

The Richlands Town Council held a regular monthly meeting in the Richlands Council Chambers on January 10, 2017 at 7:30 pm with the following present:

Mayor:	Jannis White
Town Manager:	Tim Taylor
Acting Town Clerk:	Adrienne Cordle
Council Members:	Mary Ann Strong, Vickie England, Larry Johnson, Rick Wood, Rod Cury, Doug Ratliff
Town Attorney:	Brad Ratliff

Mayor White opened the meeting.

Terry Hall gave the invocation and led the Pledge of Allegiance with the Richlands Choir, who sang a song.

Mayor White- Thank you so much that was absolutely beautiful and we really appreciate you attending our meeting.

Mayor White-Do we have anyone that would like to speak that is not on the agenda?

Ginger Branton was added to the agenda.

Mayor White-Is there anyone else that would like to speak that is not on the agenda? Are there any other changes to the agenda, amendments, or deletions?

Tim-I have an error on Section 6 of part I. We don't have a representative there so that was a mistake on my part.

Mayor White- Are there any other changes to the agenda? Any other corrections or deletions? If not do I hear a motion to approve the agenda as amended?

Rod- I would like to motion to approve the agenda as amended. Larry Johnson seconded the motion. Motion passed 6/0.

Mayor White-You have the minutes that were will distributed prior to the meeting. Are there any corrections, deletions, corrections to the minutes? Do I hear a motion to approve the minutes as presented?

Rod-I make a motion to approve the minutes as presented. Mary Ann seconded the motion.

Mayor White- We have a motion and a second any further discussion? All those in favor of the motion say yes. All those that oppose say no. Motion carries 6/0.

Mayor White-The first item is consideration of adopting Roberts Rules as official rules for conducting town business. Do I have a motion to that effect?

Rod- I make that motion. Larry Johnson seconded the motion. Motion carries 6/0.

Mayor White- We have a motion and a second any further discussion? All those in favor of the motion say yes. All those that oppose say no. Motion carries 6/0.

Mayor White-Our next order of business is election of vice mayor. Do we have a motion for vice mayor?

MaryAnn- I would like to make a motion to nominate Doug Ratliff as vice mayor. Rod Cury seconded the motion. Motion carries 6/0.

Mayor White-Now we need a motion to appoint the town manager.

Rod- I will make the motion to appoint the town manager, section C, Tim Taylor, along with Sections D, treasurer and E, zoning administrator. Larry Johnson seconded the motion.

Mayor White-We have a motion to appoint the town manager, treasurer, and zoning administrator. We have a motion and a second any further discussion? All those in favor of the motion say yes. All those that oppose say no. Motion carries 6/0.

Mayor White-We need to consider the appointment of town attorney. Do I have a motion?

Rod-I make a motion that Brad Ratliff be appointed town attorney. Larry Johnson seconded the motion. Motion Carries 6/0.

Mayor White-We are going to have to forgo the appointment of town clerk tonight. We have some applicants that we are reviewing and will have to leave that until the next meeting.

Mayor White-Our next will be consideration for a representative on the Recreation Committee. MaryAnn has expressed some interest in Recreation Commission.

Rod-Frances Meadows provided a list of current members so maybe they are relevant.

Larry Johnson made a motion to appoint MaryAnn as council representative for the Recreation Commission. Rick Wood seconded the motion. Motion passed 6/0.

Mayor White- We usually have two people that serve on the Housing Board. I served on it for a number of years and if anyone desires to be on this board is fine with me. We do need people that are available during the day usually for these meetings. Vickie, in my opinion would be one of the choices for this. I don't care to serve but if anyone else wants to serve, you can.

Rick Wood made a made the motion for Vickie to serve. Doug seconded the motion.

Mayor-We will combine that motion to include myself and Vickie in the motion and withdraw the first motion.

Rick-I made a motion for both, Vickie and Mayor White, to serve on the Housing Board. Mary Ann seconded the motion. Motion carries 6/0.

Mayor White-We are delighted to always have a bearer of good news so we have Mike Dennis here with us tonight and we hope he is going to present us with some money.

Mike Dennis-First I would like to congratulate your new members that have been elected. It has always been a pleasure to work with the Richlands Town Council. I started here in 1987 with Chief Young, followed by William Puckett; both were a pleasure to work with; then with the current chief, Frank Dorton. The Town of Richlands has always been very supportive in law enforcement. I am not quite sure but Tim Taylor might have been here when I came and has always supported your department. I contacted Chief Dorton recently on some possible funds that we may have to share with the town. He expressed interest in purchasing a new patrol car for the Town of Richlands. This evening I am very pleased to announce that we have been able to provide the funds to purchase that vehicle and have given Chief Dorton the check. I have a copy of the check for the town council so it is my privilege to present to the Town of Richlands a check for \$26,273.50 to purchase a patrol vehicle which will assist the town. I appreciate your support for the police department and what they do for my office. We hope we can come back again sometime and give you more good news.

Rod-I make a motion that we accept this and we provide the \$5,000 for the matching grant. Vickie seconded the motion.

Mayor-We have a motion and a second. Any further discussion? All those in favor of the motion say yes. All those that oppose say no. Motion carries 6/0.

Ginger-I will leave this with Tim to sign and pick it up tomorrow. I appreciate this; you have been strong supporters of the CART and tonight was evidence of that.

Council Member Reports:

Rod Cury-The Planning Commission met as planned and has not received the revised version of the comprehensive plan. Tim immediately provided members with the revised version and so we will have the opportunity to review that at our next meeting.

Vickie England-I have nothing to report.

Rick Wood-I have three things. Tom Miller at Pennsylvania Avenue called me about cats. His other property is located on Grayson Avenue. He says he has an abundance of cats that just keeps showing up. I told him I didn't know what we could do for him but I would check on it.

Frank Dorton-There are no ordinances on cats. The shelter does not really want us bringing cats to them. We really don't have anything on the books that would allow us to take care of cats. We do sometimes loan out traps to people to trap them and Humane Society picks them up sometimes or they take and give them away. We do provide a trap for them to trap them, but they have to be responsible for what they do with the cat.

Larry Johnson-If you catch the cat, they will take the cat, spay or neuter it and bring it back. We have discussed this before.

Rick-I was pushing snow the other night and there were twenty-one cats at the Richland's Mall. If they are not there, they are going to move to someone's home.

Frank- We can loan him the trap for the cats. We don't know if people are feeding them at the mall. We could get some type of signage, saying 'Don't Feed the Cats'. I really don't know what enforcement we can do and we cannot charge them with littering there since it is private property. Some signage might be a way that we can tell people that you can't do this on private property.

Rick-I had two calls about snow plowing on the circle at Riverside Villas.

Tim-Yes, that is our street.

Rick-Shale Street had a problem with ice on it.

Tim- Any time you get those complaints make it known to us, we may have missed it.

Rick-Somebody called me and said he had lived there ten years and this was the first time he had ever seen it plowed.

Doug Ratliff-We had an electric meeting and we have challenges in the future but everything looks okay for now.

Larry-I had a couple of follow up things that Mr. Taylor has taken care of. I just wanted everybody to know Jim Hutchinson retired from the police department after thirty four years and wanted to congratulate him on that. I appreciate the department and everybody for putting on the cat and dog for him. I think that is commendable. A lot of people have worked for the town most of their life. Any time you have people around that long, something has got to be planned for them.

Rod- Larry have we scheduled a public safety meeting?

Larry-I'll send an email out when that is scheduled.

Mary Ann-I would like to thank you all for appointing me to the Recreation Commission as I am very passionate about recreation activities. I am really looking forward to working with Fred Phillips and his staff at the Recreation Department. I wanted to point out that last night there were over two hundred and fifty kids at the Recreation Department. They anticipate even more tonight.

I would also like to thank officer McGhee and the staff at the police department. I had the pleasure to attend Jim Hutchinson's retirement ceremony. It was really nice and very well deserved by Jim.

We do have the LEAD Tazewell County program and they are currently accepting applicants. You are probably not full yet, are you Ginger?

Ginger Brandon-No not yet.

MaryAnn-It is a great leadership program. So I would strongly encourage employers to include some of their staff in it. Or if you are self-employed, retired, or whatever the case may be, it would be an excellent opportunity to learn about Richlands and Tazewell County. Thank you Ginger and LEAD program for doing such an amazing job. The LEAD people have helped us in many events in the Town of Richlands and are an asset to us.

I am sure it is because of all the snow but I did get a call and complaint about some trash in town. I know our town crews have been very busy with snow and more pressing issues. I told them I would mention it. Does it typically always get worse this time of year?

Tim-It looks pretty ugly and when we scrape the streets it moves trash from one place to another and usually ends up collecting in spots. We do a clean up after the snow.

MaryAnn-The last thing I have and Brad I apologize, do you think we could get the ordinance for the cigarettes? You don't have that tonight do you?

Brad-Actually I got your email when I got in from court this afternoon. I drafted the changes except the date. I scribbled down a note here talking about it. Ultimately the ordinance is prepared, it is a public smoking ordinance, and it is exclusive with the e cigarette. That has been provided to council and draft for the members here tonight. I would highly recommend a public hearing on the February the 14th prior to the council meeting to hear public comments. Perhaps take it to the next council meeting.

Brad- I would be happy to prepare the public notice for February 14th at 7:00 pm.

Tim-It goes right along with the council meeting so it should be fine. Let's mark it on our calendars and we will give everybody a notice.

MaryAnn- I know we are still working on the fluoride in our water. Since Vickie and Rick are new council members, they will need time to review the documents. Tim, I think you are still gathering information for us.

Tim-You have a package and everyone has the same one. If I get any more information, I will distribute it as soon as possible.

Rod-I haven't read all the materials yet. How are the materials viewed, is it mostly for it or against it?

Tim-It is balanced. You get about as many for one as you do the other.

Rod-That is what you gave us, correct?

Tim-I think so. There is one large document that I haven't given you a copy of yet. If I could go online I would get you a digital copy of the case studies that was done back in, I think, 1985 or 1995, but is pretty dated. It is a twenty plus year document but still that is what they produced. I only have one copy and may try to scan it. It has more of the technical aspects of it and their position on it. How they found out that fluoride did what it did so forth and so on. I could get that one too. I haven't done our metrics to see if it is more positive or negative.

MaryAnn-Tim, do you think we need a workshop on this matter before the council meeting?

Tim-I would probably recommend that you have a public hearing first to see how people feel and that would give you a better idea. It might foster more need for material, it might foster more need for different types of folks to come and talk. Then you could follow it up in the meeting if you would like. It may or may not send us some public input. Maybe the Health Department needs to come back and talk to us. It could generate questions. If you want to meet, we can.

MaryAnn- I think we need to have a couple of hearings so when would be the earliest? For about four months, the REEC has been talking about this. I would like to recommend that we have both of the public hearings if that is the pleasure of the council.

Tim-You should allow at least an half of hour. You might decide that you will have to have another. That will get you started. Is that your pleasure?

Rod-I am fine with that.

Tim-It will be scheduled at 6:30 pm on February 14th for the fluoride hearing.

Mayor-Everyone has the department head reports? Do you have any questions on those?

Tim- Can I ask you a question while we are on that? Since we have partners that have a vested interest like Cedar Bluff, Tazewell County Public Service Authority, as well as Russell County Public Service Authority, do you think that we should invite them to the public hearing or should we deal with that as a separate issue? It may not be an issue if we decide to continue to add the fluoride but if you decide to remove it then that becomes an issue for them. Because obviously they know that it is in there today and that might be something that they want to entertain to put in for their customers and then again, they might not. They may follow your lead. Do you want to invite those folks or would you rather deal with that as a separate?

Rod- Can you give me a minute to think on that?

Mayor-Does anyone have any questions on the department head report? Okay if not, then we will move on to my comments.

The appointment of committee members, Public Safety Committee remains the same with Larry and Rod; the Electric Committee members are Doug and MaryAnn; the Water and Wastewater Committee, Streets, and Sanitation Committee, I am giving the same two people both of those committees because the Water and Wastewater Committee do not meet that often so Rick and Vickie will serve on those two committees, if that is okay.

We have a legal issue from last time. We have a motion that was a little premature on the IDA. Vickie has not completed her term and had not been sworn in so the motion was very premature. We need to resend that motion. Some council members have expressed some desire to take a little more time before we make that appointment.

Rod-Is it the motion that I made Mayor White to appoint Joe at the end of her term?

Mayor-Yes.

Rod-Is that illegal?

Mayor-It was premature wasn't it Brad?

Brad-It is premature, that is an issue that can be raised by a council member. The motion to rescind can be brought in the form of a motion and would require two thirds of council's vote.

Mayor-We had not received her resignation. So would anyone like to make that motion?

Larry-I will make the motion to resend. Rod seconded the motion.

Mayor-Okay we have a motion and a second. Any further discussion?

Rod- I am sorry if it sounded premature. I just thought that Joe would be a good candidate and be considered in the future. Unless somebody has a particular objection, they haven't told me.

Mayor-Those in favor of the motion to resend say yes. Those that oppose say no. Motion carries.

Mayor- I heard four. Did you vote? So it was five.

Brad-I have nothing further Mayor. I will give council a copy of the confidential report and the issue with the public smoking ordinance. I do want to thank council for reappointing me.

Mayor-Is that all that you have? Okay we are going to turn it over to Mr. Taylor.

Tim-Brad, congratulations on your reappointment for the next two years and thank you for doing a good job.

You have the check register in front of you. I always like to go over these in case there are any questions to answer about the bills. If there are any concerns we will make sure they are publically addressed. Anyone that would like to know some of them are pretty general monthly bills that you will see them regularly. Occasionally we have some of them that are fairly large; like the Ultra Petroleum, \$16,654.00; insurance payment of \$49,874.00; and a bond payment due to the Virginian Resource Authority for \$22,421.00 on the Birmingham Sewage payment. Are there any questions on any of the other ones that you might want to know about? You will see some cost that is contributed to the attorneys throughout this. Those are court appointed lawyers that we are required to pay. The power bill was \$472,016.12.

Mayor-Do we have any further questions? If not do we hear a motion to allow Mr. Taylor to pay the bills?

Rod-I make a motion to pay the bills. Larry seconded the motion.

Mayor-We have a motion and a second. All those in favor of the motion say yes. All those that oppose say no. Motion carries 6/0.

Tim-It is the town manger's responsibility to provide a police department selection for approval from council. Frank Dorton, Chief of Police, has agreed to continue to work with us which I certainly appreciate him doing. The officers should remain the same that we have which are Richard Brown, Jerry Gilbert, Gary Childress, and Crystal Stanley. I recommend the same staff for reappointment.

Larry-I will make the motion. Rod seconded the motion.

Mayor-We have a motion and a second. Any further discussion? All those in favor of the motion say yes. All those that oppose say no. Motion carries 6/0.

Tim-Discussed projects updates.

The West Fork Sewer is in the design phase of actually getting that project completed; getting the permits completed. This is the last section of town that currently does not have service with public sewer. That particular project is on the West Fork area toward Big Creek that were added during the last boundary adjustment of the town. We do have folks up there that have failing sewage systems. We are trying our best to get a set of plans in there that would be useable when construction is started. We were able to get gravity flow, instead of flow to the gravity, instead of pumping, which is a good thing. This is a little difficult because we have to cross the creek. The next step, once designed and finished is to get permits. Then we will have to get some cost estimates to what they think that will be based on our crews doing the work and then we will try to get it budgeted in our funds or we will try to get some funds in other directions. That is probably not going to be in construction until probably early spring or summer.

We are waiting on an actual clearing to award the project to the lowest bidder from VDOT on the Section House Enhancement Project. It has been approved in the Bristol District office and it has been forwarded on to Richmond and we are just waiting for an answer to make sure everything is in order. We are expecting to get that in January. We do have it in budget and we will get started as soon as the weather permits.

We have met on the Water Distribution Asset Management Capital Improvement Plan. We are going to try to expand that for sewer too, basically to save on cost. Between the two pieces of that project we will be able to put a net value of our assets for both water and sewer, the water distribution and the sewer collection system as well as production facilities. This will help us on our books the total value of our plants as well as it will enhance the capital improvement plan. We will put that in form and the council can review it. We are going to treat it as a cost of service study input document. That way when there are adjustments that have to be made to the rates or things have to be purchased because they are wore out or techniques or treatments have to be changed because of new laws, we will have a good working document that will allow us to have a funding agency and have our credentials ready to go. It is

also a good document that we can use when we have public hearings. It is kind of like a report card to show the rate users that we are doing the job. Cedar Bluff and Tazewell County Public Service Authority are partners that buy water from us. So we have a lot of folks looking at us and a lot of customers to take care of. So we are looking forward to getting that finished.

I did forget the copy of the MOU with the Town of Tazewell. It is the same document that we have with the Tazewell County Public Service Authority. Sometime between now and the end of the meeting I will get that distributed to you. It is the same as you approved last month except this one is with the Town of Tazewell. If you would like to look at it before we continue I will try to get that to you.

The announcement of the work session that we had planned with the Community Planning Partners will be scheduled for tomorrow night at 7:00 pm. It is an open meeting. I would like to stress that it is not a public hearing, even though the public can come and listen. It is directed mostly to getting the council brought up to speed with the draft comprehensive plan. There will be public hearings following that meeting that council will have on the comprehensive plan when it is finalized and forward it to council to adopt.

We have one matter of closed session. I would like to go over the AMP GS litigation.

Rod-I have a question before we go in to closed session. I respect the council's opinion about possibly being premature. But in the motion it said resend. Brad, according to Roberts Rules, who has the power to resend?

Brad- Any member of council can raise a motion to resend. Resend means to revisit, it requires two thirds motion to pass.

Rod-That is fine, I just wanted a definition. You are with the Roberts Rules.

Brad-Tim you had asked about this. That was an actual litigation 2.2-3711 (a) 7.

Doug-I have one more question before we go into closed session. I wonder if we could get a consensus to do a study on solar cells and what the project would cost. Maybe we could start raising money to offset some the cost of the recreation center.

Tim-That is a good idea. Maybe participate with the Recreation Commission and that way we have some help and assistance from other folks that might know enough about that. I know it is technical, but I would like to have some help on that. That would be a good project for the Recreation Commission.

MaryAnn-We will put that on top of the agenda.

Tim-There could be some grants for that too.

Doug-That is what we talked about some grants. I am sure Trump is going to come up with some grants.

Tim-I will put this MOU with the Town of Tazewell on hold for the next month's agenda. Probably let them execute it and then I will talk to them. That is all that I have except for closed session.

Mayor-We need a motion to go in to closed session per Section 2.2-3711 (a) 7.

Larry Johnson-I make a motion to go into closed session. Mary Ann seconded the motion

Mayor-We have a motion and a second. All those in favor of the motion say yes; those that oppose no. Motion carries 6/0.

Mayor-Do I have a motion to come back to regular session?

Doug made a motion to return to regular session. Mary Ann seconded the motion.

Mayor-We have a motion and a second. All those in favor of the motion say yes. Those that oppose say no. Motion carries 6/0.

Mayor White-Do I have a motion that the only item discussed was per Section 2.2-3711 (a) 7?

All members confirmed the only item discussed was per Section 2.2-3711 (a) 7.

With no further discussion, Mayor White adjourned the meeting.

Jannis White, Mayor

Adrienne Cordle, Acting Clerk