

## OCTOBER 10<sup>TH</sup>, 2023 MEETING MINUTES

A meeting of the Rich Creek Town Council was held on Tuesday, October 10<sup>th</sup>, 2023 (due to Columbus Day holiday on Monday, October 9<sup>th</sup>, 2023) at 6:00 PM in Council Chambers, located at 250 Old Virginia Avenue, Rich Creek, Virginia, with the following individuals present:

Stuart Helm, Vice-Mayor/Council  
Darlene French, Council  
Debbie Morris, Asst. Clerk  
Mason Boggess, RCVFD  
Sam Roberson

Dorsey Bradley, Council  
Joyce Crawford, Council  
Steve Buckland, Police Chief  
Warren Wilson, RCVFD

Mark Clemons, Council  
Mervin Swartout, Town Manager  
William Kantsios  
Francis Epling

Absent: Roger Jones, Mayor

## INVOCATION/PLEDGE OF ALLEGIANCE

Vice-Mayor Helm opened the meeting followed by the Invocation and the Pledge of Allegiance.

## APPROVAL OF THE SEPTEMBER 11<sup>TH</sup> & 12<sup>TH</sup>, 2023 MINUTES

**Mr. Bradley moved to approve the minutes of the September 11<sup>th</sup> & 12<sup>th</sup>, 2023, meetings, and the motion was seconded by Mrs. French. The motion was approved unanimously (4-0) by the following voting YES: Mrs. French, Mr. Bradley, Mr. Clemons and Mrs. Crawford.**

## RICH CREEK VOLUNTEER FIRE DEPARTMENT-Warren Wilson

September Activity Report:

Car Accidents: 1                      Fires: 1                      Call Hours: 35

- The activity report was reviewed, and Mr. Wilson stated the treasurer's report was unavailable at this time.
- The turbo actuator valve was repaired on Unit 1216 (costing approx. \$2800)

## PUBLIC COMMENT

None

## OLD BUSINESS

### A. UPDATE ON THE RICH CREEK COMPREHENSIVE PLAN

The first "focus" group will meet on Tuesday, October 17<sup>th</sup>.

### C. UPDATE ON THE GRANT APPLICATIONS

Mr. Swartout reported Stevie Steele, with CHA companies, has submitted a grant application, on behalf of the Town, to assist the Town with the expense of the lead & copper compliance, required by the VA Dept of Health. He also reported Officer Buckland applied for a grant through the Virginia State Police Department to purchase cameras for the police department. He stated the \$12,500 grant was awarded to the town to cover the purchase of cameras, software and the installation expense. Officer Buckland said there is no matching funds required of the town. Mr. Boggess said the Giles County Sheriff's Department would like to work with all the participating Giles County municipalities to link the camera systems together to better track and apprehend the offenders (Amber Alerts, stolen automobiles/equipment, etc.), throughout the county. **Mrs. Crawford moved to approve the grant in the amount of \$12,500 and the motion was seconded by Mrs. French. Approved unanimously (4-0) by the following vote: Mrs. French, YES; Mr. Bradley, YES; Mrs. Crawford, YES; and Mr. Clemons, YES.**

### B. UPDATE ON THE NEW FIRE HALL

The following meeting notes were provided by Mr. Swartout, on the meeting held by the committee:

On Tuesday, September 19, 2023 at 6 p.m. a meeting was held at the proposed site of the new building.

#### ATTENDEES:

Roger Jones, Town of Rich Creek, Mayor/Committee Member

Stuart Helms, Town of Rich Creek, Town Council/Committee Member

Merv Swartout, Town of Rich Creek, Town Manager/Committee Member  
Warren Wilson, RCVFD/Committee Member  
Kenneth Smith, RCVFD/Committee Member  
Austin Jennings, RCVFD/Committee Member  
Brandon Smith, RCVFD  
Billy Kantsios, Citizen Rep/Committee Member

The following designation of duties was determined:

- Mr. Jones will handle permits.
- Mr. Swartout will handle the building quotes.
- Mr. K. Smith will get shovels for the groundbreaking.
- Mr. Jennings & Mr. B. Smith will take care of the information for the newspaper.
- Mr. Swartout and Mr. Wilson will meet with United Hydraulics on 9/21/2023.
- Mr. McKlarny and Mr. Williams said Giles County will help with anything needed.
- Want the groundbreaking ASAP.
- Some of the RCVFD have spoken with the larger businesses in town and the fundraising letter will go out 9/25/2023.
- The flowchart was discussed.
- A fundraising committee is being created.

~End

Mr. Swartout reported he has received written confirmation from R. L. Price Construction, they will extend their bid until October 16, 2023. The bid tabulations received for the shell building, are as follows:

R. L. Price Construction-\$486,000  
DCI Shires Construction-\$575,000  
H. S. Williams Company-\$399,389

There was discussion regarding the foundation and plumbing of the utilities for the new building construction and there was some discussion regarding the groundbreaking and why Council members were not informed of the event. Mr. Wilson said the committee had discussed scheduling the event for two weeks out and then he was notified the event would be held on the following Monday evening, after the committee's meeting. Mrs. Crawford said there has been no communication between the committee and Council members and no budget has been submitted for review, of the project. Mr. Boggess said the breakdown in communication is not between the fire department members and Council, and suggested she ask Mayor Jones or Mr. Swartout for an explanation as to why Council members were not better informed. Vice-Mayor Helm said Mayor Jones was concerned if Council members were in attendance as a group, the event would be considered a meeting and it wasn't properly advertised. Mr. Clemons said he was asked by Mr. Jeff Morris, Giles County Board of Supervisors member, as to why he wasn't at the groundbreaking, and he was embarrassed to say he was not made aware of the groundbreaking. Mr. Wilson said after he was informed of the event, he contacted Mr. John Butler, Giles County Emergency coordinator and the Rich Creek Lion's Club to include them in the event. Vice-Mayor Helm said Mayor Jones is looking at options available to allow Council members to meet with the committee without it being a violation of VA Code requirements for the meetings involving Council. He said the Giles County PSA and the Giles County Supervisors include a paragraph on their meeting agenda packet that may be added to Council's Agenda, to allow for Council to meet legally with the committee, without violating FOIA. There was discussion regarding the current amount of ARPA funds available and the amount shown on the project "meter" on the front of the town office building and where the additional funds would be acquired, for the construction of the new fire department. Mr. Wilson said the Rich Creek Lion's Club and the fire department have pledged \$25K each towards the project. Mr. Clemons said he understood a budget would be prepared for the project and Council has yet to see a budget to see if the project is feasible. Vice-Mayor Helm said Mayor Jones may have a budget prepared, but he was unable to attend the meeting this evening due to personal reasons. Mr. Clemons asked how the Council can determine there is enough funding available to construct the facility when no budget has been presented. Mr. Wilson said the contractor saw where the groundbreaking was held and asked him if he could expect to be under contract for the project soon and he wasn't sure of what to tell him. He said he recently met with Mr. Swartout and Mr. Kevin Wiley, United Hydraulics owner, to discuss the project and was planning to share the fundraising letter with him to ask for a donation from the company when he found

out Mr. Wiley was upset with the town because he was told his fence would be removed and the road to the new fire department would cross through his property without getting prior consent. Mr. Wilson told Council he unhappy with the groundbreaking being rushed either. Vice-Mayor Helm suggested they table the discussion until Mayor Jones is available to answer Council's questions. Mr. Swartout noted the contractor's bid is only valid until 10/16/23 and no action was taken. Mr. Wilson said the contractor has been waiting four months for Council's decision and has generously extended his bid, with no decision made. Vice-Mayor Helm requested Mr. Swartout contact Mayor Jones tomorrow to discuss with him the concerns raised this evening.

#### A. UPDATE REGARDING VACANT BUILDINGS

Mr. Sam Roberson arrived and asked what Council is doing to discourage the closure of the businesses in town and what they intend to do to encourage new business. Vice-Mayor Helm said Council is looking into enforcing property owners to revitalize their property to make the property more appealing to new business. Mr. Roberson said Hobo Sams is planning to close and with the closure of Walgreen's he asked what Council is doing to work with the businesses. Mr. Swartout reported Mr. Wiley has investors who are interested in Rich Creek properties, and he believes an offer has been submitted to Walgreens, for consideration.

#### D. CONSIDERATION OF NEW TELEPHONE SERVICE LINES AT THE ADMINISTRATIVE OFFICE

Mr. Swartout reported the estimated cost to convert from Verizon to the new voice-over telecommunication services would be \$6K for the equipment and installation. He said the monthly service fee would be \$80-160 for the new lines. Mr. Swartout said the system would later be extended to cover the town shop and the sewer treatment plant. **Mrs. Crawford moved to approve the Blue Ridge telecommunication service and to include a line to serve the fire department with the department paying for the service, and the motion was seconded by Mr. Bradley. Approved unanimously (4-0) by the following vote: Mrs. French, YES; Mr. Bradley, YES; Mrs. Crawford, YES; and Mr. Clemons, YES.**

#### E. DISCUSSION REGARDING GAMING MACHINES

Mr. Swartout provided some information for Council to review regarding the gaming machines and suggested they table the discussion until the next meeting, to allow them time to review the information provided them.

#### F. UPDATE REGARDING VACANT BUILDINGS

Mr. Bradley mentioned the progress of the work being done on the old "White's Market" building and asked how Council can encourage other property owners to fix up their buildings, to make them more appealing to new business. Vice-Mayor Helm requested Mr. Swartout contact Mr. Chris McKlarney to see if the IDA can be of assistance.

### NEW BUSINESS

#### A. CONSIDERATION OF LAND EASEMENT FROM UNITED HYDRALICS

Mr. Swartout noted he was able to work out an agreement with Mr. Wiley for a long-term easement of their property with the understanding the town will replace the fence that is to be removed to make room for the roadway, to properly secure their business property. Discussion was tabled until a contract can be obtained and reviewed for consideration.

#### B. DISCUSSION REGARDING NEW BUSINESSES

Discussed earlier.

#### C. CONSIDERATION OF FENCE INSTALLATION PROPOSALS

There was some discussion regarding the fence placement and the excavation work needed for the new fire department and Vice-Mayor Helm asked Mr. Swartout if the town crew install the fence needed at the Rich Creek Pump Station and also at United Hydraulics and Mr. Swartout replied there is a meeting scheduled with Mayor Jones and Kevin Smith, to further discuss the work needed to be completed.

### TOWN ADMINISTRATION REPORTS

CHIEF OF POLICE-Steve Buckland

Accident Investigations: 1      Alarm Activations: 0      Animal Complaints: 1      Arrest: 2  
Assist to Citizens: 3      Assist to Other Agencies: 1      Bulletins Received: 4

Court Related Activities: 12      Criminal/Narcotic Investigations: 5      Disturbance Calls: 1  
 Fire/Rescue Calls: 0      Property/Business Checks: 75      Reports Submitted: 4  
 TDO Transports: 0      Summons Issued: 0      Training Activities: 2      Town Ordinance Violations Investigated: 3  
 Ordinance Violations:

Failure to keep property clean	Allen's Furniture
Operate business w/o license	HoBo Sams
Animal Complaint	Walnut Street

Criminal Incidents/Investigations:

Filing of False police report	Federal Street
Burglary	Park Hill
Vandalism	Town Park (unfounded)
Assault & Battery	Guynn Road
Domestic Dispute	Dollar General Store

PSA REPORT-Stuart Helm

Vice-Mayor Helm gave a brief report on the PSA projects.

TOWN MANAGER'S REPORT-Mervin Swartout

- September water loss: 8.5%
- The sewer line replacement on Pleasant Street has been completed.
- The new motor for GCSTP has been received and will be installed ASAP. Mr. Swartout said the old motor will be placed in storage, as a spare. He stated the GCSTP permit renewal application is ready for submission.
- Mr. Swartout reported he has spoken with Mr. David Trump (VDOT) and he has agreed to review the signs on Old Virginia Avenue/Powell Mtn. Road and Summit Drive, and to address the problems with large delivery trucks turning onto Summit Drive, after bypassing the JennMar exit.
- A grant for the Lead & Copper study has been submitted by Stevie Steele, CHA company, and Mr. Swartout said Mr. Steele believes Rich Creek qualifies for the grant and he hopes to receive a decision soon on the grant submittal.
- Mr. Swartout reported the repairs on the high lift have been completed and the unit has been returned. There was some discussion regarding the high lift repairs and Mr. Swartout noted the service department reported there were metal shavings found throughout the unit's system and the damage was reported to be a result of the unit being operated on a steep incline/decline at a rate of speed not recommended for proper operation of the unit. Mr. Swartout said there was no warranty on the equipment. Vice-Mayor Helm said he was sure a warranty was included in the cost and Mr. Swartout said the warranty was rejected by the town. Mr. Kantsios said when he served on Council, it was agreed by Council members any needed equipment would be rented for a period of time to see if a purchase would be feasible and he asked what the results of the study were and if the report was reviewed prior to purchasing the high lift. Vice-Mayor Helm said the safety of the employees is a priority and they had used the backhoe in the past for light repairs/installation, saying the high lift was a safer option. Mr. Kantsios said Council approved the expense of training the employees to operate the equipment properly and Vice-Mayor Helm agreed and said any new equipment used, the employees may be unfamiliar with the operation and need further experience on the equipment.
- Wintergreen Commons apartments has four empty units and Mr. Swartout is waiting on a return call from the Department of Housing & Community Development (DHCD) to see what the status is on the Town's agreement with DHCD.
- Mr. Swartout asked Council to consider an incentive to offer the employees to discourage the "use it or lose it" attitude when using their sick time leave hours. He said some have exhausted their vacation leave time and have been using their sick leave hours for additional time off. He suggested a buyback offer be considered for any sick time an employee may have available at the end of the year, to discourage abuse of sick leave. Vice-Mayor Helm suggested Mr. Swartout prepare a proposal and present it to Council at the next meeting, for further consideration.

TREASURER'S REPORT-Pam Kantsios

Balance as of September 1, 2023	\$448,126.67
Receipts	85,557.84
Expenses	<u>103,745.68</u>
Balance as of September 30, 2023	\$429,938.83
Balance as of September 30, 2022	\$584,618.68

**CERTIFICATE OF ZONING COMPLIANCE**

104 Market Road-remodel vacant building into 4 apartments

**PAYMENT OF THE BILLS**

**Mrs. Crawford moved to approve payment of the bills, presented in the amount of \$55,549.29, and the motion was seconded by Mrs. French. The motion was approved unanimously (4-0) by the following roll call vote: Mrs. French, YES; Mr. Bradley, YES; Mr. Clemons, YES; and Mrs. Crawford, YES.**

**ANNOUNCEMENTS**

Halloween will be observed on Tuesday, October 31<sup>st</sup> from 6-8:00 PM.

Mr. Bradley said the proposed \$1,250,000.00 cost of the new fire department, shown on the “meter” out front of the town office building, has citizens of the town questioning how the town is going to pay for a project of this size. Vice-Mayor Helm said the amount was the lowest bid received for the construction of the entire project, and Mr. Clemons said Council doesn’t know yet if the town can afford the building, without a budget being presented/prepared. The consensus of the Council was for all members to participate in all meetings/discussions regarding the project.

With no further business, the meeting adjourned at 8:30 PM.

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Stuart Helm, Vice-Mayor

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Pamela Kantsios, Town Clerk

**EMERGENCY MEETING CALLED-NOVEMBER 1<sup>ST</sup>, 2023**

An Emergency Meeting was called of the Rich Creek Town Council to meet on Wednesday, November 1<sup>st</sup>, 2023 at 5:30 PM in Council Chambers, located at 250 Old Virginia Avenue, Rich Creek, Virginia, with the following individuals present:

Roger Jones, Mayor  
Mark Clemons  
Merv Swartout, Town Manager

Stuart Helm  
Darlene French

Dorsey Bradley  
Joyce Crawford

The meeting was delayed until 6:10 PM, due to Mrs. French being delayed in traffic. Mayor Jones called the meeting to order followed by the Invocation & Pledge of Allegiance

**EXECUTIVE SESSION**

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

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

The meeting was adjourned at 7:20 PM.

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Roger Jones, Mayor

Pamela Kantsios, Town Clerk

## **NOVEMBER 13<sup>TH</sup>, 2023 MEETING MINUTES**

A meeting of the Rich Creek Town Council was held on Monday, November 13, 2023 at 6:00 PM in Council Chambers, located at 250 Old Virginia Avenue, Rich Creek, Virginia, with the following individuals present:

Roger Jones, Mayor  
Mark Clemons, Council  
Mervin Swartout, Town Manager  
William Kantsios  
Francis Epling

Stuart Helm, Council  
Darlene French, Council  
Debbie Morris, Asst. Clerk  
Mason Boggess, RCVFD

Dorsey Bradley, Council  
Joyce Crawford, Council  
Steve Buckland, Police Chief  
Warren Wilson, RCVFD

## **INVOCATION/PLEDGE OF ALLEGIANCE**

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

## **APPROVAL OF THE OCTOBER 10<sup>TH</sup> & NOVEMBER 1<sup>ST</sup>, 2023 MEETING MINUTES**

**Mr. Helm moved to approve the minutes of the October 10<sup>th</sup> & November 1<sup>st</sup>, 2023, meetings, and the motion was seconded by Mrs. Crawford. The motion was approved unanimously (5-0) by the following voting YES: Mrs. French, Mr. Bradley, Mr. Helm, Mr. Clemons and Mrs. Crawford.**

## **RICH CREEK VOLUNTEER FIRE DEPARTMENT-Warren Wilson**

October Activity Report:

Car Accidents: 2                      Fires: 2                      Call Hours: 62

- The activity report was reviewed, and Mr. Wilson provided the treasurer's report for the months of September and October.
- The turbo actuator valve was repaired on Unit 1216 (costing \$2098.20)
- The Annual Christmas Tree Lighting will be held on Sunday, December 3<sup>rd</sup>. Activities will begin at 5:00 PM, with the tree lighting at 6:00 PM.
- The Annual Christmas Parade will be held on Monday, December 4<sup>th</sup> at 7:00 PM.

**Mr. Helm moved to approve the reimbursement of \$2,098.20, payable to the Rich Creek Volunteer Fire Department, for the repair of Unit 1216 and the motion was seconded by Mrs. French. The motion was approved unanimously (5-0) by the following voting YES: Mrs. French, Mr. Bradley, Mr. Helm, Mr. Clemons and Mrs. Crawford.**

## **PUBLIC COMMENT**

Mr. William Kantsios asked Mayor Jones what the outcome was of the meeting held by Council on Wednesday, November 1<sup>st</sup>, 2023 and Mayor Jones said the meeting was held in Executive Session and there was no action taken by Council members.

## **OLD BUSINESS**

### **A. UPDATE ON THE RICH CREEK COMPREHENSIVE PLAN**

Mr. Swartout reported the next meeting is scheduled for Tuesday, November 14<sup>th</sup>, 2023 at 6:00 PM

### **B. UPDATE ON THE NEW FIRE HALL & CONSIDERATION OF A THIRD-PARTY REVIEW**

Mayor Jones reported the Giles County Building Department is requiring a third-party review of all commercial projects, such as the proposed new fire department building. A quote from TMar Engineering PLLC was presented, in the amount of \$4,000, for their services, for consideration. There was some discussion regarding a strip of land located along the road leading to the right side of United Hydraulics Inc., which the company says they own. Mr. Swartout said he has spoken with one of the owners and they have agreed to allow the town an easement on the property, for access to the proposed new fire department site. Mr. Swartout reported the original easement presented would expire in 10 years, so the documentation has been returned to United Hydraulic owners for consideration of extending the length of the agreement or indefinitely. Mr. Wilson asked Council to consider borrowing the remainder of the funds needed, to build a new fire department for the community. He said the current fire department building has no heat, there are problems with the fan, water is still leaching

into the building, creating mold and odor and said discussions regarding a new fire department have been ongoing for three years and he is disappointed and feels Council does not support the department. He said the department members deserve a new building and they have worked hard to get the department to the financial status and the membership it has today. Mrs. Crawford said Council is frustrated too and she is offended by Mr. Wilson's remark saying Council doesn't support the fire department, noting Council has reimbursed the fire department for the repairs they have made to their trucks and she feels Council has been supporting the fire department. Mr. Helm said the fire department, trucks and the equipment belong to the town and the maintenance on the trucks should be paid by the town. He said the Code of Virginia requires the town provide the fire protection service for the residents. Mr. Wilson said the Virginia Department of Fire Program's Aid to Localities (ATL) program supports the department by providing funds annually to the fire department, for the purchase of new equipment. Mayor Jones said some of the delay on the project is due to the appointing of three members of Council to serve on the fire committee, not realizing it would be mandatory when the committee meets, the meeting be advertised for public participation, per the Freedom Of Information Act (FOIA) requirements, Mayor Jones polled Council members and the consensus of all members was for Mr. Swartout to check on a line of credit/loan, from various lending agencies (USDA, the VA Revolving Fund, and local banks). Mrs. Crawford suggested when he gathers the information, a special meeting be scheduled, to review the information. **Mr. Helm moved to approve the third-party review proposal for \$4,000, submitted by TMAR Engineering, PLLC and the motion was seconded by Mrs. Crawford. The motion was approved unanimously by (5-0) by the following roll call vote Mrs. French, YES; Mr. Bradley, YES; Mr. Helm, YES; Mr. Clemons, YES; and Mrs. Crawford, YES.**

#### C. UPDATE ON THE GRANT APPLICATIONS-POLICE DEPARTMENT

Mr. Swartout reported the Town has been selected as one of the five Virginia recipients to be awarded the COPS Grant in the amount of \$92,250. He said the funds would cover the expense of a new police officer for the first three years and the town would be required to extend the job for an additional year or more, at the town's expense. He said additional supplies (uniforms, equipment, etc.) would be needed and the old crown vic could be utilized. **Mr. Bradley moved to accept the grant and the motion was seconded by Mr. Helm. The motion was approved unanimously by (5-0) by the following roll call vote Mrs. French, YES; Mr. Bradley, YES; Mr. Helm, YES; Mr. Clemons, YES; and Mrs. Crawford, YES.** After some discussion, **Mr. Helm moved to transfer \$10,000 from the Contingency line to the police budget and the motion was seconded by Mr. Bradley. The motion was approved unanimously by (5-0) by the following roll call vote Mrs. French, YES; Mr. Bradley, YES; Mr. Helm, YES; Mr. Clemons, YES; and Mrs. Crawford, YES.**

#### D. UPDATE ON NEW TELEPHONE SERVICE LINES AT THE ADMINISTRATIVE OFFICE

Mr. Swartout reported the new telephone system is in service and working well.

#### E. UPDATE REGARDING GAMING MACHINES

Mr. Swartout reported the gaming machines are illegal to operate, as of November 1, 2023, and have to be taken out of service by November 14, 2023.

#### F. CONSIDERATION OF LAND EASEMENT FROM UNITED HYDRAULICS

Tabled until United Hydraulics returns the revised agreement for further consideration.

#### CONT'D-UPDATE ON THE NEW FIRE HALL & CONSIDERATION OF A THIRD-PARTY REVIEW

Mr. Francis Epling said Council members represent the Town and he represents the town citizens, and he would encourage Council to take into consideration the number of residents, who are struggling to make ends meet, if considering increasing taxes to fund the new department and asked why the rush. Mr. Helm said the Council cannot prevent the County's reassessment of real property and he understands Mr. Epling's concern and said he is not in favor of increasing the tax rates. Mr. Epling said he does not understand why they have selected the current location for the new fire department and why the old school building can't be utilized for the facility. Mayor Jones asked Mr. Epling to review the current Rich Creek tax rates and compare them to the rates set by the other towns and the County and he will find Council members have done a great job keeping the tax rates lower than the others.

### NEW BUSINESS

#### A. CONSIDERATION OF PURCHASING NEW TRACKS FOR THE SKID STEER

Mr. Swartout presented pictures of the current condition of the tracks on the skid steer and Mayor Jones said the wear on the tracks is due to the unit being operated on an asphalt surface. Mr. Helm said a trailer was purchased to haul the skid steer to and from the job sites, to prevent this type of wear on the tracks. Mr. Swartout said new tracks will cost \$2,326.46. **Mrs. Crawford made a motion to approve the purchase of new tracks for the skid steer in the amount of \$2,326.46 and the motion was seconded by Mrs. French. The motion was approved unanimously (5-0) by the following voting YES: Mrs. French, Mr. Bradley, Mr. Helm, Mr. Clemons, and Mrs. Crawford.**

#### B. DISCUSSION CONCERNING THE ISLAND STREET LOT

Officer Buckland suggested the Council consider the installation of camper or travel trailer sites on the old sewer treatment property, for the gas pipeline workers. He said each site could be rented at \$400 per month and, after measuring the property, there would be enough room for at least twenty sites. He said the revenue generated could be applied towards the new fire department project. There was some discussion regarding the traffic flow near the entrance to the property and the cost of creating the sites. Mayor Jones said he would estimate the supplies needed, to install the public utilities, would cost approximately \$15,000. Mr. Warren Wilson suggested a screen be installed to keep the area from public view of passersby. **Mr. Helm made a motion to invest up to \$15,000 to create the sites and the motion was seconded by Mr. Bradley. The motion was approved unanimously (5-0) by the following voting YES: Mrs. French, Mr. Bradley, Mr. Helm, Mr. Clemons, and Mrs. Crawford.**

#### C. CONSIDERATION OF CHANGES TO THE EMPLOYEE PERSONNEL POLICY

Tabled until Executive Session

#### D. DISCUSSION REGARDING FACILITY USE

Tabled until Executive Session

Mrs. Morris, Deputy Clerk, asked Council to consider waiving \$312.41 in penalty/interest on a customer tax account, whom is currently set up on a payment plan, with the understanding the customer would be required to pay the entire principal amount due in full. After some discussion, there was no action taken on the request.

### TOWN ADMINISTRATION REPORTS

CHIEF OF POLICE-Steve Buckland

Accident Investigations: 1      Alarm Activations: 0      Animal Complaints: 0      Arrest: 3  
Assist to Citizens: 1      Assist to Other Agencies: 2      Bulletins Received: 4  
Court Related Activities: 12      Criminal/Narcotic Investigations: 1      Disturbance Calls: 1  
Fire/Rescue Calls: 2      Property/Business Checks: 81      Reports Submitted: 1  
TDO Transports: 0      Summons Issued: 0      Training Activities: 1      Town Ordinance Violations Investigated: 0

Ordinance Violations:

None

Criminal Incidents/Investigations:

Larceny

Corner Market

PSA REPORT-Stuart Helm

Vice-Mayor Helm gave a brief report on the PSA projects. He reported the PSA is pushing for the towns to join them in the process of inventorying the Lead & Copper in the water systems and he asked the Council's opinion. He said the grant submission for the PSA and towns was denied and he would recommend Rich Creek begin the lead and copper process on independently now so the town can be in compliance with the Virginia Department of Health's regulations before October of 2024. Mr. Swartout said he has spoken with CHA Consulting Inc. engineers, and they say the Town should be eligible for the grant, which they have submitted the application, and the grant awards should be announced in December. After some discussion, **Mr. Helm made a motion for the Town to move forward independently with the Lead & Copper Study and the motion was seconded by Mr. Bradley. The motion was approved unanimously (5-0) by the following voting YES: Mrs. French, Mr. Bradley, Mr. Helm, Mr. Clemons, and Mrs. Crawford.** Mr. Swartout said he would notify the Giles County PSA director, of Council's decision this evening.



## TOWN MANAGER'S REPORT-Mervin Swartout

- October water loss: 5.2%
- CHA Consulting, Inc. has submitted a grant application for the Lead & Copper Study
- GCSTP permit application has been submitted
- Mr. Swartout and Mrs. Crawford attended a virtual emergency action plan meeting, regarding the Claytor Lake Dam.
- Mr. Swartout reported he and the staff will be participating in additional emergency medical training
- Wintergreen Commons Apartment count as of 11/3/23: 3 empty
- Mr. Swartout reported all the mowers will be sent for servicing.

Mr. Helm requested Mr. Swartout provide an analysis, at the next meeting, of the manlift and any rental equipment the town has used.

Mrs. Crawford asked Mr. Swartout if the supplies to replace the water meter at Gentry's Landing have been ordered and he replied "yes". The Clerk said Council decided the apartment buildings would be placed on one master meter, eliminating the process of reading individual water meters for each of the buildings and she said when the Frazier building was hooked up to the master meter, the entire building was not included. She asked if this is okay or if they want the additional plumbing, eliminating the need to read 4 meters for this property and Council agreed the separate meters for the three business sites on the ground floor would be okay to leave as is.

## TREASURER'S REPORT-Pam Kantsios

Balance as of October 1, 2023	\$429,938.83
Receipts	85,081.55
Expenses	<u>123,833.89</u>
Balance as of October 31, 2023	\$391,186.49
Balance as of October 31, 2022	\$460,718.67

## PAYMENT OF THE BILLS

**Mrs. Crawford moved to approve payment of the bills, presented in the amount of \$45,245.83, and the motion was seconded by Mrs. French. The motion was approved unanimously (5-0) by the following roll call vote: Mrs. French, YES; Mr. Bradley, YES; Mr. Helm, YES; Mr. Clemons, YES; and Mrs. Crawford, YES.**

## ANNOUNCEMENTS

The town offices will be closing at noon on Wednesday, November 22<sup>nd</sup> and will be closed Thursday & Friday for the Thanksgiving holiday.

Mayor Jones asked Council if they wanted a Christmas dinner and **Mrs. Crawford made a motion to approve the Christmas dinner and the motion was seconded by Mrs. French. The motion was approved unanimously (5-0) by the following voting YES: Mrs. French, Mr. Bradley, Mr. Helm, Mr. Clemons, and Mrs. Crawford.**

## EXECUTIVE SESSION

**Mrs. Crawford moved that Council convene in Executive Session for personnel matters, as allowed by the VA Code §2.2-3711, A1 Personnel. Seconded by Mrs. French. Approved unanimously (5-0) by the following vote: Mrs. French, YES, Mr. Bradley, YES; Mr. Helm, YES; Mr. Clemons, YES; and Mrs. Crawford, YES.**

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

## C. CONSIDERATION OF CHANGES TO THE EMPLOYEE PERSONNEL POLICY-CONT'D

**Mrs. Crawford made a motion to adopt a Random Drug and Alcohol Testing policy to be added to the Employee Personnel Policy for all town vehicle and equipment operators, pending the Virginia Risk Sharing Association (VRSA) review and approval, and the motion was seconded by Mr. Helm. The motion was approved unanimously (5-0) by the following voting YES: Mrs. French, Mr. Bradley, Mr. Helm, Mr. Clemons, and Mrs. Crawford.**

D. DISCUSSION REGARDING FACILITY USE-CONT'D

**Mrs. French made a motion to draft a policy pertaining to the Town for use of facilities after hours.** Mr. Kantsios asked when Council discussed the item identified in Mrs. French's motion because the motion to enter into Executive Session was to discuss personnel matters only and he asked for clarification as to when the policy was discussed. Mayor Jones said there currently isn't a policy and Mr. Kantsios asked when they discussed the policy? Mr. Helm said after the policy is drafted, he will understand. Mr. Kantsios asked Mayor Jones for clarification of when Council discussed the item in the motion when the reason for the executive session was for personnel and he doesn't understand the motion when there has been no public discussion on a policy. Mr. Helm said when Council is in executive session, there can be no motions or votes taken until they are in regular session and Mr. Kantsios said he knows that but the motion was made to enter executive session to discuss personnel matters, not a policy. Mr. Helm and Mrs. Crawford said the policy is personnel related and he will understand after the policy is drafted and presented and thanked him for his input. **The motion was seconded by Mrs. Crawford. The motion was approved unanimously (5-0) by the following voting YES: Mrs. French, Mr. Bradley, Mr. Helm, Mr. Clemons, and Mrs. Crawford.**

With no further business, the meeting was adjourned at 10:00 PM.

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Roger Jones, Mayor

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Pamela Kantsios, Town Clerk