

APRIL 8TH, 2024 MEETING MINUTES

A meeting of the Rich Creek Town Council was held on Monday, April 8th, 2024, at 6:00 PM in Council Chambers, located at 250 Old Virginia Avenue, Rich Creek, Virginia, with the following individuals present:

Roger Jones, Mayor	Stuart Helm, Council	William Kantsios, Council
Mark Clemons, Council	Darlene French, Council	Joyce Crawford, Council
Mervin Swartout, Town Manager	Steve Buckland, Police Chief	Warren Wilson, RCVFD
Officer Britton Broyles	Debbie Morris, Librarian	Helen Swartout
Mr. & Mrs. Jason McClure	John Collins	Natasha Smith

INVOCATION/PLEDGE OF ALLEGIANCE

Mayor Jones opened the meeting followed by the Invocation and the Pledge of Allegiance.

APPROVAL OF THE MARCH 11TH, 2024 MEETING MINUTES

Mr. Kantsios moved to approve the minutes of the March 11, 2024 meeting, and the motion was seconded by Mrs. Crawford. The motion was approved unanimously (5-0) by the following voting YES: Mrs. French, Mr. Kantsios, Mr. Helm, Mr. Clemons and Mrs. Crawford.

RICH CREEK VOLUNTEER FIRE DEPARTMENT-Warren Wilson

- The Treasurer & Activity Reports were reviewed.
- Car Accidents 1 Fires 2 Training 3 Total Hours: 76 Water Used: 5,000 gallons
- Mr. Wilson said Giles County has completed the department's annual audit and there were no concerns.
- Maintenance on the battery packs performed.
- Mr. Wilson said Mr. Thomas Boggess, a department life member, passed away and he said they will be taking one of the fire trucks to the funeral.

PUBLIC COMMENT

Mr. John Collins asked Council for permission to turkey hunt on the town's property located on Powell Mountain Road (the town's old landfill location). Mr. Helm suggested the town's insurance provider be contacted first and if they have no concerns, he suggests Council to allow him to hunt on the town property. Mr. Collins said he would sign a waiver and when asked who would be hunting with him, he said it would only be himself and his daughter. He said he will probably come back in the fall to request permission to hunt again.

Mr. William Jason McClure, pastor of the new church on Main Street/Old Virginia Avenue said he will commence services the end of April and there is limited parking available. He said there is 2-hour parking limits, and he doesn't want anyone attending the services to get a parking ticket. He asked if Council would allow him to print parking passes to place on the attendee's automobiles, and to utilize the far side of the town's parking lot for overflow parking. The consensus of Council was in agreement to allow Mr. McClure's request.

Mrs. Natasha Smith said the local churches have hosted an annual Easter Egg Hunt at the town park and the restrooms have always been opened, by the town, for the day. She said she was contacted and told the restrooms would not be available, because they are winterized for the season. She said she proceeded to contact Mr. Swartout and he told her the restrooms would not be available, per the decision of the town council. Mrs. Smith said Mr. Swartout was very rude to her and she was not pleased with how disrespectful he was with her on the telephone. She said she proceeded to contact Mayor Jones and each of the Council members, and they agreed the restrooms would be open for the event. Mayor Jones apologized for the confusion and said a previous employee had opened the restrooms in the past and Mr. Swartout was

unaware. He explained there was some discussion at a recent Council meeting about opening the park earlier than the May 1st date, however, Council decided to continue with opening the park on May 1st. He said he had forgotten about the Easter Egg Hunt, or Council would have stated an exception would be allowed for this event.

Mrs. Smith said the Rich Creek Baptist Church recently rented the community center for a dinner and when they arrived, they noticed the floors were very dirty. She said pictures of the floor were provided to the office staff and Mr. Swartout's response was to hold the caretaker's \$20 fee she is paid to make sure the facility is clean, and refund it to the church, for their inconvenience. Mrs. Smith said the caretaker is a widow and she didn't agree with Mr. Swartout's decision, so she gave the money back to the caretaker. Mr. Kantsios suggested she contact the town as early as possible for any early opening of town facilities requests, to eliminate any confusion in the future.

OLD BUSINESS

A. UPDATE ON THE RICH CREEK COMPREHENSIVE PLAN

The Clerk reported waiting on final draft of the RC Comprehensive Plan to be completed by Bethany Peters (New River Valley Planning Commission).

B. UPDATE ON THE NEW FIRE HALL

Mayor Jones said the Giles County Building Department (GCBD) is requiring a site plan and a geotechnical review, prior to the project moving forward. He said three contractors (Foresight Design Services/Gay & Neel, Inc., Hurt & Proffitt) have been contacted for the work and the lowest quote received for the site plan was \$22,500 from Foresight. Mayor Jones said he is not comfortable with the proposed cost, with the understanding the project could possibly not be approved by the GCBD, after paying the contractor. After some discussion, **Mr. Helm moved to approve the \$22,500 quote from Foresight Design Services/Gay & Neel, Inc. for the site plan work required and the motion was seconded by Mrs. Crawford. The motion was approved unanimously (5-0) by the following roll call vote: Mrs. French, YES; Mr. Kantsios, YES; Mr. Helm, YES; Mr. Clemons, YES; and Mrs. Crawford, YES.** Mayor Jones said the recent meeting with the GCBD, TMar and Glen Reynolds, went well and TMar should be near to completing the review.

C. UPDATE ON THE LEAD & COPPER SURVEY GRANT

Study underway by CHA, Inc.

NEW BUSINESS

A. CONSIDERATION OF SITE SURVEY-NEW FIRE DEPARTMENT

Discussed earlier in meeting.

B. DISCUSSION REGARDING CONSIDERATION OF A WALKING TRAIL BETWEEN RICH CREEK AND GLEN LYN

Mayor Jones shared a letter received from Mr. Howard Spencer, requesting the town partner with the Town of Glen Lyn in pursuing the possibility of a walking trail between the two towns. After some discussion, there was no action taken.

C. DISCUSSION REGARDING BUSINESS INCENTIVES

Mayor Jones said during one of the discussions with the new owners of the Walgreen's building, he was asked if there are any incentives available to new business owners. He said Mr. Chris McKlarny, Giles County Administrator, informed him of funding the Giles County Industrial Development Authority (IDA) has available, explaining the town would be required to match the funds awarded, by the IDA, to the new business owner. Mr. Swartout said the new business owner has halted all work at the site until the flood zone requirements can be reviewed and completed. He said there is a 3-day training session in Emporia, VA that he will attend so he will be able to address the flood zone laws/requirements, if the Council approves. The consensus of the Council agreed Mr. Swartout attend the training for flood zone requirements.

Mrs. Crawford asked Mr. Swartout how the new employee is working out and he said he is very pleased with the employee's job performance.

Mr. Helm asked Mr. Swartout about the possibility of a second water storage tank and Mr. Swartout said he has asked Mr. Stevie Steele (CHA, Inc.) about the possibility of adding a second water tank.

TOWN ADMINISTRATION REPORTS

CHIEF OF POLICE-Steve Buckland

March 2024 Activity Report

Accident Investigations: 0 Alarm Activations: 0 Animal Complaints: 1 Arrest: 9
Assist to Citizens: 1 Assist to Other Agencies: 1 Bulletins Received: 6 Court Related Activities: 12
Criminal/Narcotic Investigations: 3 Disturbance Calls: 1 Fire/Rescue Calls: 1
Property/Business Checks: 90 Reports Submitted: 3 TDO Transports: 0
Training Activities: 0 Town Ordinance Violations Investigated: 2

March Activity

- Animal Complaint Walnut Street
- Failure to pay vehicle fee Gentry's Landing Campground
- Narcotics Violation (x2) Rt. 219
- Driving on a Suspended License/DUI Rt. 219
- Protective Order/Domestic Dispute Church Street
- Shoplifting Dollar General
- Fugitive from Justice, Failure to Appear Alley behind Queen's Pizza
- Possession of Narcotics Alley behind Queen's Pizza
- Attempt to Poison Heritage Hall Nursing Home

Officer Buckland said the Town has been selected by the Department of Motor Vehicles to participate in a pilot program regarding non-residents conducting business in the Commonwealth with out-of-state licenses and residents operating vehicles with out-of-state license plates. He said a notice was served to the owner of Premier Group Limited on Old Virginia Avenue and the owner is very unhappy and threatened to pull his business out of the Town and to not assist with any work on the new fire department. Mayor Jones said when he met with the owner last year regarding the company trucks, the owner agreed to transfer the licenses on each truck, as the current registrations expired. Mr. Swartout said the owner claims he never made such an agreement with Mayor Jones. Officer Buckland said he will enforce Premier Group to be in compliance with town code.

Mrs. Crawford asked Officer Buckland if Officer Broyles is authorized to issue tickets and he replied Officer Broyles can issue town or Virginia state tickets, but he is limiting him to writing town tickets only until after he completes the police academy. He said he doesn't want any Giles County District Court dates, required with state tickets written, to interfere with Officer Broyles's academy classes.

Officer Buckland reported he and Officer Broyles are patrolling the town park often to deter any mischief and he will continue to enforce owners of vehicles garaged in Rich Creek, to pay the town license fee.

PSA REPORT-Mark Clemons

Mr. Clemons provided a brief report on the PSA activity and said the PSA staff is reviewing how they handle any future violation/boil water public awareness notices.

TOWN MANAGER'S REPORT-Mervin Swartout

- December water loss: 6%
- Wintergreen Commons Apartments Available for rent: 0
- Waiting for quotes from contacts, for consideration of a pickleball court at Woodland Park.
- The public works position has been filled by Mr. Ryan Cody Reed.
- Mr. Swartout met with VDOT representatives to review the limbs overhanging the streets in Rich Creek and a drainage issue along Woodland Road
- New emails for Town Council members were provided.
- Mr. Swartout said he has contacted various contractors requesting a quote for the fire suppression system at the town office, with very little success in obtaining bids for the project.
- Mr. Swartout reported he attended a training session on derelict buildings at the Town of Narrows, which was very informative. He said he will check to see if the presenters will come to Rich Creek for a workshop.
- Glen Creek STP operating permit renewed and received.

Mr. Kantsios asked Mr. Swartout if Wes Crawford has a waterworks or sewer license and he said “no”, but Brad Riner is ready to sit for the waterworks testing, for a license. He said after Mr. Riner receives his license; he plans to push the other public works employees to obtain their licensing. Mayor Jones requested Mr. Swartout to encourage Mr. Crawford to get the licensing.

LIBRARIAN'S REPORT-Debbie Morris

Mrs. Morris reported there is minimal use of the library and computers, and the library fund has approximately \$4,000 in funds that she would request be transferred to the general fund/recreation line item. She said she would like to request the Council approve the use of the funds towards the purchase of a swing for wheelchair bound individuals, handicap accessible tables, and tables of wheelchair height, to place food on for the dinners at the shelter. She said the \$5,000 from the Rich Creek Lion's Club, \$1,500 from Giles County Board of Supervisor member, Ricky McCoy, and the \$4,300 from the Rich Creek Library Fund will pay for the items requested. **Mr. Kantsios made a motion to appropriate the Rich Creek Library funds to the recreation line item for the purchase of the wheelchair swing, handicap accessible picnic tables, and handicap accessible food tables and the motion was seconded by Mrs. Crawford. The motion was approved unanimously (5-0) by the following voting YES: Mrs. French, Mr. Kantsios, Mr. Helm, Mr. Clemons and Mrs. Crawford.**

TREASURER'S REPORT-Pam Kantsios

Balance as of March 1, 2024	\$440,221.57
Receipts	125,526.28
Expenses	<u>89,453.69</u>
Balance as of March 31, 2024	\$476,294.16
Balance as of March 31, 2023	\$496,412.64

CERTIFICATE OF ZONING COMPLIANCE ISSUED

210 Guynn Road	Construction of fence & deck
900 Woodland Road	Construction of a carport

Tax Collection Report

As of March 31, 2024

93%

PAYMENT OF THE BILLS

Mrs. Crawford moved to approve payment of the bills, to include bills not yet received by this meeting time, presented in the amount of \$36,139.15, and the motion was seconded by **Mr. Kantsios**. The motion was approved unanimously (5-0) by the following roll call vote: **Mrs. French, YES; Mr. Kantsios, YES; Mr. Helm, YES; Mr. Clemons, YES; and Mrs. Crawford, YES.**

EXECUTIVE SESSION

Mr. Clemons moved that Council convene in Executive Session for personnel matters, as allowed by VA Code §2.2-3711, A1, Personnel, to discuss the administrative department and the motion was seconded by **Mr. Helm**. Approved unanimously (5-0) by the following roll call vote: **Mrs. French, YES; Mr. Kantsios, YES; Mr. Helm, YES; Mrs. Crawford, YES; and Mr. Clemons, YES.**

Mr. Helm moved to return to Regular Session and affirmed that the only thing discussed in Executive Session was personnel matters, as stated in the motion and the motion was seconded by **Mrs. Crawford**. Approved unanimously (5-0) by the following roll call vote: **Mrs. French, YES; Mr. Kantsios, YES; Mr. Helm, YES; Mrs. Crawford, YES; and Mr. Clemons, YES.**

The Clerk said the Giles County CODE RED link and the Spring Clean-Up schedule has been posted on the website, the tv in the front lobby and at the US Post Office.

With no further business, the meeting was adjourned at 8:50 PM.

Roger Jones, Mayor

Pamela Kantsios, Town Clerk