

The Richlands Town Council held a "Regular Council Meeting" on February 8, 2022, in the Richlands Council Chambers at 6:00 pm with the following present:

Mayor:	Rod D. Cury
Town Manager:	John O'Daniel
Town Clerk:	Connie Allen
Council Members:	Mary Ann Strong, Doug Ratliff, Jeff Hurst Mike Street, Richard Brown, Darrell Addison
Town Attorney:	Bob Altizer, Michael Thomas

Mayor Cury opened the meeting.

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

Mayor Cury – Is there any Additions/Deletions to the Agenda?

Richard – I make a motion to approve the agenda as presented, Mike 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 –Doug- Yes, Jeff- Yes, Darrell - Yes, Richard- Yes Mike – Yes, Mary Ann – Yes Motion carries – 6/0

Mayor Cury - Approval of Minutes – Regular Meeting January 18 and Public Hearing January 18.

Mike - I make a motion to approve both sets of minutes, for January 18, Mary Ann 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 –Doug- Yes, Jeff- Yes, Darrell - Yes, Richard- Yes Mike – Yes, Mary Ann – Yes Motion carries – 6/0

Mayor Cury - Consent Agenda - (Items a, b, c) - Is there a motion to adopt the "Consent Agenda" as presented?

Jeff - I make a motion we approve the "Consent Agenda", Items a, b, and c, Darrell seconded the motion.

Mike - Just to confirm, we took care of the budget amendments last month, correct?

John – Yes, Council approved the allocation of funds.

Mike - Just to be clear we budgeted for a Dump Truck.

John – It is for the Street Department.

Mike – As well as a Fire Department Command Vehicle, we are essentially taking that since we can't get the dump truck.

John - We can't get the dump truck this year, so the money has been transferred from the Street Department to the Police Department for two (2) police vehicles as well. It is under Finance, it is more of a multi-use utility vehicle, but we had it put under a certain department, it is not really Admin or Finance, it is a multi-use vehicle that will be used throughout the Town.

Mike – Ok

John - Since we have already ordered the dump truck and we can't get it until next year and they don't require a payment until next year, it doesn't make sense for the money to remain in our budget when we have needs and we were going to buy next year, so we went ahead and bought them this year.

Mike - So it is a flip-flop?

John - Yes

Doug - Are we going to discuss individually?

Doug - (Mic Not On)

John - Employees will use for meter reading and cut-offs. The vehicle has some age on it, we will pass down to Recreation, they need a vehicle occasionally and they don't have one, will provide for two (2) different areas in Town.

Doug - (Mic Not On)

John - From the Street around \$97,000 in one transfer and \$14,000 in another transfer.

Doug - (Mic Not On)

John - The first one we are transferring \$97,714.58 from the Street Department to the Police Department and that will cover both police vehicles. The second transfer is \$14,659.50 from the Fire Department to Finance for the one (1) vehicle. Will leave some money; spoke to the Fire Chief, they will move forward with purchasing some of the bottles or something else capital related they may need.

Doug - (Mic Not On)

John - Because we have a dump truck budgeted for this year and we had to order. There is such a delay in getting the truck; we won't get until next year. The company workforce said we could pay for it next year, so it freed up that money.

Doug - (Mic Not On)

John - We wanted to keep that capital, every year we spend on capital.

Doug - (Mic Not On)

John - Potentially, you could have.

Mayor Cury - Doug, the ARPA money you are talking about, Council has made certain suggestion on how it should be used, and it wasn't included in the original suggestion.

Doug - Instead of transferring money from different departments especially the highway, why can't you use ARPA for the cruisers?

John - Potentially we could have, we discussed with Council a couple months ago, and Council gave the OK to move forward. This is essentially a rubber stamp that we need for the auditor at the end of the year. I wanted to stay within our budget without adding anything to it.

Doug - Can you change it?

John - They have already been purchased.

Mike - Essentially all we are doing, we approved last year or the beginning of the fiscal year to buy a dump truck, instead of buying a dump truck we are buying police cars and utility vehicle since we can't get the dump truck this year.

Doug - I just think we are going about it the wrong way. We could use the ARPA money and not transfer from the different departments.

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 –Doug- No, Jeff- Yes, Darrell - Yes, Richard- Yes Mike – Yes, Mary Ann – Yes Motion carries – 5/1 (Doug Ratliff – No)

Mayor Cury – “Scheduled Public Comments” – Laura Mollo – FOIA – Not online at this time.

Mayor Cury – Notice to the Public, you can call in, you have three (3) minutes to speak for “Unscheduled Public Comments” – We will come back to item VII and VIII and give people time to call in.

Mayor Cury – Agenda Items – Zoning Ordinance Amendment for B-2 District.

John – You have the Ordinance in front of you, I emailed to you after the agenda packet went out. We did have one (1) change with the name. This is the Ordinance to allow Council to update B2 Zoning to allow Data Centers as discussed last month. Traditionally we will have the first reading at this meeting, and the second reading at the next meeting, can be adopted and voted on at that point, and will go into effect 30 days later if Council wants to take that route. You can do as an Emergency Ordinance and adopt and go into effect immediately, but we would need to waive the second reading.

Bob Altizer - John is correct this is set for the first reading, and you can have the second reading at your next scheduled meeting. If you want to adopt as an Emergency Ordinance, waive the second reading, an affirmative of four (4) votes, then you would have to declare this as an emergency, that would be 2/3 vote, and then vote for it to take effective immediately.

Mayor Cury - Read the Ordinance.

Richard - I make a motion to waive the second reading, Mike seconded the motion.

Mike – Have you talked to the gentlemen to see when he wants to open up?

John - He wants to open up as soon as possible.

Richard - Mr. Earls said at the last meeting, that they had some deadlines they had to meet, that is why I waived the second reading.

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 –Doug- Yes, Jeff- Yes, Darrell - Yes, Richard- Yes Mike – Yes, Mary Ann – Yes Motion carries – 6/0

Richard - I make a motion to adopt as an Emergency Measure, Mike seconded the motion.

John - To become effective immediately.

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 –Doug- Yes, Jeff- Yes, Darrell - Yes, Richard- Yes Mike – Yes, Mary Ann – Yes Motion carries – 6/0

Richard – I make the motion for the Ordinance to be effective immediately, Mike 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 –Doug- Yes, Jeff- Yes, Darrell - Yes, Richard- Yes Mike – Yes, Mary Ann – Yes Motion carries – 6/0

Mayor Cury - Agenda Items – Approval of Committee Appointments- Is there a motion to approve the Commissions and Board Membership List?

Mike - I make the motion to approve the Richlands Commission and Board Membership List, Darrell seconded the motion.

John - I will mention there are two (2) openings for the Recreation Commission. They will get back to us on how they want to fill those seats.

Mary Ann - We need to change “Meets 3rd Monday of each month at 7:30 pm”, needs to be 6:00 pm.

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 –Doug- Yes, Jeff- Yes, Darrell - Yes, Richard- Yes Mike – Yes, Mary Ann – Yes Motion carries – 6/0

Mayor Cury – Agenda Items – Town Clerk Discussion

John – I spoke to Connie, and she is thankful for the opportunity but is stepping away from the position. We looked into a company transcribing but the issue with that is they don't know who we are when speaking, would get lost in the transcription. We will post the position and accept applications and discuss in closed session at our next meeting. Is this the direction you want to go or is there another route you would like to take?

Mike - Is March 4th, the last day to submit an application?

John – Essentially it will be, meet the following Tuesday and select a candidate or hold for potential consideration at a later date.

Mike - Have you considered wages?

John - That is something we would discuss in closed session.

Doug – Is this the main drawback, they would not know who was speaking?

John – With the minutes, yes.

Doug - Only thing they would have to do is speak their name. A lot of minutes are done this way saves a lot of money in the budget. That is a simple fix.

Darrell - I make the motion to advertise the Clerk Position, Mike seconded the motion.

Doug - I don't think it is a good idea and we could save a lot of money and make it more accurate if the person identifies their selves, no problem when they transcribe it.

Mike - I have looked into it Doug, and I am a IT guy, what you are going to run into is double work and we are going end up having someone do it anyway. To me it is not feasible.

Doug – Why it is double work? All you have to do is identify yourself and its transcribed. It is going to cost 10% of having another person drag the budget down.

Mike - You are going to find that document is literally just words; you will spend more time trying to make it a legible document.

Doug - That is what transcribers do, it is not going to take that much work.

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 –Doug- No, Jeff- Yes, Darrell - Yes, Richard- Yes Mike – Yes, Mary Ann – Yes Motion carries –5/1 (Doug-No)

Mayor Cury – Agenda Items – Approval of Council Meeting Calendar - You have the calendar in front of you, we are going to follow the traditional route. Resolution – R-2022-02-01

Mike - I make the motion to adopt R-2022-02-01, Jeff seconded the motion.

Richard - This has nothing to do with our Execution Closed Session; I talked to John possibly of moving the time before 6:00 pm.

Mayor Cury - No, it is just the meeting calendar.

Mayor Cury – Agenda Items – Budget Workshop Discussion

John - Currently we have the workshop scheduled for this Saturday, with the numbers of Covid going up we are struggling to keep enough employees to keep things running. The numbers have settled down a little bit but I am concerned with having ten (10) of our department heads here with potentially 10/20 people from the public. Just want to see if Council wants to keep that date or move out a couple of weeks.

Mike – I would like to push it out.

John - We just need a date that works with everybody.

Mayor Cury - Does anyone have a problem with having this Saturday, Feb. 12?

Darrell - I have a problem with having on Feb. 12, we didn't allow people in here tonight.

Mary Ann - I feel the same way.

Mayor Cury - March 19, 8:00 am, we won't vote, we will just agree to meet.

Doug - You are doing all the different departments, correct?

John – Yes

Doug - If this would be feasible to Council, we could take an hour after each Council meeting and schedule certain departments.

John - We would like to have some of this information before we start the budget process. We don't want to crunch when it comes to budget time, the sooner we have the meeting the better.

Doug - What about the next two (2) Tuesdays. We could start 5:00pm or 5:30pm the next two (2) Tuesdays. You could have your departments scheduled separately and not all crammed into one (1) day or even the next three (3) Tuesdays.

Mayor Cury - I would be glad to do that but I have commitments on the 15th and 22nd.

Mike - I can't on the 15th.

Doug - What about the next three (3) Mondays?

Mayor Cury - I have a lot of engagements because of the Honey Festival.

Mayor Cury - Meeting set for March 19th at 8:00 a.m.

Mayor Cury - We will continue with "Scheduled Public Comments" – Laura Mollo

Laura Mollo – Called in – (Could not hear remarks)

Mayor Cury – "Town Manager's Report" - John O'Daniel

John - We have a couple of grant opportunities for small businesses and Pop-Up Richlands. Ashley received some information today and in order to apply we may need a Resolution of Support from Council. I wanted to set a tentative date to approve the Resolutions. One of the grants will have to be submitted by the end of the month. I don't want to miss out on an opportunity to help our local businesses and our economic development efforts.

Richard - Will this be a continuation of this meeting?

John - I will just do a special meeting.

John - We will tentatively schedule for February 21 at 6:00pm, Special Called Meeting.

John - If we can hold off until the March 8 Regular Council meeting, I will let you know.

John - The Planning Commission sent out Zoning RFP, we only received one (1) bid. From what I can tell we are within our bid requirements to go with the one (1) bid. They are a qualified company and is capable of doing the work. Is Council OK with going with the (1) bid or do you prefer to extend it for another two (2) weeks for potential bidders? We are good with going with the (1) bid and moving forward.

Mayor Cury - Bob, is it legal to go with one (1) bid?

Bob - I have no issues with only one (1) bid.

Mayor Cury - Is everyone in agreement to accept this bid? Consensus – Yes

John - I will meet with the Planning Commission and handle that.

John - We have received numerous calls about property on 9th Street. We have sent different departments up to the property several times to try to alleviate this situation. (Passed out picture of the property) The two (2) blue squares are (2) water meters, the (2) blue lines are service to the two (2) properties. There is a dispute between the two (2) property owners; they have brought us in, a lot of different things said, direction given. We have looked at it and at this point it is a civil matter. As long as they don't mess with our meters then we would have fines and civil charges levied for that. This issue is where the water line is and whose property. We don't have anything to do with it at this point; it is between the two (2) property owners, as long as they leave our infrastructure in place as it is.

Mayor Cury - So you are doing this in-house?

John - We have done everything we can to work with the neighbors, it is at the point that we are done. It is between the two (2) property owners.

John - We received two (2) MOU from the School Board from the local schools for tennis and baseball. Both of the sports have traditionally used our Rec Facilities, but we never had an agreement in place. They have drafted something up; they want something in writing. They wanted it submitted back by

Feb. 21. I have been working with Brad on the changes, they had quite a few changes they wanted made, they did the same for Tazewell County. We don't have a version for you to approve yet. If Council would give the authority to work with legal counsel, when they get to the point, they are satisfied with the agreement I can go ahead and sign and get the agreement in place between the Town and the County.

Richard - I make a motion to allow the Town Manager to approve the MOU submitted by Tazewell County School Board once they are signed off by legal, Mike seconded the motion.

Jeff – Mary Ann and I have looked at this many times, we may want to discuss with the Rec Commission or Little League to make sure that the ball fields are not going to be in question, I don't know what they are asking or what they want.

Mary Ann - The Rec Commission is scheduled to meet on the 21st.

John - They want it back on Feb. 21.

Richard - It is something they have done in the past; I don't know if the Rec Commission has been involved in it. The tennis court has been repaved but don't have time to get it re-stripped for them to play matches or practice. Traditionally the JV always used the larger field at the Williams Field, that is the only two (2) things they suggested and asking for nothing else.

Mary Ann - The only thing I would say I would have concern about the safety of our current tennis courts, they have really large cracks. You have to have lines to play, so you can't use the high school.

Jeff - What is the time frame on the lines at the school?

Richard - I think they have the funding.

John - I think the insurance was some of the concerns; our attorney had to make sure the schools would be the first policy they would hit and after that is exhausted.

Richard - It is the same MOU sent for Tazewell High School and to the Town of Tazewell. Mr. Altizer is familiar with; I think that was in regard of use of fields at Lincolnshire. Something every Town has done every year. I guess the School Board wanted to do it this year.

John – If you prefer, I can always send out the final version and ask for consensus. When I get the consensus I can move forward.

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 –Doug- Yes, Jeff- Yes, Darrell - Yes, Richard- Yes Mike – Yes, Mary Ann – Yes Motion carries – 6/0

Mayor Cury – “Attorney Comments” – Bob Altizer

Bob - I don't have any comments.

Mayor Cury – “Council Member Reports” – Jeff Hurst

Jeff - Thank you for expediting the meeting.

Mayor Cury – “Council Member Reports” – Darrell Addison

Darrell - I just want to thank the street crew and John for keeping the streets clear during this cold weather. I think they do a good job, I come out early every morning it is always clear.

Mayor Cury – “Council Member Reports” – Mike Street

Mike – “Back- to- School Bash” fundraiser we had last year we promised that the school supplies and things of that nature are going to be poured back into the schools. We have confirmed that we had \$4000 left and we have spent for the needs of all four (4) schools. We reached out to the schools in the beginning of the school year, and they had a surplus but need supplies in the beginning of January. We have ordered \$4000 worth of school supplies to go to Richlands Elementary, Richlands High School, Cedar Bluff Elementary, and Richlands Middle School. John, myself and the Back-to-School Committee will deliver on Friday, February 11.

Mayor Cury – “Council Member Reports” – Doug Ratliff

Doug – I don’t think the public understands how we can close Rec and we can close the meetings here and selectively close things that Council wants to close. As we said a few minutes ago there will be hundreds of people all month in Town, elbow to elbow at the Honey Festival but we can’t let our kids go to the Rec Center. We can’t let them play sports. We can’t let the public come in and voice their opinion in our meetings. I think the public is really upset and don’t understand it. I am with the public and I think we should as a Council makes a special effort to open back up and not to selectively close what it wants to close.

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

Mary Ann - Previously stated the Rec Commission, if the Rec Park is open by Feb. 21st we will meet at 6:00pm. If you remember the Rec Park has been closed on Mondays since February 2020. I may not be exact on that date but in 2020. We have been closed on Mondays, it cuts down on the budget and allows for cleaning and so forth. I would like to say thank you to the Street Department, they get out in really treacherous and very bad conditions to keep us safe. I want to wish the Richlands Basketball Team, girls and boys, good luck in the District Tournament and finish their season strong.

Mayor Cury – “Council Member Reports” – Richard Brown

Richard – I want to apologize to Jeff, and Mary Ann I just received those MOU from the School Board on Monday and immediately forward to John. I should have included you in the email. I need to make a retraction on a statement I made last month about a question I had on a bill from the Voice Newspaper. I questioned the amount I thought was excessive I was under the impression it was for three (3) ads in the paper, but it ended up being a total of (12) twelve ads. That amount was not excessive at all. I want to thank the street crew for fixing the shoulder on Kents Ridge Road; we had several compliments this afternoon. On Chestnut Street we have had a couple of major accidents. I went over and looked at that, it is a portion of the street on the right before you get to Augusta. The ditch line is very close to the edge of the road. Can you check on that, both accidents they dropped off the edge of the road? I spoke to the Mayor prior and I don’t know if we need consensus of the Council but in order to expedite some of the meetings I would like to follow suit with the School Board as well as the Board of Supervisors, I would like us to move our Executive Sessions prior to the beginning of the Council meetings, maybe at 5:45pm. If we don’t have Executive Session, we might start at 6:00pm. We would not be 11:00pm discussing major concerns.

John - We have several different things we are looking at, would be OK if we put on the next meeting as an agenda item?

Richard – Yes

Bob - You have to have a meeting and make a motion and second to go into Executive Closed Session.

Jeff – We would need to open the meeting.

John - We will put on the agenda next month, if you have any ideas you can send to me, and I will put together a list.

Doug - Is that where Randy Puckett lives where the accidents are happening?

Richard - I think it is prior to Randy Puckett.

Doug - I have gotten calls on that it is very dangerous, it you could take a look at it.

John - It is something I have looked at, I have looked at the police reports and spoken to our First Responders, what I am hearing and seeing the ditch is not the problem. One of the wrecks alcohol was involved, and the other one the road was covered in snow. That is the only two (2) wrecks in the last ten (10) years.

Richard - When I looked at it looked like the road is sloped at the top of the hill before it goes down, the asphalt is sloped toward the ditch. The beginning of the ditch line is a lot closer to the road than the end of the ditch at the bottom.

John - The next time the stripping crew comes into paint I will ask them to put a thicker strip or something extra. I don't want to create a bigger problem trying to fix something.

Doug – Could you fill it in some?

John - That is not what is causing the wrecks, you fix one problem that happened 20 ft. away.

Richard - Is signage possible there?

John - Maybe we can look at something on the edge of the road.

Doug - How deep is the ditch?

John - Deep enough to move the water that is all I know.

Richard - Probably goes from 2ft. to 4 ft.

Doug – If we fill in and there is an accident maybe..

John - The top of the hill is not where the accidents are happening, if you don't have the ditch to catch the car that car is going into someone's house. If you want to give me a call one day and we can go look at it, I have run out of options.

Jeff - There is a business on Suffolk Avenue that see several patients that are handicapped, they need handicap accessibility. He is asking about the potential of handicap ramp to access the sidewalk or handicap spots. When I was working the other day, I seen a gentleman who was trying to get in there with a wheelchair and basically had to go out into the road to get out of the car.

John - We can look at it, maybe at the curb.

Mary Ann - We have talked about that in the past.

Jeff – There is one (1) patient that is brought in by a rescue squad it is hard to get them out in the street with traffic. John, I thought it is something we need to look at.

Mary Ann - I want to apologize to the Richlands High School Wrestling Team; I am always leaving someone out. They just recently won first place in the District and they will host the Regionals this Saturday at the Richlands Middle School. These young men finished first place in the District in addition

to Coach Frank Daughtery as Coach of the Year, special congratulations to Brandon Phillips, Chance Rose, Wyatt Spencer, Caleb Simmons, Caden Depree and Conner Cole.

Mayor Cury – “Mayor Comments”

Mayor Cury - Thank you for meeting tonight and I am thankful to be here, we need to be careful not to leave any hint of impropriety in our meetings in scheduling them and welcome the public as much as humanly possible. We also need to observe decorum which is in our Resolution in the way we treat each other.

Mayor Cury - John Willis had ask me to make sure Members of Council know they were invited to the Award Leadership Class for adults at the Appalachian Art Center from 7:00pm to 9:00 pm, \$35 includes a book.

Mayor Cury – Executive Closed Session – 2.2-3711(A8) – Attorney Consultation – (ARPA Funds and SRO Grant)

Jeff - I make the motion to go into Executive Closed Session, Mike 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 –Doug- Yes, Jeff- Yes, Darrell - Yes, Richard- Yes Mike – Yes, Mary Ann – Yes Motion carries – 6/0

Mayor Cury – Council is now back in regular session. I will entertain a motion to return to regular session, when voting you are certifying that Council has discussed nothing except for 2.2-3711(A8).

Jeff - I make a motion to come back into regular session, Mike 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 –Doug- Yes, Jeff- Yes, Darrell - Yes, Richard- Yes Mike – Yes, Mary Ann – Yes Motion carries – 6/0

Mayor Cury - Council has a date that we will meet, and John will let us know the about the Special Call Meeting.

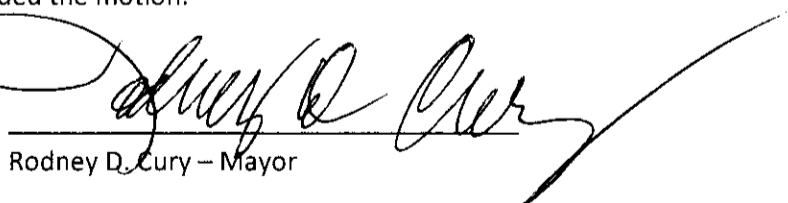
Mayor Cury - Doug you can talk to the attorneys after the meeting about your questions.

Jeff - I make the motion to adjourn, Mike seconded the motion.

Adjourn



Connie Allen, Clerk



Rodney D. Cury – Mayor