here after my vacation do it. So, I will be glad to supply him a copy. He wanted me to send it to his Facebook Messenger and that's just not my way to communicate. So, do we have a signed copy on our website? Or on our Facebook page? So, could you ask our administrator to do that? I don't mind at all to do it and he's a super young man and he said I cannot wait to ride my dirt bike in the mornings to work.

I just think that we are going to have to tweak a whole lot of things here, but it is not my place to do that. I would appreciate the clarity. I also had a request for paving of Kents Ridge Rd and I've relaid that to the manager prior to tonight's meeting. So, do we have any further business to discuss tonight? We have a workshop coming up on the 23rd maybe the 25th pending on a couple people's schedule. Our next regular schedule meeting is September the 13th at 6:00 PM. So, if there are no further business being brought before this council, I would ask for a motion to adjourn.

Rick- I make a motion to adjourn this meeting. 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.

Adjourned!!

Rodney D. Cury, Mayor

Rebekah Hackworth, Clerk

The Richlands Town Council held a “Workshop” on August 23rd, 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 Woods, Kristen Thompson-Whitt, Seth White, and Laura Mollo.

Town Attorney: Michael Thomas

Mayor Cury opened the meeting.

Kristen Thompson-Whitt gave the invocation.

Mayor Cury led the Pledge of Allegiance.

Mayor Cury- We have before us the agenda and there has been a request to alter the order of the agenda, no deletions/additions to the agenda just alter the order. So, I will entertain a motion to do so.

Doug- I make a motion to move the dispatch discussion to the first part of the meeting instead of at the end. 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- First up, we have the dispatch discussion. John, would you like to introduce that?

John- So, there is a memo being passed around. Essentially, we need some kind of direction. From what we are hearing, council wants us to move in the direction of having the dispatch go from the Richland Police Department to the Sheriff's Department and be handled by them. This isn't a quick process, so we wanted to have a timeline. We all kind of have an understanding of what is going to happen. I met with the sheriff this morning; I have this memo which is kind of a timeline of how we think things will go. We are hoping that it goes quicker but essentially if you look in here within the next three months, you would like to get a new police chief. I think it is going to be beneficial to have somebody in that position to help with this transition versus bringing them in, in the middle. However, in the next three months, we will you start doing some of the radio testing and some of the cross training of bringing some of their dispatchers down here to work with ours to help ease that transition. However, we want to discuss this tentative timeline and then we wanted to have a discussion and get some direction on what it will look like going forward.

Does council want us to keep the PD open 24 hours with someone there? They wouldn't be dispatchers but there would be some administrative staff, so that there would be somebody there if somebody comes in in an emergency. Or are you wanting to do seven days a week, 8 hours a

day or six days a week, 12-hour shifts. What is the direction of council? If we give dispatch to the county, do we want to keep those people that are there currently? We only have two full time dispatchers, so we are burning through a lot of overtime right now. If we are going to continue to keep it open 24 hours a day, then we need to go ahead and look at hiring versus if we are not, then we know to not look in that direction. I just wanted to have a discussion on this and have a timeline of what we are looking at and then figure out what council sees that it will look like down here after the transition happens.

Mayor Cury- Thank you, John. I am sure members of council has a lot of thoughts on this. We have Sheriff Hieatt here and Jonathan Hankins. Sheriff, would you like to come at this time and speak and answer any questions that the council might have for you?

Sherriff Hieatt- I'll answer any questions that you may have. Like Mr. O'Daniel said we did meet this morning and just to look at some of the different options and things. Just like it has already been said, it's a process that we are going to have to go through if we move forward with this. We also want to make sure we are doing it right and that we are doing it for what your needs are and the way that you want, and also the way that the new Police Chief would want it to be. So, we had a good meeting this morning and I'm just here for any questions or to hear from you all.

Mayor Cury- Thank you, Sherriff Hieatt. I will now open up the floor for discussion. Would anyone like to ask a question?

Doug- Could you give us an example of what Bluefield is doing? I think they only keep someone there from 8:00am-5:00pm?

Hieatt- They have two people that they keep there, and they are open 6 days a week from 8:00am till 6:00pm. They decided to stay open a little later in the evening for people when they get off work in case, they may need reports and things. Then on Saturdays for people who may be out of town during the week and things like that. So, they decided to do 6 days a week at a little longer hour as opposed to the Town of Tazewell, who does 5 days a week and just the 8 hours a day.

Doug- Okay, can you discuss, if we had no one there at night, can we get a box or something that would have a pager in it that someone could use to call 911 and have a police officer there in 1-2 minutes?

Hieatt- We talked about that earlier today, and none of the other departments had that. Bluefield talked about it, and I don't know what the reasons were on why they decided to not do it. I don't know if they decided that it wasn't wanted or maybe the price was too high, but Southwest College has just put in some boxes throughout the college, about seven of them, that when you push the button, it connects you to 911 and it's over the speakers. So, the 911 dispatcher says, "may help you?" and then they can say they need help or something like that. Then they dispatch out to wherever that box is. The Chief of Police at Southwest College said he would be happy to give us the company and any information we needed if that is something that the Town would want to look at. However, if that was put in place to me that would be the same as someone walking in the doors and someone inside hollering to a police officer. Now the time frame could be depending on what's going on in Town. If you have a drunk driver here and a domestic situation over here, but the dispatch would go right out for that officer to go to the building, but

we are unsure of how much time would lapse because we are unsure of what would be going on at that time.

Doug- I think that is something that we make sure we have later on.

Hieatt- Okay, he said he would help us anyway he could and answer any questions we might have.

Kristen- Any idea how much each one of those cost?

Hieatt- No, I would have to ask him and get back with you all. I didn't even think about asking until we were in our meeting today.

Doug- I wouldn't think it would cost that much. Every one of my businesses, I can pull up my cameras on my phone and see what's going on and that's what I am envisioning that we do here, have a camera there and a box with a pager inside. So, we can take care of our people.

Seth- So, I'm assuming that once we get the new chief in there, then we can put a firmer plan in there with the transition and the timeline? Do you guys have any suggestions for us to help with some of the overtime? Or is it too early to be looking at that?

Hieatt- Until all of the things are completed as far as radio testing and everything being transferred over, until all that's done, if you did decide to not have anybody there in the evenings that couldn't happen until everything was completely done. As far as getting help with overtime, we have discussed a couple different options, one of them being contract labor. If you had somebody that could pick up an extra shift and they were willing to do that. We are also looking at ways we can shift some people around to try to help reduce overtime. Over the next couple months, it could add up with only having two full-time people there for the 24-hour coverage. So, we are looking at ways that we can shift people around and keep the original coverage.

John- I think it depends on the direction we get tonight from you all. We love our officers, but you could get some burnout when you are working your normal shift and then end up filling in for dispatch. Right now, I think if we could just let them know that we just need some help for a month or two. I think if you and I understand what the plan is it would help with a lot of that. We talked this morning, and we are trying to shift some people around and finding ways to cover it to reduce the cost as much as possible.

Hieatt- We just have the two full-time dispatchers and if one of them are sick or something happens then that's a lot of hours that have to be covered to keep everything going. So, we did talk about that, and we have some dispatchers, some who live in this area that are BSEND certified who might want to come in and help on a short term basis until the process gets done to help with some of that overtime.

Seth- That's probably more economical than paying overtime.

Doug- I know to keep an officer down there, it is like \$340 a night.

Laura- I think the contract labor is a good idea. I think we need to speed that up to reduce that overtime. They are already trained with the emergency dispatch. I don't see any negative in that.

I think the quicker we can do that the better. If we need a consensus or a vote. I think the quicker we can do that probably the better.

John- As long as we go under mutual aid. That is something you can look into a little further.

Hieatt- Right now, I can't say for 100% sure that we can do that with people because I wanted to wait until tonight to see what you all wanted to do before I talked to some of them. I can't say for sure that we would have people that would want to come and do that, but it may be an option that we can check and see.

Seth- Yes, please do that.

Mayor Cury- I'm trying to keep the discussion lively but also tame, Doug, did you want to say something?

Doug- Well I think we usually pay someone \$12 an hour to come and work, I think we should pay \$15 an hour. If you are making \$15 in Tazewell, you are not going to come and work here for \$12 an hour. I just think that would ensure someone to take those shifts.

Laura- I agree with you but I would think that would be something that John and the Sheriff can decide. I wouldn't think that should be something we say out loud.

Doug- Well, I'm just suggesting.

Hieatt- I think that is a good thought.

Seth- Just one more thing, can we go ahead and begin the warrants and file transfers? Because we know we are going this direction anyways, is that something we can go ahead and be working on?

Hieatt- There are some things we can be doing now like the radio checks and working on that. The first thing we have to do is send a request to the State Police because they are over the VCN and NIC and we would have to send a request to them to say that the Town has agreed, and we are moving forward to start the process of working out these things and get their approval. Those things can start now, yes.

Laura- Mr. O'Daniel would you prefer that we go ahead and make a motion to move dispatch over and you and the Sheriff work out all the details?

John- Sherriff Hieatt, would you need anything formal as a motion to get started on your end?

Hieatt- There are things we can do for a month that we wouldn't need anything formal to do that. Even if in a month, you change your mind, the process that we have done won't hurt anything.

Mayor Cury- Just to clarify, at this point you are saying that at this point you do not need a formal recommendation or resolution to get started, right?

John- Well, I just didn't know if we needed something formal to get things in place on what this is going to look like.

Mayor Cury- Okay, does anyone have any other questions for Sherriff Hieatt?

Rick- I have one. Are our radios compatible with yours?

Hieatt- From vehicle to vehicle they are not but from vehicle to dispatch, yes. We can dispatch out to all the units and their portables, yes.

That won't change no matter where dispatch is. Or how that goes won't change just because the radios are different but as far as the main dispatch it can still send out calls to the radios. Yes, that has been taken care of and it is compatible.

Rick- So, from this point on, we really need to go with the type of radios that you all are using?

Hieatt- In the future, if radios are bought and things have to be upgraded, that might would be a good move to buy the same radios that the other law enforcement has throughout the county.

Seth- We are the only agency that doesn't have that radio.

Kristen- When we had that discussion before we were talking about how there were a lot of different things that needed to be thought out. If you would have gone to Bluefield with us, you would have heard some discussion about the differences between the way their Police Station works. Their walk-in traffic is about 2 a day compared to 13-20 minimum down here. So, there are some things to think out there. I don't think one single box out there is going to work. If we are going to go to that then we need several all over Town, and I think it needs to be well publicized, so people know where to look for it at. I don't think it's reasonable to tell people that we can have a Police Officer to the Police Station in 3 minutes. As far as the Police themselves, we were talking about how we don't have the RAT packs like they do in Bluefield. We also talked about how the other places communicate a little bit better so that it bounces from their car to their radio and that we would need probably about 14 more of those at about \$2600 each. The radios were an issue. They definitely need to be upgraded. They are old, but when they were new, they were a little bit better radios then I think they are now.

Seth- Being around for a long time, the only thing that I would say to that would be we did try to get Richlands to buy the same radios when they bought them. They refused to do it.

Kristen- Were those not bought with grant?

Seth- We had it all worked out for everybody in the county to have the same radios and they did not want to do that at the time.

Kristen- Were those not bought with from a 2008 Homeland Security grant?

Seth- We had a grant that covered the entire county and they rejected and did not want it.

Laura- There was also a grant that I presented to the council, as a citizen, two years ago. It was the Virginia Information Technology or something like that. They offered to come in and help the Town of Richlands to buy new radios and the council at the time refused to do it, and we lost that grant. So, now we are at a point of how many times has the council said no to new radios but here we are. It has got to be dealt with one way or another. I don't disagree about the boxes; I think it is a really great idea to have them. We may could even have one by the post office and maybe at Critterville or something, and whatever that cost is going to look like. However, for a

year the Police Department doors were locked 24 hours a day and nobody had any issue with that. Mr. Reynolds has also been in here asking for the RAT pack repeaters, if I'm not mistaken and has been denied and given a hard time over it. So, unfortunately, we are in a situation, and it is not going to be an ideal situation but once we get past the initial costs, we are going to start seeing the benefits.

Seth- Good news is, it is a brand-new day. Let John and the Sheriff and Mr. Hankins tell us what we need, how much we need, and we can move forward with that. The savings that we're going to gain in the long run are going to far exceed any cost that we would have to spend, even if we put these boxes in. I think that is a great idea, Kristen. It is something we probably have needed for years at Critterville anyway, and some of these places after dark. So, I think we can look at all those things and I think we are willing to do what we need to do to get us where we need to be to be safer. That is the whole purpose of our Police Force, our Fire and Rescue. We want this to be the best.

If you guys could work on a list for us over the next few weeks, that would be great. You guys figure out what we need and what the pricing is on it, then we can figure out how we are going to pay for it.

Mayor Cury- I think we have had several different opinions and discussions on this. So, from what I am hearing on this is that we are going to be moving forward with the 911, it is just a matter of how are we going to do that? We cannot micromanage the details from these chairs. I would put my faith in everyone involved directly with the 911 transfer. I feel that council would be advised to leave the details to those directly involved with the transfer.

Doug- I make a motion to move forward with the transfer to 911. 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.

Hieatt- I just want to say one thing, I don't want anyone leaving tonight thinking that since we are transferring to 911 that we have to buy new radios. The radios that we have are compatible with what we are needing them to do. Also, we are always looking for new grants. We did get a smaller grant awarded to us for 8 new radios and we would be happy to use those but 8 wouldn't be enough to cover all the vehicles and things that we have. However, we are always look for new grants for things like that that would help us buy all new radios.

John- I would still like to have some direction on what this is going to look like. Are we going to stay open 24 hours or close down at night?

Mayor Cury- I would suggest that you come back with alternate plans rather than us sitting up here saying do this or do that. Because some of us want it open and some of us thinks it should be closed. I think that would be a discussion between you and Sherriff Hieatt and anyone else that is directly involved.

Laura- Heather, I would like to hear what you have to say. You look like you want to say something.

Heather- I just don't know how you want us to address this. We can't really address it without knowing what you want it to look like. Is it going to take two people, three people, or zero people.

Mayor Cury- Heather, what times? Two people or three people at what times?

Laura- I think what he is saying is you guys look at that and say okay if you're going to have one person in there 24 hours a day. You guys come back to us and say to fill that position for 24 hours a day, we are going to need eight people working three shifts... why are you shaking your head?

Heather- I don't understand why we are doing this then if that is the case. That is exactly what we have now.

Kristen- I thought they were going to find some help to try to fill in until we can...

Seth- Are you talking about in interim or are you talking about going forward?

Heather- Going forward. What do you want it to look like going forward?

Kristen- I don't know that we have enough information to make that decision yet. There is still radio testing that needs to be done, and we don't have a new Police Chief. I think for now it would be more beneficial to use some help to fill in the shift. I just think we need to think this through and do this in a nice, controlled way.

Laura- I can see both sides of this. I think what would be beneficial to me would be for you guys to come back at our next meeting and say, "if we keep this open, this is how many people we are going to need at this cost." Then come also come back with "this is how much money we would save if we closed it at this time." Then we would be able to look at it and weigh those opinions.

Mayor Cury- I think Laura and Kristen has both expressed this very well and money is very important, but safety should always be our main priority. Doug, did you have something to say?

Doug- All the other towns have kept someone there from 8:00am- 5:00pm. If you continue to stay open 24 hours a day, then there would be no reason to even go to 911. To me, that's ridiculous. Right now, we cannot keep people in dispatch, which is why we need to go to 911 and cut down on the overtime. Over the past years, we paid our officers overtime, sometimes it is \$340 for an officer to work overnight. That drains the budget. If we go to 911 like all the other towns in Virginia and run the hours of 8:00am-5:00pm or 8:00am-6:00p and have someone there not really to dispatch but to help with paperwork, and she could dispatch if she needed to. That is what you should look for in the future.

Heather- I just have concerns about the overtime. We are not running at full staff, which is why the overtime is so high. That is why I wanted to get some better direction, because the overtime is running in excess because we only have half of our Police Officers and staff.

Mayor Cury- Thank you, Heather. You are looking at it from the business side of it, and I appreciate that. All towns are different, and I think that we need to come up with our own unique little plan.

Jeff- To me, I think this is a discussion that we need to have with our new Chief. I just don't want to put the buggy before the horse. The new Chief may have some new ideas that we haven't even thought of yet.

Seth- Just to give Heather some direction. Right now, I think let the sheriff reach out and try to find some people to fill in to stop this overtime. I agree with Jeff, I think the new Chief needs to be a part of that conversation. I also hear what Doug is saying and I agree with that as well. I don't think we need to be open all the time. We were closed down for a year and everybody was fine with that. However, there are some things that are going to have to take place for us to do that. I think in the county there are probably two different models: the Bluefield model, I think they have some Saturday hours as well and run their hours maybe 8:00am-5:00pm or something like that. Okay, so then you have the Tazewell model, and they have a different model. So, I think our model may not be exactly like either of those but similar.

Heather, I don't see us being open 24 hours a day. I don't think that is where we are going. I think that whoever they put in that position, may have more duties than just answering people who walk in off the street. I would imagine that you could find a better utilization for someone's time, talent, and abilities than to just sit there and watch the door. There are other things that need to be done and I'm sure there's lots of paperwork. This role is going to be different than just a dispatcher but if we are going to have someone there during those hours, and you guys can let us know what level of education, degree, skills, abilities, and whatever else you want the qualification to be in this job.

I agree with Jeff, I think this is going to be a little bit down the road. Once we get a new Chief in and that person can begin to decide how they want things to look like. However, in the interim, don't panic. I don't see us hiring another individual right now. I don't think that is the right choice. If we can have some folks that would fill in for us until we can get all this switched over, I think that will get us through this time. Does that help?

Heather- I mean, I guess. I just want to go back to what John had said and I just want to make sure that everybody is thinking about what this is going to look like in the future. Obviously, you would want the new Chief to be a part of that discussion and decision making. However, within the three months or less time, we would still like to know, and we think the people will desire to know what this is going to look like.

Mayor Cury- I am just going to be honest, we do not know either. We can be up here saying do this or do that, but we don't know either. It is going to take some creativity on everyone's part. Creating a new scene for all of us.

John- Our main concern right now is the overtime. The longer we have to drag this out the more overtime we are going to have to pay. I think when Heather and I looked at those numbers today, it kind of brought everything into prospective. I just want everyone to understand there is going to be a lot paid out in overtime until we make a decision.

Seth- We have already given you a decision.

Heather- I understand, but we still have to have it opened until everything is settled.

Seth- They are doing everything they can do. They can't go any faster. Let me just say it plainly, Dispatch is moving to the Sheriff's Department. From the consensus I see up here tonight, we are not going to be open 24 hours a day. Does that help?

Heather- I understand. I just want you all to understand, we are going to have to continue to pay overtime until all of this is resolved.

Seth- We understand. This is not a new problem. One of the big problems that we have is we are paying over \$100,000 in overtime last year and well on our way of paying over \$110,000 in overtime for this year. This is why we are where we are.

John- Okay, I just wanted to make sure everyone was on the same page.

Seth- Sure. No one is mad. We are where we are because of the situation.

Mayor Cury- John and Heather are you satisfied?

John- Yes. We will plan on having another discussion at our September meeting.

Mayor Cury- Okay, we are moving on to our next topic: Electric Battery Storage Discussion. We have Alice Wolfe and Garrett Cole here tonight to speak to us via zoom.

Alice- I just wanting to talk a little bit about Blue Ridge. It is a membership association with 9 communities and each one of those is an electric distribution utility just like Richlands is. So, each community has the responsibility to serve retail customers. The agency is funded entirely by member dues. We don't have any revenue on our power supply, and we wouldn't be affected if you choose not to participate in this project. Tonight, is a perfect example of the type of projects that Blue Ridge was founded for. The reason that the members created the agency is to get economies of scale and buying power and negotiating contracts. For anyone listening who might be new to the term "economies of scale" it just means that when you buy more at once, you get a better per unit price. If all the Blue Ridge members who are interested in this project would all move forward at the same time, the Richlands project would be about 112th of the total. So, we think that's a really nice benefit for a small community like Richlands to be able to participate in this larger project with the other communities. We are proposing to follow the same structure that Blue Ridge members have used in the past. So, the final contract would be directly between Richlands and the Battery Developer. I am familiar with the Town's power supply contracts, I help negotiate and administer them, but I am not actually party to the contracts. Blue Ridge does not sign on to them.

So, the number one reason we started this project last year is the AEP transmission rates. The transmission rates refer to those high voltage lines, those towers that you see when you are driving along highway. All of the Blue Ridge members are transmission dependent utilities, which means that no one has enough generation in Town to serve all of their retail customers. So, we need a strong transmission system. The challenge we are having here is that AEP's transmission rates have gone up so dramatically in the last 10 years. It has quadrupled. It is now about 25% of the Towns wholesale electric bill. So, we are really looking for some way to provide some cost control that will help keep your rates under control. I want to be very clear, and this is a big picture issue. It began before the pandemic, we really started to see the rates rise

in earnest about 2014. So, this has been going on before the pandemic. It is not related to the supply chain shortages. It is not related to the inflation that we are seeing nowadays. It has been going on for a while and unfortunately, we think it is going to continue. I also want to be clear that everyone in Richlands pays these transmission rates. So, I understand that part of the Town's residents is served by AEP and part of them are served by the Town's Electric System. Everyone is paying these transmission rates. This project is for the Town's Electric System. Unfortunately, there is not a lot of easy ways to lower the transmission rates or lower those transmission costs. So, using a battery to lower the Town's peak, is going to be one of the best ways to do that.

Garrett and I both zoomed into your July council meeting, so just a little preview of what is different from that last meeting: cost benefit numbers, you'll see tonight are better than what they were presented in July. One of the main reasons for that is the Inflation Reduction Act that was passed by Congress and signed by President Biden just last week. So, that moved very quickly. This Act included a standalone tax credit for batteries, so that made a difference in these numbers and then Garrett will talk a little bit more about some other opportunities the developers are bringing to us. So, I will turn this this presentation over to Garrett, I look forward to hearing your guy's thoughts and questions.

Mayor Cury- Thank you, Alice. Garrett?

Garrett- Good Evening, everyone. Thank you, Alice. I just wanted to go over where we are at. I think from our last discussion in July this is a positive note for how cost has reduced like Alice just mentioned.

We are looking at a location that would hold a 2-megawatt battery. The 2-megawatt would last 2 hours and then it would have to charge back up. The term of our interest would be for 15 years by contract in Summer of 2024. This is consistent with all the others in the project. We are looking at consistent timelines. While Richlands is looking at a smaller size compared to the others, they are participating in the Global Economy across the entire Blue Ridge group.

As some of you that have been on the council for a while now will notice that this rate at 9.24 per kilowatt month continue to increase, and we estimate the rate will hit double digits by 2023. This type of projects is one of the ways that we can mitigate that to avoid transmission cost.

How are we using this project to save money for the Town? We experience the cost of AEP transmission which is clearly our focus here. It shows a rate above \$10 in 2023 and it escalates out into the future over the 15-year term that we're talking about. That is the rate that continues to escalate the cost that we anticipate avoiding with the battery. Our annual reduction cost using the battery is worth \$300,000 per year. We also have that PJM capacity component in the market that we would also offset. We are being very conservative in the way we look at that cost. So, these are the two primary components of cost that we are trying to avoid with this project.

Again, why are we here? This is an opportunity to avoid transmission cost. We are using the battery to avoid higher transmission cost. So, our conclusions are: Our Economics are favorable and provide a net benefit. They have improved significantly since we talked to you guys in July. Also, the Inflation Reduction Act of 2022. It is an opportunity for Richlands to take an additional 10% provision. Our plan is to negotiate our final agreement as we go through September. The

goal would be to follow up with you guys with a recommendation and let you guys know how the negotiating is going on the final agreement. We will also be looking for the council's decision with the intentions of being done with it by September.

Mayor Cury- Thank you, Garrett and Alice. I will open this to council for any questions that they might have.

Doug- Can the 2 hours offset the majority of the peaks like in the summertime?

Garrett- We have about an 85% success rate for hitting those peaks. You can marginally approve that success rate by having a longer duration, but you pay a lot more in cost to have a longer duration. We also have the flexibility to run the battery at less if we need to gain an additional duration in the future. Based on our research the 2 hours have been enough to hit the winter and summer peaks. We see a pretty high success rate in doing that and feel strongly about the 2 hours working in our favor.

Mayor Cury- Garrett and Alice thank you very much for coming and speaking to us tonight. You guys have a wonderful evening, and we will see you again in September.

John, on the agenda it says we need to have Executive/Closed Session to speak about the contract negotiation. Do we need to do that tonight?

John- No, they were able to present it in a way that we didn't need to go into Closed Session. We may have to do that at our next meeting in September.

Mayor Cury- Okay, thank you. Next, we are on Iron Street Property Update and Discussion with Karen Weber.

Karen- I am new to the Department of Environmental Health, but I am not new to the work. I have a geologist degree and I have done this type of work for years and years. I have seen this site and the data on it. I am sure that you guys here are more familiar with the actual site than I am, but hopefully I can help answer any questions that you may have about it.

John- So, essentially this is a property we have talked about for 14 to 20 years. They have been working on for several years. We talked about it several months ago and it kind of got put on the back burner with some other things that came up, that took priority. There has been a little bit more movement from the current property owner with the transition. Also, the new members of council coming along that were not here when we had those discussions before, and I wanted to have somebody coming from DEQ and give an overview of the property. I just wanted them to let everyone know what the issues were, how it's been addressed, and what the potential is for your future steps. If this is something that we choose to take on and try to get something developed there? So that is why I asked them to come here and present a general overview and then allow you all to ask any questions about the property before a decision is made on how the Town would like to move forward or not at this time.

Karen- So, you all know me, my name is Karen Weber, and I am a Senior Remediation Officer that's my job title. I actually work under the voluntary mediation program. So, we are assigned sites and they are ours to take from start to finish or in our case, when people leave or retire and

somebody new comes on, we take over those sites. Our job is not to recreate everything that's been done before, but to make sure that what has been done is appropriate and allows us to move forward making decisions.

So, when we took over this site a lot the buildings were already gone but thankfully, we had a lot of maps and were able to identify where the battery storage, the waste disposal, and where the maintenance shops were. So, even though a site doesn't have buildings or might look flat or vacant we still can identify the high potential areas. Those areas where there is more likely to be impact. So, we look at it as, did they address all of those? Did they account for all of those? However, there are some things that are unknown. Thankfully, we had a lot of information and a lot of history about this site. The other things that we look at is, what are the site characteristics? The geology and the soil types, and the water and where does the water move underground and where does it move on the surface. Those all tell us where things are going to go and once we know what compounds we might have or metals we might have, we can then figure out where they might go. If you have the horror of PCBs, it's going to park itself and stay relatively immobile unless there's wind or water that moves it along. If you have something like a volatile compound that might be from petroleum source, it's probably underground already and probably released underground. It is going to move a certain way and it's going to move at a certain speed and it's going to degrade in a certain way. So, all of those things are taken into consideration and sometimes that's why we do an assessment.

Based on everything that I saw it has been a collaborative effort with the consultant, the owner, and the Town. With us, there has been dialogue all along, but it does kind of start, stop, start, and stop. So, the plant operation goes from the early 1960s - 1992ish and the buildings started coming down about 1994. That is what we have in our site history. So, the initial environmental assessments that we have that we've seen are from 1999-2002. That kicked off and eventually started the enrollment in the voluntary remediation program and so not all of the traction are in there. We had 1, 3 and 4 entered the program in 2007. Track 2 had a little bit of petroleum impact from a petroleum. That piece was not eligible for further evaluation under the voluntary program. So, once that was resolved to the satisfaction of the petroleum group, it then became eligible for continuation under the voluntary remediation program and further evaluate the benefit to our program. It's not a regulatory program, it's kind of a guided program and in the end, we accept the work that's been done. We accept the evaluation and look at their risk assessment. Did they consider all possibilities? Did they collect enough samples? Did they propose mitigation or remediation that protects the human health and the environment? Then when it's done, they get enforcement immunity so someone else isn't going to come back and then put the regulatory hand over top of the site. You have some protections just by having gone through the voluntary mediation program.

So, we started with some site characterization and risk assessment and at that point it started to get noticed and as so many of you know, the health department got involved. There was some public concern and so there was a public health assessment done. That is not normal, but it does happen on some of these sites and in this instance the VDH did come in and work with the DEQ and under the program and help evaluate that risk for human health and potential risks from prior

use and exposures. So, that happened relatively quick from 2013 to 2014. Then it stopped a little bit again picked back up in 2017.

Now we're going to start with the site characterization: What do we have? What's in the soil? What's in the groundwater? What might be in the vapor? What might be in the stream? What might be in the stream sediment? What can people touch? Then we are going to take that data and put it into a risk assessment and that is usually quantitative. So, it's statistics. Once we have a risk assessment that says the pathway from the soil to a child playing on playground is evident then we would say now we need to do a remedial action that addresses that possibility and how do we protect it. That's the process through the VRP. Ultimately, once we have a remedial action plan that we accept and are in agreement with, they will implement it. Once it's implemented then we will issue a certification of satisfactory completion of remedial actions and at that point it is done with the VRP and moves on to the next step. So, we went back and forth a little bit and the reason I put all this detail up is not to make it look like there's a lot of work that's been done, but it has been a long process and there have been a lot of eyes on it and there has been a lot of sampling that's been done. Again, we reached 2020, the end of 2020 and things picked back up. So, now the ball is rolling again. I think you have an owner who's motivated to get through this and get it finished and they are very close to getting it finished. The goal of all of that is just to say we are moving along and almost to that point of implementing their remedial actions. We have reviewed the plan that they have now and had some dialogue. We just have a few things to clarify, and they are going to start with their site work. So, again they looked at soil, they looked at groundwater, they looked at the surface water, the Clinch river, and the water moving across the site in that swale, they look at sediment, and they look at vapor migration. For this site, we compare it to both the commercial, industrial uses, and residential screening levels. There are residential properties nearby and we wanted to keep the door open for possible redevelopment of the site under all scenarios. It doesn't mean everything could go there, like I wouldn't put a community garden on this site, but there are other things that you could do with this site that would be beneficial.

When we looked at the water, we looked at drinking water standards even though everyone around the site is connected to public water and sewer. We also looked at surface water quality and even ecological risk because the Clinch river is a sensitive habitat. So, all of those things were considered. I think there were 90 groundwater samples taken overtime. There might even be more than that. There is vapor samples, some sediment and stream sampling, and some sample taken along the river. So, a lot of the things that we found were isolated and not site wide. We are not seeing widespread lead in the soil. We are seeing pockets of high concentration lead, where if you go back to the site history there may have been battery storage or disposal units that are stored there, and it makes sense. When we got to the remedial action consideration, we were really looking at two things: we looked at volatile compounds and semi-volatile compounds. As I mentioned before, there was some petroleum work. So, we're looking at things that are petroleum based, things that are solvent based, and all sorts of operation chemicals that may have been stored or used or generated on site. We also looked at heavy metals and the two things that stood out as still being present are some volatile organic compounds in the groundwater and lead impacts in the soil. Both of those, as I mentioned are isolated. So, we're not seeing VOCs in all the wells but we are seeing them in over places, and we're not seeing lead across the site but we

are seeing it in some areas. So, all of the things we are looking at are what types of things are a concern, how it might move through the site, and how it might impact the site moving forward.

They have remedial actions planned as protective measures. We intend to put a groundwater use restriction on all four tracks of the VRP site. So, even if a commercial or industrial facility were to build there, they wouldn't be able to use the groundwater for process water and that would eliminate the possibility for contact. They would be able to tie into the public water system. The properties in the vicinity are connected to public water and sewer and that was also key when the health department came out and said, you are not drinking the water, and you are not using it in your garden, your potential to come in contact with this is negligible to low. The nature of the compounds is at such a low risk, or it will degrade quickly overtime or degrade to such a degree or migrate or it's not flowing towards you. All of those things were taken into consideration. It is not typical we see industrial sites like this.

Again, we might have almost 100 soil samples, but we can't get every single spot. So, we will have some sort of soil management control put restrictions on how deep they can go but try to make it in a way that is not so restrictive that if you have to do a water line fix in an emergency that it holds up. So, there will be some caveats in there that people will just need to be aware from health and safety standpoint. However, for the most part, we would just say, don't go digging around Willy Nilly. At this point, it's considered that there might be a residential use restriction at the site. That doesn't mean that it could never be residential. So, if you wanted to put a multifamily structure on there, it would just be a dialogue with the DEQ. Like where are you going to put that building? Where are you going to put the parking? Why don't we shift it here, so the parking covers this groundwater area where there might be vapor or you install a vapor mitigation system just to be protective. There are mechanisms to still consider other possible redevelopment uses, but that is one of the things that we are still going back and forth on.

So, for us the next step, we are going to confirm some groundwater controls. We are talking about site use restrictions. We then will issue a formal letter that says we accept your remedial actions, and they will then implement it primarily. When I say implement, that means by the fall they want to be moving that lead impacted soil out and off the site. Then we will issue that certification. Then, you guys can consider your acquisition plans, identify some redevelopment options, and think about what your desires are for this site or site uses or if there are other options that you guys want to consider or other development interest.

From the VRP standpoint, we feel that the site has been well characterized. They have taken into consideration the full site history and there's been a lot of work done. I can't tell you whether or not to buy the property, but I can speak about the work that has been done to the site.

Mayor Cury- Thank you, Karen. This has been discussed for years and this is the best it has ever been explained. Does anyone have any questions for Karen?

Laura- I know I am new to the council, but I am lost. Are we buying this or is it being donated?

John- We didn't get that far in the negotiation. As I understand, it would be a donation. I think they are trying to get it off their books.

Laura- Do you have plans for this site?

John- There has been a couple different ideas that I have been tossing around. We haven't really settled on anything. So, it is kind of a question of do we want to take it on with the potential environmental concerns? If we do want to take it on, there has been some discussions about either using it for the public works garage. To get it moved from downtown or potentially use it to try to recruit a business to develop a site there.

Laura- If we did that then we would be selling the land then to a business?

John- Essentially, we would sell it. That would be up for discussion. It could be used as an incentive to get a business here.

Mayor Cury- Laura, to add to your question and answer, based on what she's saying by purchasing or accepting the property, we are also accepting all the liabilities that come with it. Is that correct?

Karen- That is correct. However, with the VRP program, there is that enforcement immunity to the site and you would still have that opportunity to do your own due diligence review before you take over complete ownership. Both those things will be protective of your liabilities.

Seth- Okay, I feel a lot better about this site since this presentation. Do you all present a certificate or something we can look at to see what and all has been done to this site.

Karen- There is a certificate. It is a certification of satisfactory completion of remedial actions and that is the stamp that says we reviewed everything leading up to their remedial actions, and we agreed to what they plan to do. Some of those are just deed restrictions, like don't use the groundwater. Some of them are remove the infected soil. All of those are memorialized in that certificate.

Seth- I feel like a better option for us, if the goal for this is to make it a site or for someone to potentially put a business there, maybe we just help the owner facilitate that by seeking out a business. However, in that scenario, the town would never have to take ownership. We find someone who wants to come in and they are willing to do this. That makes it a lot more seamless for us. Now if we are going to use the site or a portion of the site for something for the Town's needs, then that is different.

John- The only thing would be to make it more attractive. They are willing to donate to us because we're municipality versus an industry.

Seth- Okay, maybe we buy an option for a dollar for a year while we seek out and see what we are going to do and maybe we sign an option agreement with them for a year.

John- Definitely could be an option.

Mayor Cury- Thank you, Karen so much for coming, I hope you have a safe trip back to Blacksburg.

Laura- Do you have an interested party in this site?

John- No.

Mayor Cury- Is there any other business that needs to be brought before the council?

John- Excuse me, Mayor. Is there any direction on what the council wants to do with this site?

Mayor Cury- I think we should wait until they do their final report and get back to us and then we can make our decision.

John- Okay, that's fine.

Mayor Cury- There being no further business tonight, I will ask for a motion to adjourn.

Kristen- 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.

Adjourned!!

Rodney D. Cury, Mayor

Rebekah Hackworth, Clerk

The Richlands Town Council held a “Workshop” on August 25th, 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 Woods, Kristen Thompson-Whitt, Seth White, and Laura Mollo.

Town Attorney: Michael Thomas

Mayor Cury opened the meeting.

Laura Mollo gave the invocation.

Mayor Cury led the Pledge of Allegiance.

Mayor Cury- The only thing on our agenda for tonight is an Executive/Closed Session by VA Code 2.2-3711 (A)(1) regarding a Personal Matter.

Is there a motion to go into Closed Session?

Rick- I make a motion to go into Executive/Closed Session by VA Code 2.2-3711 (A)(1). Jeff seconded the motion.

Mayor Cury- We have a motion and a second, any further discussion? All those in favor of the motion say yes. All those that oppose say no. Roll Call- Doug- Yes, Jeff- Yes, Rick- Yes, Kristen- Yes, Seth- Yes, Laura- Yes. Motion carries -6/0.

Mayor Cury- We are back in regular session. I will entertain a motion to return to regular session.

Laura- I make a motion to return to regular session. Jeff seconded the motion.

Mayor Cury- We have a motion and a second, any further discussion? All those in favor of the motion say yes. All those that oppose say no. Roll Call- Doug- Yes, Jeff- Yes, Rick- Yes, Kristen- Yes, Seth- Yes, Laura- Yes. Motion carries -6/0.

Mayor Cury- Thank you. Next, I would ask council to make a motion to certify that the entirety of the conversation was precisely to observe the Executive/Closed Session Pursuant to Virginia Code section 2.2-3711(A)(1) -Personnel. In doing so you are certifying that nothing was discussed other than the business at hand. Is there a motion for that?

Jeff- I make a motion that nothing was discussed except for the business at hand. 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- We will recess until 5:30 on Monday, August 29th.

Rodney D. Cury, Mayor

Rebekah Hackworth, Clerk

The Richlands Town Council held a “Workshop” on August 29th, 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: Doug Ratliff, Jeff Hurst, Rick Woods, Kristen Thompson-Whitt, Seth White and Laura Mollo.

Town Attorney: Michael Thomas

Mayor Cury opened the meeting.

Due to us reconvening from our last meeting, we will dispense with the Invocation and the Pledge of Allegiance.

The only thing on our agenda for tonight is an Executive/Closed Session by VA Code 2.2-3711 (A)(1) regarding a Personnel Matter.

Is there a motion to go into Closed Session?

Jeff- I make a motion to go into Executive/Closed Session by VA Code 2.2-3711 (A)(1). 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- Absent, Laura- Yes. Motion carries -5/1 absent.

Mayor Cury- We are back in regular session. I will entertain a motion to return to regular session.

Rick- I make a motion to return to regular session. 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- Thank you. Next, I would ask council to make a motion to certify that the entirety of the conversation was precisely to observe the Executive/Closed Session Pursuant to Virginia Code section 2.2-3711(A)(1) -Personnel. In doing so you are certifying that nothing was discussed other than the business at hand. Is there a motion for that?

Jeff- I make a motion that nothing was discussed except for the business at hand. 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.

Rick- I make a motion to adjourn this meeting. 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.

Adjourned!!

Rodney D. Cury, Mayor

Rebekah Hackworth, Clerk

TO: John O'Daniel

Date Submitted: 9/9/2022

SUBJECT: Budget Amendment #2

Date of Council Action: 9/13/2022

I hereby request that the budget and related appropriation for the General Fund be amended, as set forth below, as permitted and authorized by the General Statutes of Virginia.

The purpose of this amendment is to transfer funds to the Rescue Capital from the Fire Department Capital in the amount of \$50,000.

	Account No	Title	Department	Amount
Expenditure Account:	10-5415-640000	Capital- Fire	Fire Department	(\$51,582)
				<u>\$ (51,582.00)</u>
Expenditure Account:	10-5416-640000	Capital- Finance	Finance Department	\$51,582
				<u>\$ 51,582.00</u>

This request has been checked for proper account numbers and verified that the amendment is balanced. If the request is to record a grant's acceptance or amendment, the Finance Department has received a copy thereof and it appears to be in order.

Remarks:

Received and reviewed by finance officer:

Yes

No

Approved for Council consideration:

Yes

No

Finance Officer

Heather Penny

ACTION OF TOWN MANAGER

Approved for Council Action

Disapproved

Town Manager

COUNCIL ACTION

Approved

Disapproved

Rodney D. Cury, Mayor

ORDINANCE NO.: O-2022-09-01

Amendment to Existing Ordinance

TITLE XV: LAND USAGE

CHAPTER 154: ZONING

Town of Richlands Zoning Districts

BE IT ORDAINED by the Council of the Town of Richlands, Virginia, that pursuant to §5.7 of the Town Charter, and §§154.015(A) and 154.205 of the Town of Richlands, Virginia Code of Ordinances, that it hereby enacts the following amendments to Chapter 154 of Title XV: Land Usage, of the Town Code of Ordinances, in order to create a new zoning District, “Business, Expanded General, B-3,” and to establish the necessary criteria for the development of real property and the conducting of business in the newly created zone within the corporate limits of the Town.

§ 154.015 GENERALLY.

(A) For purpose of this chapter, the incorporated areas of the Town are hereby divided into the following districts:

- (1) Residential, Limited, R-1;
- (2) Residential, General, R-2;
- (3) Business, General, B-2;
- (4) *Business, Expanded General, B-3;*
- (5) Industrial, General, M-1;
- (6) Agricultural, General, A-1; and
- (7) Conservation, Special, C-1

(B) *This subsection remains unchanged by the amendments to this section.*

(all other district designations as indicated in Chapter 154 of the Code of the Town of Richlands remain unchanged)

Business, Expanded General, District B-3

§ 154.080 STATEMENT OF INTENT.

Generally, this district covers that portion of the community intended for the conduct of general business to which the public requires direct and frequent access, but which is not characterized either by constant heavy trucking other than stocking and delivery of light retail goods, or by any nuisance factors other than occasioned by incidental light and noise of congregation of people and passenger vehicles. Additionally, this district is created to allow for an expansion of general business applications within the Town, the location and establishment of which is not designated for location or use in existing District B-2.

§ 154.081 USE REGULATIONS.

In Business District B-3, structures to be erected or land to be used, shall be for all uses as designated as allowable in District B-2, and for the following uses:

- (A) Hospital, Special Care, with a special exception permit.

§ 154.082 AREA REGULATIONS.

(A) None, except for permitted uses utilizing individual sewage disposal systems, the required area for any such use shall be approved by the Town Health Official, or the Tazewell County Health Department.

(B) The Administrator may require a greater area if considered necessary by the Town Health Official, or the Tazewell County Health Department.

§ 154.083 SETBACK REGULATIONS.

Buildings shall be located thirty-five (35) feet or more from the centerline of any street right-of-way, except that signs advertising sale or rent of premises may be erected upon the property line. This shall be known as the setback line.

§ 154.084 FRONTAGE AND YARD REGULATIONS.

For permitted uses, the minimum space adjoining or adjacent to a residential district shall be ten (10) feet, and off-street parking shall be in accordance with the provisions contained herein.

§ 154.085 HEIGHT REGULATIONS.

Buildings may be erected up to thirty-five (35) feet in height from grade, except that:

(A) The height limit for buildings may be increased up to forty-five (45) feet and up to three (3) stories provided there are two (2) side yards for each permitted use, each of which is ten (10) feet or more, plus one (1) foot or more of side yard for each additional foot of building height over thirty-five (35) feet;

(B) A public or semipublic building such as a school, church, library, general hospital, or hospital (special care) may be erected to a height of sixty (60) feet from grade provided that the required front, side and rear yards shall be increased one (1) foot for each foot in height over thirty-five (35) feet;

(C) Church spires, belfries, cupolas, monuments, water towers, chimneys, flues, flagpoles, television antennas and radio aerials are exempt. Parapet walls may be up to four (4) feet above the height of the building on which the walls rest; and

(D) No accessory structure which is within ten (10) feet of any party lot line shall be more than one (1) story high. All accessory structures shall be less than the main structure in height.

(Ord. of - - 2022)

First Reading:

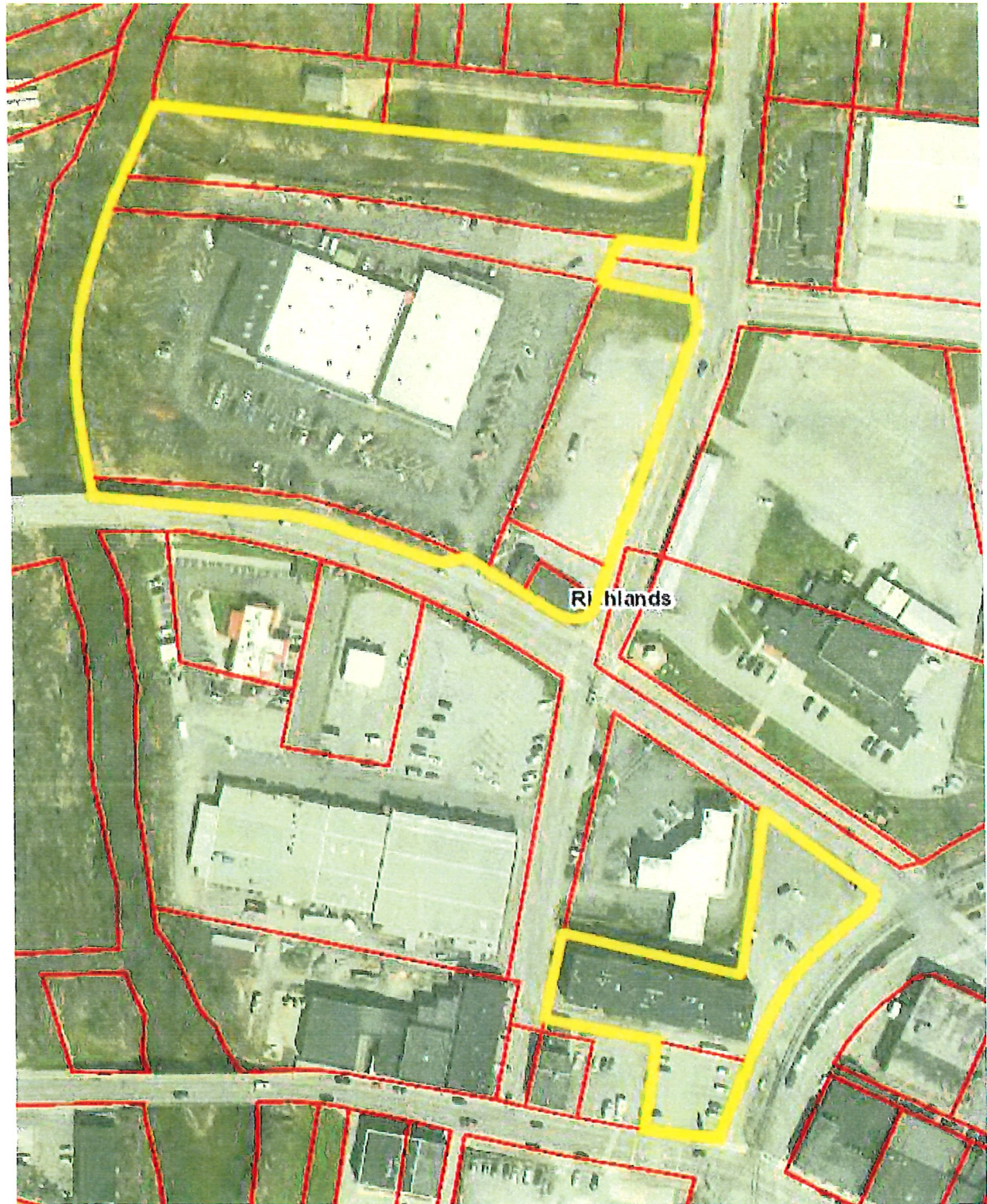
Second Reading:

VOTE:	Hurst	_____
	Mollo	_____
	Ratliff	_____
	Thompson-Whitt	_____
	White	_____
	Wood	_____

Mayor

Clerk

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



Staffing Options for Police Department Clerk

Option A

Clerk – Lobby Open 24 hours

4 Full-time Clerks that will work 12 hour shifts throughout the week

- 4 Full-time Clerks- \$226,756.16

Option B

Clerk – Lobby Open 8:00 am to 6:00 pm 7 Days a week

2 Full-time Clerks that will work 10 hour shifts throughout the week

- 2 Full-time Clerks- \$110,616

Option C

Clerk – Lobby Open 8:00 am to 6:00 pm 6 Days a week

1 Full-time Clerk that will work 10 hour shifts four days a week along with

1 Part-time Clerk that will work two 10 hour shifts each week

(Lobby Closed on Sundays)

- 1 Full-time clerk and 1 Part-time Clerk- \$70,308

Option D

Clerk – Lobby Open 8:00 am to 4:30 pm 5 Days a week

1 Full-time Clerk that will work 8 hour shifts Monday – Friday or 2 Part-time Clerks

(Lobby Closed on Saturdays & Sundays)

- 1 Full-time Clerk- \$56,808
- 2 Part-time clerks- \$27,500

