

**Narrows Town Council Meeting
June 21, 2021**

Mayor Tom Spangler called the meeting to order. Council Members present were Clyde Turner, Sara Bowles, George Conley, Sarah Thwaites, and Joe Goorskey.

Staff members present were Susan Kidd, Benji Ratcliffe, and Debbie Thomas.

Attorney Mike Bedsaul was present.

Councilman Conley gave the invocation.

Council and audience recited the Pledge of Allegiance.

Drawing for #shopped24124

The winner of the #shopped24124 drawing was Sarah Sutphin.

Public Hearings

Mayor Spangler said he would like to open the public hearing on the cigarette tax increase.

Bobby Lucas said he is against the cigarette tax because it will affect four businesses that are in town. There is one business that is just outside of town that may benefit from this because when customers keep seeing the tax increasing that may be where they purchase their cigarettes. He hopes that town council will not increase the cigarette tax. The past year has been hard with COVID-19 and the last thing they need is to have this burden placed on top of them.

Carol Spangler said she agrees with everything Bobby Lucas just said. If the town does increase the cigarette tax, where is that money going? It does not affect her because she does not smoke and has never smoked a day in her life. She believes local businesses will suffer because of this and citizens will shop somewhere else because they will not want to pay an extra .25¢/per pack. She would like to address George Conley. She is here tonight to let him know that the people of Narrows are very proud of him for standing up for all of them. Keep up the good work.

Pam Dunn said she does not smoke, it is a nasty habit, but her husband does. She has already started buying his cigarettes in Pearisburg because the cigarette tax has been raised in Narrows once, maybe, but they should not have to tax something a person uses. It will affect businesses and she has gotten to the point where she does not think any of them cares. They need a town manager and if they did not realize that last week sitting here in that mess when people were demanded to resign and all of that stuff. That is what you have a town manager for. These rumors about everyone is getting fired and everybody is going to do this are totally untrue. She does not think that any word about being fired has ever been brought up. They do need a town manager because that is what he is for. Someone that lives inside the town limits that knows these people. She asked Councilmember Bowles if she had a comment?

Councilmember Bowles said or she.

Pam Dunn said or she, that is true. They have to live within the town limits. Unfortunately, when they decided to not have the charter changed that was a mistake on their part. They meant it: they do not want the charter changed. The town manager is supposed to live within these limits. Everything that they do should affect them like it does the people around them. They should not be running around here willy-nilly handing out money and then taxing them. A bonus is one thing but some of the bonuses that went out of the town office at Christmas is a whole different story. That was close to \$28,000 if they calculated it right. She has lived here her entire life. Her family, and let her put that plain and clear, settled this town. The Hare's, the Hale's, the French's, and the Browning's. They all owned the biggest part of this town and have at certain times. They would be rolling over in their graves if they had seen what is being done to it. There should not be any back-door politics. It should not be "I'm gonna quit". If you want to quit, quit, and then ask them if they care? No. You do not go behind doors.

Susan Kidd asked Pam Dunn if she was talking to her?

Pam Dunn said don't you say mam.

Councilman Goorskey said excuse me and told Pam Dunn if she could not be respectful to sit down.

Pam Dunn told Councilman Goorskey to stay out of it.

Councilman Goorskey told Pam Dunn if she could not be respectful then they would have to ask her to stop speaking.

Pam Dunn said she respectfully says if they want to go behind closed doors and talk about her and she wants them to know they have a leak, and it is as big as the Mississippi. Their executive sessions are no secret. They all know not 20 to 30 minutes after a council meeting what goes on behind those doors. She was discussed in that last meeting, and she was told "I'll quit". And then go behind her back and approach Mr. Spangler, which is fine he is a good man and she likes him. But if they have a problem with her she will settle it by face-to-face. You walk into the town office now and it is hostile, the employees are starting to get hostile and she would never have the nerve to come in here and demand that any council member resign their seats. People voted them in and they will leave that way. She told Councilmember Thwaites that she understands she will be leaving in 60 days. Is that true?

Councilmember Thwaites said she will be leaving in a period of time.

Pam Dunn said if Councilmember Thwaites leaves anywhere near the special election they would like her seat to be held until then. They have a list of people that intend to run for that seat and they just have to figure out which will be their best bet. People can get mad and she will tell everyone of them, respectful or not disrespectful, to their face. She does not go behind a closed door. She said yes ma'm but that is not what she hears but she would be careful who she tags her wagon to because that could eventually come back

to bite them. She comes in on nobody's coattails but her own. She has an opinion and that flag gives her the right to have it. She has walked into these meetings and has been snickered at, laughed at, told to sit down like she does not have a right to be here. She has been heckled, and yes Susan she is talking to you politely so, the entire time she was talking. And if they do not believe her, he was here, she was here, they were all here. A man that she shares grandchildren with. So, from this point forward they have stimulus money coming in, and she sees no need to raise a tax. They have money they can give out for bonuses. Let us try giving to the citizens of the Town of Narrows, the ones they took an oath to represent. And if Councilman Goorskey would like to research it by all means do it. She congratulated Mr. Spangler. She thinks he will be a good mayor and she appreciates him taking the time to serve the town. As far as the rest of them, they can do what they feel they need to do but they need to do it out in the open. Do not go behind people's backs. They have a leak as big as the Mississippi and they need to find it because this meeting will be discussed, everything including the executive session, 20 minutes after they leave council chambers.

Mayor Spangler thanked Pam Dunn for her comments, but this discussion is about the cigarette tax increase.

Pam Dunn said she knows it is about the cigarette tax increase but if she had not gotten up to speak and there was not someone to tell her to sit down and shut up, she would have sat back there and turned purple because they wanted to. They were not at these meetings. If she did not do it now, she never would because she would never be allowed to. Thank you.

Mayor Spangler asked if there were any other comments on the cigarette tax increase? Hearing none, he declared the public hearing closed.

Mayor Spangler said he would like to open the hearing on the disposition of the Boy Scout property.

Carol Spangler asked where the Boy Scout property was located?

Councilman Goorskey said up on Piney Mountain. He guessed it was called Boy Scout Camp Road. There may be a right-of-way access road off of Stockpen.

Councilman Conley said it is up behind Blankenship Addition.

Carol Spangler asked if they want to sell the property?

Councilman Goorskey said they wanted to entertain offers. They have heard there may be several people wanting to make offers on the property. The property was gifted to the town in the 1930's. At that time, it was discussed that the state would put in a scenic byway and the area could be used as a park. That road was never constructed and the property was never really used. It is sitting there vacant and if people are interested in it he does not know if the town has any ties to it or any use for it so it could be put back in the tax base somewhere.

Pam Dunn asked if there were any buildings on it?

Councilman Goorskey said no.

Roger Browning asked how much land there was?

Mike Bedsaul said around 6 acres. There is a copy of the deed on file in the town office.

Roger Browning said he had never heard of it.

Councilman Goorskey said it was called the Boy Scout Camp but was never used for that purpose.

Carol Spangler asked if they would be listing it with a realtor to sell it?

Councilman Goorskey said they are simply asking if anyone is opposed to selling it if they received an offer. He had a friend that said he had been approached by a gentleman that wanted to know if the town would be willing to sell it. A few other people said they may be interested in buying it.

Pam Dunn asked how far back they searched the deed?

Mike Bedsaul said 1935.

Pam Dunn asked who was the original owner?

Mike Bedsaul said the original owner was R.T. Linkous and Carrie J. Linkous. The deed was dated April 24, 1935.

Pam Dunn asked if there were any heirs or descendants?

Mike Bedsaul said it was conveyed to the town in 1935. Whenever a locality considers selling or disposing of its property they have to hold a public hearing to see what the public thinks about it.

Pam Dunn asked where the money would go?

Mayor Spangler said it would go to the general fund.

Mike Bedsaul said that is correct.

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

Appointments/Reappointments

Mayor Spangler said next are reappointments for the clerk/treasurer and the chief of police. He would like to entertain a motion to reappoint these positions.

Councilmember Thwaites made a motion to reappoint Debbie Thomas as Clerk/Treasurer. Councilmember Bowles seconded the motion.

Ayes: Turner, Bowles, Conley, Thwaites, and Goorskey

Nays: None

Motion Carried 5-0

Councilmember Thwaites made a motion to reappoint Benji Ratcliffe as Chief of Police. Councilman Goorskey seconded the motion.

Ayes: Turner, Bowles, Conley, Thwaites, and Goorskey

Nays: None

Motion Carried 5-0

Unfinished Business

Susan Kidd said this is concerning the request from Hank Renovations that was discussed last week. She spoke to the utility clerk and she thought they asked to have the sewer portion of their utility bill waived. They can do 2 ten-day connects for up to 2 weeks and have a lower rate but they want to leave the water on at their house they are getting ready to sell. Tasha Riddle's recommendation was that if they go over 1,000 gallons of usage it reverts to a regular utility bill.

Councilman Goorskey asked if they would be comfortable with this same request from anyone else that wants to sell a house in town.

Susan Kidd said she had asked Tasha Riddle if this had been done for anyone else before and she said no.

Councilman Conley said he believes they are opening a Pandora's box. He has a neighbor and his father passed away. The house has been in a realtor's hands for over a year. He has received no relief and has been paying for the water to stay on, mainly for insurance.

Councilman Goorskey said there are so many unforeseen circumstances that could be the same as this.

Councilman Goorskey made a motion to deny the request from Hank Renovations. Councilman Conley seconded the motion.

Ayes: Turner, Bowles, Conley, Thwaites, and Goorskey

Nays: None

Motion Carried 5-0

Matters for Consideration by Council

Councilman Goorskey made a motion to amend the agenda to switch items 1 and 2 under Matters for Consideration by Council. Councilmember Thwaites seconded the motion.

Ayes: Turner, Bowles, Conley, Thwaites, and Goorskey

Nays: None

Motion Carried 5-0

Mayor Spangler said council is being asked to approve the cigarette tax increase. Is there any discussion?

Councilman Goorskey made a motion to approve the cigarette tax increase to .25¢/pack. Councilman Turner seconded the motion.

Ayes: Turner, Bowles, Thwaites, and Goorskey

Nays: Conley

Motion Carried 4-1

Mayor Spangler said council is being asked to approve the FY22 budget. Is there any discussion?

Councilmember Thwaites made a motion to approve the FY22 budget.

Councilmember Bowles seconded the motion.

Ayes: Turner, Bowles, Thwaites, and Goorskey

Nays: Conley

Motion Carried 4-1

Mayor Spangler said council is being asked to approve the disposition of the Boy Scout property. Is there any discussion?

Councilman Turner made a motion to approve the disposition of the Boy Scout property. Councilmember Thwaites seconded the motion.

Ayes: Turner, Bowles, Conley, Thwaites, and Goorskey

Nays: None

Motion Carried 5-0

Mayor Spangler said council is being asked to consider resuming water cut offs pending the end of the state of emergency. Is there any discussion?

Councilmember Thwaites made a motion to resume water cut offs on August 10, 2021, pending the end of the state of emergency and to adopt the proposal they have been presented, resuming penalties and disconnections of all delinquent accounts.

Councilman Turner seconded the motion.

Ayes: Turner, Bowles, Conley, Thwaites, and Goorskey

Nays: None

Motion Carried 5-0

Councilmember Thwaites made a motion to go into executive session to discuss Personnel Matters (Sec. 2.2-3711.A.1) and Real Property (Sec. 2.2-3711-A.3).

Councilman Turner seconded the motion.

Ayes: Turner, Bowles, Conley, Thwaites, and Goorskey

Nays: None

Motion Carried 5-0

Councilmember Thwaites made a motion to return to open session. Councilman Goorskey seconded the motion.

Ayes: Turner, Bowles, Conley, Thwaites, and Goorskey

Nays: None

Motion Carried 5-0

Certification

WHEREAS, the Town of Narrows, has convened an executive meeting on this date pursuant to an affirmative-recorded vote and in accordance with the provision of the Virginia Freedom of Information Act: and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification of the Town Council that such executive meeting was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED THAT THE Town of Narrows hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia Law were discussed in the executive meeting to which this certification resolution applies: and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Town Council.

ATTEST: _____

Councilman Goorskey made a motion to accept the certification. Councilmember Thwaites seconded the motion.

Ayes: Turner, Bowles, Conley, Thwaites, and Goorskey

Nays: None

Motion Carried 5-0

Councilmember Thwaites said she had a letter to read concerning her resignation from council. (The letter she read is attached to these minutes) Her resignation will be effective July 13th.

Susan Kidd said Mike Bedsaul shared some information with them today that had slipped through the general assembly. House bill 2063, the overtime wage act, states that after July 1, 2021, the town can no longer offer comp time to employees, and they will have to be paid overtime. This will change the bottom line of the budget quite a bit because they have lot of employees who choose to take comp time.

Mike Bedsaul said for years the Fair Labor Standards Act gave the right to employers to give comp time instead of overtime pay for anything over 40 hours.

Councilman Conley asked if this includes sworn police officers?

Mike Bedsaul said yes, this is something that will apply to all public employees. Right now they are looking at the issue of how fire and law enforcement personnel will be treated in this. That part is a little fuzzy as to whether or not fire personnel and law enforcement employees will continue to be eligible to receive comp time in lieu of overtime wages. What he sees is Virginia's new law preserving the 28-day work period that law enforcement employees can work but it is not allowing for compensatory time for law enforcement and fire personnel. That is his reading of it.

Councilman Conley said they were paying law enforcement personnel after 171 hours: will they have to pay them now after 160 hours?

Mike Bedsaul said no. If law enforcement employees are working up to a 28-day work period, then they can actually work them up to 171 total hours in that 28-day work period before they have to start paying them overtime. For fire personnel it is 212 hours. It used to be that anything over the 171 hours the locality could offer comp time in lieu of overtime wages but starting July 1, 2021, they will have to be paid overtime.

Councilmember Thwaites asked Susan Kidd if she had done any estimates on what this may cost?

Susan Kidd said no because they just received the notification today. She knows there is an employee that works in the water department that had over 200 hours of comp time and she asked them to start using it. That is 200 hours they would have been paid overtime for.

Mike Bedsaul said the new law does not affect comp time they have already accrued.

Susan Kidd said a lot of employees would prefer to have comp time in lieu of overtime pay.

Mike Bedsaul said they hope there will be a legislative fix to this because when they decided on this they may not have been looking at all of these issues.

Susan Kidd said there is a business on the east end of town that has not purchased a business license. It has gotten unsightly and we have had several complaints. Police Chief Ratcliffe was finally able to run down a person there and speak to them and he said he would come in and get a business license. He was given 2 weeks to do this and the 2 weeks was up last week. The business should be shut down but they need to know if council wants them to do that.

Councilmember Thwaites asked what else could be done?

Police Chief Ratcliffe said he could either be shut down or he could be served a notice on every vehicle he has out there.

Councilmember Thwaites asked how much was a business license?

Debbie Thomas said \$32.25 for the first year.

Councilman Goorskey asked Police Chief Ratcliffe what it means when he says he will serve a notice on every vehicle?

Police Chief Ratcliffe said it means he could be charged up to \$200/day on each vehicle.

Councilmember Thwaites asked approximately how many vehicles are there?

Susan Kidd said there are more than ten.

Councilmember Thwaites said they have a lot of issues and complaints on various properties and she somehow feels that they do not intentionally not tackle those because last year and this year have been full of other things. Getting back to normal and addressing people's concerns needs to start again so she believes it's time to start with citations.

Councilman Turner said the business owner is running vehicles through there around 10:30 p.m. – 1:00 a.m.

Police Chief Ratcliffe said he spoke to the business owner, and he said he had one employee and that person no longer works there because he stole some items from him. The business owner said he had some health issues and his stepson had just had surgery in Morgantown. He assured him he would come to the town office and purchase a business license, but he has not.

Councilman Goorskey asked Police Chief Ratcliffe what he meant by serving notices or shutting down his business?

Police Chief Ratcliffe said it would have to go through the court.

Councilman Conley said there are other businesses in town that are abiding by the rules so they need to put him in conformity with the law.

Police Chief Ratcliffe said he can deal with it but just wanted to make council aware.

Susan Kidd said they are still looking for help at the park gates on July 4th. She thanked Mayor Spangler for volunteering to help.

Councilmember Bowles said she wanted to discuss next month's council meeting. She spoke with her husband Brian Bowles, who is the principal at Narrows High School, about using the auditorium to recognize the high school sports teams. He said it was fine as of right now, but the school does not have the same leniency as far as not having to wear masks and if this is held inside the number of people that would be in attendance would be too many. This will need to be held at the town park.

Councilman Goorskey said he wants to recognize these sports teams and these kids because they have done an amazing thing this year.

Roger Browning asked if the town had checked with the Hale family to see if they can charge a fee to get into the splash pad?

Councilmember Thwaites said there is not a charge to get into the park but there is a charge to get into the splash pad area.

Roger Browning asked if that had been cleared with the Hale family because the best he remembers the grant they gave said they could use the park anytime but could only charge to get in on July 4th.

Mayor Spangler said the only time they can charge to get into the park is on July 4th, that has not changed. With the amount of money it cost to build the splash pad, and with a town this small, they would have to do something to recover the cost.

Roger Browning asked who takes up the money for the splash pad?

Councilman Turner said there is someone at the splash pad building taking up money. Councilman Goorskey said they hired staff to monitor the splash pad and take admissions.

Roger Browning asked why they had not hired staff to sit in the lifeguard chair? He sat there for 5 years. It is like the kids do not mean anything.

Councilman Goorskey said they used to have the ability to dam up the creek, but they cannot do that anymore. When the rec dept has basketball tournaments at the park do the teams get to play for free?

Susan Kidd said no.

Councilman Goorskey said they are paying for a function at the park. People love the basketball tournaments at the park.

Roger Browning said he coached little league ball for over 20 years.

Councilman Goorskey said he has coached little league ball for almost 10 years.

Roger Browning said he has pulled someone from the creek at the park that was drowning. They do not need to allow floats at the park.

Councilman Goorskey asked Roger Browning if he had any complaints about how much money in the town's budget went toward salaries? He understands the safety of children is a huge concern in this town but in order to put a lifeguard there they will have to pay them and that would increase salaries.

Roger Browning asked if the person working at the splash pad is doing it for nothing?

Councilman Goorskey said no. The money they are collecting for the splash pad pays for their salary while working at the splash pad. He asked if they were suggesting a charge for people to swim at the park?

Pam Dunn said no but Roger Browning wants them to check the wording because the only fee they were to charge to get into the park was on July 4th.

Councilman Goorskey asked if they had the wording in front of them or was he to take their word as that is exactly how it is stated? He is not stating how it is, they are.

Roger Browning said the wording is somewhere as to what the Hale's wanted.

Councilman Goorskey said he believed they had discussed this about 2 years ago. He believes they cleared this up then, but they will find the wording.

Susan Kidd said the property was deeded to the Town of Narrows.

Pam Dunn asked if they had coverage on the splash pad if someone was hurt?

Mike Bedsaul said yes.

Councilmember Bowles said July 12th will be the next council meeting.

Mike Bedsaul said the town will have to advertise holding a portion of the council meeting at the park.

(On July 12th, Council will meet at the Narrows Town Park beginning at 6:00 p.m. for recognizing the high school sports teams. After this, council will hold the regular council meeting in council chambers at 7:30 p.m.)

Susan Kidd said they could do plaques or certificates.

Councilmember Bowles said they could do certificates for each team.

Councilman Goorskey said they could ask the Virginian Leader to be at the park to take pictures.

Councilman Goorskey made a motion to adjourn. Councilmember Thwaites seconded the motion.

Ayes: Turner, Bowles, Conley, Thwaites, and Goorskey

Nays: None

Motion Carried 5-0

Clerk, Debbie Thomas

Mayor, Tom Spangler