

The Richlands Town Council held a regular monthly meeting in the Richlands Council Chambers on February 12, 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, Doug Ratliff
Council Member Absent: Rick Wood
Town Attorney :

Mayor Crawford opened the meeting.

Doug Allen gave the invocation and led the Pledge of Allegiance.

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

Tim - Section XII - Part (b) 2.2-3711 (A) 4 Perspective Business - Please delete from the agenda, Rick Wood cannot make it tonight, that was part of his agenda.

Tim - Ms. Allen has handed out the minutes from last night's meeting, please add to approval of the minutes.

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

Mayor Crawford - Any other additions/deletions/corrections to the agenda?

Mayor Crawford – Do we have a motion to approve the agenda as amended? Vickie made the motion to approve the agenda as amended, Mary Ann seconded the motion.

Mayor Crawford – We have four (4) sets of minutes, January 8, January 29, January 31, and February 11. Are there any corrections, additions or deletions to the minutes?

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

Vickie- I make a motion to approve the minutes as presented. Richard seconded the motion.

Mayor Crawford – Page 8 of the regular monthly meeting, Doug said the gas price in Abingdon was \$0.80, is that correct?

Doug – That was for natural gas.

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 - 5/0.

Mayor Crawford – “Scheduled Public Comments” – Ginger Branton, CART – Request funding for the Local Government Challenge Grant.

Ginger- I am here tonight to request that the Town of Richlands apply once again for the Government Challenge Grant, it is a matching grant. Since we have a new Mayor and new Councilman I would also like to inform them that the Town has been applying for this grant and has the longest municipality in the Commonwealth for over 30 years. We did recognition to the Town of Richlands when we celebrated 25 years in the Commonwealth for the Government Challenge Grant. Thank you very much and I also want to be appreciative of the acceptance of the Government Challenge Grant for 2019. I need a “yes” or “no” from the Council.

Mary Ann - I make a motion that we apply for the Government Challenge Grant, Rod seconded the motion.

Tim - I have a question, is it electronic? Is it \$4500 or \$5000?

Ginger - Same as always electronic. It is \$4500 matching, we are hoping they will increase again to \$5000. If they do, the State will give \$5000 and the Town has continually given us \$5000. I told Adrienne I would assist here with the application.

Mayor Crawford- We have a motion and a second, for the Town to apply for the matching Government Challenge Grant and giving the CART Program \$5000 from the Town, any further discussion? All those in favor of the motion say yes. All those that oppose say no. Motion carries - 5/0.

Ginger – On Friday the Board of Directors issued a letter on behalf of the Chamber a letter of support for the reinstatement of the fluoride in the public water system.

Doug – I think Richard had a great suggestion. Let the Town people decide by putting on a Referendum.

Mayor Crawford - I think that is a great idea too, a matter of fact, I would like to encourage any citizen of the Town who feels strongly enough about the subject to get the Referendum and get it set up. The Council don't have to pro or con. It is too big of a decision for the Council and myself. When we first started talking about it I would have voted yes, today I straddle the fence on it. If someone is interested enough to get the Referendum and get it on the ballot, I would be glad to talk to them about it, I have experience if they need help.

Ginger - The Town is doing the 'Princess and the Pea' performance. We are anticipating that all of you show up for the performance. Mayor Crawford, we are counting on you to welcome our audience before the performance. If you could be there we certainly would appreciate it. If you can't another Town Councilman can do it. It is important to put a face on all the sponsorship we have. We would like to see your smiling faces.

Mayor Crawford - I will try to be there.

Ginger - Thanks

Ginger – Local Living/Mountain Movers SOUP -Christy Asbury - Christy worked the Honey Festival. She is really trying to get this initiative off the ground. Any support or words of wisdom that you could share with her I am sure she would appreciate it. The program is about keeping monies local and understanding the turn over and the dollar value by keeping things local in our community. She is working very diligently with this and anticipating having another SOUP, so entrepreneurs will have an opportunity to express the business they are trying to start. At the meeting there is a vote with the people who are present, whoever gets the most votes all the money collected that day goes to their cause. It is like a micro-grant. Micro-grants are a big topic now. The Chamber will probably initiate at some point when we officially become a County Chamber. A micro-grant that is administered thru the Chamber will be realty. It is a way to generate business, support the business that wants to come into the community. Be a true advocate for the businesses that wants to get established. I am sure you all will support as well. Helping each other is what it is all about.

Richard - Do you have any background on Christy?

Ginger - She has the Farmer's Daughter.

Mary Ann - I attended the first and only SOUP that was at the Community College. It was a great night sad that not very many people were there, but it was because there was not enough marketing. Christy is working very hard, she has a lot enthusiasm and a lot of energy, and she just needs help.

Ginger - I think all of you as well as the Chamber can step in and assist her in marketing. She will be the first one to admit she is not a public speaker. Her heart, soul and passion in what she is trying to accomplish in this Community, County and Southwest Virginia is a true spirit. We need more "True Spirits".

Mayor Crawford - Any other "Unscheduled Public Comments"?

Mayor Crawford - "Downtown Events Coordinator" - Report to Council on Community Event Meeting

Connie - We had the Event Calibration Meeting on February 6 at the Town Hall Council Chambers. There were 28 people in attendance. We had representatives from CVMC, Relay for Life, RDA, Living Local, Tazewell County Tourism, Tazewell County Chamber, OAC, Wrestling Team, CART, Richlands Middle School, Rec Park and Police Department. The meeting was approx. 2 ½ hours. We had someone from each group to speak on behalf of their business or organization. I must say the meeting was very informative for everyone. The entire group was very excited about the meeting, several said they would like to this type of meeting again. I think quarterly meetings would be great. I was very happy with the results of this meeting and I foresee great things happening this year. I will personally be meeting with several of the groups to try and coordinate some of their activities into our events. As I receive event dates I will create a community calendar.

At the Chamber meeting last week Barry Alley from CVMC said he would like to host the next meeting at the hospital.

Tazewell County Fair is on July 20 and the Burkes Garden Festival is on September 28. I have two (2) of our major events scheduled on those days. I suggest that we change to July 13 and September 14 in order not to have a conflict. We can establish dates for our events on the second week of the month. A lot of positive things came out of the meeting and everyone was excited.

Vickie - Do you have an updated calendar or is a person still sending you the dates?

Connie - I have been receiving dates, when I receive all the dates I will update everyone. I have Tazewell's calendar.

Rod - I understand it was a great meeting. When you listed the people in attendance, were there anyone from the Section House and Appalachian Agency at the meeting?

Connie - Yes, I forgot to mention Lynna was at the meeting. I did apologize to Regina, I forgot to invite her.

Rod - When is the Cedar Bluff Festival?

Connie - It is the 3rd Saturday of September.

Mary Ann - I would like to also thank Connie; it was really a great meeting. There was spirit of togetherness, everyone was excited. Ginger almost had people standing up and shouting. I think all of us coming together will only be positive results.

Mayor Crawford - I thank you too. I know all the people here thought it was very positive.

Mayor Crawford – "Council Member Reports" – Rod Cury

Rod – The Planning Commission met on February 5 and we discussed briefly the zoning of particular area in Richlands, the Riverwalk and the Memorandum of Understanding that Tim will discuss. We had a great meeting. Our next meeting is March 5.

Mayor Crawford – “Council Member Reports” – Vickie England

Vickie – A citizen has had a complaint about barking dogs. I have talked to the Chief about it. I will let the gentlemen know what he needs to do.

Mayor Crawford – “Council Member Reports” – Doug Ratliff

Doug – Do we have any updates on the natural gas issues and the Rural Planning Commission?

Tim - I have delayed any type of meetings with them until we get the budget finished, if that is OK. I will plan it far enough that everyone can be in attendance. We only have approximately one month to get the budget to the Council.

Mayor Crawford – “Council Member Reports” – Richard Brown

Richard – I had a request from several licensed contractors that do business in the Town. They wanted to know if there was a way that we could possibly beef up our ordinances regarding unlicensed contractors doing work in Town of Richlands. Can the Town develop some type of data base, that licensed contractors could come to the Town Hall, purchase a permit after showing their insurance and the type of contractor they are. We have had a lot of issues with scams, lawn mowing companies, coming into Town without paying their fees. I don’t know what the process would be to develop a data base.

Tim - We already have a contractor licenses fee, it is part of the application. I can’t tell you off the top of my head if there is a minimum amount spent to meet the criteria. It needs to be refreshed. Once we get an attorney on staff we can get him to look at that. There is a minimum on the tax licenses that needs to be adjusted; we have some people pay a \$1.00.

Richard - What they suggested was to possibly develop a data base. Anyone could call the Town Hall to find out if they were a reputable contractor, if they paid their fees and are able to operate in the Town. People are doing work in Town that are not licensed.

Tim - I don’t think it would be a problem to put a list on the website. We will review and take a look at it.

Mayor Crawford – “Council Member Reports” – Mary Ann Strong

Mary Ann Strong – At the January Recreation meeting, the Rec Commission made a motion to request that Council appoint Joel Horn to replace Anthony Cox on the Recreation Commission and Mike Webb to replace Brandon Breeding. Mr. Horn would be a Richlands resident and Mr. Webb is out of Town, which keeps us in balance. We have six (6) in Town residents and (3) out of Town. I would like to make the motion to appoint Joel Horn and Mike Webb to the Richlands Recreation Commission, 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 - 5/0.

Mary Ann - The Rec Commission will meet next Monday, 7:30 upstairs at the Rec Department. Everyone is welcome, citizens are coming A lot of positive things are going on. I would like to congratulate Peter Mulkey-CEO at Clinch Valley Health. He received a very prestigious award recently for safety and public health. We are very highly recognized in the health care industry.

Mayor Crawford - “Mayor’s Comments”

Mayor Crawford - I did try to call Peter but ended up leaving a message, congratulating him and the hospital. I wanted to let him know that the Town and I really appreciate the hospital and everything they do. I reviewed the bad debt collection for Fire and Rescue contracts. As everyone knows we are in

the process of hiring a new Town Attorney. Our outgoing Town Attorney, part of the collections was something that he did for the Town as a separate job. I did some research, currently we have 1.7 million dollars in uncollected debt, and we have \$76,000 that has been collected, that is 4 ½%. In the collection industry as a whole the average collection rate is 20%; we are quite a bit behind. I would like to suggest that we award the collection part of the business to the new attorney. I would like to have a motion.

Richard - You want to include in the contract to whoever we offer the position of Town Attorney?

Mayor Crawford - Not necessary, since we did not discuss during the interview process, we can set up separate. We can do either way.

Richard - Do we need an RFP?

Tim – No, not if included in the contract of the new attorney.

Rod - I have a thought, would it be possible to just do a consensus?

Mayor Crawford - Sounds good to me, I would just like to get it done.

Mayor Crawford - Consensus to hire the new Town Attorney to do the collections for Fire & Rescue.

Rod – Yes, Richard-Yes, Mary Ann-Yes, Vickie-Yes, Doug-abstained, Mayor-Yes

Mayor Crawford - I had someone tell me a food truck comes to the parking lot at Advance Auto and sells barbeque. They are selling without a license. The Town requires them to have two (2) licenses. One is a \$250 license and the other is a \$500 license. This same truck set up four (4) times last year in Town. I know Jerry Gilbert has a business which he pays the \$250 for the license fee. The point I want to bring up, for thought, if we want to encourage people to come into our Town, \$250 and \$500 is a lot of money to set up five (5) times in one (1) year. I am not saying let them do it for free, but I would like for you to think about it. When we get the new attorney on board we can get them involved. We need to be more small businessman friendly. We were invited to visit the Teen Venture Center today. They took us on a tour of the center, I was very positively impressed. I often wondered what they did with the Town Jail. They have a really nice skate board arena, climbing wall, art classes, and pottery. They have a lot of good things for kids. I would like to say to the people watching on TV, it is for kids from 13 to 20. I really encourage you to go by and see what they have to offer. It is a tremendous opportunity, it is well supervised, and they have expectation of the kids that come there. It was built with volunteer labor. Ellen Elmes and her art class did the drawings.

Doug - Do I need to explain why I abstained from voting for Town Attorney, the attorney firm that has the contract now is one of my personal attorneys, that is why I felt I should abstain from the vote.

Mayor Crawford - I appreciate you doing that, Thanks

Mary Ann - I was actually thinking about what we decided; I just want to ask a question. When we had consensus was that just to consider offering to our new Town Attorney or is that saying that we are no longer going to use Mr. Ratliff's services. I am a little unclear what the consensus was for, I do apologize.

Mayor Crawford - Who brought up the consensus idea?

Rod - I did, would you like for me to explain? Listening to what Mayor Crawford said, rather than a motion of Council it is an action that requires the will of Council to be done. A consensus is a general opinion but not a motion of Council of what to consider. It is just a matter of consideration of how we will collect bad debt in the future, but not binding on anyone past, present or future. Is that what you were talking about Mayor Crawford?

Mayor Crawford - That is OK with me.

Doug - Do we need to consider someone else or is the Council firing Brad?

Mary Ann - That is my question, are we taking those services from Mr. Ratliff's firm or are we saying we are going to consider, research and possibly do so.

Doug - It seems to me it would take more than a consensus.

Rod - I would like to say something that may be helpful. Richard asks about RFP, Tim what was your response.

Tim – What I heard it is your intention of looking for what you said. I would assume that Mr. Ratliff will continue or terminate the agreement. You have to include with your discussion with whoever the attorney is, part of the negotiation. If you decided not to use the new attorney, then you would have to do an RFP. It would not have to be an attorney but another professional service. If you are going to include in the discussion of whoever the attorney is, you don't need at RFP.

Richard - The reason I brought that up was when we solicited the applications for the attorney we did not include, could have change what they wanted for monthly retainer.

Tim - If you were dealing with someone other than legal would be a scope change and we would advertise. Attorneys have a lot of liberty. I think it would be appropriate to add on, it is a qualification piece anyway. I think you are OK unless you want to do it differently.

Mayor Crawford - Is everyone OK leaving as consensus?

Richard - We can discuss in executive session.

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

Tim - Please take a few minutes to look at the monthly check register. Check 59455 – American Carpet Care- \$20,213.00, we have been working hard on doing a lot of clean up, that does not always include the road way, using them to do some right-a-way clearing too on the utility side. Check no 59458 – Appalachian Aggregates, LLC \$5,473.68, stone on the roads for utilities and streets, Check No. 59469- Blue Ridge Power Agency- \$12,877.10, that is fairly sizeable for one month, this includes half of the dues for the year. Check No. 59480- CMC Supply, Inc. - \$8,667.03 for the water distribution system.

Mayor Crawford - What about the Check No. 59481 Coca-Cola Bottling Company for \$1,629.75?

Tim - Concessions at the Rec Park, they must have purchased a large supply.

Mayor Crawford - The auditors recommend that we have a more robust system at the Rec Park on what we take in and what we sale. Have we put that in place?

Tim – I don't know if it is totally in place, but I know they have been working on it. We have cameras over the cash register, so it is recorded, and we take credit cards.

Doug - Can we have a report each month on what we purchased and what we sold?

Tim - They buy in bulk, so it may not balance out each month.

Doug - I think it would be good if Mary Ann's team would look at it and if they are not making what they should they could make appropriate decisions.

Tim - You review fees etc., correct?

Mary Ann - What we have been seeing at the Rec Commission is positive on the concessions. There has been a big change from last year.

Tim - Check No. 59522- Robinson Farmer Cox Associates, PLLC - \$7,500.00 - That is for our auditors, fee we pay.

Doug - What about Check No 59514 – Morton Salt, Inc. -\$8,224.76.

Tim – That was for road salt.

Tim - I would like to mention to get the total power bill you have to add EDF Trading of North America, LLC and AMP Power Bill.

Mayor Crawford - Do we have a motion to authorize Mr. Taylor to pay the bills?

Rod - I make the motion to authorize Mr. Taylor to pay the bills, Doug 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 - 5/0.

Tim – Monthly Power Cost Report of December 2018 – Actuals came in 7.5% lower than forecast. The cost for PJM \$3.09/MWh lower than the budget, which is good news. Basically, for the year, total sales-wholesale we are about \$50,000 kilowatt hours lower than what we projected. We are selling less since the weather has been warmer.

Mayor Crawford - Tim I know it cost a little more, but can we start printing the graphs in color, a little hard to see the difference.

Tim - No problem, any other questions or comments?

Tim - At the first budget work session we will present to Council a thorough report on buying a generator. Some of the Council members were interested. We will save some cost on power supply, will take some investment. We have a good comprehensive report on how to do that.

Tim - Clinch River Walk Project - We had an application in with Friends of Southwest Virginia for funding that could be available for providing preliminary engineering report to provide some hard cost figures for the walking trail. I got a letter from Friends of Southwest Virginia and they have allocated us \$26,000 for that project. I don't think it will require legal review, very simple. (Reviewed the Memorandum of Understanding). The funding is from the Thompson Charitable Foundation thru Friends of Southwest Virginia. I talked to Friends and they will provide Project Management to assist the staff. They will also take responsibly of some of the grant administration activities. I would request that the Council consider authorizing me to sign the memorandum.

Rod - One of the things that needs a little definition is Project Management Team, can you define?

Tim – Project Management Team, since it is part of a bigger grant that Friends has provided to do the Burkes to Breaks, there is a group that wants to be involved. Friends will be meeting with our Planning Commission and getting engaged. I don't see any indication they will come and tell us what to do. If it turns out to be something different, I will not sign.

Rod - Thank you

Mary Ann - On the page where you would sign, it has Breaks Interstate Park.

Tim - We will have to change, a mistake.

Mayor Crawford - At this time, I am asking for a motion to authorize Mr. Taylor to sign the Memorandum of Understanding, Richlands Riverwalk.

Mary Ann - I make the motion to authorize Mr. Taylor to sign, 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 - 5/0.

Tim – Review Professional Engineering Services Request for Proposals (RFP) - The consideration of awarding contracts to Thompson & Litton and Hurt & Proffitt. The law allows localities to obtain professional services for projects that is small in nature up to \$50,000, for convenience, if is over that you cannot use this type of service. Sometimes Council wants to use a professional engineering firm that would be acceptable to do something quick. We have used in the past to do various types of things that we need done. We had three (3) respondents. We had state wide type of search. We interview all three (3) and had a selection committee ranked the engineering firms. The law allows for us to have two (2) firms. We feel the two (2) engineering firms are superior to what was submitted. Thompson & Litton has been with us for many years, they know all about us, we trust them. The second firm that we would like to have approved is Hurt & Proffitt; they are out of Blacksburg, impressed with their staff members and some of their projects that they have worked on. They are good on trails; TVA and Nature Conservancy are on board with them. I would like to negotiate with these firms. We should be able to use these two (2) firms for products that we would need for water, wastewater, gas, trails, public roads and structures. It cost no money to sign the agreement, you pay when agreement to do things.

Doug - Do you need consensus?

Tim - I need a vote.

Mayor Crawford - We need a motion to sign contract with Thompson & Litton and Hurt & Proffitt.

Doug - I make the motion to sign contract with Thompson & Litton and Hurt & Profitt, Richard seconded the motion.

Rod - Do you negotiate a contract with them? Is it a retainer?

Tim - Contracts for professional engineering services as identified. It is a retainer.

Rod - We have had Thompson & Litton on a retainer before, correct?

Tim - Yes, you can only carry for three (3) years. We have had them on two (2) terms. The first term we did not even use them, but we did the second term.

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 - 5/0.

Tim - Fire and Rescue Cost Analysis Report - I have not finished with the report, we have been really busy. We should have first part of next week; I will have it delivered to you.

Tim - The Budget Prep finished this month, we would like to meet with the Fire & Rescue first and then prioritize after that. The new ambulance that we got with a grant is finally in used and performing good. It was a 50/50 match.

Mayor Crawford - What about the other handouts?

Tim – Other handouts are just for your information.

Rod – I would like to add the transit service is very valuable. A lot of people use it. It is very inexpensive and good for our community.

Rod - We have a request from project graduation to support them. I would like to make a motion that the Town of Richlands give them \$100 to help with their project. 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 - 5/0.

Mary Ann - They no longer have Project Graduation at the Rec Park, is that correct?

Richard - They are this year.

Mary Ann – Ok

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 personnel as permitted by Subsection (A) (1) of Section 2.2-3711 of the Code of Virginia. (Town Attorney Appointment)

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

Richard - Is the section limited to the town attorney appointment or can we discuss any piece of that.

Tim - I don't think so. Perspective Business 2.2-3711 (A) (4) – deleted from agenda, Rick could not be here tonight, that was his request, and he will talk about next month.

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 - 5/0.

Mayor Crawford - If you want to stay until we reconvene could be further action.

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.

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

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

Mayor Crawford – Roll Call Vote - Vickie-Yes, Doug-Yes, Mary Ann-Yes, Richard-Yes, Rod-Yes - Motion carries - 5/0.

Mayor Crawford – We are back in "Open Session", is there any motion of the result of the executive session.

Richard - I make the motion to authorize the Town Manager to draft an agreement to award firm Cook, Shortt & Keene contract legal services for the Town of Richlands. 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 - 5/0.

Mayor Crawford- Do I have a motion to adjourn?

Vickie - I make the motion to adjourn, Doug 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 - 5/0.

Mayor Crawford - Adjourned

Paul Crawford, Mayor

Connie Allen, Town Clerk