

The Richlands Town Council held a "Regular Meeting" on July 12th, 2022, in the Richlands Council Chambers at 6:52 pm with the following present:

Mayor: Rod D. Cury

Town Manager: John O'Daniel

Town Clerk: Rebekah Hackworth

Council Members: Jeff Hurst, Doug Ratliff, Kristen Thompson-Whitt, and Seth White.

Town Attorney: Michael Thomas

Mayor Cury opened the meeting.

Mayor Cury gave the invocation and led the Pledge of Allegiance.

Mayor Cury-Members of Council, Town Manager, Attorney, Clerk, Staff, and all the citizens that are here, before we get started on our main agenda, I would like to bring your attention as you probably already know that we have two council members who have left us and that is Mike Street and Darrell Addison. I want to extend a hearty thanks for their service and we wish them well in their life away from council. They are still a part of the town. Thank you, gentlemen.

Okay, we have additions/deletions to the agenda which includes the removal/transfer of Consent Agenda item as needed.

John- There are no changes the only thing I will add on roman numeral VIII (I) it should be Off-Road Recreational Vehicle Usage First Reading.

Mayor Cury- Okay are there any other additions/deletions to the agenda? If there are none, I will go ahead and ask if there are anyone who would like to speak in the unscheduled public comments.

Donnie Wade- I would. I signed the sign-up sheet out there.

Mayor Cury- Okay, thank you. I appreciate that. We will add that to the unscheduled public comments. Is there anyone else present who would like to speak? Okay since no one else would like to speak and there are no other additions/deletions to the agenda, I will ask for a motion to approve the agenda as amended.

Jeff- I make a motion to approve the agenda as amended. Seth seconded the motion.

Mayor Cury- 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. Roll Call- Jeff- Yes, Doug- Yes, Kristen- Yes. Seth- Yes. Motion carries -4/0.

Mayor Cury- Next, we have the consent agenda which includes Authorization to pay bills (June), budget amendment #1- transfer from police department budget to drug taskforce budget, minutes- Regular Meeting on June 14, 2022, Authorize line of credit drawdown #22 from National Bank for water treatment plant upgrades (\$4,272.73). Is there a motion to approve the consent agenda?

Jeff- I make a motion to approve the consent agenda. Kristen seconded the motion.

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

Seth- I have a question. On this authorization line of credit drawdown #22 on water treatment plant upgrades, I thought when Rick was here, we were stopping all billing?

John- This is what had been accrued before we put a freeze on it.

Seth- But this says through June 30th.

John- That is probably just when we received it.

Seth- My only point to this is we are not going to get the water plant because we couldn't get the bids, but Thompson & Litton walked away with \$1,000,000 that we are going to have to pay for. So, we spent \$1 million and got nothing. This is just a small point to a larger point, and he said he wasn't going to bill us anymore and then here we have another bill. They are just maxing out

their \$30,500, that's all they are doing. However, to my point, I am not going to be here in the next couple months, I am not running, but you guys will be and my only thing to you is to be cautious. It is not okay to spend \$1 millions on a plant that you didn't build. That is not okay. It is our job to make sure that stuff like this don't happen. I was just amazed that no one thought that was absurd when he was in here. Now other people in the community did, because I got phone calls of people who had been involved in politics and stuff. They were just blown away that we spent \$1 million and we have nothing to show for it. We literally have nothing but a bill. The only reason I am bringing this up is because he said he was not going to bill us anymore, yet we have another bill.

Doug- Seth, I feel the same way. Some of the council are not privy to some of this information. Over the past year I have had very little insight on the budget at all, not many councilmen have. The business is being handled by the Town Manager and one or two council members and that is it.

Seth- I suggest robust discussion and a proper RFP, where you get better bids. There are more companies out there than Thompson & Litton. When you spend \$1 million and have nothing to show for it, be cautious.

Mayor Cury- Anyone else have any discussion on this matter? Okay, there is a motion and a second. All those in favor of the motion say yes. All those that oppose say no. Roll Call- Jeff- Yes, Doug- Yes, Kristen- Yes, Seth- No. Motion carries -3/1.

Mayor Cury- Okay, we are moving on to scheduled public comment by Laura Mollo concerning the special election.

Laura Mollo- "262 Linwood Drive. Very quickly to begin, I just wanted to touch on something said in the last meeting regarding the water rates and losing principal forgiveness. Citizens are concerned about losing the funding. So, I reached out to Karen Dorin, the woman on the DEQ funding letter provided to council. I asked if we were in danger of principal forgiveness being rescinded and what would make that possible. This is her response to me via e-mail: Hi Laura, principal forgiveness authorizations are typically not rescinded unless the town decides not to proceed with the project. Please, let me know if you have any further questions. Now what I really came to speak about tonight is the seat left vacant by Mike Street. Right now, we have a special election scheduled for November 8th for the seat vacated by Logan Plaster. Both Mike and Logan have the same amount of time remaining in their terms which makes it ideal to add the newly vacated seat to the ballot with the current special election. However, to do this you must direct the Town Attorney tonight to do so to meet the deadline. He has to have time to petition the court for this election and would have to be directed to do so tonight. I'm also asking you keep both Mike and Darrell's seats open until the special election. Right now, there's a meeting scheduled on Election Day. If you guys will move that meeting up a week to the next week, the special election winners will take office in November and will be able to be present at that November meeting. Even if you appointed someone tonight, they wouldn't take office until the August meeting because the special election winners take office in November not January, a newly appointed person would only be here three months. I believe it's in the best interest of the citizens to keep the seats open until the citizens have the right to decide who sits on the council in November. I hope you guys will consider what I presented here tonight, thank you."

Mayor Cury-Thank you, Ms. Mollo. Okay, next we have unscheduled public comments. Donnie, would you please come forward and state your name for the record of the clerk.

Donnie Wade- I spoke to you guys' last time regarding the 4-wheelers stickers. I didn't realize you guys were having that meeting earlier or I would have come then. I think we need stuff around here to draw people to come to our town. All the other areas in state are passing us by and our tax dollars are being used for stuff out East and we don't ever see any of it. But if you think and consider passing that, people will take an interest in this area because we are in the mountains, and they would want to come here more. This area has been shunned for some time now. Like I said, join forces with Cedar Bluff on that permit sticker and both share in the cost of it. If people from Jewel Ridge wanted to come in and ride on it they would be required to purchase the same sticker and carry their own insurance and if they got caught without it they would get a ticket. Just because they are riding a 4-wheeler doesn't mean they should be exempt

from the law. I just think if you work and pass that, you might see more people wanting to come to this part. It might bring more industry and help the economy too. Thank you very much.

Mayor Cury- Thank you very much, Donnie. Okay, we are now on agenda items- electric system battery storage update: Battery System Presentation and Update and Electric System Discussion. So, John, I will defer to you and I believe we have people online that are going to speak about this as well.

John- Some of you were not on council when we started discussing the potential of an RFP on battery storage and we can use that battery backup for peak shaving to save on the long run. So, I have Alice Wolfe with Blue Ridge Power and Garrett Cole with GDS. For those of you who were not here, to kind of bring you up to speed on what we are looking at. We hope that by next month we will have to make a decision on if this is something we want to pursue or not.

Alice- Thank you all for having us tonight. Just to share a little about Blue Ridge, the primary purpose is to have better economy expand in buying power and negotiating contracts. The agency does not earn any revenue on your power supply. So, whether the council decides to move forward with this or not it doesn't affect the agency budget either way. There are a lot of benefits to this project, so I would like to urge the council to really think about it. The number one reason we are here are the AEP transmission rates. AEP's transmission rates have quadrupled in last 10 years. It has become 25% of the town's wholesale. This was going on long before the pandemic hit. We have tried several different ways to try and reduce your transmission rates but ultimately, I think one for sure way to help reduce those rates is the battery storage update.

Garrett- Thank you all again for the opportunity to share with you guys. We have a substation in mind where we would place the battery storage. We can fit two megawatt batteries with a two-hour duration. So, we can potentially have four-megawatt battery storage in one area. Many of our members are considering a four-megawatt battery storage with a two-hour duration and Richlands can physically fit about half of that in that substation location. So, the reason that is important is because you will only be getting half of what the others are getting and usually that would have a marked price increase as a result of that but because you are participating with everyone, Richlands has potentially got almost the same price as everyone else is getting. This proposal is supposed to last 15 years in an energy source service agreement. This is not an ownership agreement where we have to be responsible for any type of maintenance. Those services would be taken care of by the owner of the utilities. This service is supposed to come online in the summer of 2024.

Your battery storage benefit can help reduce your transmission rates like Alice said. One point I would like to get across is for every kilowatt hour we are saving double digits in growing rates. It is important to understand that the market for this resource is constantly moving around and we are doing everything we can to lock in the arrangement to keep it so you all can consider. This is an option with no upfront capital outlet. You are getting a pricing that is almost equivalent to those that are participating on a large scale. You will benefit in a pretty significant way like we have described here. I know we have talked a lot about how to handle cost increases and this is one of those opportunities that we have on the table. It is our opportunity to be proactive. We are very supportive of this project and encourage your consideration of it. As Alice said, it is all for the benefit of the customers to reduce their cost. We have other members that are moving forward to save on their cost and it would be wonderful to have Richlands as a part of that as well.

Doug- What does Danville do? What does that look like in savings for them?

Garrett- So, I have indicated that for Richlands for every million dollars spent you have a \$400,000 in net benefits and that could go up. For your larger projects that number will go up to \$600,000 for every million dollars spent. If we were going at this alone, I don't think we would have much of anything in net benefits. Through Blue Ridge and through this economy we are able to have a significant net benefits per million.

Doug- If we had the room, with Richland's size, would we benefit from a 4?

Garrett- Sure, Richlands would continue to benefit, and we would be interested in reviewing that. The problem is trying to find a substation that would handle that. So, right now this is the size we would suggest.

Doug- Could you continue to study that?

Garrett- From a loading standpoint it is something we can consider, but from a physical standpoint, there are other buildings there, so we can't expand at this time.

Seth- So, there are no upfront costs? What is the payback?

Garrett- You will pay once the project is installed. You will receive a monthly invoice.

Seth- So after installation, Richlands is going to get a bill to start paying this back?

Garrett- Your bill would be \$20,000 a month in invoice for a megawatt project and you will have 40%-50% a month in benefits.

Seth- So, we would need to sign a contract with you all in September to get this project started and we wouldn't get this until summer of 2024?

Garrett- Yes.

Seth- Okay, full disclosure we are talking with AEP and thinking about selling our power system to them. So, if we are needing to make a decision and get back with you by September, I am just trying to line up our timing so we can make a decision which way we are going to go.

Garrett- Understood.

Mayor Cury- So we have some decisions to make and some of our decisions are banking on some information that we do not have yet like with AEP. So, we have our August meeting and our September meeting and then we will need to make a decision on which direction we need to go. I have one question for you, is our participation in this project give any leverage to GDS and those other members of Blue Ridge power? Do we carry some weight in this bargaining?

Garrett- Absolutely. The more participants that we have in place helps us to hold the deal in place and also achieving the best possible rate.

Mayor Cury- Okay, last call for questions?

John- Okay, to wrap this up, I need some directions on what you guys want us to do. We are looking at selling it and we are also looking at investing in it. Do we need to put more pressure on AEP to get back with us on a decision? Because if they are not going to buy it then we need to look at other possibilities. We are also looking at the possibility of going solar. We have some big decisions to make in the next couple of months.

I think Seth or myself need to reach out to AEP and put some urgency behind it so we can move forward quickly.

Doug- I think we need to pursue both of them.

Seth- I agree and I will reach out to Mary tomorrow and let her know that we are looking into other possibilities and figure out what their timeline is going to be on when they could let us know, so we can go through there.

John- If everyone is good with that, I am fine.

Mayor Cury- Okay, is everyone fine with that?

Members of Council- Yes.

John- The next item is John Rife with TACS, and he has to stop at 8:00. So, if we could jump right into that.

Mayor Cury- Okay, let me just say thank you to Alice and Garrett for coming on and speaking with us tonight. Okay, go ahead John.

John Rife- I apologize for the quickness of this. I really appreciate you guys having me tonight.

My name is John Rife, and I am originally from Grundy if the name hasn't given it away. I work with Taxing Authority Consultants Services. We do collections work for government entities and that is all we do. We just handle collections work for local governments throughout Virginia. Right now, we have about 105 governmental clients. We represent all the counties surrounding Tazewell County. I think Tazewell County does their own in-house tax sales with the county attorney. We have been doing this work since 2006. We get paid based on what we collect at a prorated basis. For real estate litigation that fee is commensurate with the add on provision under Virginia code which allows adding on up to 20% of the delinquency. If we have to move on into litigation it's 25%, but those fees are paid by the taxpayer not by the locality. Imagine when you're in real estate litigation, there are certain costs involved with that such as title searches which we hire local title company to do the searches and service of process if they're outside of the county. Those costs are added on to the bill and are collected first from the delinquent taxpayer or through those sales. Those are the only costs that we bill on a monthly basis but then we also pay those back to our clients first before anything else. We have several attorneys that work with us, and I think a little over 100 employees that work with us as well. We try to focus on collections on the front end to try to avoid litigation. I am not sure how familiar the council is with this process, but I am open to any questions that they may have about what we do.

Mayor Cury- I have a question, do you also collect other type of debts that are owed to the town?

John Rife- We do. Personal Property is our other large portfolio that we collect for localities. Business licenses, taxes, utility, those are fair bank collection practices. So, those are a little bit more involved, but we do all of that.

Mayor Cury- Okay, thank you. Does anyone else have any more questions?

Seth- So, are you just proposing services? Did we put an RFP out? But we would have to put one out to hire a firm, correct?

John Rife- For legal services, they are actually exempt from the public procurement act, but I will tell you that it is always a good idea to see what else is out there.

Seth- I appreciate you coming and for the information, and this is definitely something that we need to look into especially with the personal property collections. So you currently represent all the counties around us? Like Tazewell and Bluefield?

John Rife- We do not do Bluefield. I think we have a contract with them, we just haven't had any accounts with them.

Seth- If we move forward with this, do we set the parameters on when we need you to collect?

John Rife- Yes, we generally like to have them make a payment in the first 12 months.

Mayor Cury- Any other questions from members of council?

Doug- Did you say you work with Tazewell?

John Rife- We work with the Town of Tazewell.

Mayor Cury- Okay, thank you John. I am sure we will be getting back to you soon with some kind of questions. Have a good evening, sir.

John- Is this something that council would like us to pursue though an RFP?

Mayor Cury- is there a motion to allow our Town Manager to pursue RFPs for collection agencies?

Doug- I make a motion to allow our Town Manager to pursue RFPs for collection agencies. Seth seconded the motion.

Seth- I just want to make sure that we put that out on Electric Virginia.

John- It will be on there.

Mayor Cury- 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. Roll Call- Jeff- Yes, Doug- Yes, Kristen- Yes, Seth- Yes. Motion carries -4/0.

Mayor Cury- Next on the agenda is discussion on the vacant council seats. Darrell resigned yesterday and we already have a special election coming up for one seat in August. Bryan Earls is here from registrar with Tazewell County, and he will be able to explain the process of another special election and what our options are.

Bryan- So, tonight if council was to direct legal to pursue a second bid of election for the second open seat, we would simply just add that to the ballot. They both expire at the same time. Both seats that are open will expire 12/31/2024. We will run those two elections concurrently. So, you would have one item on your ballot for the three regularly scheduled council seats that are vacant. We will direct the voter to vote for only three on the regular election or general election. Then you would have a separate item on the ballot with the two special election seats where the voter will be instructed to vote for no more than two. The deadline for qualified candidates for the special election will be August 19th.

Mayor Cury- Thank you, Bryan. What is council's wishes on these vacant seats?

Michael- We have already had the discussion on Logan's seat. His seat is already on the ballot. So, this would be to put Mike's seat on the ballot as well.

Seth- We are only allowed to do this because the terms coincide, or you wouldn't normally be able to do this, correct? You would have a fourth column directing you to vote on a council member?

Michael- Correct.

Mayor Cury- Is there a motion for the attorney to direct the court?

Doug- I make a motion to allow counsel to file a writ for election with the Circuit Court for the special election. Seth seconded the motion.

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

Seth- I would just say, I think it makes sense to do this. I personally think, given our recent turnover of people just up and leaving that we should wait and not appoint anyone to these seats. I don't think you have time to appoint someone and let them get trained and be gone in 3 months.

Mayor Cury- I think that is a good thought. Any other discussion? All those in favor of the motion say yes. All those that oppose say no. Roll Call- Jeff- Yes, Doug- Yes, Kristen- Yes, Seth- Yes. Motion carries -4/0.

Michael- Okay, we have that ready to go, we just need that portion of the minutes to attach with that as well. I just wanted to let you all know that you have 45 days from when Mike and Darrell both resigned to appoint someone if you all change your mind. After the 45 days then it will be out of council's hands, and you would have to wait on the election.

Seth- Thank you, that is good to know that if something came up and we needed someone, we could appoint them at our next meeting.

Jeff- Seth, my only question was about ordinance and if we had to pass them. What is the correct number of voting to be able to pass them?

Michael- Ordinance and resolutions have to be a 4/0 vote, so they would have to be unanimous now to be able to pass. If someone is going to be gone at our upcoming meetings, then you would not have a quorum and not be able to conduct business.

Jeff- I think that is a huge concern.

Mayor Cury- It is a huge concern, so I will ask council their thoughts on this matter.

Doug- It is only three months.

Seth- Another thought, if one of us had to abstain, we wouldn't be able to because then there wouldn't be enough to vote.

Mayor Cury- I also want to add this, by the charter, then someone abstains, their abstention has to be approved by the council.

Seth- Okay, so we have three seats open in the general election and Bryan, how many qualified candidates do you have for those three seats?

Bryan- We have three qualified candidates for those three seats.

Seth- So, those three people are going to get elected in November. So, what you could do is go ahead and appoint two of those three people onto council.

Jeff- Sure, if they are willing to do it.

Mayor Cury- I will share this with you, I had two ladies call me and express that they have never thought about being on the council before, but they are very concerned with two of our councilmen quitting. I am in no way judging them. Every man has to do his own thing and make his own life decisions and that is not for me to judge. People are really concerned for our town and we all just want to see it succeed. I do not want to put those two names out there. I just think we need to think about it and maybe have more discussion in our August meeting. Jeff, do you have anything you would like to say?

Jeff- I think the appointment of a full council would be in order here.

Doug- My thoughts are what Seth said. The town is in trouble. Why couldn't we appoint two people that are for sure going to be elected in November and let them hit the ground running.

Seth- I just think it is a unique situation and you will not be giving anyone an advantage for them to only serve for three months. So, the three candidates are Laura Mollo, Jan White, and Rick Wood. I don't want to speak for my mom, but if I had to guess I would say that she would want to wait until November to serve and us appoint Laura and Rick.

Mayor Cury- If it is appropriate to council may I ask the two candidates their feelings?

Council Members- Yes.

Mayor Cury- Ms. White?

Jan White- I wouldn't want to take the appointment while my son is still on the council. So, I will wait until November and let the other two go ahead and serve.

Mayor Cury- Okay, thank you. Ms. Mollo?

Laura Mollo- My idea was to keep the seats vacant, but if council feels it is best to appoint people to those seats, then I will take the seat.

Mayor Cury- Okay, thank you. Pat can contact Rick?

Pat McClanahan- I will go call him.

Jeff- I make a motion to appoint Laura Mollo to the vacant council seat. Kristen seconded the motion.

Mayor Cury- 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. Roll Call- Jeff- Yes, Doug- Yes, Kristen- Yes, Seth- Yes. Motion carries -4/0.

Mayor Cury- Ms. Mollo, congratulations. You will need to take all measures to be sworn in so that you can serve as quickly as possible.

Laura Mollo- Thank you all so much.

Jeff- There is no crying in council, okay? You only cry after the meeting, alone and in a closet. I am just teasing with you, congratulations.

Pat- Rick said yes, he will serve.

Doug- I make a motion to appoint Rick to the vacant council seat. Seth seconded the motion.

Mayor Cury- 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. Roll Call- Jeff- Yes, Doug- Yes, Kristen- Yes, Seth- Yes. Motion carries -4/0.

Mayor Cury- Please tell Rick congratulations and that he should make all haste in getting ready to serve.

Next on the agenda is the Town Council 2022-2023 Meeting Schedule. John, you were talking about moving the November 8th, meeting?

John- So, this is basically the same calendar days that we used last year, and we do have the two extra days in there for possible budgeting purposes. The only thing that I foresee being a problem is the November 8th election. So, I would like to look ahead and change that. I would say the 7th or the 1st.

Mayor Cury- What would council like to do?

Doug- Why are we setting the dates now? Why can't we wait until we have full council present?

Mayor Cury- Doug, I don't disagree with you, and if these dates will not work with the new council members, we can change them then.

Jeff- I make a motion that we approve the Town Council Meeting Schedule with the change of moving the November 8th meeting to November 1st. Seth seconded the motion.

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

Doug- I just disagree with adding the extra days for the budget. I think you should have a lot of thought going into the budget, not add extra days so you pass the budget quicker.

Seth- I don't think that is the intent of what is going on here, Doug. This doesn't mean you are going to have these days; this is just to plan ahead in case we would need them, and you would already know to mark it on your calendar that you are going to have a meeting that day.

Doug- I just disagree. I think they are trying to short circuit the budget to where they can pass it whenever they want to. That is what it is put in for and that is what it has being used for this year.

Mayor Cury- Okay any further discussion? All those in favor of the motion say yes. All those that oppose say no. Roll Call- Jeff- Yes, Doug- No, Kristen- Yes, Seth- Yes. Motion carries -3/1.

Mayor Cury- Next item on the agenda is Economic Development Department Discussion. We have in our packet a revised description. Does anyone have anything they would like to say about this?

Doug- With our budget, we are over a half of a million in the hole. I do not think we should be adding more personnel to the drag the budget down, when we can rely on the county to do a lot of these things for us. I think we need to put a freeze on all hiring until we get the budget under control.

Seth- I will say that since our last meeting, we have had some turnover rate and we do have more members coming on. I think we should wait until they come on and get their input on what they think.

Mayor Cury- Does anyone else have anything else they would like to say?

Doug- We just lost \$1 million in the budget, and we have to pay it back with nothing to show for it. We can't keep doing this. I think we need to take a vote to freeze all hiring until we redo the budget.

Mayor Cury- Okay, council we have a suggestion to freeze all hiring and we have a suggestion to wait until other members of council come onboard to add their thoughts on this.

Kristen- I agree to wait so the other members can have a vote on what their thoughts are on this matter.

Mayor Cury- Jeff, what is your thoughts?

Jeff- I have tossed several ideas around. We had a person that did this job and they left and took another job, and some people are wanting that person to come back to do the job they left. However, I don't think that we really need someone to do this job. I think we need to look at alternative ways to get these things accomplished if we are not going to hire someone. Is this

something that the staff can handle? Obviously not, if they are looking to hire someone for this job? This is not an easy decision to make. Part of this is the council trusting the Town Manager in knowing what our town needs to move forward smoothly. I am not there every day to know what they need or don't need. We are only here once a month, just sort of listening. If they are needing someone in here to help them out and help things run more efficiently, then yes, I am fine with that. But what cost does that bring to the citizens that we look out for? I am fine with waiting because I think this is a discussion that we need to keep having.

Mayor Cury- So we have three council members who are fine with waiting on the two new members to have a say in this and one council member who wants to freeze the hiring. So, we have a consensus to wait on the two new council members.

Seth- Have you guys made any progress since our last meeting on the grants?

John- We did have a meeting with a consultant to take on the architectural engineering the first portion of it- the planning side.

Mayor Cury- This is for the downtown revitalization?

John-Yes.

Seth- Just please continue to update us on this.

Mayor Cury- Okay, moving right along. Next is the utility rate schedule update, John?

John- At the last meeting, we had the rate schedule up to be approved with the water and sewer rate increases and council voted to hold off on that at this time. You all asked me to pull those documents and do some research and the more I look, I realized it was going to be very hard to find those answers in those documents. Because they are not going to say if you have a pandemic and hold off on this project, then this is what is going to happen. So, I reached out to the three organizations that have a say, and that is DEQ, DEH, and VRA. I just wanted to get their input because they are the one that are going to say, "yes, we will be fine with that" or "no, that is going to be an issue." I have heard back from one of them, so I am just waiting to hear back from the other two. If they are fine with it, then we will hold off another year and closer till time to work on the budget, we will really dig into those documents again. We really don't have to do anything with them for a year if they are fine with us holding off on them. Whichever way they decide I will let you all know.

Mayor Cury- So, you will be able to give an update to that at our August meeting?

John- Yes, if not before.

Mayor Cury- I attended a meeting in Bluefield, and we had a very vibrant discussion. It is a complex thing, and we are not trying to avoid 911. My brief understanding is for us to incorporate 911 more directly into the community. I really think we need to keep our station open because I think it is very important, and it is in a very open and familiar place. People do go there seeking comfort, peace, and protection. So, this is just my opinion and I think we really need to leave our station open. Kristen or Doug, do you all have any thoughts on this?

Doug- I thought it should be left to the new council coming in. I disagree with your statement. They can have someone there in 2 minutes.

Kristen- There is no way to guarantee that.

Doug- Well, I am not going to argue with you. They can have someone there in 2-3 minutes. That would be up saving \$400,000. We are paying \$600,000 to Tazewell County to a service that we can't use fully. We can save \$400,000 to our half million in the hole with the budget. The only dispatch center in the state of Virginia is Richlands. Why is Richlands any different, because we are not smart enough to have gotten rid of it 5 years ago, so we could have saved all that money.

Mayor Cury- Thank you, Doug. Kristen?

Kristen- I have talked to several people about this and there are a lot of differences from the way we do things here and the way they do things in Bluefield. They have never had walk in traffic at their PD. At most they have had 2 a day. On average we have somewhere between 10-12 a day. I

think our community and citizens are used to having that available. Another thing that was brought up by Chief Brown (with Cedar Bluff) was they use our station as well since theirs isn't open at night. It took me 5 minutes to drive from here and there is no way you can guarantee that. If someone is chasing me and I am having to be on the phone to call someone to meet me there, my attacker is going to have a lot of time to kill me out on the front steps. I don't know if any of you all have ever had events like that happen to you, but I have and I was very thankful to have a police station to walk into. I can tell you that Bluefield said their net savings was about \$80,000 a year. They are open 7 days a week, 10 hours a day, with one dispatcher and that was their only savings. We would also have to find somewhere else to do our community events and for our warming shelter. Another concern that Chief Brown had was that they have a lot of communication issues, and they have a lot of delays. Which that can happen anywhere. I am just very partial to 911. When you call, they can slam that right up on the board and map you right out. I think that is the technology of the future. However, in that same regard, I think there are safety issues for the officers involved because of the communication issues. There will also be safety issues for our citizens if we lose that. Cedar Bluff said 60% of their traffic is walk-ins down here to our station. I think that is a pretty significant number of traffic they will lose as well. When you are looking at cost savings in the government, and you close that station, it is not really going to be money that you save. That money is going to be allocated for something else. So, you are not really saving that money, and at what price to your citizens and the safety of our community and officers. So, I think there is a lot of things that need to be thought out. I think we need to try to figure out how to do this in a controlled way and have the best of both worlds. Keep our station open and let them dispatch from 911 so you have all that equipment and then if you wanted to call the police station there will be a number for that, and someone will always be there.

Mayor Cury- Thank you, Kristen. Is there anyone else that would like to say something?

Seth- I just have one question. Why do we have to close at night? How many officers do we have at night?

Mayor Cury- It has just been suggested and I can't even remember by who, but that we could save our money by closing down at night.

Doug- I don't think we intended on closing down at night, because we have police officers that work at night, and it can be opened anytime.

Seth- Okay, because that makes no sense to close it. We have police officers on duty, and I know they could be on a call or something. I don't see an issue with it as long as we keep the police station open, and they could have a phone there to call a police officer that is on duty if they needed one.

Kristen- There are two police officers, and they are not allowed to leave the lobby of the police station unlocked because of the evidence and stuff in the back. It would have to be locked at the front door.

Doug- There has to more than two officers there at night. I see all kinds from my parking lot.

Kristen- Chief Gilbert is it not two officers at night?

Chief Gilbert- Yes, especially right now where we are short staffed.

Mayor Cury- Jeff, do you have anything to say? I have a suggestion, myself. Obviously, public safety is our number one priority, and we can't put a price on that. I think we should do some more research and talk to some people and when we have a full council, discuss it again and get everyone's opinion about it.

Next on the agenda is the zoning request given by Randy Smith. I just want to take a minute and say that Randy has faithfully served on the Planning Commission for quite some time, and we appreciate him very much.

Randy Smith- On Public Hearing #1- the Mobile Home Park, the Planning Commission's recommendation was to issue a Conditional Use Permit unanimously to the owners of this Mobile Home Park. Next on the Subdivision #2, we recommend to allow Mr. Dunford to subdivide this property. That was also a unanimous vote. Now, the recommendation on the Drug

Rehab Added Use #3 is to allow the council to conduct the First Reading tonight. However, not to use an emergency order to dispense of the second reading. This would allow the Planning Commission more time to discuss and get more depth on what we have going on. We also want to know how the general population is going to respond with it. Fortunately, on the Off-Road Recreational Vehicle #4, we do not have to respond because that is up to council. At our next meeting, we will discuss #3 and we will get back to you all on what our recommendations are.

Jeff- I make a motion to extend the conditional use permit for the mobile home park. Kristen seconded the motion.

Mayor Cury- 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. Roll Call- Jeff- Yes, Doug- Yes, Kristen- Yes, Seth- Yes. Motion carries -4/0.

So, John, you can move forward with that with these people.

Next, we have the subdivision request by Mr. Dunford.

Jeff- I make a motion to allow Mr. Dunford to subdivide his property.

Mayor Cury- Jeff, hold on just a second. Since we are not sure if he is talked about double wides or mobile home, so would you guys like to have what he is actually requesting in writing?

Members of Council- Yes.

Jeff- Okay, I resend my motion to allow Mr. Dunford to subdivide until we have it in writing on what he actually is wanting.

John- I just feel like we are over complicating this a little. All he is asking for is to subdivide the property. If he wants to put the mobile homes up there, he would have to get the zoning permit in place. I feel like we are combining it all into one. All we need to decide is if we care for him to subdivide? Does that have a negative impact? Not really but later if he wants something different out there, he would have to go through the whole zoning department processing.

Mayor Cury- Okay, that makes sense. I'm glad you said it. Okay so does someone want to put that into a motion again?

Jeff- I make a motion to allow Mr. Dunford to subdivide the property on Birmingham Road. Kristen seconded the motion.

Mayor Cury- 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. Roll Call- Jeff- Yes, Doug- Yes, Kristen- Yes, Seth- Yes. Motion carries -4/0.

Mayor Cury- Okay, next we have the zoning Added Use First Reading of the Drug Rehab, O-2022-07-01.

Michael- So, this is the same thing we just went through with the subdividing. This is just to add hospital/special care with a conditional use into zoning. So, this does not mean that if you pass this ordinance that somebody is able to move in and put something like this in.

Seth- They haven't even made the application yet.

Kristen- That was one of the concerns though was if we had to change it for the whole area or just that one small area.

Michael- Right. So, I think that's why the Planning Commission wants to add more time to look at that.

Seth- So, we could do the first reading, and they can make amendments or whatever they need to do later.

Mayor Cury- Okay, so should we have a first reading and who would like to do that?

Kristen Thompson-Whitt conducted the First Reading of O-2022-07-01. Zoning Added Use of Drug Rehab.

Mayor Cury- Okay, and Jeff has suggested that we have another public hearing about this and have the Planning Commission be a part of that as well. Does that work for everyone to have a public hearing at our next meeting and start it at 5:30pm?

Members of Council- Yes.

Mayor Cury- Moving on to the Off- Road Recreational Usage First Reading. Who would like to read this?

Jeff Hurst conducted the first reading of Ordinance O-2022-07-02.

Kristen- I have a couple questions. This one part on the back says, "operators should be licensed drivers or accompanied by a licensed driver who is either occupying the same vehicle or occupying another vehicle within a prudent distance." What does a prudent distance mean? That is very vague. So, we are going to have unlicensed drivers on our town roads.

Seth- I don't think that is the intentions. If you are driving on the trails, you do not have to have a driver's license. I am not saying that you won't have people doing this because you will, but like if I am coming from Charlotte and I have three ATVs and I am needing my kids to drive one of the ATVs so we can all go eat in you all's restaurants. Sure, you are probably going to have a few bad apples, but I do not foresee this being a problem, and the licensed driver have to be right behind them just like you do when you have a motorcycle learning permit. I guess the police officers would decide what a prudent distance is.

Mayor Cury- So, I just want to make sure I understand. We can have unlicensed drivers, kids that may not even have a learner's permit driving on our streets with mom and dad in the car behind them?

Kristen- I am just very concerned about this, because I am thinking about how noisy our ATV is and you wouldn't be able to holler at the person next to you to tell them to stop or anything. We are going to have unlicensed drivers that don't even know how to drive in our town, and they wouldn't be able to hear us holler at them to try and help them. We have always changed out and allowed an unlicensed driver to drive on the trails and then changed out and had a licensed driver drive in town. If the police chief is okay with this, then I will stop. I am just concerned about this. Also, who's insurance covers this if those unlicensed drivers hit a car and wreck? Is the Spearhead Trails insurance going to cover that?

Michael- They do have to get a permit from the SRRA. So, that insurance question would be answered through them.

Seth- From what I understand the Spearhead Trails are taking on the responsibility of the insurance.

Mayor Cury- Maybe this is something Rick can clarify as a member of council when he comes on board.

Kristen- I really don't want to hold this up. I was just really concerned about this.

Mayor Cury- I understand it now. I am just concerned.

Kristen- I have a suggestion, we could say that in town it has to be a licensed driver. If that is something that the council wants.

Michael- That is correct. If the town wants to make this stricter then they have the ability to do that. One example would be the maximum speed for the State is 35 mph and Cedar Bluff had theirs maxed out at 25mph.

Seth- I am just looking at this from economic standpoint if I came in and had people with me and we wouldn't be able to go to Richlands and eat because only licensed drivers are allowed to drive on the town roads. I don't have a problem with it since it is at such a low speed, and it is very supervised.

Heather- If you are going through town, you are not going to allow your 15 or 14-year-old to drive one of these things without having a licensed driver anyways. Sure, it is probably going to happen, but people pay a lot of money for these vehicles, like they can cost over \$20,000 and they are very safe vehicles. They are almost impossible to turn over. So, I just don't think people

are going to allow their inexperienced kids to drive something that cost so expensive. Most of the ATVs have a safety feature that if you are not wearing your seat belt, it will not let you go over 15 mph anyways.

Mayor Cury- Okay, I appreciate that. Thank you, Heather.

Seth- Can we pass this tonight as an Emergency Ordinance?

Michael- Yes.

Kristen- Can I make one comment, please?

My other thought was can we put something in there about allowing these vehicles to be out after daylight hours for festivals and town sponsored events, like fireworks?

Michael- The State Code only allows daylight hours.

Seth- I make a motion to dispense of the second reading of Ordinance O-2022-07-02. Doug seconded the motion.

Mayor Cury- 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. Roll Call- Jeff- Yes, Doug- Yes, Kristen- Yes, Seth- Yes. Motion carries -4/0.

Michael- Also, before we pass this Ordinance, did you want to keep the speed as 35mph like that is in the draft ordinance or did you want to change that to 25mph?

Members of Council- Change to 25mph.

Seth- I make a motion to pass this Ordinance as an Emergency Ordinance with the one revision of 25mph instead of 35mph. Doug seconded the motion.

Mayor Cury- 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. Roll Call- Jeff- Yes, Doug- Yes, Kristen- Yes, Seth- Yes. Motion carries -4/0.

Mayor Cury- Okay we are now on the IDA appointments. John, did you have someone in mind?

John- Yes, the IDA has recommended Brandon Buskill to serve on the IDA Board.

Jeff- I make a motion to appoint Brandon Buskill to the IDA Board. Kristen seconded the motion.

Mayor Cury- 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. Roll Call- Jeff- Yes, Doug- Yes, Kristen- Yes, Seth- Yes. Motion carries -4/0.

Mayor Cury- Now, we are on Town Manager reports. John.

John- Okay, I have a couple things. We put the year end reporting contract out for bids. This is something that our staff was able to do in the past. We no longer have staff here to perform that role for us. So, the auditors started on the audit, but we'll need the year end reporting to be done as well to finish out the audit. We put it out for bids, but the bids didn't come in from the organizations that we felt comfortable with and at a price we thought was reasonable. So, we rejected all bids, and we will be putting it back out for bids. So, it may end up putting our audit being completed a month behind when we would normally have it done by.

Under miscellaneous, we had two events coming up that I wanted to get some direction from council on. I spoke to Jeff on both of these, we have Kids Day coming up. We started this last year, and the PD and Fire Department were really involved in that, and it has become a town sponsored event. We had it at the Rec Park. We helped with the finances and council approved to close the pool on Saturday and allowing a free kids swim day. So, I wanted to get some direction from council on it. Would council like to do this event again?

Mayor Cury- Is everyone good with having Kids Day? Let's have a motion to allow Kids Day or not.

Jeff- I make a motion to support Kids Day and all the activities that go along with it. Doug seconded the motion.

Mayor Cury- 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. Roll Call- Jeff- Yes, Doug- Yes, Kristen- Yes, Seth- Yes. Motion carries -4/0.

John- The next event is called Rock the Clinch, and this is an event that Jeff is heading up. They have requested that we use some of our downtown event money to pay for the porta johns. This would be our way of supporting the downtown event.

Kristen- I make a motion that we support the Rock the Clinch by providing the requested porta johns. Jeff seconded the motion.

Mayor Cury- 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. Roll Call- Jeff- Yes, Doug- Yes, Kristen- Yes, Seth- Yes. Motion carries -4/0.

John- The last thing I want to give an update on is we applied for the grant on the EMS Unit and Matt is here to give an update on that.

Matt Whited- "I want to say thanks to the Town Council, Mayor, Town Manager for allowing me to speak this evening.

July 1st Richlands Fire-Rescue was awarded RS8F Virginia office of EMS Grant 80/20 funding for 2022/2023 Ford F-450 Ambulance. It is 4-wheel drive with power COT, load system, mobile radio. The total grant project is \$351,055.55. RSAF Grant is going to pay \$258,470.04 and the town/county is going to pay \$92,585.51. We are in the process of the Virginia contract/procurement to order this, and it will take 18-24 months for build and delivery. This ambulance will replace an older 2010 Chevy Ambulance #555 with higher miles and issues.

This is great news for Richlands Fire/Rescue. This is 21 Grants in the last 17 years that we have been awarded, totaling \$1.4 million.

I also have a grant turned in "Two-Virginia's Community Foundation Grant." It is a \$10,000 grant. I have applied for 4 vehicles repeater radio packs for the ambulance units.

In September, I plan on applying for another Virginia Office of EMS grant 80/20% for 5 Motorola APX mobile radios, and 10 Motorola APX portable radios for rescue to replace our current 14-year old ones. This will be about a \$55,000 grant project."

Mayor Cury- Thank you, Matt. Congratulations on getting all of this for the town.

John- That is all I had.

Mayor Cury- Okay I have one thing before we move on. Seth suggested that we go into closed session because we have an update that we need to discuss with our attorney. Would you all like to go into closed session now or wait until the end?

Members of Council- I think we should wait until the end.

Mayor Cury- Okay, we have Council Member's reports. Kristen, do you have anything you would like to say?

Kristen- No, I think I already gave mine with the 911.

Mayor Cury- Okay, thank you very much. Seth?

Seth- Two things: my baseball team leaves this week for state tournaments. We were district state champions. They only lost one game this year. I am very proud of them.

My second thing is, I read Darrell's letter and I read Mike's letter. I can't control what anyone else does or what they think or anything, but Mike said something to WVVA and I just want to address that. He said that "Dark times were ahead for Richlands and this council" and I just disagree with that. I've been in politics for a long time. I've served on the Board of Supervisors, and now the Town Council and robust discussion is the most important thing that you can have in a democracy. It's important to have disagreements and they are okay. I think things have

changed in the last few months. I'm not saying it's me, but since I've been on this council, I do believe things have gotten better. I just wanted to come and talk to you all because I saw people disagree about things and they were just angry at each other to the point that they left here mad. It went on Facebook, and it just continued, but I've never treated politics that way. When I first went on the Board of Supervisors, it was very much the same atmosphere. We had some members who had been on there for many years and were set in their ways and everything they wanted had to be a fight, but I don't come here with this attitude that if Kristen disagrees with me or Doug does or Jeff does or you Mr. Mayor, that's okay. I can talk to you, and I'm not mad. If we don't agree on everything and this notion that if you don't get your way and you quit and you take your ball and go home that the whole town is going to fall apart? That really bothered me. So, his comments that "Dark times were ahead," the only reason I'm even mentioning that is because I think Mike did a lot of good things from town and I think his heart was in the right place most of the time, but that really bothered me, and I just wanted to take my moment tonight just to let you know that I don't think dark times are here for the town. I think this town is very resilient. I think we do have some budgeting problems. We have issues just like any other town in the State of Virginia. I think it gives us an opportunity to work together to build a better town and to come out on the other end of this in a much better life. I appreciate you guys, but you know I'm very proud of Richlands, and I know you are. I know everybody up here is and I just took offense to the fact that we're just going to crumble but also you can have a disagreement, just don't quit, take your ball and go home. You can always win. It's politics, you don't always get what you want. That is all I have for tonight.

Mayor Cury- Thank you, Seth. Okay, Doug?

Doug- I am glad you addressed that because I was going to as well. What I would say that it is a new beginning for Richlands. I think, Seth, that the council has been better since you came on and I think it is going to continue to get better after the new council comes on. It is a new beginning for Richlands.

Mayor Cury- Thank you, Doug. Jeff?

Jeff- I would like to congratulate all the Little League Teams. I think we have three teams this year going to state. I also wanted to give you guys a quick update with the Rec Commission. I would like to thank the Rec Commission for hosting the swim with a Mermaid on June 27th. That was a wonderful event. We also had a great turn out for Summer Fest down here at the police Department. Thank you all for coming and thank you to Ramp-Up Richlands and Andrea Perkins for all their hard work.

Mayor Cury- Thank you, Jeff. Now for Mayor's comments, and mine are brief. We were all speaking about Richlands and its future, but my comments are recorded in the minutes from last time. We all love Richlands and are very proud to be a part of it. I wanted to comment on Ramp-Up Richlands, we had an event at the Section House and were about to dedicate the patio. I want to personally thank everyone who had a part in that and for coming. I also want to thank Clinch Valley Medical Center, Peter Mulcy for providing the food. I also want to thank Kim Santolos and her flower shop and greenhouse for providing the flowers for us. I also want to thank everyone here for being a participant in this government process.

Mayor Cury- I will now entertain a motion a go into closed session so we can speak with our Attorney.

Jeff- I make a motion that we go into Executive session pursuant to section 2.2-3711(A)(8) consultation with legal counsel concerning maladministration of local government. Kristen seconded the motion.

Mayor Cury- 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. Roll Call- Jeff- Yes, Doug- Yes, Kristen- Yes, Seth- Yes. Motion carries -4/0.

Mayor Cury- Council is now back in session. We need a motion to come back in session and in so certifying that we did not discuss anything except section 2.2-3711(A)(8).

Jeff- I make a motion that we return to regular session and they we did not discuss anything except section 2.2-3711(A)(8). Seth seconded the motion.

Mayor Cury- 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. Roll Call- Jeff- Yes, Doug- Yes, Kristen- Yes, Seth- Yes. Motion carries -4/0.

Michael- I just need some direction on what we discussed.

Mayor Cury- We have received word from the Attorney General regarding the request from Morgan Earp. We have asked our Attorney to send a copy of the Attorney General's response to Morgan Earp in a letter and copy all the council and our Town Manager.

Michael, would you briefly like to tell everyone what the Attorney General suggested?


Michael- I will be sending Morgan a letter but he basically said that it is his suggestion to vote ever how they feel fit in the upcoming election.

Mayor Cury- Okay, anything else council? I will entertain a motion to adjourn.

Seth- I make a motion to adjourn. Kristen seconded the motion.

Mayor Cury- 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. Roll Call- Jeff- Yes, Doug- Yes, Kristen- Yes, Seth- Yes. Motion carries -4/0.

Adjourned!!



Rebekah Hackworth, Clerk



Rodney D. Cury, Mayor