

The Richlands Town Council held a regular monthly meeting in the Richlands Council Chambers on October 14, 2014 at 7:30 pm with the following present:

Mayor: Jannis White  
Town Manager: Tim Taylor  
Town Clerk: Susan Whitt  
Town Attorney: Brad Ratliff  
Council Members: Joe McCracken, Rod Cury, Larry Johnson,  
Doug Ratliff, Mary Ann Strong

Absent: Frances Meadows, Council Member

Mayor White called the meeting to order.

Mary Ann Strong gave the invocation and led the Pledge of Allegiance.

Mayor White asked if there were any additions or deletions to the Agenda. Dr. Glenn Harrison, Ken Smith, Wanda Lowe, and Kristen Whitt asked to be added.

Rod Cury made the Motion to Approve the Agenda as amended, seconded by Mary Ann Strong. Vote, all in favor, 5/0. Motion carried.

Mayor White asked for any additions, corrections or deletions from the minutes that had been distributed earlier for review. Joe McCracken made the Motion to approve the minutes as presented, seconded by Larry Johnson. Vote, all in favor, 5/0. Motion carried.

Scheduled Public Comments: none

Unscheduled Public Comments:

Dr. Glenn Harrison-Chairman of Teen Venture-operators of the Teen Center here in Town. He introduced Dr. Laura Brown as Executive Director. She manages the kids down at the Teen Center and keeps everything in order. She has been on the job now for four months and has had a great impact on the center. We are delighted to have her on board. All of our other directors were educating themselves and moved onto their Doctorate, so we hired one that already had one so we can keep her for a while.

The Teen Center was built as a community project, starting in 2000 being incorporated and finishing up in 2008, 2009, opening part time in 2009. Before we opened our doors, we raised capital operating campaign to raise three years worth of operating costs, understanding that if you are going to run a business, one of the first things you do is run out of capital. So you need to need to have a resource development plan in place in order to keep this funded. Unfortunately, this happened right at the time of the great recession and we had state grants cancelled, town funding was cancelled and county funding was cancelled. Right now we are down to \$40,000.00 in our operating fund which means in 8 months we are going to be out of existence if we don't get some help. So that is why we are here tonight.

The reason we came to this meeting and that I have been working with the County and the Council members here, is that back in the spring we had submitted a grant for Twenty First Century, which would have been a \$200,000.00 grant to come in to work with Raven Elementary School. When we got this, we were looking at the grant to provide about 50% of our operating costs and we would still need more funding. So we went to the County and the County agreed that if we got the grant, they would give us \$20,000.00 in additional funding matching to help with operating costs, which would get us up to a level where we could do a community campaign to raise the remainder of the funds. We didn't get the grant; it is a difficult grant to get. We thought we had a good shot at it. We tried twice on this and it only comes around every four years. So in four more years, we will probably try again. However, the \$20,000.00 funding got into the County's budget. I got a letter a couple of weeks ago saying that this money was in the budget. We still have to have a match. In talking with Supervisors, they say that if we find a match for this money, then we can still get the money because it's there. So this seemed like an opportunity for the Town to start helping again and an opportunity for us because if we can get the \$20,000.00 from the County and \$20,000.00 from the Town that puts us at about half-way through our annual budget without any capital expenses. It would be for operating costs, for insurance and an Executive Director, a part time employee, the utilities and minor building maintenance of \$75,000.00. It has been fairly steady for the last two years. Our income for the last 2 years has been a total of \$80,000.00 and \$40,000.00 of that, \$26,000.00 came from a classic car that was donated and raffled off. The Boy Scouts sold the Davis Chapel for \$25,000.00 and we got \$18,000.00 of that. That counts as money falling from the sky, undependable as a resource for an on-going organization. So what we need is a base we can work off of. In order to get community support like anything else, everyone wants to be on a winning team but nobody wants to throw in the first shot.

If we have the \$20,000.00 from the County and we get a matching \$20,000.00 from the Town, then it doubles the resources that the Town puts into this and gets us up to a level where we can start looking at a community campaign that could actually work. For any of you that have done fundraising, this is a small community and I know that Mary Ann took two years to raise \$65,000.00 to build a press box for the Little League, and that is a one-time event. Raising \$75,000.00 every year with as few businesses as we have in this community, is an impossibility. So if the Teen Center is going to survive, it is going to have to have funding from the community at large; that is the corporate community.

This community has invested about one million dollars just in materials to renovate and build the teen center in the former Town Hall and has committed thousands upon thousands of hours over the years to build this building themselves. It is something that the community needs to have and is used as a selling point, and in fact was one of the major points in getting the Town a \$750,000.00 grant for the facelift that was done here ten years ago. That grant had to include a volunteer built organization that was being developed within the Town and the Teen Center was that. That was one of the things that got this town that grant. That was \$750,000.00 and the Teen Center didn't get any of that.

The Teen Center has been good to the Town financially; it brings students in, it keeps kids in school which is the actual purpose of the Teen Center. Harvard's study of afterschool programs and what they found was, you don't necessarily have to do educational things after school, but

what you need is adults working with youth who can teach those youth how to keep from being stressed out, how to manage themselves under stress. With discipline and keeping those kids involved in activities after school, then you can keep them in school. Most kids who drop out of school, 80% are passing. It's not about passing or failing, it's about teaching them how to respond appropriately to stressful situations without compromising themselves.

What we would like to suggest is that the Town look at the budget and see if you can get \$20,000.00 from various sources in order to keep the Teen Center alive. Otherwise, it will be gone in 8 months. He asked Council if they have any questions.

Mary Ann Strong suggested to Dr. Harrison: You might explain that other grants that you are eligible to apply for and may very well receive, will not help you with operational expenses. He said that is correct, every foundation that is in our area is a brick and mortar foundation. They will build a building, if you want to buy canoes, if you want to put in an art center, they will give you money for that. If you want to run something there are no grants for that. The application for the grant from the State was a three ring binder, it was a \$20,000.00 grant for 2 years. The first year they gave us \$12,000.00 and then they cancelled the second year. We didn't stop writing grants, we still wrote the grant for \$200,000.00. We write ten grants a year at least every year, looking for funding sources. It's not like we stopped looking for money, it is still there. What we have been waiting for is hoping that the economy will return before our money ran out. We are at a point where the money is running out. We need some help from the Town at this point. We haven't asked in four years because we understand this is a tight situation for everyone but it is going to go away if we don't do something. The Town can leverage their money with the County's this way to get to a point to where it is doable as far as a community campaign to raise the remaining \$35,000.00 to \$40,000.00.

Mayor White asked him if this was something he would have to have immediately. He said it wasn't, the county will give them a quarter of the money each quarter as operating funds through-out the period of one year. Now if we get a quarter of it each quarter of the year, that is fine with us, we have that cushion that we can use for emergencies in that \$40,000.00. We are not living hand-to-mouth so to speak. At this point, it's not a problem to have it divided up over a period of a year.

Larry Johnson asked if they had received any of the grants that they had applied for. He said they were working on one right now, a \$2,000.00 Fuel Appalachia Grant, it was for health for girls specifically. We run an after school program that teaches them healthy diet and exercise class, things like that. We got one from Enterprise Rentals, a \$2,000.00 grant, which we basically spent on renting their van. They gave us a deal where we could rent a 15 passenger van for \$100 for the weekend. We would use their money to pay for the grant, take it down, and pay for gas, foods. The first place we went we took our skaters to a skate park in South Carolina. There were four boys in my car and three of them had never been out of state, the fourth one other than one trip to Bristol had never been out of the county. That is part of what the Teen Center does. It is eleven different things that don't exist in southwest Virginia. There is a radio station room, a D. J. room, there is skate park, there is a climbing wall, a game room, a video room, a computer room, an art room, all of these things do not exist anywhere else in southwest Virginia for the kids who aren't in band and aren't in sports, which is about half the kids in our high school and

middle schools. Kids get to travel, expand their horizons, they get to do this and they are learning leadership, because they are the ones who are going to be running Town Council in 20 years. Which is a scary thought, but you have to train them somewhere.

Larry Johnson assured Dr. Harrison that we are all sympathetic to what you are trying to do. We are going to have some really serious budget issues that we as council will have to discuss. We have employees that haven't had raises. Health care costs are going up every year. Dr. Harrison said he had not had a raise in more than 20 years. Larry said that we will have to discuss this, we can't make a decision tonight. We will have to discuss it and let you know.

Mary Ann Strong made the point that she had talked to Supervisor White about the \$20,000.00 matching grant and also spoke with Mr. Taylor, the Town does provide \$2,000.00 right now in services, being a \$1,500.00 insurance premium on the building and \$500.00 for garbage pickup. Supervisor White said that can count toward the match. Then you would be looking for \$18,000.00.

Doug Ratliff asked if this could be discussed in executive session. Mayor White said it would probably need to be discussed in a budget work session.

Rod Cury addressed Dr. Harrison and said that he was thinking along the same lines as Mary Ann, there has been no doubt that it is a wonderful project and you have expressed the hardships of money, we are all feeling the pain, but just because we feel it doesn't lighten the load. If you could allow us some time to discuss it. Dr. Harrison said that one of the reasons that we are coming to you now is that the opportunity presented itself in the last two weeks that we have money we can match and it doubles what the Town puts in if we do that. That was the main reason we came here. The second is that if we get this match, then we can use that as leverage for other businesses in the community in order to have a realistic goal for a fundraiser over a period of the fiscal year. No, I don't need an answer right away, if we can do this, it can be over a period of year that is fine. We would like to be able to start our fundraiser and say that we have this before the end of the year so that we can catch donors when the ones that have money are looking for a way to get deductions.

Doug Ratliff offered a suggestion of having Fred cut that money from the Rec Park budget during the winter by cutting back the hours that the Rec Park is open. He wanted to move the \$18,000.00 from the Rec Park budget to the Teen Center. Fred asked what he would have him to do with the Town employee. Fred said almost all of the help was part-time now. We only have two full time. Fred said if they open at 12 noon, you are saving three hours of electricity, and not many times during the day is there any electricity on. It is mostly supervising community service workers. Mary Ann interjected that the Rec Park also has the roof that needs to be repaired or replaced. This has been an on-going issue. Dr. Harrison said that he wanted to make the point about the Teen Center is that you can't run this. Larry Johnson said they did not want to. Dr. Harrison continued and said that you can't run this the way we can. We can run it with 1 1/2 people at \$75,000.00 a year and that is still paying the electric bill. The Town can't do that and the County can't do that. So it's not like you are losing a \$75,000.00 entity that takes care of 110 kids here in town, if you were paying for it, it would be another \$300,000.00 entity.

Doug Ratliff asked about the number of kids that the Center serves right now. Dr. Harrison said there are 109 right now and 12 active adult volunteers. Doug said if the Teen Center goes under, they have lost 109 kids. He said it seemed to him that with that big of a budget that we could find enough savings in the Rec Center that we could find \$18,000.00 for the Teen Center for 109 kids. Joe McCracken said that if wasn't in such disarray over at the Rec Park that might be possible. I can't see taking money out of their budget for Teen Venture because it is two separate organizations for one, it is separate from the Town's ownership. Doug said they are after the same goal and they support the community.

Rod Cury said he thought there had been a lot of good ideas circulating here tonight and there is no question that people want the Teen Center, this would be better resolved in a separate meeting. Dr. Harrison said they would rather not rob the Rec Center of \$18,000.00, they would rather rob \$1,000.00 from each department.

Tim Taylor asked if there was any possibility if Dr. Harrison could help the Town with a resource to replace the roof, if we could do that through any available grant funding. Dr. Harrison said the Town would have to write the grant for that. Mr. Taylor said we don't have enough staff to do it, and said that Dr. Harrison is good at it. He said they would look at it. The Thompson Foundation is good and they are local, the Ratcliffe Foundation is out of money, we have got money from the Hughes-Scott Foundation, they don't get down here much but they put up the Field House in Tazewell. We are on the very edge of every foundation, just on the margin of what they do. We have had good relationships with those and others. Joe said he didn't think there was anyone on the Council that is not favor of helping the Teen Center if we could, but I don't think we can make the decision tonight whether we could or not.

Mayor White suggested scheduling a work session to discuss this matter further. Mary Ann also suggested scheduling a work shop and giving Dr. Harrison an answer at the November Council meeting. He said that would be most helpful as they really wanted to start the community campaign before the holidays.

Rod Cury offered another suggestion about doing things with the Teen Center for older citizens. Numerous people had approached him about it. Dr. Harrison said they would give it some thought.

Mayor White also requested that Dr. Harrison put all the Council members email addresses on his list so they won't miss things that are going on at the Teen Center. Laura will contact Sue and get that information.

Council scheduled a budget workshop on Monday, November 3, 2014 at 6:30 pm to discuss the Teen Center and the electric rates.

Ken Smith-303 S. Center Street-area in the Brickyard between Kents Ridge and Veterans Drive, behind the Brickyard Mall. He had been working through Joe McCracken for the last year trying to get the situation with the town drunks taken care of. They have little huts built over in the weeds and bushes. They continue to come over in there, trash the place, feces, urine, everything. They confront people that are over there. I myself have been confronted by one called Bam

Mercer who wanted to know if I had any money or drugs on me. Just a few weeks ago, there was an altercation took place over there with one of them. He had got out there and there was a group of three young boys, probably 10-12 years old, riding their bicycles. He confronted them, starting making threats to them that he was going to kill them, it was his property and that they needed to leave. Tess Compton confronted him. They had a big altercation and she came around to my house, I was sitting out in my front yard with a neighbor and we were watching our children. He has a small girl and I have a three year old grandson. We were watching them ride bicycles up and down the street. The three boys came back and said that the man confronted them again and made sexually explicit comments to them and gestures. There was another altercation took place after that on the Food Lion parking lot. Mr. Dorton was one of the responding officers, along with Officer Crabtree. Something has got to be done. The only thing that has been done in the last year since I have been working with Mr. McCracken, is that they put up two "No Trespassing" signs. That is it. There is a lack of police patrol over there. We may see a police officer go through there every 2-3 days. We are citizens of Richlands over there and we need and deserve the same protection that anybody else does. There is one little lady, she said she talked to Mr. Ratliff, she used to walk to the store almost on a daily basis. The little lady talked to me last week, she is afraid to come out of her house now because of the situation and the instances going on. Something needs to be done. In the past couple of weeks, I have gone to two separate areas and I have asked two groups of men to leave because they are in there drinking. There was even an instance where the Dollar General used to be beside of Food Lion, one guy had made a home under the pine trees there. When it gets to the point that you have kids that can't even ride their bicycles because of someone saying explicit things to them and gestures, then that is where I draw the line. I know everyone has rights. That gentleman crossed the line when he did that.

Mayor White asked if they were in the street near his home. He said they are, they walk right up and down South Center Street in front of his house day and night.

Joe McCracken confirmed that he and Mr. Smith had been communicating on this matter for about a year. He had talked to the Police Department, the Town Manager. I thought we did get it broken up a little over there. It has started back up again. Mr. Smith said it was his understanding that Appalachian Power was supposed to be responsible for the area behind Food Lion and they have done nothing. That has been a year ago. Someone finally took the initiative to cut down some trees down so that they couldn't get in there.

Rod Cury asked Chief Dorton if there was any update on that situation. Chief Dorton said that problem is that the substation is posted by Appalachian Power. We have charged several of them over there for trespassing. He has spoken with the Manager of Food Lion about men bumming money from customers on what they need to do to ban them from being there, but they have not done that. So as far as them being in front of the store, there is nothing we can do. If they are drunk, you can get them for that.

Joe McCracken said the trouble that is about to happen over on S. Center Street needs some immediate attention. Chief Dorton said that any problem they have over there, they should call the Police Department and someone will come out. Mr. Smith said they do call but a lot of the time they don't even respond. He has called, his wife has called, his neighbor has called, the

Vandykes have called, the neighbors across the street have called. Chief Dorton said he found that hard to believe. Brad Ratliff respectfully submitted that he has prosecuted a number of cases for trespassing on that same property and they have been given jail time for it. That has been in the past year.

Mr. Smith said his neighbor advised him that the guy that he had the altercation with told him he was starting to carry a knife now.

Mr. Taylor asked Mr. Smith if he was witness to the earlier allegations so that he could talk to Chief Dorton about that. Chief Dorton said he was present at the altercation but no one wanted to do anything. Officer Crabtree asked the father of one of the three boys if he wanted to press charges. He said no that he just wanted that man to stay away from the kids. Larry and Tim both said that doesn't help the problem. Unless people are willing to press charges when something like this happens, it does no good to call the police. Larry suggested the residents of this area form a neighborhood watch and act as a group.

Larry said he had lived in that area for around 8 years now and he has noticed more people walking back there than ever. He can usually tell if they are drunk or not.

Joe McCracken suggested more patrol in the area.

Ken Smith also brought up the problem of speeding in the neighborhood along S. Center Street which is a 3 block long straight stretch. There are stop signs at each intersection but people do not stop at those stop signs. He said there are approximately 15-18 kids that live in the area and they ride bicycles, skateboards, they play. You have people that come over and walk in the area because it is off the main road. He said that someone is going to get hurt or killed in the intersection. Right now there is a family in Russell County that is mourning the loss of a 10 year child. It was an unpredictable and freak accident that claimed her life. This can be prevented. Nobody on S. Center Street wants to bury a child. Nobody wants to pay the price for killing one. He suggested making it a 4 way intersection with stop signs to where everyone has to stop. Paint stop on the road. He would like to signs at each end of the street that says "slow, children playing". He has confronted people about running the stop signs.

Rod Cury suggested sharing the drawing of the streets with Chief Dorton and with the Town Manager so that they can follow up with it.

Tim Taylor said he had looked at the sketch and had a good idea of what he wanted to do. He would first suggest Police enforcement. If they are not going to stop for one stop sign, they are not going to stop for four.

Chief Dorton said they have had assigned speed checks over there on South Center but they can reassign those again. Mr. Smith offered his property for the police to park on for checking speeds.

Wanda Lowe- 292 Plantation Drive-She wanted to add to Dr. Harrison's Teen Venture. She recently attended the open house they hosted and it is a wonderful place. She said she thought

maybe it is not advertised enough. The kids can get off the school bus and come there and they have a room where they can do their homework first if they have any. Then they have all the other stuff that he was talking about that's very educational besides having fun. They charge \$30 per year but if you cannot afford that, then you don't pay that. People give donations to cover that. Looking at our future and our county being awarded money for being the highest drug addiction in the State of Virginia, I think that is just ridiculous. If we can make a way for them and help them, it would be well worth our tax money to do that. I hope you all can find some money somewhere to help them. Then maybe we as a community can come together and help do some fundraising.

Her concern tonight is Halloween, Friday night, October 31<sup>st</sup> and it is on the same night as the last home football game for Richlands. If any of you have ever come to Hidden Valley on Halloween night, it is a traffic nightmare. You cannot get in and you cannot get out from the time they start. A lot of us are going to be gone to that ballgame. I think it is a security problem and besides a lot of people having to miss the game to stay with their homes. She noticed on WVVA today, they had a list of towns that are going to observe a different night and Tazewell is going to do Saturday night. Cedar Bluff was voting on Thursday night and they said they did feel they would change theirs also. I would like to ask Council to consider changing that Halloween night to Saturday night. Mayor White advised that there was someone else that is going to speak on that same subject.

Kristen Whitt-lives in Dalton Addition-addressing Halloween. It is the last home game, I wish the schools had scheduled it on a different night, I wish they had the game on Saturday. She thanked Tim for talking to her and allowing her to be here. That game is not just a game, it is also our second try for Alumni Band. The first time on August 26<sup>th</sup>, we had 48 alumni who came in from out of town and some that were local to participate with the band. We had about 110 people on the field for that show and it rained at half-time. So, a second attempt on October 31<sup>st</sup> is what we are planning. We already have 50 people signed up for that. We have a lot of other people who have texted and emailed and said their kids want to Trick-or-Treat and it is so important, they want to wear their costumes. I know how they feel, I have kids too. That is such a hard decision but being the coordinator for the Alumni Band, I am kind of stuck trying to do both things. So, we are asking the same thing that Ms. Lowe just brought up if we could possibly move it to Saturday. Tazewell has already moved theirs. I think it would be a win-win for everyone because we could all go to the game, we could all support the team, we could all support the kids, we could all be happy.

Mary Ann Strong said that Richlands High School and Lebanon High School wanted to move the game to Thursday night. The coaches and staff wanted to change it but it was her understanding that RHS administration would not agree.

Mary Ann made the Motion to move Trick or Treat to Saturday night, if it was acceptable with the Chief of Police. Chief Dorton suggested not to move it. If you move it to another night, what you will do is increase the number of people that will come into Richlands for Trick or Treat. When you decided two council meetings ago to have it on the 31<sup>st</sup>, the Police Department made arrangements to schedule enough people to work the ball game and take care of Halloween. We have people who have scheduled vacations, days off on Saturday; it would put us in a bind if you



move it to Saturday. Joe McCracken confirmed that Council had decided last month to keep it on the 31<sup>st</sup>. Chief Dorton said if you move it, then everyone in the County will come to Richlands on Saturday night. As far as the Police Department, we would then have two nights to deal with. We still have Halloween for the trickers and have it on Saturday for the kids. You are creating two days for us.

Rod Cury said that several clubs at the High School are going to have booths set up on the Richlands Middle School side between 6:00 and 7:15 pm for trick or treat for the children.

Kristen Whitt said the last time that she wasn't home on Halloween, she had a dozen eggs on her car. She worries about that. We will have to have people there and people at the game and there will be a lot of people who are going to have choose which one they are going to do.

Chief Dorton said it was unfortunate but he would still recommend not changing it. They have already made preparations for that night. He said the whole department will be working that night.

Council discussed the issue further. The only Town that has changed it is the Town of Tazewell. Everyone else is still on Friday.

Mayor White asked Council for a solution.

An audience member spoke to Mary Ann Strong and said that the fault does not lie with the Council, Halloween is always on the 31<sup>st</sup>, why schedule a football game on that night. It could have been an open week for the football team.

Joe McCracken suggested taking Chief Dorton's advice and sticking with the original plan of observing Halloween on the 31<sup>st</sup>. Council members further discussed the difficulty of the decision. They decided to leave it as is.

#### Council Member Reports:

Rod Cury: Next Planning Commission Meeting is Tuesday, November 4, 2014 at 7:30 pm.  
If there is any change, I will notify Susan if there is any change due to Election Day.

He had a neighbor that called him about a concern about the residence at 314 Fairfax Avenue. The house is empty. The complaint is that the front yard is mowed sometimes but the backyard is not being mowed. He had talked to Bill Patton about it. He also lives in that neighborhood although he was not the one who called me. He asked Chief Dorton if he was aware of anything or any updates on that property. Chief Dorton wasn't familiar with the address. Bill Patton said he had talked to Frank about it before as well as Don Sturges, the Code Enforcement Officer. Don has talked to Hubzu, which is in charge of that property. The concern is snakes. Some of the weeds in that backyard are up to 8 feet tall. That is not exaggerating. It looks awful. He had contacted Hubzu himself. They have even set up a case number and said it would have top priority. He talked to them on September 26<sup>th</sup>, October 6<sup>th</sup> and several times before that. Don has talked to them once. They had said the property would be taken care of. They have even told me that the people had been contracted to mow the front yard are supposed to do the back as well.

He advised them that it was not being mowed in the back for 2-3 years. Maybe the Council or Tim or someone could put a little enforcement behind it. He had a phone number and a case number and would give it to Sue.

Rod asked what they could do as Council to assist in this problem. Tim said the Town could mow it for them and send them a bill. You could file a public nuisance for snakes. Larry suggested summoning them to Council. They suggested Brad do more research on it. The last resort would be a public nuisance.

Brad said he would do a title search and find out who owns the property and contact them and will report back to Council next month. Rod asked him to let him know what he finds out so he can report back to the neighbor.

On the 300 block of Tazewell Avenue, not sure of the house number, there was a complaint about the noise back in June, and that was resolved. Since that time, another citizen in the 300 Block of Tazewell Avenue has asked me about the cars sitting on the street and these people are working on cars. It makes it look shabby. I had asked about that and I think these people were cited, served or notified or made aware of this nuisance and I believe that was going to be up on the 9<sup>th</sup> of October. Do you know anything about this Frank? Chief Dorton replied that Code Enforcement went back to the location and the vehicles on the street were legally parked. Rod asked if they were being worked on, as that is what the concern was. It was like a business happening down there. Chief Dorton said that the man says he does some personal work on his own vehicles and the vehicles that are on the street are parked legally and do not fit the inoperable description.

Mary Ann said she has had the same conversation with the citizens on that street. When she drove by and looked at it, it looked like a vehicle that had been worked was on the carport or something. Frank said he has an antique vehicle under the carport that he is working on. Mary Ann said she would assume that there is nothing illegal about that. Frank said the last time they looked at it, he had a car cover over it. He said they are still looking to see if he is operating a business there but the only thing we have now is that he is only working on his stuff and not charging a fee for his friends. If we can prove that he is operating a business then he can't have that business there.

Joe McCracken- had a talk with Tim Taylor over some issues. A few examples are:

- 1-Fourth Street trees running real close to the power lines.
- 2-Ingersol Rand property
- 3-Thanked the Town Crews for cleaning up over around Fairfax, the sidewalk and the steps.
- 4-South Center Street, stop signs, speeding and trespassers
- 5- Street lights in a couple of places

Doug Ratliff-

The meeting has already been scheduled so that is all that I have.

Larry Johnson- I need a copy of the Ordinance for the Farmer's Market that was requested last meeting. Tim said Sue sent it out the very next day by email. He said he would check his email

again. Question for Fred-we get the monthly intake every time. What do you think your average monthly expenditure is? Or do you have any idea? Tim said we were supposed to get that. Sue said the trouble is the timing, right now she is just getting ready to close out August. She can't do certain things until the auditors give her the final totals. It will always be a month behind. Tim said if you take a quarterly snap-shot, you should get a feel for it.

Mary Ann Strong-I did speak to Mr. Taylor today concerning a citizen who would like to see the Town maybe in the future put lighting on Veteran's Drive and that is probably one of the same ones Mr. McCracken mentioned. Maybe in future budgeting or a grant opportunity. I know there are no sidewalks there but there are joggers and walkers on Veteran's Drive.

I had a friend last Thursday who was dropped off by Four County Transit, she was going to Food Lion and she tells me that the normal spot where they drop the people off the bus is across the street from Big Lots where the Amazing Grace bookstore used to be. Unfortunately, when she crossed the road she was struck by a car. She is very blessed that she wasn't killed or didn't have more injuries than she sustained. She had to have a six hour knee surgery and she has a lot of recuperation to do. Officer Barker was wonderful. I went to the ER with my friend and he explained everything really well. I hear that there was a trash truck coming and he motioned and the lady who hit her thought he was motioning for her drive and my friend thought he was motioning for her to cross the road. That is how it happened, what he explained was, he wasn't giving either one a ticket but my friend could get a ticket because there was no crosswalk there. I think the best solution would be if Four County Transit could turn into the Big Lots Shopping Center. If that is not possible, it looks like we need to put a crosswalk there. Something needs to be done, it could have cost someone her life.

Tim Taylor said they had helped map where those stops are when the Transit first came into town. They depended on us to help them to know where to go. I am surprised they did not come into the complex. We really need to talk to them about that. That is where most people are going. We helped them figure out where to go that would make the best use of where we need to be safely.

Mary Ann continued that someone had told her that when the Transit drops off passengers at the Free Clinic, they drop them across and they have to cross the entire road. This was told by someone in the medical field that should know. That is even more dangerous.

Doug Ratliff said that every morning there are buses in the complex, he wondered where they were from. Chief Dorton said is where they pick up. He thinks them dropping off passengers outside the complex is a matter of convenience.

Tim Taylor said we spent a lot of time thinking about where to send those buses. We don't want to have to pay for buses to go to Walmart out in the county so we have transfer spots and we worked that out. So the folks from Richlands that want to go to Walmart have to transfer because otherwise, we would have to pay for them to go out of town. There was speculation that the driver had changed the drop off spot. Tim plans to discuss this matter with Four County Transit.

Mary Ann noted in Fred's report that they had to remove graffiti from Critterville three times; that is a shame. Fred said he thought it all started with the Tazewell graffiti at the High School. She said she hopes it stops, that is just too much in a short period of time.

Rod Cury asked about the Codification. We had asked for an extension from the company until August 30<sup>th</sup>. Tim said it is not going very well. We are behind. They have been a little irritated with us because they are waiting on us to make some changes. I have some of it done. Brad said he is in the middle of it. He is trying to make time for the entire thing, he has it on a disc. Rod said he is looking forward to having it done. Tim said he and Sue, Frank and Brad would have to get together on it.

Department Head Reports: (distributed earlier)

Mayor White asks if anyone has any questions or comments.

Gordon Russ asked if they had read the letter they had received from that lady thanking the Rescue Squad for their service during her serious car accident. He thought it was very nice. Mayor White said it is not often you hear a thank you, it's usually complaints.

Rod asked George West about leaf pickup. George said they were getting ready to start picking them up and would go by section and when they call as well. So if someone needs leaf pickup, just call the Town Hall.

Mayor's Comments

1-She has had several complaints about the papers being tossed out again so she called Mr. Maxwell and told him that things had improved for a while but now they had gone downhill. So he assured me he was going to send some people out this week to go around and pick up all of these papers. They had a change in the circulation manager or something to that effect. He asked me which sections were the worst and I said we have had complaints all over town. It is not just one particular section. He is supposed to address this and if anyone thinks it has not been addressed, he wants us to call him back.

2-She wanted to clarify a rumor that got started during Cedar Bluff's Festival. I had a gentleman approach me on Friday evening up there at the Festival and ask me if Town Council voted not let Cedar Bluff put up signs in our town. I said "No, that is absolutely not true, it did not happen." Well then later someone accused me of instructing the police to pull up the signs. That didn't happen either; I didn't actually know the signs were gone until they started bad mouthing us on Face book. Joe McCracken said he had a few people at the Festival approach him and ask why they pulled our signs. Mayor White asked Chief Dorton to explain what happened. We had discussed at the meeting before about temporary signs in town. Chief Dorton said they had placed signs on town property; he called the Cedar Bluff Chief of Police and told him there were a couple of signs that I was going to take up and he could come by the Police Department and pick them up. He said he didn't know anything about any signs being put out but I did get them picked up. They sent a representative down to pick them up and I had not picked them up yet so they went out and picked them up themselves. It was only two signs.

Mary Ann thanked him for bringing that up because that is not the story she was told. She

thanked him for clarifying the situation. I was told that the person who put those signs out was a volunteer that made a mistake. Chief Dorton said it was Cedar Bluff's employees that were putting them out. They said they welcome us when we have our Freedom Festival to put our signs in their town and wish that we could reciprocate. Chief Dorton said they have the same Ordinance that we have. They said they would overlook that for us. We need to build better relations but I am glad you clarified exactly how it happened. Tim said we have offered to put up their banners at the entrance to town and I think we may have done that a few times. We will still do that. Mary Ann said that is a lot better than the signs. Tim said in all fairness, he saw a few of these signs scattered through the county that were still there a long time afterwards so they are not prudent at going back and getting them so that is part of the problem too. We will put up the big signs for them, unless you all don't want to. Council agreed that they should do that.

Mayor White asked if they could do an Ordinance about temporary signs. Chief Dorton suggested that you not do anything that allows anyone to put up signs on Town property because if you do, they will put up signs and block intersections, you are creating a safety hazard and a liability issue. You are making the police have to say, this one is okay, this one is not. He said he can assure the Mayor and any Council member that we did not take those signs down. Brad Ratliff said there is a Virginia Statute that is on point and there are several towns that are listed as to their approach to these things. The Town of Bluefield is one of them. None of these towns allow any signage on public property.

Tim said they just waive the permit fees during those times. Chief Dorton said if you wanted to create a designated place to put signs, like the Police Department. For the political signs or maybe Town Hall. Rod said he didn't think it was a good idea.

#### Attorney Comments:

Earlier this evening we discussed Ordinance #O-2014-10-01 to amend the current motor vehicle license Ordinance as reflected in Article VIII, Section 11-105 and 11-106 of the Richlands Town Code. Sections 11-108 and 11-110, and Chapter 14, Section 14-27 of the Code of the Town of Richlands shall be repealed. As we discussed earlier in the hearing, there are two amendments to the Ordinance. One is to provide a better definition of motor vehicles to include mopeds and motor cycles. Perhaps using the term Motor Vehicle as defined in Virginia Code 46.42 and the second amendment to allow a 60 day period rather than a 30 day period before the penalty phase. Tim Taylor wanted to clarify that instead of January 31<sup>st</sup> then it would be March 1<sup>st</sup> but still due on December 31<sup>st</sup>. Council agreed that was correct. Brad said it would be prepared for the Mayor's signature with the amendments. It is ready for a Motion with that option.

Doug Ratliff made the Motion to dispense with the second reading, seconded by Larry Johnson. Vote, all in favor, 5/0. Motion carries.

Doug Ratliff made the Motion to adopt the Ordinance, seconded by Larry Johnson. Vote, all in favor, 5/0. Motion carried.

The second item under Brad's comments makes reference to the discussion of E-Summons matters. The Town of Richlands Police Department is a candidate to participate in a pilot project of the Commonwealth of Virginia for E-Summons or Electronic Summons as opposed to paper

summons in certain cases, in criminal cases and traffic cases. This is obviously going to be much more efficient in terms of the way that these things are done. As a component of this program, there is a Statute, Virginia Code Section 17.1-279.1 that is entitled Additional Assessment of Electronic Summons systems. This was passed by the Legislature as particular section of Code to allow the localities to add an additional \$5 per ticket essentially to help off-set the cost of maintenance and purchase of equipment. This will be a fairly expensive program. I will defer to Chief Dorton if you have any questions. I have been working since July with several folks at the County level to try to affect an Ordinance at the County level for collection of this fund. The Statute as passed by the State, allows only 6 cities or counties to pass the Ordinance and collect the amount that is possible. That does not include a town; I don't know if that is oversight on the Legislature's part or if it was specifically intended that way. When we began our discussion in July and August, Frank and I were initially going to prepare an Ordinance and have it passed and gain collection of the fee. That is not possible for us. At this juncture, we have a situation where this has been presented to the Board of Supervisors and the BOS at this point are not inclined to pass the Ordinance. There is one particular Supervisor who has raised some concerns on the basis of over-charging people who get tickets and those kinds of things and if they can't pay their court costs at this point anyway. So regardless of the specifics or the reasoning, one suggestion from the County Attorney was a Resolution from Town Council requesting that the Board of Supervisors pass an Ordinance. So I have prepared and in your packets that I have provided, I have a draft of the Resolution requesting that the Board of Supervisors pass this particular Ordinance so we can get started collecting this fee.

Chief Dorton said they did not have a definite date that the funding will be available to put the equipment in the cars but the law allows us to charge that fee now. Brad said they felt like if we could get that started, we could build a fund in advance from which we continue maintenance. Tim said technology is great but it is expensive.

Brad then read the Resolution in its entirety, requesting the Tazewell County Board of Supervisors pass an Ordinance allowing the Town of Richlands to collect the fee allowed by Virginia Code Section 17.1-279.1 to participate in the E-Summons program.

Mayor White asked if the E Summons, does it come to the Town or does it go directly to the person. Brad said the collection process, we would tack on the \$5 (it says up to \$5 so that is another issue). The Ordinance has to be passed by the County, it is collected by the County into a fund, it is paid by the Defendant and comes back to the locality.

Joe McCracken asked how much the new technology costs rather than going the old route. Chief Dorton said technology makes things faster, more efficient, fewer errors. Joe asked what it cost compared to handwriting a ticket. Chief Dorton said he really couldn't quote a difference in price. Brad said in his opinion it will be mandatory so you might as well get started.

Chief Dorton said to do the whole county as the project goes, is around \$230,000.00 but we have a funding source for that. Of course you have to have computers in the cars, we have grants and all of them have them now so it was \$0 to obtain those. What this \$5 fee goes for is maintenance, software, maintenance agreements, thermal paper, replacing computers. So the Town doesn't have anything up front and this is a way for us to book probably \$10,000.00 per

year into our budget to pay for the software agreements, replacing computers, replacing printers, buying paper, etc. Joe asked if this money comes back to the Police Department. Chief Dorton said that it does and will be specifically marked for maintenance, etc. with E Citations.

Tim Taylor said it should help keep the Officers on the street and in their cars instead of doing the paperwork. Chief Dorton stated that an Officer could write a ticket in 3 minutes versus 30 minutes.

Doug asked if they are not inclined to pass this at the Supervisor level, have you considered trying to change it at the Legislature level. Brad said that would be considered if they can't work out some alternative then we would explore whether we could have the legislature add the term "town" to the current legislation.

Mayor White asked if any of the surrounding counties are participating. Chief Dorton said that Smyth County is. Roanoke is in the process of doing in the same thing.

Council discussed further options.

Joe asked Frank if they had cameras in all the police cars yet. Frank said they are waiting on funding from the Attorney General. Larry said they have body cameras now. Frank said as soon as the money is available they will be getting them. Frank said it was almost a \$90,000 expense.

Brad said there was no rush on this Resolution, he just wanted Council to have it.

Larry Johnson made the Motion to pass the Resolution, Doug Ratliff seconded it. Vote, all in favor, 5/0.

Brad has already provided Council with a Memorandum that briefly describes the ordinance on signs that goes well with the discussion that was had earlier.

Town Manager's Report:

1-Authorization to pay bills. Mr. Taylor went over the check register which included bills for the month totaling \$720,640.59, including AMP Power Bill \$353,999.28, Anthem \$75,957.00 and VRS \$54,102.86. Joe McCracken asked if we are paying our bills on time and are we paying any extra monies because we are not paying our bills on time. Tim said if we have a bill that is not paid it is because something is wrong, either it is not correct or the invoice isn't right. We don't delay any bills. It was confirmed by Sue and by Susan that we are not paying late fees. Mary Ann Strong made a motion to authorize the Town Manager to pay the bills, seconded by Larry Johnson. All in favor, vote 5/0. Motion carried.

2b- Consideration of Revenue Sharing Project Resolution-we would really like to get this. We have to fill out an application for Revenue Sharing Program by October 20<sup>th</sup>, which is soon upon us. It is a requirement that Council pass a Resolution allocating funds for this particular project. There is more competition for these monies because of the fact there is such a need in Northern Virginia for transportation funding. They are trying to get more and more of the Revenue Share

money and it is a grant-type system. There is a move in the legislature to try to do more toward different formulas for this. We are really trying to stay on top of this. I have spent a lot of time filling out surveys and responses that are being sent from the Transportation Board or VDOT themselves to submit to the General Assembly. It is a good source of revenue, for every dollar that we spend on the roads, they will match it with a dollar. So far we have been very successful. This particular Resolution will be for the fiscal year starting in 2015-2016. He then read the entire Resolution asking for up to \$200,000.00. Part of this money, \$25,000.00 we have been able to get some funds from the County through their Coal Severance Tax program. Mr. White called me last week and told me he was able to get \$25,000.00. I thought it would be prudent to put that \$25,000.00 into the Revenue Share and try to double our money. That would be toward Hill Creek and that area down there. It probably won't do it all. So for our budget, we are looking at it affecting us \$175,000.00, depending on how it looks. The rest of it is various areas that we will identify in long-range planning based on some of those things that you all talked about. The paving for the one we have currently is \$150,000.00, which will take place this spring. That is for Valley Drive and some of those other ones. We have to be specific and use computer programming now. If you say you are going to pave it, that is what you have to pave, it is hard to change your mind. We try to give it a lot of thought. Doug said the Town did a fabulous job with the patching in Hidden Valley and all over town.

Rod Cury made the Motion to adopt this Resolution, seconded by Larry Johnson. Larry did ask if any of the money could be used for the Lee Street ext. wall. Tim said it would have to be designated, but we really need it for paving. Vote, all in favor, 5/0.

As far as the wall on Lee Street, we are actually 60% done. After last Council meeting, George got his crew to actually go up there and hand look at the entire wall and feel for anything loose, to look and see about drainage and to also fill any voids in with new grout and sealer. We are trying to seal it off totally. Regardless of what we do permanently, this will help us not only with the looks but will keep any water out. There are designated points that we will know if it moves a fraction of an inch. So far, it has not moved any and we can't see any recent signs of anything loose. Some of the stones, not sure how they got out, they may have been kicked out with kids playing, nobody really knows. We had a hard time figuring out where they came from. There is no evidence on top that there is cracking. For a more comprehensive report, I have already talked to our engineers and we have a structural engineer ready to come look at it but I don't want to spend any money yet until we look at it a little harder. If it moves any, we will get them here just like that. We also have some folks in town doing some pile driving work that we are going to talk to, we may get them to come up and look at it with us. They may have a solution that we can get some free advice on. Right now we don't see it as any hazard to public safety.

Credit Card Report-We have four responses from credible banks, we have short-listed it down to 2. We were hoping to get a response from one company, the other response we don't have yet. We have questions, these things have a list for a lot of different fees. So we are trying to make it as cheap on our customers as well as ourselves as we can. We are close to making an award with that. It does depend on the availability of the equipment, the training and getting it installed. It looks really good. We are still working out some of the details on the charging because it is pretty elaborate the way they can bill you. So we are trying to do the best that we can with that. Software, we have to work out how to collect it and actually do it. We will be able to charge a



convenience fee, everybody understands that to use it. Only for the people that use it. It will not spread into the rates so if you use it, it will be a convenience fee based on our best guess of how it will fund it. If you use a rewards card, it costs you more. If you use a debit card, it will cost less. If you use anything in between, it costs all kinds of different rates. We will have to find a happy medium to cover the convenience so that we can break even and pay for our equipment. That is all we are trying to do. Both of the banks that are in the running are local.

Mary Ann said she really appreciated it and has had a lot of positive comments just on having the ATM machine at the Town Hall. I feel that people will be very appreciative to be able to use debit/credit cards. We are going to try to have an electronic transfer so you can pay your bill electronically also. That is a little further down the road. I think there is only a small fee with that if any.

We plan to get the software RFP out next. That is our next goal. Once we get our taxes out, Sue said hopefully by the end of next week we would have tax tickets out.

National Weather Service report-The NWS came down and looked our site, they were very pleased. They made comments about the workmanship our employees done, said it was probably one of the best sites they have. We have talked to all parties that are going to be players and are trying to get that implemented. I met with APCO today, they have a work schedule to get power to the building, once that happens we will install the radios and get moving on with that project. I also talked to Mr. White about providing a generator for the site and he said BOS will fund an emergency generator for that. That will make it all inclusive. It should be up and running as soon as the electricity comes. Hopefully we can beat the winter weather and then we will have not only a good public service resource, it will also enhance the Police, the Fire and Rescue and also some of the telemetry for water for the County. I keep emphasizing that it has to have Town of Richlands name on it and there is no problem with that. We will be signing an agreement.

Tim said he did have two items for closed session pursuant to: 1-Section 2.23711 a (1) Personnel Issues and 2-Section 2.23711 a (5) Prospective Business where no previous announcement has been made-Project Jonah.

Joe McCracken made the Motion to go into closed session pursuant to the two sections mentioned above, seconded by Rod Cury. Vote, all in favor, 5/0. Motion carried.

Council went into closed session at 9:43 pm and returned at 10:42 pm

Rod Cury made the Motion to return from closed session pursuant to 1-Section 2.23711 a (1) Personnel Issues and 2-Section 2.23711 a (5) Prospective Business where no previous announcement has been made-Project Jonah, seconded by Larry Johnson. Vote, all in favor, 5/0. Motion carried.

All members affirmed that the only business discussed was pursuant to 1-Section 2.23711 a (1) Personnel Issues and 2-Section 2.23711 a (5) Prospective Business where no previous announcement has been made-Project Jonah.

Larry Johnson made the Motion to allocate up to \$9,000.00 on Project Jonah, seconded by Rod Cury. Vote, all in favor, 5/0. Motion carried.

With no further business to discuss, Rod Cury made the Motion to adjourn, seconded by Larry Johnson. Vote, all in favor, 5/0. Motion carried.

Meeting adjourned at 10:48 pm until the next meeting on November 11, 2014 at 7:30 pm.

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Jan White, Mayor

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Susan Whitt, Clerk