

The Richlands Town Council held a regular monthly meeting in the Richlands Council Chambers on June 11, 2019 at 7:30pm with the following present:

Mayor:	Paul Crawford
Town Manager:	Tim Taylor
Town Clerk:	Connie Allen
Council Members:	Richard Brown, Vickie England, Rod Cury, Mary Ann Strong, Rick Wood, Doug Ratliff
Town Attorney :	Shannon Cooke

Mayor Crawford opened the meeting.

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

Mayor Crawford – Do we have any additions/deletions/corrections to the agenda?

Richard Brown- Please add to "Closed Session" – 2.2-3711 (A) (1) Personnel to the agenda.

Mayor Crawford – Do we have a motion to approve the agenda as amended? Rod made the motion to approve the agenda as amended, Richard seconded the motion.

Mayor Crawford- 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 Crawford – We have one (1) set of minutes, Regular Council Meeting, May 14, are there any corrections, additions or deletions to the minutes?

Mayor Crawford - Do I have a motion to approve the minutes as presented?

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

Mayor Crawford- 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 Crawford – "Scheduled Public Comments" – Elliott & Melissa Joyce – "No Show"

Mayor Crawford – "Scheduled Public Comments" – Jerry Dunford

Jerry - I want to propose putting in a Camp Ground on Birmingham Road, I have five (5) acres. I have several people wanting to park campers so their families would have some where to stay when they come to visit. I don't know how many camper spots I will put in, I have not laid out yet. I will have someone to draw out the plans but I need to know the laws and regulations for the Town. It would be a good place for people riding ATV's to camp and stay. I understand we may have to change a Code to do that. I will have an office and bathroom/shower facilities. It will be laid out like the one at Popular Gap. I would like for guests to be able to leave their trucks and trailers at the camp ground and ride ATV's to the trails.

Rod - Is the property near the pond?

Jerry - Yes

Doug - How is that zoned?

Tim - It is zoned R2 but would have to add the use in some form or fashion. This would be a Planning Commission assignment. If Council wants to pursue, we need to direct the Planning Commission to discuss at their next meeting and start the process.

Jerry - I don't want to get drawings, etc. until I know that it is not against the rules. I talked to Jim Ribble about drawing the plans up.

Rod - I would be happy to take to the Planning Commission if it's Council's direction for their consideration.

Mary Ann - I think it is an excellent idea; I appreciate your efforts in trying to make this happen. I think it would be well utilized.

Rod - Tim, do you want Jerry to draw up plans for us to consider?

Tim - Jerry, you can write a letter asking for permission to have the property used as a camp ground. We will ask you to come to the meeting and present your ideas.

Jerry - I have five (5) acres, I already have Town water and sewer.

Tim - In the R2 zoning you must have a certain amount of acreage, setbacks and things like that.

Mayor Crawford - When is the next Planning Commission meeting?

Tim - We don't have one planned for July but that could change. Jerry, if you could get the letter to me asap I will talk to the Planning Commission Chairperson. We will see how many members we can get for the meeting and we will let you know.

Mayor Crawford - Tim, you and Jerry will communicate, correct?

Tim - Yes

Mayor Crawford - "Council Member Reports" - Rod Cury

Rod - Maddie White will be doing her book signing from 9:00am until 12 noon this Saturday at the Section House. The Richlands Road Race will be going on at the same time, Mary Ann will discuss in her notes. At the last Planning Commission meeting we had an update on the trails from Mr. Taylor; Tim will update us on the Clinch River Walking Trail in his reports. Chairman Randy Smith said we would not have a July meeting but looks like we may have a meeting. We will wait until we hear back from Tim and Chairman Randy Smith. We will let Jerry know of the meeting date.

Mayor Crawford - "Council Member Reports" - Vickie England

Vickie - The tree going toward the High School, it looks like it has slipped a little bit more. Tim, have you checked it anymore?

Tim - We are going to take care of this season, it's not slipping.

Vickie - Looks like it is coming on down. I have had two (2) phone calls regarding the buzzards at the One Stop. People are very concerned at the One Stop; I don't want to lose that business in the Town.

Tim - It is not just the buzzards, part of the problem is people are putting food out for animals. The dumpsters are not the problem.

Jerry - We have been trying to address this problem, I have researched the Codes and I think I have found one under "Nuisances". I have given my guys a directive to try catching the people who are putting out food and feeding the wild animals in Town and charge accordingly. We have several locations in Town that food is being set out. We are having problems with bears and the buzzards. If

you put food out you are going to have a rat problem. We are trying to catch the people putting the food out and charge them.

Vickie - Has anybody been charged so far?

Jerry – No, but I have purchased some video cameras. We will get some video cameras installed at the locations where they are being feed.

Tim - We have some huge bears out now. If we have enforcement hopefully they will quit doing it and if they hear this tonight they may quit.

Jerry - If you put food out the creatures are going to come. If the word gets out that we are issuing tickets hopefully they will quit.

Vickie - If a citizen sees someone putting food out and they know who they are can they call the Richlands Police Department?

Jerry – Yes, and get me a tag number. We will immediately have someone on it.

Richard – Tim, you stated you didn't want to move a problem to another problem, are you saying the dumpsters are a problem.

Tim - No, if we move the dumpsters just because we think they are a problem we are transferring the problem somewhere else. If it was a problem I would have already moved them.

Mary Ann - Have you talked to Susan Lowe or Dr. Wright?

Tim - I've tried but I have not been able to get in touch with them. We have been watching the buzzards closely, they are not on the roof.

Jerry - Since October we have not had a buzzard problem at the One Stop. The problem just started this week and we found piles of food.

Rick - I have seen them on the dumpster.

Vickie - They are also behind Doug's property.

Doug - We have a problem with people feeding the ducks. It is probably two (2) or three (3) people moving from place to place.

Vickie –Do you remember me talking about the ordinances in Bluefield on grass cutting and garbage? I had a realtor contact me this week and they said that Tazewell has an ordinance now. I told her we were working on our ordinances. Shannon can you discuss?

Shannon - The ordinance that we discussed briefly last month, tonight will be the first reading of the ordinances. Everyone should have received a copy. Next month we can read the second reading and vote on the ordinances assuming there are no changes.

Vickie – I received a call this week regarding the ice cream truck in our ordinances. They are saying the Ice cream/snow cone trucks are not food. I would like for Shannon to clarify what is consider food and what is not food.

Shannon - I had an opportunity to look at this earlier this week. I had a request from another person. Food truck ordinance does not define the word "food". Ice cream and snow cones would be considered food. Under the meals tax definition food is defined as refreshment, nutritional value and things like

that which includes ice cream and snow cones. Those trucks would be considered food trucks under our ordinances.

Mayor Crawford - You have a copy of the draft.

Mayor Crawford – "Council Member Reports" – Rick Wood

Rick – The weeds and street lights in Birmingham, it has not been mowed in a long time.

Tim - We are behind in tractor mowing, we have contracted someone to mow. He is trying to get a bar to mow, if he doesn't get the equipment we will have to cut the weeds. We do have a proposal from APCO on the street lights. Kevin is not here tonight, I will have him report next month. They have given us a construction cost.

Mayor Crawford – "Council Member Reports" – Doug Ratliff

Doug - I don't have anything tonight.

Mayor Crawford – "Council Member Reports – Richard Brown

Richard – Shannon, I know you have drafted several ordinances but I would like for you to look at one more. It is regarding the placement of campaign signs. I know Bluefield has an ordinance stating they cannot be placed on residents property prior to 45 days of election. I put my signs up last year when everyone else did. People have mentioned to me how early people are putting up signs.

Rod - I got a call saying the signs were interfering with their Yard Sale sign.

Mayor Crawford – "Council Member Reports" - Mary Ann Strong

Mary Ann - I would like to thank Connie and the Town staff that hosted the unveiling ceremony of the LOVEwork sign. The ceremony was well attended. We also went to Critterville for the celebration of the Rally grant which was for the kiosk. We had some important people from the State office. I was really proud of Richlands. I see a lot of people taking pictures at the LOVEwork sign. The Rec Commission did not meet last month. I apologize if anyone came to the last meeting. We had a lot of members absent; we were not going to have a quorum. In the future, if we cancel the meeting we will make the announcement earlier. We will meet June 17 – 7:30pm at the Rec Park. Everyone is excited about the Richlands Road Race. The race is this Saturday starting at the Police Department at 8:00am. We already have 70 people registered. It is not too late to register, you can register on Saturday morning but it will cost a little extra. You should be there by 7:30am. At the end of the race all the walkers and runners will meet at the Section House for a pancake breakfast. The Kiwanis Club is sponsoring. We would like to recognize the Huddle House and Burger King for donating the breakfast. We appreciate Clinch Valley Health, Jessica Reynolds at the Rec Park, Town employees and the Kiwanis Club. They have been meeting weekly for months. It is very well organized and is going to be good weather. I look forward to fun day.

Mayor Crawford – "Mayor's Comments"

Mayor Crawford - IDA – Jeff Brown's term expires on 6-30-19, does anyone know if Jeff wants to continue to serve on the IDA or is there anyone else interested?

Mary Ann - I would like to have the opportunity to speak with Jeff. He has been on IDA for a number of years. I would like to give him the opportunity to make the decision.

Mayor Crawford - We can discuss at the next meeting.

Mayor Crawford - George Brown's term expires on 6-30-19 on the Zoning Appeals Board. Does anyone know if he wants to continue to serve on the board?

Rod - I have spoken to Mr. Brown, and he would like the opportunity to continue being on the Zoning Appeals Board.

Rod - I would like to make a motion that Council reappoint Mr. George Brown to Zoning Appeals Board. Mary Ann seconded the motion.

Mayor Crawford- 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 Crawford- I have received in the mail information on Radar Signs. There are several different ones. These signs can generate a report and they are mounted on a sign post or something similar. It would be nice if we could mount on something that we could move from place to place. Tim, I will give you the information.

Mary Ann - We need one (1) on Terry Drive and Cresswood.

Rick - Tazewell is using those types of signs now.

Richard - Jerry, any progress on using the one (1) from Cedar Bluff?

Jerry - We just have to come up with a radar unit.

Richard - Are you going to talk about the event "Kids in the Creek"?

Jerry - Last Fall we applied for a grant thru Game & Inland Fisheries for \$3000. We received the grant. We call the program "Kids in the Creek. I had a "Boating Safety Class" on Wednesday night in conjunction with "Kids in the Creek". The kids had to participate in the "Boating Safety Class". We had approximately 70 people who came to the class. There were approximately 12 kids participating. This past Saturday we had the "Kids in the Creek" event. We purchase thirteen (13) kayaks and life jackets with the grant money. The Kayak Club assisted us with the event. People from McDonalds grilled us hot dogs and WVVA spent two evenings with us. They give us a really good spot. We floated from Critterville to Washington Square Clinic. The AASC came and give us a ride back to Critterville. I want to thank American Carpet Care for loaning us the large trailer. The Fire and Rescue followed us every step of the way. We had a great time. We have a jewel in the Clinch River.

Mayor Crawford - On 714 Buskill Avenue at Holmes Savage yard on the back side, the person thinks it is required by law for them to have a fence behind the junk yard. I told them I did not know for sure but we would check on it. Shannon, can you please check on the details?

Shannon - I will check with the State Code and let you know.

Rick - I think we have addressed this before.

Tim - I don't have the ordinance in front of me but I know they have shielding on the front. I think they are OK. I think they have to keep that open to access the railroad.

Mayor Crawford - In the same area, people on Buskill Avenue are raising goats. I know we have an ordinance on this.

Shannon - Probably some zoning being validated too.

Tim - If they are not running at large they may be legal.

Shannon - You may want to consider updating if it is becoming a problem.

Mayor Crawford - The other complaint is the Shaw property behind Magic Mart, they said it was junky.

Mayor Crawford - "Attorney Comments" - Shannon Cooke

Shannon - We have four (4) Ordinances that we need to vote on tonight. Each year we have to adopt the changes of the State Law. First Ordinance is #O-2019-06-01 Adoption of State Law Section 1-6 effective on July 1 with the State. Second Ordinance is #O-2019-06-02 Adoption of State Law Article X, Section 11-112. Third Ordinance is #O-2019-06-03 Adoption of Real Estate Tax and the fourth Ordinance is #O-2019-06-04 Adoption of Budget 2019-2020.

Shannon - These ordinances should be considered emergencies.

Mayor Crawford - Is everyone on Council satisfied with what we have in the Budget as of our last budget meeting? You have a report from Adrienne on "Requested vs Recommended". I am concerned myself of approving a budget with \$900,000 in the red.

Tim - We can talk about the budget.

Mayor Crawford - I would like for Council to be satisfied.

Rod - I make motion to dispense with the second reading of Ordinance #O-2019-06-01, Richard seconded the motion.

Mayor Crawford- 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.

Rod - I make motion to adopt Ordinance #O-2019-06-01, Rick seconded the motion.

Mayor Crawford- 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.

Rod - I make a motion to dispense with the second reading of Ordinance #O-2019-06-02, Mary Ann seconded the motion.

Mayor Crawford- 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.

Rod - I make a motion to adopt Ordinance #O-2019-06-02, Rick seconded the motion.

Mayor Crawford- 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.

Rod - I make a motion to dispense with the second reading of Ordinance #O-2019-06-03, Rick seconded the motion.

Mayor Crawford- 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.

Rod - I make a motion to adopt Ordinance #O-2019-06-03, Vickie seconded the motion.

Mayor Crawford- 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 Crawford - What is Council's pleasure on the budget?

Doug - Do we have to OK tonight?

Mayor Crawford - We do not but we will need to have another meeting before the end of the month.

Tim - We can go over everyone's concerns tonight.

Mary Ann - I would recommended that we do that; we already had four (4) budget work sessions.

Tim – Adrienne, can you go over the spreadsheet?

Adrienne – I have given each of you a Summary Sheet that has year-to-date information. The requested amount in total expenditures was \$15,759,977; the recommended amount was \$16,042,751. I gave you a spreadsheet that shows all the changes, an increase of \$282,773.42. I have given you a breakdown of all the changes. (Read the Requested vs. Recommended).

Tim - In regards to the budget revenue stream line support, we will talk about the cost of living first since it has the biggest impact. The Utilities Department will have revenue stream mainly because we will have rate adjustment soon. The public may get confused about the budget, we don't have sixteen million dollars today, it is a budget we get monies as we go. The cigarette tax helps with the bottom line with some of the governmental. The Police Department is all man power. The Street Department has a revenue stream from VDOT's monies; they are covered for the increases. Part of our office workers and clerks would be covered under utilities and or VDOT. The main difficulty was Fire, Rescue and Administration. I think we can cover the monies we have added, I feel very comfortable with the budget. Two ways to cover, taxes exceeded what we thought and we are going to spend the budget accordingly. If your budget gets out of hand monthly and buying things that you don't need today. They can't buy anything or everything they want too. Just because the budget has passed don't mean we go out and start buying things instantly. The capital will be treated like that too. Utilities we have money in reserve for those, if we have to come back and appropriate, we will have to take from utilities. I don't think we have enough in governmental reserves to cover it. I really think we can manage it. It is a challenge.

Richard - I have a question on capital expenditures, it is \$638,000.

Adrienne - That is the difference, we added \$202,000 that was requested to the original budget.

Tim - It is a "Work In Progress", we will keep budget in line monthly. If it becomes an issue we will do what we need too and we will not let it get out of hand.

Rod - I would like to make the motion to dispense with the second reading of #O-2019-06-04, Richard seconded the motion.

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

Rick - Last year we talked about a new Fire Truck, I don't see in the budget.

Tim - I didn't address, there are items that will come up during the year that we don't know about; you can appropriate those items as we go along. We will have to work on special funding. Keith has things prepared for that. This is the normal day to day things not for large capital items.

Doug – To maintain the budget you are saying if we get in trouble we are going to take from utilities, electric and water. Will that cause the rates to go up?

Tim - Not unless we have to, we are not asking you to raise rates to meet the numbers.

Doug - My concern is we are giving away a lot of money to different organizations. I can't in good conscience vote for the budget and if we get in trouble we have to borrow from the electric fund, which will cause all the utilities to go up. That is my concern.

Doug - A lot of Towns have real estate taxes divided into two (2) parts, it makes it easier on the citizens. They do it at the beginning of the year and the middle of the year. It may make it easier for the Town as far as cash flow, you may want to consider.

Adrienne - They can actually pay every month.

Mayor Crawford - We are the only Town in the local area that has no personal property tax. Lebanon has 18.5%, Tazewell 25%, Bluefield has 18.5. We are the lowest real estate property Town in the area. We are not all bad.

Mayor Crawford- 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 - 5/1. (Doug-No)

Rod - I make the motion to adopt the Budget FY 2019-2020, #O-2019-06-04, Richard seconded the motion.

Mayor Crawford- 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 - 5/1. (Doug-No)

Mayor Crawford - "Manager's Report" - Tim Taylor

Tim - Please take a moment to look at the check register and let me know if you have any questions.

Mayor Crawford - Is this report from the first day of the month to the end of the month?

Tim - This is last month's bills.

Mayor Crawford - I was wondering why we didn't get the report in our agenda package.

Tim - They produce the document on the day of Council meeting, it includes bills up thru last Friday.

Tim - Check No. 60162, Arrington's Inc. - \$9,104.44, the only local business to work on our freight liners, electronics, and computerized areas. We need to do something with this truck, in the last year we have spent \$21,000.

Rod - Check No. 60213, Mark E. Ison - \$1,500.00 - What is that for?

Tim - He is our IT expert.

Vickie - Check No. 60197, Highlands Glass Company- \$6,794.42 - What is that for?

Tim - Doors and repairs at the Rec Park.

Mary Ann - I make the motion for Town Manager Tim Taylor to pay the bills, Rod seconded the motion.

Mayor Crawford- 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 - Monthly Power Cost Report of April 2019 - No surprises, based on the market, overall better than the budget. Actual sales came in 12% lower than the budget, \$3.78/MWh lower than the budget all in wholesale power cost rate of \$103.94/MWh with the dollar cost of \$76,809 lower than the budget.



Tim - Distribution System Disinfection Byproducts Evaluation- In July we will have a 30% review meeting on what we have completed. Targeted date is 3/31/20 for Town to submit VDH funding application to make improvements and upgrades noted in PER. Fluoride System Replacement, we have completed the final design with the Department of Health. We are waiting on approval. Once it is approved we can submit application, hope to have 100% funding from the Health Department. Plan is to have in operation by October. The WWTP Upgrade/Improvements was necessary due to the age of the plant. We have completed thru the 90% Review of PER with Owner, received application for funding today, the best possible funding, some of this could be funded with principle forgiveness money if we qualify. That is what they call the grant money; we may qualify for some of the monies. The PER will be completed by the end of the month, next month we have to begin solicitation for professional engineering services for Phase I improvements for final design. We may have to borrow money or finance I don't know yet. If you will notice it is 2021 before we will get notice to proceed. It is a major project. I have attached preliminary statement of probable project cost. The item marked with "P" for \$173,000, VFDs and controls for Aerators, the other "P" for \$25,000 for Laboratory Instrumentation and Supplies, Estimated Total project cost \$8,914,880, 30% estimated total construction cost \$2,674,500 with estimated total probable project cost \$11,589,380.

Tim - Cedar Bluff 6% of the cost, Tazewell County 20% of the cost and we have 74% of the cost. Hope we will get some grant money. In order to qualify, medium household income \$29,300, which qualifies us for grant money. For reference Tazewell medium household income is \$44,000.

Tim - Clinch River Walking Trail - Another project we are looking at, we are thru the field work with the engineers, funded thru our draft program. We will have review 40% with the Planning Commission on August 6<sup>th</sup> at 7:30pm, 90% review in September, multiple reports by October. This will give us some time to secure some funding. A lot of people are showing interest in the project.

Rod - The Planning Commission was very excited for the update; everyone was upbeat about the potential walking trail. It is like a rebirth.

Mayor Crawford - Tim I have committed to the RDA that we would invite them to the 90% review. The reason I invited them, they put money into the project.

Richard - What is the status on the steps at McDonalds?

Tim - The high water knocked them out, not sure if they had them in right. I think it would be hard to get them in.

Richard - Was there a commitment from the Town if McDonalds put in the ramp and the sitting area that we would put in the steps?

Tim - I have not heard that. I will talk to Rick Barton.

Tim - The Boat Launch behind Richlands Mall, we received grant from Nature Conservation Program, funded up to \$16,000 at the kayak access point. We are just waiting for George to get time to work on it. We already have the design finished and approved. It should be fairly quick.

Tim - Working on sewer for West Fork, they will soon have sewer thru the corporate limits of the Town.

Doug - I would like to thank the Garden Club, Wells Fargo Bank received the "Beautification Award".

Mary Ann - The Town Collaboration meeting on May 29 was a big success. A lot of good ideas, big thank you to Connie for coordinating the meeting. Chief Gilbert, people wanted to make sure you were thanked for the "Kids and the Creek" project.

Mayor Crawford – At this time I need a motion for the Mayor and Members of Council convene in executive closed session for the purpose of discussion of Subsection (A) (7) of Section 2.2-3711, Potential Litigation, 2.2-3711 (A)(3) Boundary Adjustment Issues and Section 2.2-3711 (A) (1) Personnel

Richard - I make the motion to go into executive session, Rod seconded the motion.

Mayor Crawford- 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 Crawford - I now entertain a motion that the Members of Council reconvene in open session and accept the CERTIFICATE OF EXECUTIVE SESSION certifying that the matters discussed while in executive session were those both lawfully exempted from the open meeting requirements and identified in the motion by which the closed session was convened.

Rod - I make the motion for Council to return from "Closed Session", Richard seconded the motion.

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

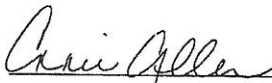
Mayor Crawford – Roll Call Vote - Vickie-Yes, Rick-Yes, Doug-Yes, Mary Ann-Yes, Richard-Yes, and Rod-Yes - Motion carries - 6/0.


Mayor Crawford- Do I have a motion to adjourn?

Rick- I make the motion to adjourn, Rod seconded the motion.

Mayor Crawford- 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 Crawford - Adjourned

  
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Connie Allen, Town Clerk

  
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Paul Crawford, Mayor