

**Narrows Town Council Meeting  
July 13, 2020**

Mayor John Davis called the meeting to order. Council Members present were Clyde Turner, Jonathan Creger, Tom Garrett, Sarah Thwaites, and Joe Goorskey.

Staff members present were Buddy Kast, Susan Kidd, Benji Ratcliffe, and Debbie Thomas. (Dakoda Shrader and Lindsey Caudill were present by telephone)

Councilman Creger gave the invocation.

Council and audience recited the Pledge of Allegiance.

**Public Hearing**

Mayor Davis opened the public hearing for a resolution to authorize bond issuance.

Susan Kidd said the bond issuance is for proposed work on the Lurich Ballfield. The maximum amount of the bond would be \$105,000.

Councilman Creger said he does support this project but he is a little concerned about the cost. It needs to be stressed that the project is completed with this money and the investment be regained from revenues.

Dakoda Shrader said this is an excessive amount of money but this will open opportunities to get a return on investment by offering more programs. They will be able to reach out to an expanded target audience.

Councilman Garrett asked what the term of the bonds was?

Susan Kidd said ten years.

Mike Bedsaul said the first payment would be due August 2021.

Councilman Goorskey asked if this includes bleachers and soccer goals?

Dakoda Shrader said yes.

Councilman Goorskey said he loves this project.

Mayor Davis asked if there were any more comments? Hearing none he declared the public hearing closed.

**Approval of June 8<sup>th</sup> and June 15<sup>th</sup> Meeting Minutes**

**Councilmember Thwaites made a motion to approve the June 8<sup>th</sup> meeting minutes.**

**Councilman Creger seconded the motion.**

**Ayes: Goorskey, Thwaites, Garrett, Creger, and Turner**

**Nays: None**

**Motion Carried 5-0**

Councilman Creger said the June 15<sup>th</sup> meeting minutes have him listed as attending by phone but he was present at the meeting.

**Councilman Goorskey made a motion to approve the June 15<sup>th</sup> meeting minutes as amended. Councilmember Thwaites seconded the motion.**

**Ayes: Turner, Creger, Garrett, Thwaites, and Goorskey**

**Nays: None**

**Motion Carried 5-0**

**Consent Agenda**

Councilman Creger said the SCSEP program at the library is a great idea.

Councilman Garrett asked if Cindy Laws had heard back from the state on the library funding?

Cindy Laws said they were approved for \$14,934.

Councilmember Thwaites asked Cindy Laws how the senior employment program was going?

Cindy Laws said it is working very well and there are other people that are interested in being participants in the program.

Councilman Creger asked Susan Kidd to explain the public safety building.

Susan Kidd said that is the old BB&T bank building. They want to convert it to a fire hall and also move the police department there.

Councilman Garrett asked about the water loss?

Buddy Kast said it was down.

Councilman Garrett asked if they knew how much of their water loss was from leaks and repairs? If the leaks had not happened would they be back at their 25% level?

Buddy Kast said yes.

Councilman Goorskey asked what happened with the water meters and the company we received them from?

Buddy Kast said they replace them 100% with bronze-body meters.

Councilman Goorskey asked if this is when we send them back or do we get some ahead?

Buddy Kast said they have about 100 on the shelf. When they get down to about 20, they will call the company and they will send some more.

Mike Bedsaul said Buddy Kast found out the guy they originally dealt with left the company and that created some confusion between the company and the town.

Buddy Kast said the company keeps sending invoices to pay for the meters the town has received and they have been told we do not owe them money.

Councilman Goorskey asked where the money goes for the grant from the Virginia Department of Fire Programs?

Debbie Thomas said the fire department.

Councilman Creger said he saw where the ARC grant has been approved.

Susan Kidd said she received notice today it was approved. Now they can move forward with purchasing the old Shuff property.

Councilman Goorskey said he saw in several department-head reports that the July 4<sup>th</sup> fireworks were amazing and people loved them. Any consideration of doing them there every year?

Susan Kidd said there is one section of town that could not see them like they used to so that will have to be discussed.

**Councilmember Thwaites made a motion to accept the consent agenda. Councilman Creger seconded the motion.**

**Ayes: Turner, Creger, Garrett, Thwaites, and Goorskey**

**Nays: None**

**Motion Carried 5-0**

### **Communications, Concerns and Requests from the Public**

Mayor Davis said Carl and Mary Cook that live on Depot Street sent a letter complementing the fireworks show. Terry Fisher and Terri Nicholson also complemented the fireworks show.

Lindsey Caudill said she enjoyed the fireworks.

Mayor Davis said fireworks have brought people to the park but not necessarily into the park.

### **Communication from Mayor and Council**

Councilman Garrett said the PSA board met last Thursday. Master meter calibration should happen in July. Financial positions are still holding stable. The PSA is in the process of purchasing an additional trash truck on the normal replacement schedule. They are thinking of going ahead and listing the Orchard Well on the PSA permit as a primary source but the concern is that the health department will put their safety factor of 1.8 on the well and reduce it to the point where it is almost meaningless. If that happens the plans are to appeal it to Richmond and make them show data that says why that well should have that safety message on it. They should get that well back up to the capacity it was running at a year ago. The PSA is working with one of the localities to see if that locality can start handling the billing for the trash. Right now, all the trash billing is done through the treasurer's office and it would be a way of moving that around. He does not know what will happen with that but there may be more to follow.

Buddy Kast said he has been asked by Audre Roberts, who lives at 902 Wolf Street, to check on why the PSA does not pick up her trash sometimes. She usually only has two little bags out to be picked up.

Councilman Garrett said he would check.

Councilman Turner said he would like to thank Police Chief Ratcliffe for the speed limit sign on Roberta Street.

Councilman Goorskey said he would like to discuss calling customers with delinquent water bills right before cutoff day. It seems they consistently have a lot of people that are upset on a regular basis. This is usually due to their own lack of missing a payment, a habitual habit of doing so, or something else. It does seem to be an issue and it causes quite a confrontation in the front office. We all know what happened with the disconnects recently and he feels like a lot of that can be taken care of with a simple phone call. He does not know if there is substantial resistance to making a phone call prior to someone's water being cut off but we can be the town that does that. The customer can be told their water is getting ready to be turned off so they can either pay it or come to the office to set up a payment arrangement. We posted notices all over the place and there were a lot of people that still had no idea their water was going to be shut off. The complaints he heard was that they posted the notice on the door of an office that was closed that people assumed was still closed. The notice was placed in a newspaper that people do not read and was put on Facebook that people do not look at. It was put on their bill but nobody reads that either. That is 100% their fault.

Susan Kidd said it is difficult to communicate with the public.

Debbie Thomas said she would dare say that out of all of their utility customers they not only have a home phone number but some have their cell number listed as well and the percentage of numbers that actually work is not very high. The town sent letters to utility customers to call the office and update their contact information.

Tasha Riddle said only a handful of people called to update their information. She needed to reach a customer this week because they had a returned check. She could not reach them because the phone number on their account was incorrect so she had to mail them a letter. It took them 5 days to contact her.

Debbie Thomas said they reconnected 17 utility accounts that were turned off for non-payment and door hangers were placed on their door that told them their water was being reconnected and because they still had a past-due balance they needed to call the town office to set up a payment arrangement. Only 2 people called.

Mayor Davis said he was out of town when this happened. He did not respond to the emails but they decided and publicized that decision very well. They turned utility accounts off that were in arrears and then put the girls up front in a tight spot by turning around and making a change. He believes that decision was made over a couple of complaints made to a couple of council members. The town is still losing money. They used to call the utility customers but it did no good.

Councilman Garrett said they have also put people deeper into the hole so they may not have a chance of getting their water turned back on because they are deeper in the hole.

Debbie Thomas said she feels they advertised it enough.

Councilman Garrett said he has no problem with a courtesy call being made if the workers in the front office have the time but if they try to make a policy out of it the customers can simply not answer the phone and say they were never called.

Tasha Riddle said the cutoff list is constantly changing. It can change from 9:00 a.m. the day before cutoff day to 9:00 a.m. on cutoff day. She ran a delinquent list today to just get an idea as to how many would have been cut off if they had been doing disconnects. There were 60 people on the list and 4 of those were businesses and there were a couple more that were on payment arrangements or a payment plan due to a leak or various other things. There were 53 people that would have potentially been disconnected today. No one has reached out for a payment arrangement other than the 2 customers last month.

Councilmember Thwaites said she is sorry it caused more difficulties in the office but she thinks some people were under the impression that they kept hearing the August 31 deadline for utilities, even though the town does not fall within the SCC's guidelines.

Mayor Davis said most people had no idea about the SCC.

Councilmember Thwaites said she is not saying that most people know what the SCC is but most people keep hearing through the news the utilities date is August 31. She agrees with Councilman Goorskey that they did everything right, however, given the times we are in, she felt it was appropriate to turn the water back on. She understands what they are saying about the longer you let things go the harder it is to pay. They have given these people another opportunity and some people took advantage of it and maybe some others will. She does not have any misgivings about reversing the decision because she did not realize that people were under the impression that August 31 was the deadline. She also understands they communicated with them in multiple ways. She still feels it was the right thing to do. She has customers that are still waiting on their unemployment to kick in. She believes we are small enough that a phone call can be given to any number we have on file.

Susan Kidd asked when the phone call should be made? The day before disconnect day when there are 150 people on the list or on the actual disconnect day?

Tasha Riddle said it is just hard because the list is constantly changing. She does not mind giving someone a call. She sometimes has people call the morning of disconnect day to say they forgot to put their payment in the drop box and could she wait and let them pay that evening without being turned off. She always tells them that is fine and they are not disconnected if they come in later that day and pay their bill.

Councilman Creger said they abided by the SCC ruling even though they did not have to.

Councilmember Thwaites said she did not think it was even that they had to but the general communication that people heard on the news was that their utilities could not be disconnected.

Councilman Creger said this is similar to the issue they face with the grass ordinance. How many notifications and what makes it legal? He feels most people have a cell phone and they can set a reminder to pay their utility bill and it will pop up to remind them if they need to do that. He does not feel a phone call is going to help the people that are going to have their water disconnected.

Councilmember Thwaites asked if there was any way to have an auto dialer? She understands they would have to have correct phone numbers in the system.

Mayor Davis said that is only as good as the information you put in it. Most people change their phone numbers a lot. Someone has to key all of that information in and a week later some of the information has changed.

Debbie Thomas said a letter was sent to all utility customers that told them to call the office and update their information, such as phone numbers, if anything had changed and they only had around 10 people call.

Councilmember Thwaites is not saying they did anything wrong.

Councilman Goorskey said he appreciates the dialogue that has been opened up and he is hearing some things he did not know about. He knows they placed Tasha Riddle in a tough spot and she probably feels like she had the rug pulled out from under her the next day. They are in a tricky spot because their bosses are also their customers and their bosses are saying they would like to receive more information when they are behind on the bill they owe to the town. He is not saying they develop a policy that states a customer's water will not be turned off if they do not answer their phone. He does want to hear ideas on how they can avoid this. He would like to be able to simply tell someone he knows they received a call but they did not answer it or their phone number was wrong.

Councilman Garrett said the way you do that is if the computer will generate a customer list that includes a phone number on file and a space behind it where you write in the time you tried to call that customer. You have then made a lot more work for the folks in the office for, in his mind, little to minimum benefit.

Councilman Goorskey said he wants to see them try something. He does not want to ignore the fact that they know this is coming so what else can they do to alleviate that. They cannot just sit there and say this is going to be a bad day and tell people it is their fault and we did all we could do. He knows that he did not voice a date to base the disconnect day on, the SCC date gave him that.

Susan Kidd said she had to Google the SCC information before she could find it.

Councilman Goorskey understands people's water bills are going up but all other utilities are facing that too so they are basically offering credit to their customers. He does not like being forced into that spot either. The only thing that will alleviate future arguments is more communication now. He is not saying that is calling 150 customers and 50 of them do not answer, he is not saying he knows how to do that job.

Councilman Creger asked how many calls would have been made if disconnect day was today?

Councilmember Thwaites said it would depend on the day you called.

Tasha Riddle said there was a lot going on in the office today and she and the other two girls were very busy. She did not get to run the delinquent list until 12:00 and at that time there were 60 people on the list. She not only has to re-run the list for delinquent customers but she also has to check the credit card system online to see if anyone has paid online.

Mayor Davis asked if it is permissible to have the ladies discuss what they think would be better and bring it back to the next council meeting?

Council said that was fine.

Tasha Riddle said she would like for council members to come into the office on water disconnect day and see firsthand how it is.

Councilman Goorskey asked Tasha Riddle if she is saying that the guys do not know who is going to be disconnected until they get the final list from the office and get in their truck to go and do disconnects?

Tasha Riddle said yes.

Councilman Creger asked if they could adjust the schedule to where disconnect day is one day and the guys do not go and do disconnects until the next morning?

Susan Kidd said customers are given until 11:00 a.m. on disconnect day to pay.

Councilmember Thwaites said August 31 is right around the corner so she would like for the people that are really in arrears to be contacted to set up a payment plan.

Susan Kidd said they were planning on sending every customer a letter to tell them August 31 is the last day of forgiveness.

Mayor Davis said he believes Councilmember Thwaites is simply saying to contact the customers that are really behind.

Tasha Riddle said she has 2 customers that owe over \$1,000 each and they have not contacted her to set up a payment plan.

### **New Business**

Mayor Davis said they need to approve the resolution to authorize the bond issuance.

**Councilman Creger made a motion to authorize the bond issuance for the Lurich Ballfield, not to exceed \$105,000. Councilman Goorskey seconded the motion.**

**Ayes: Goorskey, Creger, and Turner**

**Nays: Garrett**

**Abstain: Thwaites (because of her affiliation with the First National Bank of Peterstown)**

**Motion Carried 3-1**

### **Unfinished Business**

None.

### **Matters for Consideration by Council**

Mayor Davis said next will be for council to consider approval of the Splash Pad Agreement.

Councilman Creger said his only question is on page 3 concerning the delay fee. The way it reads is if the town should delay the construction of the splash pad they could be charged \$3,000/day. If the company goes over the amount of time allotted to build the splash pad they would only owe the town \$300/day.

Lindsey Caudill said she believes the delay fee for the town was changed to \$300/day on the last revision but Splash Pads USA was not willing to accept that. She may be wrong on that. The only thing that could basically cause a delay for the town would be something like the water line the town has to run. Splash Pads USA has promised her that a representative is going to call Buddy Kast and discuss the location for the water line.

Councilman Goorskey said he would like for Splash Pads USA to be more specific on what they consider a delay that would cause us to pay them. If they miss an inspection do they get \$3,000?

Buddy Kast said the inspections do not fall on the town they would be on Splash Pads USA. If it fails inspection they cannot blame the town for their work.

Councilman Goorskey said Splash Pads USA has listed inspection delays and the town has no control over that. He agrees that it is the company's job to get it inspected. He believes Splash Pads USA thinks the town is the inspecting agent.

Mike Bedsaul said some of the terms they have looked at in terms of the provisions they wanted in there was the town's opinion. For example, they had a provision that if the town did not pay on time there would be a certain percentage added to the bill. They felt like the risk of those provisions ever really having any significance was low because the town already had the money to pay them. The only provision that was outstanding was the town had put in there that Splash Pads USA provide contractual liability insurance and in the latest draft that was received yesterday that had been taken out. The significance of that is there is a provision in the agreement that provides Splash Pads USA to indemnify and hold harmless the town in case some 3<sup>rd</sup> party would have a claim against Splash Pads USA and the town. The purpose of the contractual liability insurance is so if that happened you would have the insurance to pay for the defense on their behalf. The town wants to begin the construction as soon as possible because we are deep into the summer but COVID-19 provided a stumble for this project. He gets the impression from Rick Funk at Splash Pads USA they have other projects to do and could adjust the schedule for the work.

Councilman Goorskey asked why the town is being asked to pull the permit for the splash pad? If the town does that then they are responsible for the inspections.

Susan Kidd asked if they could ask Splash Pads USA to be the permit holder and the clock does not start ticking on getting the site prep done until we get the plans?

Buddy Kast said the town can go ahead and put the water line across the road and if Splash Pads USA could tell the town where they are going to place the building it could save the town around \$700 in placing pipe one way or the other.

Mike Bedsaul asked Buddy Kast if there is a date on the current contract by which if the town had the site plan where he would be comfortable in completing the work and getting the necessary inspections?

Buddy Kast said they could probably get the project done in 3 days, a week for sure.

Mike Bedsaul said the main concern from council about the delay fee would be they could add language that states they require Splash Pads USA to provide the site plan by a certain date or they waive the \$3,000/day delay fee.

Lindsey Caudill said Splash Pads USA will have to pour the pad for the building because they will have to have the water lines run through the concrete pad for the building to sit there for the water recirculating system. Splash Pads USA has also agreed to help remove the asphalt at the tennis courts where the splash pad will be installed as long as the town will dispose of it. They will probably be looking at not having approval of the contract until the second week of August.

Susan Kidd asked if council could approve the contract contingent on the changes?

Councilman Goorskey said that was what he was about to suggest.

Mike Bedsaul said they could do that. He would appreciate if council would articulate in their motion they are approving the contract subject to the following changes and articulate those.

Councilman Garrett said it would be his suggestion on the timing of the information is that it be stated that we receive construction drawings within 10 days after issuance rather than do it the other way around. Once they receive a PO we give them 10 days to 2 weeks to have the drawings to the town. He believes that will give them more than enough time.

Councilmember Thwaites said she is not comfortable approving the contract without the changes.

Mike Bedsaul said another option would be if this is finalized a special meeting could be called for consideration of the agreement.

Mayor Davis told Lindsey Caudill council is going to have to delay the approval of the splash pad contract a few days until they can get back to Splash Pads USA and get some better terms on the loss.

Lindsey Caudill said that was fine.

Susan Kidd said they will try to call a special meeting for this.

Mayor Davis said council is being asked to consider approval of engagement letter from Robinson, Farmer, Cox Associates, PLLC.

Susan Kidd said these are the town's auditors. The price is \$11,700 which she believes is unchanged from last year.

**Councilman Garrett made a motion to approve the engagement letter from Robinson, Farmer, Cox Associates, PLLC. Councilmember Thwaites seconded the motion.**

**Ayes: Turner, Creger, Garrett, Thwaites, and Goorskey**

**Nays: None**

**Motion Carried 5-0**

Mayor Davis said council is being asked to approve the publication of the 2019 delinquent tax list.

Mayor Davis asked if now was a good time to publish the list? He said he would like to wait until after September 10 to publish this.

Councilman Garrett said he would suggest raising the delinquencies to \$75 and not include anything less than that.

Councilman Goorskey said he agrees with that and he also agrees they should not publish the list until September.

**Councilmember Thwaites made a motion to adjourn. Councilman Turner seconded the motion.**

**Ayes: Goorskey, Thwaites, Garrett, Creger, and Turner**

**Nays: None**

**Motion Carried 5-0**

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Clerk, Debbie Thomas

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Mayor, John G. Davis