

The Richlands Town Council held a regular monthly meeting in the Richlands Council Chambers on December 9, 2014 at 7:30 pm with the following present:

Mayor: Jannis White
Town Manager: Tim Taylor
Town Attorney: Brad Ratliff
Town Clerk: Susan Whitt
Council Members: Joe McCracken, Larry Johnson, Doug Ratliff,
Mary Ann Strong and Frances Meadows
Rod Cury-arrived at 7:50 pm

Mayor White called the meeting to order.

Tim Taylor gave the invocation and led the Pledge of Allegiance.

Mayor White asked if there were any additions or deletions to the Agenda. Tim Taylor asked to add a section to cover a Resolution for Council to consider adopting concerning an update for Section 125 Premium Only Plan under Manager's Report.

Hearing no other additions or deletions, Mayor White asked for a Motion to approve the Agenda as amended. Frances Meadows made the Motion to approve the Agenda as amended, seconded by Larry Johnson. Vote, all in favor, 5/0. Motion carried.

Mayor White asked if there were any corrections, deletions or additions to either set of minutes, one for the Joint Meeting with IDA and one for the regular meeting. Hearing none, Mayor White asked for a Motion to approve both sets of minutes as presented, made by Frances Meadows and seconded by Mary Ann Strong. Vote, all in favor, 5/0. Motion carried.

Scheduled Public Comments:

Patricia Challen with the Department of Veterans Affairs, Princeton, WV. Ms. Challen is a 16 year Navy Veteran, retired in 1997 and has had the privilege of being hired by the Veterans Administration in Princeton, WV. Part of what we do is to provide free counseling to combat veterans. Not all combat veterans can get to Princeton, WV. So Emily Car and I came to the Mayor to offer counseling, readjustment counseling, counseling for post dramatic stress disorder for veterans in your area. We offer free stress and grief counseling services to anyone who has lost someone on active duty. We are a part of the Veterans Affairs. We are mandated by Congress to be in the community. They found that in the 1970's, when the Viet Nam veterans came back, they were not treated very well by our country as a whole and we learned by that mistake and the Viet Nam Veterans of America started having support groups for them and it was so received by the veterans that it was taken in front of Congress and Congress mandated that counseling would be brought to the communities where the veterans are as opposed to the veterans having to go the Veterans Administration Hospital, which can be intimidating and take a long time. Not to say that is not good counseling, because it is and many people have benefitted from it. Our records are held separately from the Veterans Administration so if someone is in the National Guard and they have a job and don't want their boss to know, their boss isn't going to know, because our records are held separately and the only way their records would be released is if they sign a release of information. In Princeton, we are open four nights a week and we are also open on Saturday, but again, not everyone can get there. We are responsible for Tazewell County and looked at it and said Richlands would be a great place for veterans, so here we are. It went from Viet Nam veterans to Desert Shield/Desert Storm to Iraq veterans, Afghanistan veterans and others. Basically, if they have been in combat anywhere or in any combat theatre then they are eligible for our services.

As I told someone else, if a veteran shows up and they don't have that check-mark on their DD14 form that states that they were operational in combat theatre, we are probably not going to kick them out.

We told the Mayor we can come once or twice a month or if the demand is high enough, we will come every week. We only have the Jeep on Mondays and Fridays and Saltville already asked for Mondays and since you are on this side, it will be Fridays. We ask for a public place so that it could be like they are there to do something else, not necessarily there to get counseling. There is a big difference in being in a combat zone and coming back home and trying to readjust. There

are still Viet Nam veterans, WWII and Korean War veterans that are still trying to adjust. We understand that and provide that service. We want to serve the veterans here instead of them having to come to us. We already have people who drive an hour and a half to counseling in Princeton. Our boss, Sam Hefflen said that we need to get farther out in the community. We are already in Narrows and Wytheville. I brought some brochures if anyone is interested. There is a toll free number to the National Crisis line, if you know any veterans that are in crises, either an employee or family member, all they have to do is call the number on the card and they will get immediate help and then within 24 hours someone in their regional area will contact them and connect them with veterans services.

Frances Meadows said she thought it was a wonderful idea for our community. There are several people that live around here that are still in the reserves.

Mayor White said there is a great need and that she and the Council appreciated her coming and offering this service. Mayor White said they would make contact for her on her behalf with the Business Incubator or if she wanted to come back down one day and she would go with her to the Incubator. Ms. Challen said they would be happy to do either way, they have the Jeep available on Mondays and Fridays and Saltville won Mondays, so Richlands has Fridays. We will be here as much on Fridays as needed, unless the weather is really bad, in which case we will call someone and let them know that we are not coming because we wouldn't want the veterans to come out in that kind of weather either. Whatever the demand is, that is what we will do. If it is every Friday, we will be here every Friday. They would like to start in January, 2015.

Mary Ann Strong suggested putting this on the Access Channel once the details are finalized. Ms. Challen said that they will come back and give out flyers to businesses and ask them to post them. Mayor White said she was sure the Richlands News Press would help get the word out. Jim Talbert confirmed.

Council Member Reports:

Joe McCracken has discussed at length some on-going problems with Mr. Taylor and progress is being made on those issues. One of them is Sayers Street. I have checked a lot off my list because Tim and I have discussed them and have some things in the works. I did want to mention the Rec Park roof, I was over there one day last week and the roof is still leaking, just not as bad as it was. It needs a little more maintenance.

He also congratulated the RHS Football Team on going as far as they did in the playoffs and mentioned what a great school Richlands High School is.

Frances Meadows - She also congratulated the football team on an outstanding season.

She wanted to ask about the mobile home park situation. Chief Dorton said they had finished as far as sending out the letters on the zoning violations but only in that one park. Once that is done, we will target another park and it will probably be Tackett's. Mr. Taylor said that the specific issues that were mentioned last month have been taken care of.

She also mentioned that this weekend is White Christmas so if anyone wants to come out early on Saturday and Sunday mornings, 7:00 am on Saturday at the Police Department and 7:00 am on Sunday at Wal-Mart. Chief Dorton invited everyone to come out and participate. He said volunteers were really needed on Sunday. This is for the Shop with a Cop program at Magic Mart and Wal-Mart.

Joe McCracken also mentioned the Burnett Street Property. I know that we gave the purchaser a couple of months to take it down. I have spoken to the purchaser, he says he has paid but he doesn't have the deed. Brad Ratliff said that there was a deed signed by the Mayor and recorded. He said he has a paid receipt but as of yet he has no deed and that is why he has not started the demolition. Brad said he would check on it, sometimes the Court will send the deed back to the Grantee. It may have been mailed, but it was recorded immediately after the Mayor endorsed it.

Joe also mentioned Vickey Drive, is there anything in the report? Vickey Drive as a whole, such as the Holmes property, the Ball property, a couple of houses behind the Ball property that are in disrepair. Brad responded that the one property on Vickey Drive that is owned by Nations Bank, we have been working with them to get that cleaned up. We contacted them and they had a company called Hubzu that was supposed to be taking care of the property but were apparently

failing in their duties. We have contacted them directly and are trying to have something done. We may have to issue a letter to them and advise them that we will do it ourselves and bill them.

As far as the Cecil Ball property, I have been conversing with the County Attorney because there are past due county taxes as well as past due taxes owing the Town of Richlands. We had initially planned to do a "joint sale". They are running behind because they have such a huge load of past due properties and Shelia Wymer was kind enough to forward to me the documents to use to start the process. I intend to start that in January. Joe asked about the other house that we had talked to the owner about demolition on that house, the Holmes property. They came and spoke a few months ago. It seems the property owners have not made much progress. We can do it ourselves and charge those repairs and cleanup back to the property as a tax lien. Mr. Taylor and I will meet on that sometime before the January meeting.

Mayor White asked about the property on Spratt or Buchanan Street, there is a house and a trailer. Brad wasn't sure of which property it is. Chief Dorton said that it had been cleaned up, the grass mowed, still nobody living in either place. He advised the properties are basically secure. He did mention that one of them has a hole in the roof and it doesn't make it unsecure.

Mayor White asked about the property over in the Brooklyn Addition in the curve. There has been a lot of activity there but it is still a concern. Chief Dorton said the property owner was served a Summons for Failure to Comply and there is a pending court date.

Brad Ratliff said that he will address the Holmes property this month and get back with Joe.

Joe asked about the status of Laramie Road, if any progress has been made to the clean up. It is the same owner as the one on Fourth Street. Chief Dorton advised that the property owner has been moving stuff from the property on Laramie. Since it is the same owner, he felt that he had neglected the other place on Fourth Street in order to make progress on Laramie.

Doug Ratliff-requested a meeting with the Natural Gas people around the first week or second of January with the Electric Committee. Tim said he would talk to them about it. He also reminded everyone of the Public Safety Christmas Party on Saturday, December 13th at 6:00 pm.

Rod Cury-apologized for being late this evening. At the last council meeting, I had asked at the request of citizens, about the residence on Fairfax Avenue, maybe 314, people had talked about the grass not being mowed at that time and it was really high. But I don't think anything has been done, Chief Dorton addressed what he could. He asked Brad if he had found out anything.

Brad said that this is actually the property that had the management company, Hubzu, and we identified the owner which is National Bank or Nations Bank, one of the large banks. We contacted them by phone and got an assurance that this property would be cleaned up and apparently it has not. So we will send out a letter tomorrow and I will send you and Mr. McCracken a copy. We will let them know that we are going to take it upon ourselves as the Town to clean it up and it will be a tax lien. Rod said he appreciated that and he will pass it on to the citizens that were concerned about the safety and the value of their adjacent properties.

Rod had mentioned to Chief Dorton earlier, in the 300 block of Tazewell Avenue, there has been several complaints since early June about noise and automotive noise that is coming from that particular house there and I think its 322 Tazewell Avenue. Recently, I have had other people from the 300 block to ask about this noise that is coming from this area and it's a noise that is intolerable. It is making life miserable and is reducing the value of their lives and of their property. I think the police have been over there. Chief Dorton confirmed. There were questions about the noise ordinance and I'm sure there is a noise ordinance. Joe McCracken said that he has a copy if Rod wanted to look at it. Rod asked what they could do at this point to help alleviate this problem.

Chief Dorton said the last call they got over there as far as the noise complaint was this past Saturday and when the Officer arrived, there was no noise. That makes it difficult if it's not going on when we get there. The people that it annoys can come before the Magistrate and secure a warrant for violation of the noise ordinance. We will help them through the magistrate

to do that, but if it is not going on when we are present, it is a misdemeanor but we can't do anything about it.

Rod said it was his understanding, and he knows that the police are trying to be there to curb it, but obviously if they see them coming, they are going to stop the noise. That would seem apparent to me. He asked if anyone had any suggestions that could help the police. Joe said the Ordinance is there to stop this but the way that he reads it; the Ordinance doesn't have any teeth so the officers can issue a ticket or violation. Chief Dorton said that a continuous noise is a violation. It is left up to the interpretation of the person, if it's an annoying noise or a continuous noise. Joe said according to what he read, it could be a bird, or music. Chief Dorton said it has to be continuous.

Rod read part of the Noise Ordinance that states: Under 12-2 Section A-Particular noise prohibited-The playing of any radio, phonograph or any musical instrument in such a manner or with such volume, particularly during the hours of 11:00 pm and 7:00 am, as to annoy or disturb the quiet, comfort or repose of persons in any dwelling, hotel or other type of residence. That is pretty vague; I think it might be that we want to consider something more to include 24 hours if it is something that is bothering people, because this is a day-time occurrence. I'm suggesting that we look into this. Tim Taylor said most of the time when it's that broad, it's hard. The more successful thing that Council has been able to do in the past is the Nuisance Ordinance. Which means the folks that are in that area, if they get a petition up or if they come and address Council, then they as a unit can basically lay a claim to it being a public nuisance by that or someone else can claim that it is a public or private nuisance. That has been more successful unless it is someone playing a loud speaker after hours. That is pretty easy if the officer comes up and there is music blasting, then he can do something about it. Chief Dorton said it is easier to point out if it is occurring after 11 pm but the Noise Ordinance does cover during the day.

Rod wanted to bring up something since Tim suggested they come before Council with the nuisance complaint, these people are for the most part are fearful because they feel intimidated and bullied. That is why they are not here. They are not afraid of the police or the council, they are afraid of the situation. It is a dread full thought to have a neighborhood that is fearful like this.

Mary Ann Strong said there were a few people that were planning to come tonight, up until a couple of hours ago for the exact reasons that Rod mentioned, they decided not to.

Larry Johnson said that if the police show up and it is still going on, then they don't have to warn them, they can write them a ticket. Chief Dorton said if it is not going on when they arrive, they can't enforce a misdemeanor that is not committed in their presence.

Tim asked what the noise is specifically. Rod said they are working on automobiles, revving up the engines, etc. They claim it's not a business. The police have not seen exchange of money so it's really hard to prove. Mary Ann said it looks rather obvious, many times you can see many cars in the driveway, in the yard, everywhere. That street is becoming very undesirable. People have texted and emailed her about their concerns and they are afraid families are going to move and that street will become undesirable.

Chief Dorton said the residents need to let them know what they are afraid of. Mary Ann said there have been no threats, they are afraid of being bullied.

Mary Ann asked how they could go about putting more teeth into the existing Ordinance. Larry Johnson said there is not much else you can do. Without the police witnessing and without the complainant making a statement, you don't have anything. Joe said it looks like if it were complained about more than once, then something should be able to be done. It has been called about several times.

Chief Dorton said if the citizens could express their fears to them, then something could be done. Rod asked if they could come to them privately and Chief Dorton replied that they could. Chief Dorton said if they feel threatened that is separate from the Noise Ordinance. You can do an Emergency Protective Order.

Doug Ratliff asked if they could approach the cars being all in the yard. It is their property so there is nothing you can do about that.

Tim Taylor said they can further evaluate if they are operating a business, we can investigate that. Chief Dorton said there are ways to determine if they are operating a business. Doug asked if you could take the tag numbers of the vehicles then contact the owner of the vehicle and see if any money was exchanged. Chief Dorton said that is a possibility and he would love to have a solution to it. He said the citizens can call and report the complaints anonymously.

Rod said the next Planning Commission meeting is set for Tuesday, January 6, 2015 at 7:30 pm. He personally congratulated the RHS Football Team for a fantastic season and a wonderful job, for their achievements, hard fought and hard won. They deserve our recognition. He wished everyone a Merry Christmas.

Larry Johnson-thanked everyone for their participation in the Christmas parade and on behalf of this year's coordinator, we really appreciate the help and it was a really good parade.

As far as the football team, we have all mentioned the team; we know we have a great team and a great program and coaches. However, I want to point out something that usually is not mentioned about our team. I work at Ramey's and we have had the opportunity to take care of them with food and some of our employees have encountered these young men and all they can talk about is how well mannered they are; their manners compared to some of the other teams that we have done that for, its second to none. We all know they are great at their sport, but they are also great people. He wished everyone a Merry Christmas.

Mary Ann Strong-reiterated all of the congratulations to the Football Team. I am very close to one of the coaches in particular, so I am very proud of them. There was a letter written to Richlands High School after the Gate City game from the father of one of the star players from Gate City and he started it by saying his heart was broken because his son was a senior and he witnessed him play his last football game. The important part was he complemented the sportsmanship of our players and our coaches and said it was just exemplary and wished us well. So to come from an opposing team's father, I thought that was outstanding. I wish the letter could be shared with the whole community. For a team that started 0 – 2 and people were writing them off, to have achieved what they have, that just shows hard work, good coaching and togetherness, they were a real family. I also wanted to mention the Rec Park toy drive. You can drop off new or used toys; they don't have to be wrapped, by December 20th to the Rec Park. Like Frances said, if you really want to feel good and do something that will make your heart feel great, do the Shop with a Cop. I had never done that until last year and I certainly hope to this year.

She asked about the status of applicants for the Town Clerk position. Tim Taylor said he thought they had two applicants so far. It is still open until filled. He asked Council how they wanted to proceed. He said normally Council just appoints someone. Mayor White suggested waiting until it closed and then giving all them copies of the applications. Tim said they could close it out before next Council.

She wished everyone a Merry Christmas and asked everyone to try to keep Christ in Christmas and remember the real reason that we celebrate.

Mayor White asked if there were any questions about the department reports that were distributed earlier. Mary Ann commented on the Rec Park's great concession sales. There is not a lot of activity so they must have some good food in their concession. Scott said it was Basketball season.

Tim asked Gordon Russ to speak about his latest success with a grant. He said they were awarded their 80-20 grant and he got something from the state about the grant, it is for \$106,000.00. He said they had been negotiating the price on the new truck. I had been talking to Tim about the truck we have with the rod inside the motor, there have been some people inquiring about it, they would like to have it for a service truck and replace the motor. It has an A-1 box. We got the OMD and RCMC. We got the OMD down at the hospital, Marilyn McCloud, from out of Lynchburg. She is highly recognized. Everyone thought they made a good choice with her. He also reminded everyone of the Christmas Dinner on Saturday night.

Frances recognized Scott Diperna from the Rec Park who was standing in for Fred Phillips tonight.

Mary Ann Strong complimented the Town's Christmas decorations and appreciated the good job putting those up.

Mayor White also congratulated the RHS Football team and wants to invite them to the next Council meeting to recognize them. Council agreed. She asked the Clerk to send a letter to them.

Attorney's Comments-Brad Ratliff-had already covered the Cecil Ball property. Also under my comments is the Closed Session pursuant to Code Section 2.2 3711 a (7) – Pending Litigation. I had forwarded to Council last month, and I apologize for not being here last month, I am glad to be back. I had forwarded a pretty extensive memorandum to Council regarding the litigation that is subject of the closed session. If everyone has had an opportunity to review that, the closed session purpose is to seek approval of Council to conclude the litigation and depending on what is Council's pleasure, this Memorandum was pretty concise, if no one has any questions and Council is willing to provide Mr. Taylor and I the authority to do that, then we could proceed down that route without the closed session. That is entirely up to Council. We can go to closed session and discuss it first. Council agreed to go through the rest of the report before going into closed session.

Town Manager's Report:

1-Authorization to pay bills. Mr. Taylor went over the check register which included bills for the month totaling \$655,482.75, including AMP Power Bill \$361,217.15, Anthem \$80,380.00 and VRS \$55,033.73. Rod Cury made a motion to authorize the Town Manager to pay the bills, seconded by Doug Ratliff. All in favor; vote 6/0. Motion carried.

2-Resolution-for a couple of appointments. We have a Resolution to appoint myself as the Director of Blue Ridge Power Agency and Kevin Blankenship, the Electric Department Director as an Alternate Director. The main reason is when we do any type of activities with Blue Ridge and/or AMP; we do have to have some formality to that. As it stood today, I was the only appointee because we didn't have one at the time. So what that does is provide us with a means to function in both capacities for Blue Ridge Power Agency with myself and Kevin as an alternate. That goes into their files so it makes a legal document. I would hope Council would consider passing that Resolution. Mayor White asked for a Motion to pass the Resolution as stated, made by Larry Johnson and seconded by Doug Ratliff. Vote, all in favor, 6/0. Motion carried.

3-Section 125-He asked Sue Wade to explain this to Council. Sue Wade said that each year Council approves the employees under Section 125, which allows them to carry things like health insurance, intensive care, cancer anything like that and it is pre-tax so it saves them FICA and Medicare and also the Town doesn't have to match that so it saves the Town money. Now with this entire new healthcare in place, they have decided to, if you switch due to reduction in hours, before you didn't have the option of changing it, you had to carry it all year long. Now with this new healthcare, you can opt out or change things without any kind of penalty or anything like that. In addition to that, this year during the marketplace open enrollment, the employee can also change their status for whatever insurance they have signed up for, if they need to change it. It allows employees to opt out if they need to and maybe get something cheaper. Before, they didn't have this option; they had to stay with it from July to June of the following year. They just need us to say yes we realize this and can allow them to do this without any repercussions. Council agreed that it is a good idea. Joe McCracken made the Motion to Adopt the Resolution for Section 125, seconded by Mary Ann Strong. Vote, all in favor, 6/0. Motion carried.

4-Project updates:

- a.) Credit cards-The contract is signed, the equipment is ordered. They have scheduled us for the first week in January or so to come down and start getting things on board. We do have that going.
- b.) We have a contract that has expired, and we do have to have our bridges inspected on a regular basis. We have kept an engineering firm that has done this work for us since I have been with the Town. They are a very qualified group; this is a specialty, very

important expertise that this engineering firm brings to the table. Not too many engineering firms do this type of work anyway, they are hard to find. Actually, Mr. Schwartz, the president of Schwartz and Associates, basically did all of the work for the Virginia Dept. of Highways back before they privatized it and made all of the localities do their own. With the declining infrastructure with our bridges, it is more and more important that we have competent folks that do our bridge inspections, which are mandated by law. We have done this for the last couple of contracts, based on my recommendation as Purchasing Agent as well as Town Manger, I have made a Sole Source Determination that we have provided you in your packet saying that this is the sole source available for conducting our bridge safety inspections for the Town and we have negotiated a contract with them for another 3 year period to last from September 2014 to September 2017. First bridge inspections are due to be done in February. I have looked at the cost, and believe it or not, it is hard to believe we were able to get it but we were able to be on a close to \$20,000.00 contract. They only increased the fee \$80.00. That covers all bridges in town that have to be inspected.

I would like for Council to authorize me to execute this Contract with Schwartz and Associates for the specified amount of time in the Sole Source Determination as presented in your package. Rod Cury made the Motion to authorize Tim Taylor to execute the contract as stated with Schwartz & Associates, seconded by Joe McCracken. Vote, all in favor, 6/0. Motion carried.

- c.) Vehicle License Fee-We knew that this project would have some problems with it because it's new. It's the first time we have done it; we are still not used to it. We were pretty late in getting the printer to actually get data printed out and distributed. Since it's been mailed to the citizens, it didn't get mailed out until the latter part of last week. I acted a little out of my authority, and I hope you will bless it, but we gave them another 30 days to pay for it. I knew you wouldn't want that to happen. On the due date, we added another 30 days. It would be proper, since this is an Ordinance for you to grant me that authorization. Joe McCracken made the Motion to allow Tim Taylor to add 30 days to the due date on the Motor Vehicle License Fee, seconded by Rod Cury. Vote, all in favor, 6/0. Motion carried.

Tim said there are some vehicles that bills have been sent on that are housed in the Town of Richlands and a lot of the people who live in Richlands but the vehicle may be housed somewhere else and the Ordinance does say "housed" so we are handling it case by case. If there is an error; you don't own the vehicle or whatever it is, then we will deal with it in the office. So if you get calls, please explain that it is our first time with this change in the way we are doing this and there are some mistakes, all you have to do is call the office and we will work it out. Why there are so many of them, we seem to think there are more than there should be; the data came from the County and the DMV. We will clean that up once we get our new system and new software by next year. We will have a better data base and it will be current, so we expect this not to be a problem next year. Doug asked how the numbers were looking. Tim said it is hard to tell yet but there have been a lot sent in error, so the original number that they thought would be reduced. Sue Wade said a little over 5,000 were sent out on motor vehicle and close to 600 to 800 on mobile homes. It is still a lot more than we usually collect. Sue said we have got quite a few back, if they do call you, please tell them to send them back to us, just to put their phone number in case we have questions. Tim said just tell them to call us. We feel that next year we will have a better data base and may be able to do it ourselves and do a better job.

Joe said he had the following question asked of him: if you take your garbage to the landfill or to the Cedar Bluff site, how does that person know that you live in Town. He will have to ask to see the receipt. What if the person forgot his receipt, what do they do with the trash? Tim said if they show them their registration and it says Town of Richlands, there are other ways. I can't imagine they would be that hard on them. Joe said the site manager had asked him the question. Tim said they just need to show evidence, either their receipt or registration.

4-Memorandum of Understanding with Russell County PSA –this is a document we have used to share resources and it should be in your package. It is the same agreement that we passed with Tazewell County Public Service Authority as well as Town of Tazewell. The reason we would like to have that is we have been talking about some services they have that we might like to do for us. We have a couple of projects that are quite a bit of distance of pipe laying and we just want to look at all of our options. This gives us a document to go both ways; it is a good thing to

have. If you will authorize me to sign this on behalf of the Town of Richlands, I will do that and forward it to the Board and let them take it up to be signed and we will have another resource for shared resources. Frances Meadows made the Motion to authorize Tim Taylor to sign the MOU between the Town of Richlands and the Russell County PSA, seconded by Larry Johnson. Vote, all in favor, 6/0. Motion carried.

Doug mentioned that Council talked months ago about sharing resources with public safety, like you couldn't go into Russell County just across the line. Whatever became of that? We were going to try to get an agreement. Keith Reynolds said he had not done anything on it. He said he wasn't sure how to go about it. He wasn't sure that he had the authority to negotiate anything on behalf of the Town. Doug asked if we could pursue it. Gordon Russ said what it would take is to get something together and take it to the Board of Supervisors and get it approved. You can't step across the line without their authority. We have a mutual aid agreement in place, if New Garden needs help, then we go. But to do something like you are talking about, these people needing help and we can't give it to them, we can't go across the line, we need to get the approval of the Board of Supervisors of Russell County. Mayor White asked Larry to work on that.

5-Letter from Wardell Lands-Chris Hess-Tim had received a letter last month about requesting a number of streets and alley-ways that have never been developed that are located in their property, basically surrounding their properties that they would like to have vacated. These streets are part of the streets that are in some of the subdivisions that are developed outside of what was Richlands before we had the boundary adjustment. I didn't know they existed until the documents were produced. We need to start the process, which will include the Planning Commission too. We will try to get the process started for council review next month. We will need to get viewers appointed and so forth. Brad said he had directed them to send a written request for the vacation. Tim said he had received that and he would get copies of all documentation to everyone. There is a process; you can't act on it tonight.

Tim made the re-introduction of Kevin Blankenship as Director of the Electrical Dept. as well as taking care of zoning issues and is helping with customer service. He is also our official OSHA trainer; he is certified in that as well as a Licensed Professional Engineer in the state of Virginia. Council welcomed Kevin back and he said he was glad to be back.

Joe McCracken made the Motion to go into closed session pursuant to Section 2.23711 (a) 7-Pending Litigation, seconded by Larry Johnson. Vote, all in favor, 6/0. Motion carried.

Council went into closed session at 8:50 pm and returned at 9:10 pm.

Larry Johnson made the Motion to come back from closed session pursuant to Section 2.23711 (a) 7-Pending Litigation, seconded by Rod Cury. Vote, all in favor, 6/0.

All council members affirmed that the only business discussed was pursuant to Section 2.23711 (a) 7-Pending Litigation.

As a result of closed session, Rod Cury made a Motion to allow Mr. Ratliff (Brad) and Mr. Taylor to proceed with settlement of the pending litigation, seconded by Mary Ann Strong. Vote, all in favor, 6/0. Motion carried. Motion carried.

Tim Taylor mentioned that Council did get a copy of the Financial Statements provided by the Auditors. They are invited to the January meeting so you can review this and if you have any questions, they can address those at that time.

Mayor White wished everyone a Merry Christmas.

With no further business to discuss, Joe McCracken made the Motion to Adjourn, seconded by Rod Cury. Vote, all in favor, 6/0. Motion carried.

Meeting adjourned until January 13, 2015.

(signature on file)

Jan White, Mayor

(signature on file)

Susan Whitt, Clerk