

**Narrows Town Council Meeting
July 12, 2021**

Mayor Tom Spangler called the meeting to order at the Narrows Town Park. Council Members present were Clyde Turner, Sara Bowles, George Conley, Sarah Thwaites (arrived late), and Joe Goorskey.

Staff members present were Lindsey Caudill, John Davis, Susan Kidd, Cindy Laws, Benji Ratcliffe, and Debbie Thomas.

Attorney Mike Bedsaul was present.

Mayor Spangler gave the invocation.

Council and audience recited the Pledge of Allegiance.

Councilman Turner and Councilman Goorskey presented recognitions to the following teams from Narrows High School and their coaches for a remarkable year:

- Boys Basketball - Region 1 C Runner Up
- Volleyball - Pioneer District Regular Season and Tournament Champions
- Football - Pioneer District Champion and Region 1 C Runner Up
- Scholastic Bowl - Pioneer District Champions
- Boys and Girls Track - Pioneer District and Region 1 C Tournament Champions
- Girls Tennis - Pioneer District Regular Season and Tournament Champions
- Boys Tennis - Pioneer District Regular Season Champions
- Theatre - Region 1 C Champion and 1 A State Runner Up

Councilman Turner stated that faculty and staff also needed to be thanked.

Councilman Goorskey thanked everyone for their hard work. Even though they had restrictions because of COVID-19 they still kept going.

Councilmember Bowles made a motion to recess the meeting at the park shelter and to reconvene at 7:30 p.m. in council chambers. Councilman Goorskey seconded the motion.

Ayes: Turner, Bowles, and Goorskey

Nays: None

Motion Carried 3-0

Councilman Conley made a motion to reconvene the council meeting in council chambers. Councilman Goorskey seconded the motion.

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

Nays: None

Motion Carried 5-0

Approval of June 14th and June 21st Meeting Minutes

Councilman Goorskey made a motion to approve the June 14th meeting minutes. Councilman Turner seconded the motion.

Ayes: Turner, Bowles, Conley, and Goorskey

Abstain: Thwaites

Nays: None

Motion Carried 4-0

Councilman Conley made a motion to approve the June 21st meeting minutes. Councilmember Bowles seconded the motion.

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

Nays: None

Motion Carried 5-0

Consent Agenda

Mayor Spangler asked if there were any questions about the library report? Hearing none he asked for the library report to be approved.

Councilman Turner made a motion to approve the library report. Councilman Conley seconded the motion.

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

Nays: None

Motion Carried 5-0

Councilman Turner asked Police Chief Ratcliffe for an update on the homicide investigation from last week.

Police Chief Ratcliffe said he can make a brief statement concerning that. Last week, the Narrows Police Department was called to the New River Apartments on Roberta Street and upon arriving found Woody Palmer, who was deceased. After their investigation they charged and arrested Mary Huskey Palmer. She has been charged with second-degree murder and the use of a firearm in the commission of a felony. It is still an ongoing investigation so he cannot comment any further. He would like to thank the Giles County Sheriff's Office and the Pearisburg Police Department for assisting the town. He is very proud of Lieutenant Jimmy Joe McCroskey for overseeing the investigation. He has put in countless hours on this job.

Councilman Turner asked if there was any way John Davis could give council a listing of water leaks for each month so they can compare them?

John Davis said he can.

Councilman Goorskey asked what day the workers began working at the concession stand?

Lindsey Caudill said she believes June 17th. They now have 4 workers at the park every day.

Councilman Goorskey asked if there was any way to open the window at the concession stand?

Lindsey Caudill said they could be she believed it was dead bolted to the brick.

Councilman Goorskey said it would be nice if that window could be open so people would know the concession stand was open. It would also be nice for it to be open so people can see what is going on under there.

John Davis said it will open but it was shut the way it is because of the vandalism that was done in the past.

Councilman Goorskey asked if the contractor had been notified of any issues with the splash pad?

Lindsey Caudill and John Davis said yes.

Councilman Goorskey asked what was their response?

John Davis said they were told to put silicone in the bucket so it will not tip and they tried that but it did not help. The buckets are weighted on one side and are sitting at an angle so when they get full they are supposed to tip. The contractor said they could replace the bucket but it would be a while before they could do so.

Councilman Goorskey asked if they have been documenting the conversations by backing them up in an email or anything like that?

Lindsey Caudill said she sent an email to them around the middle of June and copied John Davis and Susan Kidd.

Councilman Goorskey said he does not know how long they should wait before they file a complaint with DPOR. He has dealt with these contractors through his company and they have a terrible response time.

John Davis said he believes the contractors are willing to work with the town.

Councilman Goorskey asked about the water loss. There is a piece of the splash pad that shoots water but the problem is the water can be shot off of the pad and that water cannot be recirculated. This is a significant water loss and will cost the town. These things need to be fixed by the contractor. The pad should retain and recycle its own water.

John Davis said he will reach out to the contractor concerning these items.

Mayor Spangler asked if there was a way to have better ventilation in the concession stand?

Lindsey Caudill said they have a portable air conditioner in there but it does not seem to help very much. They also have fans. It would be nice if a window air conditioner could be put in.

John Davis said they also need to look at ventilation for the building at the splash pad.

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

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

Nays: None

Motion Carried 5-0

Mayor Spangler said they will now recognize Councilmember Sarah Thwaites.

Councilmember Thwaites was presented with flowers and a plaque in recognition for the years she has served on the Narrows Town Council.

Mayor Spangler said he would like to thank Sarah Thwaites for the years she has served on the Narrows Town Council.

Sarah Thwaites said she was thankful for serving on the Narrows Town Council.

Communications, Concerns and Requests from the Public

Tom Garrett said the Fourth of July was a very good event this year but he has some suggestions for next year. He was upset because of the empty shelters and hopes the American Legion can come next year. A lot of people came in and wanted to pay with a debit card. He sees that being an increasing problem in the future. He would like to suggest keeping the blow ups and splash pad open later. He really enjoyed the fireworks from his porch and that is the problem. They are now asking people to leave the park to watch the fireworks, and that should not happen. He is thinking maybe having the fireworks at the Orchard tank is a better option. He does not have an answer but if they start thinking about it now they should have an answer next year.

Communications from Mayor and Council

Councilman Goorskey said he did not make the last PSA meeting. They are still just talking with Pembroke right now. Kevin Belcher is supposed to come and talk with council at some point.

Mayor Spangler said Councilman Turner is asking for a citizen comment registration. His request is as follows:

Mayor, town council members,

I would like to request we set a time limit on hearing concerns from citizens. I ask that we also announce at the beginning of our meetings the time limit, and impress upon the public that they only address the agenda, public works concerns, town park issues, rec

department, etc. We should impress upon our citizens that personal attacks on the mayor, town employees and town council members will not be tolerated, and citizens will be asked to sit down, or leave the building.

We are here to build up our town, not to tear it down. We are here to accept citizens concerns, suggestions on enhancing our town, proposals for changes, and addressing current concerns.

If a citizen has a personal issue with a council member or town employee, those issues should be expressed privately with their supervisor or the mayor. A town council meeting is not the format for personal attacks.

Susan Kidd said Debbie Thomas is passing out to council a form that the county uses for citizen comment registration.

Councilman Goorskey is in agreement with setting time limits. It helps with the flow of the meeting and how many people to expect. Does this limit free speech in any way the way it is worded?

Mike Bedsaul said it does. You have localities establish rules that relate to this. They usually have a set policy that is limited by time (3 minutes is standard). They cannot set a limitation on the content of what is said during the public comment section. If their conduct is disruptive to the meeting, they could be asked to leave. Some localities keep up with the time given to speak. He would discourage them from placing a limit on the content.

Councilmember Thwaites asked Mike Bedsaul if he had a problem with the form the county uses?

Mike Bedsaul said not at all.

Mayor Spangler said if they decided to do this they would need a device to keep up with the 3 minutes.

Debbie Thomas asked who would be responsible for keeping up with the time?

Councilman Goorskey said the mayor.

John Davis asked if this was a major issue? Sometimes a public comment may take more than 3 minutes. He believes people have a right to their opinion in a respectable manner.

Mike Bedsaul said this type of form also limits public comment to the public section of the meeting. In the past, comments have been made throughout the meeting.

Councilman Goorskey said public comments should be able to be made. He did not like some of the comments that came from the podium at the last meeting but that does not mean they are not allowed to say them. There are times he wants to make comments about his government and his government officials, and he lives in a country that allows him to say that and say it in terms they do not like. What he does not like is the disruption in the flow of the meeting. Maybe there does not need to be a time limit. In recent meetings people have been commenting during times in the meeting they should not be, and this disrupts the meeting. The person taking the minutes can also be disrupted.

Tom Garrett said this has come up before. There have been citizens that have spoken for a long time for years and years. He would ask that this not be looked at until it is an ongoing problem.

Councilman Conley said the charter states that the mayor shall preside over the meetings.

Mayor Spangler said he has heard a few comments that were uncalled for, and it is unfortunate, but it is a part of life. They should address these issues when they come up. Maybe they should table the issue until it becomes a problem.

Councilman Turner said the reason he is requesting this is because of the last council meeting. When you get off of what you are supposed to be talking about and personally attack someone that is a problem. Bringing family members into it is another problem. He is against personally bashing someone.

Mayor Spangler said if someone decides to personally attack someone during a council meeting, they are disrupting the meeting.

Mike Bedsaul said in his opinion, no. They will have to be content neutral with this policy. He does not disagree with Clyde Turner's sentiments as a matter of civility, respect, and human decency but the reality is that if they try to limit the content on what someone says during the public comment section, they run the risk of someone filing a court action for an injunction to stop them from doing that. It abridges their first amendment right. The first amendment does protect statements that offend others. If you call a public hearing on a specific topic, such as approving a budget, they certainly can limit the content to that which is relevant to the topic of the public hearing. If you have a public comment section then it has to be open. If they come up to speak and are banging their fist in front of a council member or decline to sit down and go over the time limit that is being disruptive to the meeting. If council decides to adopt this form they need to set a time limit on comments because that is neutral. For someone that approaches the podium and states how great the Fourth of July was they have 3 minutes. For someone that approaches the podium and says inappropriate things and makes your blood boil they have 3 minutes. It applies to everyone.

Mayor Spangler asked if it was necessary to put a three-minute time limit on what someone has to say?

Councilmember Bowles asked if this could be case by case?

Mike Bedsaul said if it is a set policy it could be more neutral.

Councilman Conley asked if there were 40 people present at a council meeting could the mayor make a statement that each person will have 3 minutes to speak?

Mike Bedsaul said they could do that. He does discourage council from adopting a policy that limits what someone can say.

Councilman Conley said he would like to thank Councilman Turner for submitting the request and it is a great idea. The mayor should handle this and he does not believe a policy needs to be adopted for this.

Councilman Turner said they could table this for now and maybe bring it up later. He just hopes everyone understands where he was coming from.

Councilman Goorskey said he would like to bring this up again. He does not want anyone bashing town employees, but he understands free speech allows people to say what they want.

Councilman Turner said he has been approached by several citizens about the flags in town. He would like for the flags to be put up right before Memorial Day and leave them through July 4th.

John Davis said they could do this, but the flags will fade faster by being out in the weather. This will happen faster to the ones hanging on the bridge.

Councilman Goorskey asked how much the flags cost and could they add it to the budget? He likes this idea.

Councilmember Bowles said she thinks this is a good idea.

Mayor Spangler asked if there were flags that could be purchased that are more fade resistant?

Councilmember Thwaites said they have tried several flags at the bank, and they still fade. She would rather not see the flags being beaten to death by the wind and faded by the sun. If they are left out this amount of time they will need to be replaced.

Mayor Spangler said before they vote on this Lindsey Caudill and John Davis can get together to see how much the flags will cost to replace.

Mayor Spangler said, according to Tasha Riddle, if water disconnects had been done today there would have been 84 accounts on the list with a total delinquent balance of \$17,622.21. This is after she took off people with leaks that are on a payment plan or those that come in to pay after she calls them with an adjustment. The total of delinquent balances, including those on payment plans, is \$20,696.50. Three of these are business accounts.

Susan Kidd said they are not able to disconnect water right now and they usually do not cut off businesses but give them a courtesy call. These businesses always wait, each month, for a courtesy call. Tasha Riddle wants to know if these businesses can be given one courtesy call per year and after that call be turned off. When you are not calling the 80 residential people that are on the cutoff list but call the 3 businesses that seems a little unfair.

Councilmember Thwaites said she certainly feels that Tasha Riddle knows when it is unusual for someone to be past due and knows the repeat offenders.

Susan Kidd said council voted to resume utility cutoffs on August 10th but now they have to wait until September. They have sent letters to everyone and will place an ad in the paper. To date, one person has called about their delinquent bill. There was money from COVID to help pay people's water bills and they helped around 10 families.

Councilman Goorskey said he still believes they can call 80 people to tell them their water is going to be disconnected, every month, every time. He can do it in a day. These are just his feelings on it.

Susan Kidd said they do not have numbers for all of these people.

Councilman Goorskey said that makes the list shorter, so it does not take that much time to call them.

Mayor Spangler said he feels the opposite about this. It would be very time consuming. He believes if a long-time resident is a good-standing customer and they miss a payment they could adopt something to call them or hang something on their door knob.

Susan Kidd said Tasha Riddle is asking permission to not have to call those same businesses every month.

Councilmember Thwaites said they need to be consistent but have some flexibility as well.

Councilmember Bowles asked if Robocall was a possibility?

Susan Kidd said the town does not have that capability.

Councilman Goorskey said he does not mind the town employees deciding on how best to run the office.

Susan Kidd said the policy on calling businesses was in effect when she came to work for the town.

Councilman Goorskey asked if it was a written policy or just standard practice?

Susan Kidd said it was just standard practice.

Councilman Goorskey told Susan Kidd to guide Tasha Riddle on how to handle this.

Councilmember Thwaites said the town has always helped residents when they reach out but it is up to them to reach out.

Councilmember Bowles said she would like to talk about amending the budget with a “town beautification” line item. This could include items such as the flags, mulch, flowers, etc.

Mayor Spangler said the sponsorship and donations for the flowers would continue but if there is a situation where that contribution was not available there could be a line item in the budget with “x” number of dollars that could be drawn from to continue that effort.

Councilmember Thwaites said the sponsorships are not enough to cover these expenses.

Mike Bedsaul asked if council is going to be asked to appropriate some money for this line item? There would be no need for a public hearing unless the amount asked for is 1% of the total budget.

Councilmember Bowles said she was thinking around \$1,500-\$2,000.

Mayor Spangler said the flowers at the park were pretty much funded by one individual. The town should be able to fund that if necessary.

Councilman Goorskey said he would certainly like to see the town fund this but what department would this go to and who handles that line item.

Mike Bedsaul asked Susan Kidd where the money would come from in the budget?

Susan Kidd said either buildings and grounds or parks and rec. She would lean more toward buildings and grounds.

Councilmember Bowles asked if it would be best to get prices on the flags before deciding on this?

Councilman Goorskey said that is a good idea.

Mayor Spangler said this past year Councilmember Bowles was part of making this happen in the past year. If she is not here who is going to do it?

Susan Kidd said it should go to buildings and grounds.

Mayor Spangler said this issue will be tabled until they get more information.

New Business

Susan Kidd said council is being asked by Kevin Belcher to review the letter the town received from the board of supervisors. The letter was sent last August and council briefly talked about it then. The best she understands is that the PSA wants to connect to the North Well. In August they spoke about the hydraulics in that well and what may happen to the system in town if they are pulled. The letter states “one of the options contemplates the utilization of the hydraulic pressure generated by the Narrows North Tank. The connection would be near the fire hydrant at 188 Riley Street on the six-inch main line.”. There are a lot of questions and she does not know what they are asking council to approve. Would it be to connect to the well?

Councilman Goorskey said yes.

Tom Garrett said he believes the PSA is trying to get water somewhere it is not and the town would be using its infrastructure to provide the water to the Clendenin area. The question is do you do it at zero cost and do you take into account the higher pressure and higher flow. If they open the line wide open what is the negative impact to Narrows town customers and the Narrows fire-flow situation?

Susan Kidd said she does not have any answers for that and has not received any information.

Councilman Goorskey said those particular questions have not been discussed. It would be easy enough to ask someone to come to a council meeting so these questions can be asked. Is there something monetarily that needs to be addressed?

Tom Garrett said the North well holds a constant pressure so if it is tapped into and the water is used by another source the customers that use that well will see a pressure fluctuation.

Councilman Goorskey said the other option the PSA has is to run lines across the river in Pearisburg and the cost for engineering alone to run water across the bridge from Pearisburg would run them close to \$1 million dollars. They would have to have the bridge surveyed again to see if it could hold the weight of the water line.

Susan Kidd said that is one of the reasons Celanese hauls water instead of installing a line.

Councilman Goorskey said after the fact the town could not limit how much water the PSA would use. The PSA is going to say it will help the tank and help the turnover. Are there any fire hydrants on that well?

John Davis said yes.

Mike Bedsaul asked if the town received a copy of the PER concerning this?

Susan Kidd said she had not received one.

Councilmember Thwaites said they do not need to make an uninformed decision on this.

Councilman Goorskey said he could contact Kevin Belcher and tell him council needs more information on this. He believes if the leak rate increases because of this the county should be responsible for helping the town look for leaks.

Unfinished Business

None.

Matters for Consideration by Council

Susan Kidd said council is being asked to approve the engagement letter for Robinson, Farmer, Cox Associates, PLLC. The fee is not to exceed \$12,300 unless a single audit (federal program audit) is required. The fee would then increase by \$1,750 to cover the costs of the single audit and related filing requirements.

Councilmember Thwaites made a motion to approve the engagement letter for Robinson, Farmer, Cox Associates, PLLC. Councilmember Bowles seconded the motion.

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

Nays: None

Motion Carried 5-0

Susan Kidd said council is being asked to approve adding June 19th to the town's holiday schedule. The town did not take that holiday this year because it was such short notice.

Councilman Goorskey made a motion to add June 19th to the town's holiday schedule beginning with FY22. Councilmember Bowles seconded the motion.

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

Nays: None

Motion Carried 5-0

Susan Kidd said council is being asked to approve advertising the 2020 delinquent tax list and delinquent business license list. The list of taxes includes real estate and personal property and last year the only amounts listed were \$75 and higher.

Mayor Spangler asked if the customers had been notified about the amounts they owe?

Susan Kidd said each customer has been sent 2 notices.

Councilman Goorskey made a motion to advertise the 2020 delinquent tax list and only listing amounts owed over \$75. Councilmember Thwaites seconded the motion.

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

Nays: None

Motion Carried 5-0

Susan Kidd said normally they do not list delinquent businesses licenses in the paper but now she is asking council how to handle these. Rhonda Brown has sent numerous letters to the delinquent businesses and also called them.

Councilmember Thwaites asked Mike Bedsaul how to handle this.

Mike Bedsaul said he will investigate this and get back to council.

Councilman Goorskey asked if a business license must be purchased if the business operates in town or is located in town?

Susan Kidd said there are different rules and different licenses. You would need to purchase one on both counts.

Susan Kidd said council is being asked to set a date for the public hearing for a budget amendment for the American Rescue Plan Act Funds (ARPA).

Councilman Conley made a motion to schedule a public hearing at the August 9th regular council meeting concerning a budget amendment for the American Rescue Plan Act Funds (ARPA). Councilmember Bowles seconded the motion.

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

Nays: None

Motion Carried 5-0

Susan Kidd said Mike Bedsaul checked on the sales of properties for delinquent taxes and they want to hold a tax sale in the fall.

Councilmember Thwaites made a motion to add Personnel Matters (Sec. 2.2-3711.A.1 of the Code of Virginia) to executive session to specifically to discuss performance of specific employees and specific appointees to fill a vacancy on council. Councilmember Bowles 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 Real Property (Sec. 2.2-3711-A.3) and Personnel Matters (Sec. 2.2-3711.A.1). 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

Councilman Conley made a motion to appoint Bobby Lucas as interim town council member beginning July 14th.

(Motion died for lack of a second)

Councilman Goorskey made a motion to appoint John Mills as interim town council member beginning July 13th. Councilman Turner seconded the motion.

Ayes: Turner, Bowles, and Goorskey

Nays: Conley

Abstain: Thwaites

Motion Carried 3-1

Mayor Spangler said John Mills will serve as interim town council member until the special election on November 2nd.

Councilmember Thwaites said she looks forward to still working in town and volunteering for the town.

Mayor Spangler adjourned the meeting.

Clerk, Debbie Thomas

Mayor, Tom Spangler