

The Richlands Town Council held a "Public Hearing" on April 12th, 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: Jeff Hurst and Doug Ratliff

Town Attorney: Bob Altizer and Michael Thomas

Mayor Cury opened the meeting.

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

Mayor Cury- We are going to start off with the re-zoning of 1809 Third Street. Are there any members of the planning commission present? Would he/she come in please. On behalf of the re-zoning, I will defer to Jeff Hurst or Barry Allen to brief us.

Doug- Since we do not have quorum, I move to adjourn this meeting.

Mayor Cury- Doug, we are not in session. This is just a public hearing.

Mayor Cury- John, can you brief us on this, please?

John- This is a property that is currently zoned as B2 for general business, and they have requested that they move it to a M1/B2 to have it as a hybrid overlay. They were up for consideration to allow it to be used for M1 manufacturing designation as well as B2. Based on our discussion with legal and stuff, our recommendation would be to allow it to be M1, and later on, if they want the additional current regulations in place, then we would have to have a discussion on that at a later time.

Mayor Cury- This is the Magic Mart property. Just to make sure we have a general understanding of what we are talking about. Is there anyone who would like to speak on this matter? If there is no more discussion on 1809 Third Street, I will close this particular part of the hearing.

Closed!

Mayor Cury- Next, re-zoning 105 Augusta Avenue. John, what is the request?

John- They have requested this parcel to be rezoned from a M1 General Industrial to R2 as General Residential Use.

Mayor Cury- John, do you have the names of the requesters?

John- I do not, but I could get them to you.

Mayor Cury- I will ask for audience input. Correct me if I am wrong. This has become a mixed zone area and the history of it is that its industrial and residential, and the people that live there may not even know that they are in M1 or R2. That is a very dangerous thing, and this is an effort for the planning commission to be more careful when zoning. Is there anyone here that would like to speak on behalf of 105 Augusta Avenue?

Crystal Romirez -217 Rutlen Street in Bristol, TN. I am the requester on this property.

- What's currently there is not livable. I would like to move something in there instead.
- 80% of this area is used as residential. I'm not sure what it is zoned as though. Only 20% is used for businesses.
- I just need it to be used as residential, and I don't see why it wouldn't be with 80% of it being used as residential.

Mayor Cury- Anyone else like to speak on this property? With no further discussion, I will close this portion of the hearing.

Closed!

Mayor Cury- The Planning Commission can recess for any recommendation. We have one member of the Commission present today. Jeff, would you gentleman like to go and talk? We will give you just a minute. If you can't reach a decision because you do not have enough people, a quorum is not required for a public hearing. I suggest you do that right now, and we will give you 5 minutes.

Mayor Cury- Jeff, on behalf of the planning commission, have you reached a decision?

Jeff- What we have decided to do, since we did not have enough members present, is to call a special meeting on Monday, April 18th, at 7:00 pm with the planning commission to have a recommendation before the next meeting, and then we will report back to town council members.

Mayor Cury- Next, we have an opening public hearing about the proposed 2022-2023 Budget and Rates. The first one that will be considered is Real Estate and Personal Property Tax O-2022-04-01. We have people to speak here. We do not have an official time limit, but I would ask to please be considerate of people's time and resources. First up is Laura Mollo.

Laura Mollo- 262 Linwood Drive, Richlands, Virginia.

Last year, we saw the highest rate increases in the history of Richlands. We went through a pandemic and are now seeing extremely high rates of inflation. Along with everything else rising, so did our poverty level. In the last year, we saw our poverty level go from 23% to 28% according to the U.S. Census Bureau. I do not believe that this all what is happening to us nationally. This is, in part, due to the burden that the council is continuing to place on the back of the citizens by increasing taxes, fees, and utility rates. The town should be here to make life better for everyone not just a select few. We have seen the success of people in Richlands over the last year, but it's time to expand that circle to every citizen and not just your friends and family. The council shouldn't get to choose who gets to benefit from our tax dollars. That opportunity should be given to every citizen, and one way to do that is to stop raising these taxes, fees, and utilities rates until the budget is under control and there is an accountability on what is being spent and where this money is going. You guys are not here to make these decisions for us. You are here to represent us as citizens. As I have said before, in a represented democracy, elected officials are servants of the people, not the other way around. Winston Churchill said for a nation to tax itself into prosperity is like a man standing in a bucket trying to lift himself by the handle. And I happen to agree. "

Mayor Cury- Okay, correct me if I am wrong. This particular section is about real estate. Talking about land and personal property is talking about your motor vehicles. Thank you very much. We appreciate your comments. Next up we have Kenny Boyd.

Kenny Boyd- 388 Planation Drive, Richlands, Virginia

- What I can't get past is why do we have to pay county and town? We should only be taxed once, not twice; we are getting punished for living in town. We either pay the county or the town, or you guys split it with an equal rate that people in the county are paying.
- It should not be paying two separate rates for the same thing.

Mayor Cury- Next, we have Wanda Lowe.

Wanda Lowe- 292 Planation Drive, Richlands, Virginia.

- I am so disappointed in this council for not showing up tonight. We have one appointed, one elected, two flew the coop, and I don't know where the other is. On something like the budget, it is a shame that we do not have representation here tonight to hear the people's voices. We have been told in the last meeting that the town manager said to turn us all down to three minutes whether we were scheduled or not scheduled. Also, to shorten the council so that they didn't speak so much.
- I think you are trying to shut us all down so you can do whatever you want to do.
- I have a problem in Hidden Valley that the council was supposed to help me with. I have spent over \$10,000 myself trying to fix it when the town should have been the one fixing it.

- The covid money that should have been used for infostructure. That you didn't allocate nothing for that.
- All we hear is a \$1,000,000 soccer field.
- If our people that are appointed don't want to represent the people, then you don't need to sit on the council.

Mayor Cury- I understand that we all have views, and I respect your views, but I would ask that we all speak generally. Next, we have Mickey Smith.

Mickey Smith-

- I am very sad and shocked by actions taken by the council over the budgets and the rise of living expenses on our town - the rise of property taxes and the electrical increases and everything else.
- I was very sad, mainly because the value of the citizen's voice seems to be in the pits. At least that's what was published in the paper when a citizen's concerns were called miscellaneous. One of the citizens seemed to have no credible voice in this town. Is this how we treat our citizens?
- Does anyone believe that they have a credible voice at this meeting? Or will we be verbally attacked for what we speak? This is America, please let's have a voice.
- We are having all these increases, and no one knows why, with no explanations.
- If you need an example of mismanagement, I'll give you one. I remember being in a meeting where Mr. Ratliff tried to get the council to investigate the losses in that department. But was he heard? As usual, it was a hands off my special little interests.
- Why do we need all these increases? Can't you find some over bleeding in the budgets?
- Can't you see all these businesses leaving and the for-sale signs in the town limits?
- I cannot live in this town if I had to solely depend on my monthly income.
- Don't you think our town government could be more considerate, loving, and caring?
- Let's try to relieve some burdens not make more.
- This reckless spending and wasting of our money, already on struggling citizens, is a blight on Richlands.
- Loss of confidence is sad. This management or non-management is because...I don't know? But I do know when there is a problem you root it out. You don't try to cover it up and hope it will go away. That's unproductive.
- Your effects are appreciated. Whatever the task, I appreciate your willingness to put your hand to the town's business. Please, I for one, would love to say, I live in the center of a friendly circle again.

Mayor Cury- Thank you. Next is for the cigarette tax. Laura Mollo.

Laura Mollo- 262 Linwood Drive

- Just want to reiterate the poverty level that has risen over the past year in the town of Richlands. If we continue to raise the taxes and fees, we are going to keep pushing people outside of town limits and that is counterproductive to what we are trying to do.
- I hope you guys will consider that. Even the smokers. We want to keep them buying in the town of Richlands. We don't want to push anybody out, because if you can save money you are going to go to Claypool Hill to get your cigarettes, gas, and groceries.

Mayor Cury- Next is Wanda Lowe.

Wanda Lowe- 292 Plantation Drive

- I'm not a smoker, but I just think it's not right to pick and choose what you tax.
- When you tax people for their cigarettes, you should pick something that covers the whole town because everyone is going to get the benefit from it. Don't just pick a few people to pay taxes on something that everyone is going to get.
- I don't think it's fair to everyone to tax one group of people and everyone share the benefits of it.

Mayor Cury- Next up, Mickey Smith

Mickey Smith-

- I don't have anything good to say about cigarettes. I'm a former smoker. Just recently I was diagnosed with some health problems, thanks to cigarettes.
- I just don't think it's a smart thing to do to send people away to other areas to buy their cigarettes cheaper. They sure won't come to town for them. So, you are losing what money they would spend on other things like pop or chips. The businesses should really be here complaining about it.
- What about the liquor and the beer? Let's put a tax on that as well.

Mayor Cury- Anyone else have any comments on the cigarette taxes? Without further ado, we will move on to Water, Sewer, Garbage and electric rates. First up is Laura Mollo.

Laura Mollo-

- We had one of the largest increases in rates that Richlands has ever had last year, and I am wondering why we want to continue to burden the citizens further this year especially with all the confusion going on with the electric.
- We have been told by you guys that y'all don't even understand what is going on. It's a complicated process. So, if it's so complicated, how are you guys justifying continuing to raise the rates for us?
- The sewage rates are going up 16% I believe. We don't have copies of the ordinance.
- The electric rates are continuing to go up. You guys voted to raise the rates until 2025.
- We have not had anyone come in to help out with the grid, the rationality of keeping that grid, or the rates with the grid.
- You have half the town that are paying town rates, and they are upset for having to pay those rates to provide services to those of us on AEP
- The rest of us on AEP are mad because we are paying taxes into an electric grid that we don't even have access to. Until the rates are stabilized, I don't think we want access to that grid.
- Something has to be figured out before we continue to keep raising the rates.

Mayor Cury- Somer Minor

Somer Minor 117 Fairfax Avenue

- I am here simply because I am concerned for the town on these electric bills. Our electric bill, we moved in the month of November and never received a bill for December either. I called town hall. We finally received a bill for January \$187.00; they said we used 500 KW of electricity. In February, I received a bill for \$907.00; okay, maybe they put all those bills together. In March, \$1,014.00. In April, \$652.00 part of that was \$118.00 usage fee. They said we used too much electricity in that amount of time.
- If you want to know what people are saying about our town, my friend was going to open a business and I told her about the \$5,000 plan, and before I said anything to her, she said "no, I have heard about how expensive the electricity bills are and I would never open a business there."
- I contacted one of my friends that works for social services, and she is over the fuel assistance program, and she told me they could not believe how high the Richlands electric bills were. She said they had to step in and help so many people and she said, "I thank God I do not live in the town of Richlands."
- My friend lives in a 7,000 square foot home on Airport Road and the highest bill she has received is \$526.00. She has three heat pumps and a 3-story home, heated pool, everything.
- I have heard that y'all got into a big electric deal. You have signed that you will use so much electricity and you haven't.
- My question is, are you adding those KW onto the people?
- I have a business that is part in Richlands and part in Cedar Bluff. I pay taxes to both. Thank God I do not have Richlands electricity because I could not afford it.

- The barber shop at the end of my street was over \$800.00. He has Richlands electric. He doesn't use blow dryers or anything. That does include water and sewage, but they don't wash hair or anything. How much water and sewage can you use?
- My electric that month with AEP was \$213.00, and I work 12–14-hour days.
- So many people cannot afford it.
- We absolutely love this town and where we live, but we could have bought a \$400,000 house in the county for what we are paying in our electric bills.
- Y'all do have really good water and sewage rates. The best we have ever had, but I do not think y'all should raise them when we don't really even know what's going with this KW usage thing.
- People just can't afford it.
- People should want to come here and have businesses here, but people are scared because they don't know what their electric bills are going to be.

Mayor Cury- Thank you, Somer. I am so glad the people came out to share. Voices of the people are to be heard. Next, we have Donna Gray.

Donna Gary- 1619 6th street

- I moved here from South Carolina after my husband passed away. I am a single mom of seven children. There is no way on God's green earth that I can afford this town.
- When my power bill reached \$850.00, I micromanaged. I stopped using my heat pump. I stopped using my stove in my kitchen. I stopped using my lights in my home. I went to using candles and a propane cooker to feed my children and heat my home. My bill still rises.
- If you say you have a friendly circle, why does it smell like sewer every time it rains. I am paying for y'all to dispose of it, but yet why does the town smell like it?
- There is no way I want to raise children in a small town that can sit here and put you under their thumb just to hurt you and put you in more poverty of a level than you were when you first started out here.
- I don't feel like hometowns are meant to be like this.
- You are scared to go to your neighbors and ask for anything because they can't afford to put food on their own table or for their lights to be run.
- What happened to the old days when you loved your neighbor and tried to help them?
- There is enough cruelty in this world, why should we have you guys sitting here telling us we can't have this or you are going to be penalized if you use this much.
- We need to work together and be friendly and be helpful. This isn't right.

Mayor Cury- Thank you, Donna. Next, Morgan Earp.

Morgan Earp 1618 6th street, Richlands, Virginia.

- We had a couple discussions, Mayor Cury, with this water and sewage increase. The town has a contact with this new fish farm to pump water all the way to southwest or wherever it's at. Now, stated in this contact, it's not even going to breakeven with the town, so what's going to happen? You guys are going to raise our taxes and we are going to be paying for that salmon farm. Now, that is misappropriation of public funds and that's illegal. Now I want y'all to think and be clear with this salmon farm. If you can't get someone in there to renegotiate, then get someone who can. You need to make a profit off the salmon farm, not off of the citizens, but profit off of private industries.
- If you can't do that, then this town is lost and we are just going to be tied up in legal fees.

Mayor Cury-Thank you, Morgan. Next, Wanda Lowe

Wanda Lowe- 292 Plantation Drive

- I apologize to this lady who has moved here that is experiencing all this. That is a sad thing
- With this pandemic, we have had one of the highest death rates due to covid. For every person you buried, you left behind a widow that went from a two-person income down to one. Now, they are faced with all that one.

- We still have people that haven't gone back to work because their jobs were discontinued because the businesses were shut down.
- We have to feel something for this town.
- When we have a workshop for this budget, y'all need to brainstorm, you negotiate, you change this.
- Doug Ratliff tried to speak during a workshop and tried to talk to some of the department heads and he wasn't even allowed to. That's sad.
- Some people have two jobs and still can't make it.
- I work with the poor and this stuff breaks my heart.
- My sister got her bill late and she sent it back out that day and the town did not get it in time, and they sent her a late fee of \$24.00. She had to write out another check for the late fee.
- These old people have no one to speak for them. We need to have some compassion for these people.
- Don't raise nothing unless you have to. Just don't do it.
- I would say 70% of the people are on a fixed income. We don't want to take more from them.
- Until you fix the electric bills, don't raise them. It's that simple.

Mayor Cury- Thank you, Wanda Next, Mickey Smith.

Mickey Smith

- I know Cedar Bluff gets their water from us. Did their water rates get increased as well?
- There are things you can search out and ways to figure out how to budget.
- You have to conserve and learn how to budget.
- I have heard nothing about cutting back on our budgets. All I have heard is increase, increase.
- I don't know how beneficial the tv advertisement is for this town, but the budget sure is high for it. Do we profit anyway from that?
- I just wonder how much thought is given to things like that.

Mayor Cury- Jeff Casey, would you like to speak?

Jeff Casey- 215 Center Street

- I've lived here most of my life. I love this place. I have been involved with a lot of things in this town. For years, I have surveyed and I worked on various projects with water and sewer.
- I know about some of the complications that go on here.
- People are asking why. Why are our rates going up? And there is no answer. And that is what we need to know.
- Last year, the town of Richlands received a \$10 million grant to upgrade their water and sewage treatment plant at Doran. I know in the past some of those projects required matching funds. They go in phases, and as you reach those phases, you have to match those funds.
- My question is this, does this have anything to do with some of these rate increases and step increases that we are talking about?
- Is this something we agreed to or something that can not be helped. If so, then we need to examine what's going on.
- I do know my electric rate is higher than it has ever been in the town of Richlands.
- From my calculations, we are paying \$12.74 KW, while AEP \$10.89 KW for the same thing.
- What you have to keep in mind is that our town has shrunk over the last few years.
- Our property values have gone down 30% over the last few years. Which creates a short fall on our budgets. All the way around, we lose.
- With the electric rates being so much different, where you have a problem is the majority of people living in this town are living on fixed incomes.

- I looked it up. Based on the average income in Richlands, the majority of people here would qualify for HUD regulations for assistance on their utility rates and up to 25% discounts on their utility rates.
- Think about that. That is a chunk of money, and I think what we need is not an excuse; we need an answer. Some long-term planning. And we need some answers to these questions because we are struggling.
- If you own real estate property, people are moving out and then that puts you in a bind.
- We can make this work, but we need to have answers.
- No one is going to leave here happy. Why and what can we do to resolve these problems?

Mayor Cury- That concludes this portion on water, sewage and electric rates. Our final piece is the 2022-2023 Budget. (O-2022-04-05) First up, Laura Mollo.

Laura Mollo- 262 Linwood Drive

- Something has to be done about the budget. First off, I do not think we should be having this public hearing with only two members of council.
- As someone said before, we are missing 4 members. We don't have a quorum, and it may not be required for a public hearing, but we are going to ask 4 people to come back into this meeting and make decisions on this budget who did not hear a word that any of us have spoken.
- I think we do need to have another public hearing and do it efficiently when we have a full council.
- I don't think these decisions should be made lightly without a full council.
- I don't think anything should be increasing the way that you guys are increasing the taxes, fees, and utilities.
- As everyone here has said we just want answers, and I don't think anyone enjoys taxes. But I don't think anyone is going to care as much if we understand why we are paying these taxes and where this money is going.
- When we start seeing our town people getting raises and being taken care of and our roads getting repaired and we start seeing what's going on with the budget.
- Please, have another public hearing when we have a full council.

Mayor Cury- Thank you, Ms. Mollo. Next, Blake Ray

Blake Ray-426 Buchanan Street

- The heart of why everyone is here is symptomatic of another issue.
- The rate increases. Fundamentally, we are not a growing community.
- You are seeing a mass population exodus happen.
- Compared to \$67,521, which is the average household income in America, the average in Richlands is \$28,970. The average home price in America is \$374,900, compared to \$83,155 here.
- Now we can all sit and have a conversation about what we do in the short-term, but the problem happened 20 years ago. We didn't start addressing these problems and we have got to start doing that now. Here is why, \$430 million that is the number on the deposit according to the latest FDIC insurance report here in Richlands. Now why is that significant? Because over the next decade you have a serious problem coming and nobody is talking about it.
- There is going to be a huge generational wealth shift that is going to happen from baby boomers to gen Z and millennials. If you look at the average person in this room, there are not many people under the age of 45 and very few under the age of 30.
- If we don't start finding ways to create jobs that bring that income level closer to \$65,000.
- How to get housing prices up? By building new homes, which goes back to creating jobs so people can have the money to build homes.
- We are going to see a major problem and that's going to be insolvency within the financial institutions who can't then lend money because the deposits have gone out because everyone was forced to go find a job. That's the problem.

- What we know, as Richlands, will cease to exist and I don't want that to happen.
- This is the best place to raise a family. The problem that we have to solve is changing narrative from the bickering and the back and forward shortcomings that are happening.
- I want to leave with a quote: If you are scared to adapt to a change, how you are going to feel when you become irrelevant?
- Over the next decade, we are facing being irrelevant.
- We can't keep worrying about bringing people here if we can't even keep people here.

Mayor Cury- Thank you, Blake. Next, Wanda Lowe.

Wanda Lowe-

- Without a vision, people perish. And we have lost our vision in Richlands.
- I have great confidence in the fish farm coming because it will bring a lot of jobs.
- I came from a poor family; I know what it is like to be poor. I know just in Hidden Valley we started getting houses approved by HUD, and sometimes they don't have the money to keep that property up. So, what does that do? That downgrades the value of your home. I don't want that. One day I may want to sell my home, and I would at least like to get out of it what I have in it.
- There is nothing to cause us to grow.
- Brandon Buskill, who is our local dentist, had a great idea. He said Mr. O'Daniel should make a video explaining to people why our rates are so high. If you know why he needs these things, we would be more apt to pay it. You can't please people when you have them in the dark.
- Communication is one of our biggest problems.
- When you look at the budget and start managing your stuff. Do things to make it work.
- Cut till it helps!

Mayor Cury- Thank you, Wanda. Next, Mickey Smith.

Mickey Smith-

- I've not seen much about cutting budgets. We are in the dark about why we have all these increases.
- Maybe if we understood, there wouldn't be such an outcry about it.

Mayor Cury- Thank you, Mickey. Next, Chad Estep.

Chad Estep- 1201 Crestwood Drive

- My comments are mine, and I am not affiliated with anyone.
- Why does everyone abandon ship on this town?
- I represent most people that are here, and we are not happy about how things are being run. We need change. We do not need to tax the people more to fix the budget. You know the money that comes in every year, and you know what we can afford and cannot. We need to focus on needs, not wants.
- Everyone that has a communication device, you pay a 911 regulatory fee that goes to staff. That all goes to Tazewell County. We are paying double for something we already got.
- We just need to sharpen our pencils. We need to focus on needs and not our wants. Fill your needs first then worry about your wants later. You need to look at how you are spending every citizen's money.
- I think we need a forensic audit and go back five years. If the town has nothing to hide, this should be welcomed with open arms
- You have employees that left recently and now they are consultants. If they didn't want to be an employee here, then why are we paying them to come back? Are the people you hired not competent enough that you have to have someone come and watch after them?

Mayor Cury- Thank you, Chad. Next, we have Emily Smith.

Emily Smith- 351 Honey Rock Road, Cedar Bluff

- I am a property owner in Richlands. I have a very vested interest in the town of Richlands because of my tenants.
- Some of my tenants are on a fixed income and some have jobs.
- I want to speak about the astronomical electric rates.
- I am doing everything I can to help insulate the inside of the homes to try and help them on their power bills.
- One of my tenants had to pay her bill in payments because her electric was so high, and she didn't qualify to get extra help.
- I ask that we address the issues that are going on with these electric rates so we can keep tenants here. Without people here there are no money to be made.
- We have a beautiful town. I want to help this town grow. But we have got to do something so people don't leave us.
- Real Estate property tax, when you raise that on me, I have to raise that on my tenants, and that is another increase on them.
- I had to call the town myself to request assistance. Most people don't even know the assistance existed.
- If we are going to have ways to help them, we need to make them more aware.
- We shouldn't be eliminating the working class. We need businesses back in these places.
- Some sales tax revenue is better than none.
- We will eventually vanish away.

Mayor Cury- Thank you everyone. Doug would like to say a few words.

Doug- If you look at Lebanon, Bluefield, and Tazewell, they operate on half of what we do. They spend their money wisely. Richlands doesn't have a problem with money, we have a problem with mismanagement of money. To give you an example, what's causing our electric to go so sky high? The town is taking almost \$600,000 off the top. We have a wonderful electric system. It does great, and we could have the lowest rates in Virginia, but right off the top the town takes \$600,000 and moves it to the finance department. Of course, that is going to cause your rates to go up. They will use it on whatever project they want to spend it on. As far as your water, if you check the budget, they are taking \$100,000 off the top. What are they doing with that? They are moving it to the finance office and doing their projects. What's happening to the garbage? They are moving \$100,000 off the top and moving it to the finance office. That's why your rates are going up - because it's mismanaged from the finance office.

Mayor Cury- Thank you, Doug

Doug- I'm not through. One lady spoke about what salaries are going up. They are going up exorbitantly. They never cut a budget; they always hire more personnel and pay them more. The attorneys, two years ago, we paid the attorneys \$45,000 a year, and the budget this year is \$120,000. From \$45,000 to \$120,000 in the budget. That's what is happening to these exorbitant fees that they are paying these people. We have people making minimum wage and people at the top making three times what they should make. We paid Tim Taylor \$ 90,000; we are paying John \$115,000. We need to look at the budget. I have been here 20 years. I have never seen the budget cut. They always hand it to you and say take it or leave it. We can't do anything about it. If the other towns can live without sponging off their electric, water, and garbage systems, then we should too. 8 years ago, we had the lowest electric rates, believe it or not, but they changed it and started dipping into it and moving the money from the electric rates to the finance office and double or tripled salaries in the finance office. Someone mentioned the 911. I've been on them for 5 years to do away with the dispatch because it's a waste. That's \$300,000 that we have wasted for the last 5 years. Do you know how many dispatch centers there are in Virginia ... 1. And that's here in Richlands. Every other system's council has done away with it, but poor ole Richlands has plenty of money. They don't have to worry; they can get it from you. The only people here who are getting paydays are the people here at the top; you are being used.

Mayor Cury- Thank you, Doug. This public hearing is closed!

Mayor Cury-Thank you to everyone, and your opinions are very valued. They may not seem like it, but they are. As the mayor, I have certain duties, and as recognition of those duties, I would like to recognize the Richlands Scholastics bowl team that is here tonight. I am so proud of them.

Mayor Cury- We now have our regular meeting of the Richlands Town Council. I call this meeting to order at 7:35pm.

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

Mayor Cury- I want to note that we do not have a quorum, and in order to do the business of council, we must have a quorum. So, I will defer to the town attorney for his legal guidance on how to best proceed.

Bob- Mr. Mayor, the town cannot conduct any business without a quorum. You have noted the lack of a quorum, and with the being said, the only opinion left under the Roberts rule is to adjourn to reconvene at a later time.

Mayor Cury- It is within my authority to adjourn at a later date and time.

Doug- I make a motion that we end this meeting and adjourn because we do not have a quorum.

Jeff- Can we make a motion?

Mayor Cury- He made a motion. Do we have a second?

Doug- By Roberts Rule, we can't readjourn a meeting that you do not have a quorum for. So, we have to adjourn this meeting. We cannot recess it to another meeting.

Bob- I researched this today, and my research indicated that there are certain motions that are appropriate when you have a lack of quorum. One of those is to adjourn to a different date at this same meeting. You are required by the charter to have a regular monthly meeting. This meeting was properly noticed and properly called to order, but you cannot transact business without a quorum. But you can adjourn to a different date, a continuation of this regular meeting.

Doug- I was in contact with the parliamentarian of Virginia, and she said we can conduct no meeting and it can't be adjourned to a different time. It has to be adjourned period. That was her ruling from Virginia, and I can get you that if you would like. She said it is not proper under Roberts rules to do this. I give you, my word. We were in contact today.

Mayor Cury- I believe you, Doug. Do you have this person's name?

Doug- I do not, but a citizen here does. Ms. Mollo, do you have her name? Could you pull it up please?

Mayor Cury- I would suggest that you share this with all of town council, please. We are just trying to make it right. Bob, would you mind to look over this. I don't understand this, so I need you to look over this.

Bob- Well, obviously this person in parliamentarian that you have spoken to, I haven't spoken to, and I don't know what she says. I don't know what you have resonated to her, but my research indicates that this meeting can be adjourned to be reconvened at a later time. You have the authority to do that as mayor. You have the authority to call a meeting. This is a legally called and legally noticed meeting. You have a right to adjourn to a different time and place under Robert's rule of order and under the charter of this town.

Doug- I appeal to the mayor to do the right thing, and by the rules, you cannot do that and you can't renew it at a different date.

Mayor Cury- I really appreciate your appeal to me to do the right thing, but sometimes you are not sure what the right thing is to do. I have this, and then I have the attorney. So, at this present time, I am going to follow the attorney and do what I think the attorney is saying. I am taking your advice that I have the right and legal authority to adjourn the meeting and reconvene to a regular meeting on Tuesday the 19th, at 6:00pm in the Richlands Town Council Chambers.

Jeff- What is your motion? You want to adjourn the meeting?

Doug- You cannot carry on any business without a quorum. If you read that Roberts rule, it is in black and white.

Bob- You are correct. You cannot conduct any business without a quorum, but this meeting, like tonight, can be called to order and can be adjourned to a later time in order to obtain a quorum so that the transaction of business can be done.

Jeff- Is that what you want to do?

Doug- It says immediately. It does not say you can on anything. It says immediately.

Mayor Cury- To be clear, will a meeting next Tuesday, constitute a regular scheduled meeting?

Bob- Yes.

Mayor Cury- Okay, so I have to go on

Doug- Jeff, could you speak on it?

Mayor Cury- Jeff, as a member of council, what do you think?

Jeff- I am just trying to figure it out.

Doug- If you read it, it says immediately adjourned.

Jeff- Okay, so when do you want to meet again?

Doug- What this is all about if I could tell the audience? If they get this meeting, they are going to raise your taxes because they will count this meeting as a first reading and next week as a second reading and they will raise your taxes. So, it's a gimmick. They are trying to screw you.

Bob- If I could address that, there has to be a reading of any ordinances two times before a regular meeting. So, you are correct. However, even if it is not read by this coming Tuesday, and read in the meeting in May and in June and enacted at that time. You have to have two readings at two regular scheduled meetings.

Doug- What you are trying to do?

Bob- I'm not trying to do anything.

Doug- Well, I'm not going to go into it. If you have a regular scheduled meeting next week that counts as one session. Then you are going to read it the following month and that will be your two readings that you can raise the taxes on these citizens.

Mayor Cury- Doug, I have a suggestion that I think will work to satisfy your concerns. First off, I hope we are not thinking about screwing people, that's not a cool way to think.

Doug- Well, I am sorry. They are going to raise your taxes. I apologize.

Mayor Cury- I would ask the Manager on the reading of these ordinances, if we could continue, but not read these ordinances. I think that would alleviate the issues at hand and schedule the first reading in May and the second reading in June.

John- I would not be happy with that decision. With the issues that we have had in the past, the plan was to try to get it started as early as possible so if there were issues, we could have time so we don't end up the very last week in June trying to get something changed and run into a timeline deadline with the state requirements and the charter requirements. The intent was to have the first reading this month so we could have the ball rolling and have it approved in May so if there was anything that needed to be changed or different than what the proposal was, we would have adequate time to do that.

Doug- May I speak?

Mayor Cury- I want to ask Jeff. Jeff, your thoughts please?

Jeff- I am trying to understand what the two things are.

Doug- Can I explain to Jeff? If we don't adjourn this meeting and have this meeting next month, they are trying to pull this. Or if you agree to have a regular session meeting next week, they will be able to raise all these taxes. Or if you go along with my motion and don't let them have regular session next week, then they will not be able to get these taxes in for the budget and we can give these people some help on all these taxes that they are going to raise. So, it's all up to

you or the mayor if he will disallow it, or you will go along with having the regular meeting as we should.

Jeff- News to me. But we have to conduct business this month?

Doug- But we can conduct everything but taxes

Jeff- But those will be ordinances so we will have to have two meetings anyways.

Doug- But they can't get them in.

Jeff- I don't want to get them in, I want to get them right. I want to listen to them tonight. I want to put my ideas in for the budget. I echo a lot of what the people were saying tonight. Cut till it helps.

Doug- All I am saying is if you go along and Mr. Mayor don't stand up or you don't...

Jeff- I don't think it's fair for you to put us in that type of situation. This is something new to everyone.

Mayor Cury- Pardon Me, I am trying to listen to what the authority is saying, to what Doug is saying, to what Jeff is saying and to what the citizens are saying, and John, I understand you want to get it done. But I think we do have an obligation to hear what the people are saying and take it to heart. Which I am sure you have, but the other members of council have not heard. I am not anxious to go all the way till June, but I think it might be the right thing to have a meeting next week and not have a reading of the ordinances and continue the business that we need to do. It's not a personal thing. You are just trying to get the business of the town accomplished. I am saying that very respectfully. But I think it might be wise to put the readings in May and June for all the council members to assimilate what the people have said tonight. My suggestion. Jeff, your thoughts?

Jeff- I guess what I am thinking first and foremost with regard to what is going on tonight. Basically, it's just me and Doug here tonight and we can't pass the budget.

Mayor Cury- No, we cannot do any business.

Jeff- And we need help. We had the two resignations this month. So, we need to work together to get those seats filled and decide what we are going to do. I think we need to discuss if we are going to appoint them or wait until the election.

Doug- That's a great idea. Why don't we wait until the meeting next month and that will give us time to get two council members appointed and just go to the regular session.

Jeff- I would like to do another budget workshop just to work through some of the stuff we have heard tonight.

Mayor Cury- I am trying to find the right point for all the people involved in preparing the budget and the council people who have to read it and understand it and listen to what the people want. So, I am asking you Doug if we can just have the special called meeting which I think we would have time to do and just take out the reading of the ordinances and get the business done that we have to.

Doug- If they have the regular meeting next month, I'm sure the attorneys will come up that we will have a regular meeting until the next week and try to get it in.

Mayor Cury- No, I think that implies something.

Doug- I just talk plain on what's going on. Their one issue is to get that tax passed.

Bob- Mr. Ratliff, I represent all the council. You and all the council, and I give legal advice. I am not involved in the policies. I don't set the taxes; I don't pass ordinances. I only give legal advice when requested by the mayor or the council. I don't have an axe to grind in any of these policy issues which are in purview of the council members. I try to give good legal advice based on the town's charter, its code, the state's code, and other relevant documents. So, any implication that I am scheming with anyone to raise taxes or any other policy matters are incorrect. I serve all members of council as town attorney.

Doug- Can I speak on that? I respect you, and you are a great attorney, but you serve one person and one person only, and that is John O'Daniel. You have never helped me one time or represented the whole council.

Mayor Cury- Doug, that is accusatory, and we need to be very careful.

Doug- Well, it is true.

Mayor Cury- I think we can resolve this. We cannot do this until we see what we are doing with this meeting. So, again my suggestion, Doug, a special called meeting will not represent a regular meeting to get checks paid. We can remove from the agenda the reading of the ordinances and have them prepared for the reading in May and second reading in June.

Doug- Okay, I would be fine with that if you would move within that statement that they won't read these ordinances until the next regular meeting.

Mayor Cury- I just said that. A special called meeting is not a regular meeting.

Doug- All they have to do is recess that meeting until the next meeting.

Mayor Cury- No, No, that's not right Doug. You are misunderstanding and I am not going to argue with you.

Doug- Okay, you make this ruling and watch what happens.

Mayor Cury- I don't make the ruling, he says I can, but I am trying to be democratic here and get input.

Doug- If you are being democratic you would listen to the citizens. They don't want those taxes.

Mayor Cury- That's not what we are talking about here, Doug. We are taking about procedures.

Doug- Procedures means everything.

Mayor Cury- I think so. Okay, Jeff your thoughts.

Jeff- My thoughts would be, we need to have some kind of meeting for April to discuss business. Some type of business.

Mayor Cury- Yes, just the regular business of the town and the concern is being expressed over here under agenda items it would be particular for the budget year of ordinances. Could we do that as a first reading in May?

Jeff- Yes, this would be considered the first reading of the ordinances?

Mayor Cury- Yes.

Jeff- Like I said I think we need to make a whole bunch of changes. It's going to be a moot point if we read them anyways.

Mayor Cury- John, do you understand what the council is driving at? I know it is disappointing, but it is the council's wishes.

John-Yes.

Mayor Cury- Doug, you made a motion, but I think it needs to be a different motion that we just adjourn and have a special called meeting next week that we conduct the business that is not the reading of ordinances.

Jeff- But if we have a quorum at the next meeting then we could make revisions to the agenda to eliminate the item, correct?

Mayor Cury- Yes, we could.

Doug- The only thing I will vote for is if we remove the ordinances and do not have a reading of the ordinances until the next regular meeting. All they are going to do is call a special meeting and they will recess that meeting to a regular scheduled meeting and then they will pass those ordinances.

Mayor Cury- You can't do that, Doug. You think you can, but you can't. A special meeting does not give birth to a regular meeting.

Doug- Well they are very inventive so we will see.

Jeff- Who is they?

Doug- I think the only simple thing is I make a motion that we do not have a regular meeting until the regular session on May 10th. If you remember two months, we did not even agree to pay the bills that month, but they got paid. It wasn't even brought up in the minutes if you go back and look. We just passed right by it. So, its not going to hurt us to wait. I'm sure the bills will get paid without us they always do.

Mayor Cury- There are other things that we need to do, other appointments not just for council, other appointments that need to be made that I think can be made at a special called meeting or continuance of this meeting, as long as we agree not to take a vote on it or have a reading of these ordinances. That's the big thing.

Doug- Until May 10th? Okay, I make a motion we don't have these ordinances read until May 10th.

Mayor Cury-Lets reframe that motion, council.

Bob- There is no quorum here, no business can be transacted here tonight due to a lack of quorum under Robert's rule of order. The only procedural actions to be taken in the absences of a quorum is the setting of a continual meeting through a motion to fix the time to which to adjourn ended the meeting through a motion to adjourn. Recessing the meeting in an effort to obtain a quorum or taking measures to obtain a quorum such as rounding up members from the hall or contacting members. So, you really can't set any subitizable issues going forward here tonight. Those are the only options you have because you do not have a quorum.

Laura Mollo- Jeff, you are doing the right thing. You are on the right track

Jeff- Well, I didn't doubt that I was, but thank you for pointing that out. I appreciate you letting me know.

Mayor Cury- It might be the simplest thing for us to just adjourn the meeting and we will go with our special called meeting. Do y'all still want to have a special called meeting and still do the other business besides the reading of the ordinances?

Bob- A special meeting can be called. You just have to give notice and the public have that notice that a special meeting has been called. It is in the charter that the mayor has the authority to call a special meeting.

Doug- Well it wouldn't be wise.

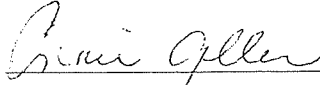
Mayor Cury-We are down to two options. We can have the special meeting and have a gentlemen's agreement that we will not be reading the ordinances. Because Doug is afraid that will happen.

Bob- You cannot have a gentlemen's agreement.

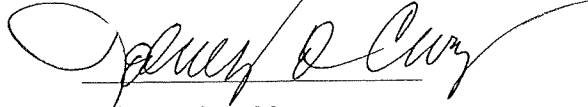
Mayor Cury- To amend the agenda we will have to have to vote of the council to exist. Otherwise, to satisfy his request, we will adjourn this meeting and I will sign a petition for a special called meeting, and we will have time to consider the ordinances with the first reading in May.

Jeff- Well, yea that is essentially what we did a few years ago. The mayor called a special meeting every night in order to try and get the budget.

Mayor Cury- Okay, so this meeting is adjourned, and I will sign a petition for a special called meeting of council on April 19th here in the council chambers at 6:00pm. Meeting is adjourned.



Connie Allen, Clerk



Rodney D. Cury, Mayor