

**Narrows Town Council Meeting  
October 10, 2022**

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

Staff members present were Lindsey Caudill, John Davis, Terry Nicholson, Landon Patteson, Benji Ratcliffe, and Debbie Thomas.

Attorney present was Mike Bedsaul.

Mayor Spangler gave the invocation.

Council and audience recited the Pledge of Allegiance.

**Joint Public Hearing**

Mayor Spangler opened the public hearing concerning the special exception permit application by Christine Bracken.

Councilman Mills said Christine Bracken applied for a special exception permit to operate an Airbnb at 106 Spring Street which will be called 'Almost, Almost Heaven'.

Terry Nicholson said a copy of the application has been given to council. The applicant request is to permit the use of a residence at 106 Spring Street as a short-term rental. The adjacent property owners were notified by registered mail and the property was posted on September 13<sup>th</sup>, 2022. The current zoning for this property is R-2 (General Residential District) and all adjacent properties are also R-2. There is no anticipated change in zoning in that area. 'Tourist homes' are only allowed by special exception in the R-2 zoning district. The owners have been operating an Airbnb for several months and were contacted by the town and told they needed to obtain a special exception permit. They came and filled out the application right away. The owners were provided a copy of the town's transient lodging tax ordinance so they are aware of that. Their parking area does meet the parking requirements for an Airbnb and does have a driveway and garage. The applicants did come to the last planning commission meeting and shared a list of rules that is provided to each of their tenants, which includes things such as making sure noise is held to a minimum. When short-term rentals have been approved in the past they have also asked that the special exception be reviewed for compliance after one year.

Mayor Spangler asked if anyone had any comments concerning the special exception?

Allen Neely said his niece came to visit from Chicago, Illinois, and stayed in the Airbnb they are speaking of tonight. They were very pleased at the accommodations and it was very well kept.

Mayor Spangler asked if there were any more comments? Hearing none he closed the public hearing. The planning commission will adjourn to discuss their recommendation.

Mayor Spangler asked Matthew Bowles, Gary Fields, Allen Neely, and Ralph Robertson to come to the front of the room. On behalf of the town, town council, and himself, he would like to thank Matthew Bowles, Gary Fields, Allen Neely, and Ralph Robertson for what they have done for the town and what they continue to do. They were each given a certificate thanking them for their service to the town. They need more people like them. This just goes to show what everyone can accomplish if they put their heart and soul into it. He encourages anyone that has an idea of how to make things look better to bring it forward to someone.

**Approval of September 12<sup>th</sup> Meeting Minutes**

Mayor Spangler said council is being asked to approve the September 12<sup>th</sup> meeting minutes.

**Councilman Conley made a motion to approve the September 12<sup>th</sup> meeting minutes. Councilmember Bowles seconded the motion.**

**Ayes: Bowles, Conley, Mills, and Goorskey**  
**Abstain: Turner**  
**Nays: None**  
**Motion Carried 4-0**

**Consent Agenda**

*Library Report*

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

**Ayes: Turner, Bowles, Conley, Mills, and Goorskey**  
**Nays: None**  
**Motion Carried 5-0**

*Parks & Recreation Report*

Councilman Turner said what Landon Patteson did at the PK-3<sup>rd</sup> flag football game last Thursday was great. It opened a lot of kids' eyes.

Councilman Mills said there is a world of difference between what town employees pulled off during the fall festival than up the road. He is very proud of what the town employees did. The festival was well planned and was fantastic. He wanted to thank Lindsey Caudill, Landon Patteson, and all employees that had a hand in the fall festival.

Councilmember Bowles said she would like to second that.

Councilman Goorskey said he was also in agreement with that. Concession revenues seem to be increased from prior months. Could that be because the games are being held at the Lurich ballfields?

Landon Patteson said they are holding games on Sunday after church so there are a lot of families that are attending the games together. They also had concessions left over from prior games.

Councilman Turner asked Landon Patteson to let parents and players know he would like to commend them for their efforts.

**Councilman Turner made a motion to approve the parks and rec report.**

**Councilmember Bowles seconded the motion.**

**Ayes: Turner, Bowles, Conley, Mills, and Goorskey**  
**Nays: None**  
**Motion Carried 5-0**

*Police Report*

Councilman Mills said the police issued a citation for 10-14mph over the speed limit and this was in a 25mph zone. The police are doing a great job.

Mayor Spangler said it never ceases to amaze him that people drive through Narrows on Route 460 and think it's all right to go 60+mph.

Police Chief Ratcliffe said they had a vehicle going 78mph in a 40mph zone.

Mayor Spangler said there were 52 citations written going 15-19mph over the speed limit and 61 written going 20+mph over the speed limit.

**Councilman Mills made a motion to approve the police report. Councilman Conley seconded the motion.**

**Ayes: Turner, Bowles, Conley, Mills, and Goorskey**  
**Nays: None**  
**Motion Carried 5-0**

*Financial Report/Treasurer's Report*

10/10/2022

Councilmember Bowles asked Debbie Thomas why there was no money collected in the month of September for cigarette tax?

Debbie Thomas said that means there were no stamps sold. There is one vendor that purchases 2 rolls of stamps at a time so that probably lasts them a few months.

Councilman Mills asked how long they had to spend the ARPA funds and how much of that amount is encumbered?

Terry Nicholson said there is currently \$1,721,091.52 in the ARPA fund. The Fortiline contract for meter replacement was \$538,295.00 so that leaves \$1,182,796.52. They are going to discuss a sewer project tonight that will encumber a good bit of that as well.

John Davis said the deadline to be under contract is December 2024. The funds have to all be spent by 2026.

**Councilman Mills made a motion to approve the financial report/treasurer's report. Councilman Goorskey seconded the motion.**

**Ayes: Turner, Bowles, Conley, Mills, and Goorskey**

**Nays: None**

**Motion Carried 5-0**

#### *Town Manager's Report*

Councilman Mills said he wants to thank Terry Nicholson, John Davis, Jeff Perdue, and others that may had a hand in working with the Giles County PSA attempting to get a handle on water leaks. He also saw in the town manager's report that Terry Nicholson is diving into blighted properties so that is good.

Councilman Goorskey said an individual has a complaint filed on them. If there is a bedroom suite sitting in their driveway how long do they have to remove that?

Terry Nicholson said it is typically 10 days. If the citizen calls him and has a reason he will work with them timing-wise.

Councilman Goorksey asked how they verify 10 days?

Terry Nicholson said he goes back to the property and rechecks. The town sends a certified letter so he knows when they receive the letter by the date it was signed. That is when the 10 days begin.

**Councilman Mills made a motion to approve the town manager's report.**

**Councilman Turner seconded the motion.**

**Ayes: Turner, Bowles, Conley, Mills, and Goorskey**

**Nays: None**

**Motion Carried 5-0**

#### *Public Works Director's Report*

Councilman Conley said he had some questions about the water losses. It states in his report that a four-man crew from the town and a four-man crew from the PSA spent 6 hours doing leak detection but no leaks were found. Are they planning on scheduling any more leak detections?

John Davis said what they basically did was isolate the North side of town which is high school hill and the Route 460 corridor by shutting down valves and watching a meter they installed at the North tank. They didn't actually get on the ground and look for leaks but isolated areas and found areas that were not affected. When they shut down the Route 460 corridor there was no change so they knew there were no leaks on the bottom side of the North side. They shut down more valves in different sections and there were no changes. During the night they found a centralized area where they knew they had some leaks and a day and a half later they put boots on the ground and started listening for leaks. The county came down and started listening in the same area. They found 2 leaks

in the same area and repaired both of them. Prior to that day they fixed several leaks on the North side. The numbers on the North side are down and in pretty decent shape. They know the meter at the campground runs continuously. That night they measured that meter at 7-8gpm which is metered water and not part of their water loss. When that number is taken off the water loss on the North side is down to about 7gpm during the hours of 1:30 a.m. – 3:30 a.m.

Terry Nicholson said that is now being monitored daily between those hours so they can watch for trends.

John Davis said they worked really well with the county and the PSA that night but there are a lot of valves they have to look at. It takes 24 turns to turn a valve off and on. They do plan to schedule more leak detection and are now working on the South side of town. It is a little different because they don't have a meter in place where they can shut down a valve and watch a meter. When they shut down a valve on the South side they have to watch the tank levels through the computer and that takes a little more time. They have a three-man crew, including himself, doing leak detection and when a leak is found they have to fix it.

Councilman Goorskey said John Davis answered his question as to how close to maxed out are they on manpower and level of effort they are putting into this. It sounds like they have a lot of effort going into it.

John Davis said every time they get pulled off of leak detection to do another job it takes time. They spent a whole day on a sewer main coming off of Woodland Street going down through people's yards going to Warner Street.

Councilman Mills told John Davis if he brings a report to council like this every month he will be tickled to death.

John Davis said they met with Kevin Belcher last Wednesday. They are working on the South side and have a couple valves they can isolate to tell where leaks are.

Councilman Conley asked if all of this is being mapped?

John Davis said yes.

Terry Nicholson said part of their conversation last week with Kevin Belcher was about our water-meter project. The rest of the county is going to stay with Mueller meters so Kevin Belcher asked what the town was going to do with the meters that will come out of the ground. The town will keep a few to use as pool meters but there will be 1,100 meters the town will have no use for. Kevin Belcher is interested in obtaining those but doesn't know if he wanted to purchase them but he wanted Terry Nicholson to approach council on whether they would be willing to let the PSA have them. He believes it is a win-win situation because the PSA could take them as soon as they come out of the ground. The PSA wants them for parts and if the town keeps them they would end up scrapping a good bit of them.

Councilman Mills said as far as he knows the PSA or the county are not charging the town for any of the leak detection they are helping the town with. If they are given to them that is a way to build good will. They are beginning to have a good working relationship with the PSA. He believes it would be wise to let them have the meters.

John Davis said he agrees 100%. When he first spoke to Kevin Belcher about the meters he did offer to purchase them from the town but giving them to the PSA would be the best route.

Councilman Conley asked if there is any idea what the meters are worth?

Terry Nicholson said they are not worth much to the town.

Councilman Conley asked if there was any value amount on them?

Terry Nicholson said the value to the town is that they would be used as pool meters.

Councilman Conley said if they are no good to the town then the good will they bring is tenfold.

**Councilman Mills made a motion to surrender the water meters to the Giles County PSA. Councilman Turner seconded the motion.**

**Ayes: Turner, Bowles, Conley, Mills, and Goorskey**

**Nays: None**

**Motion Carried 5-0**

John Davis said the new water meters have arrived and are in storage. They had a meeting with the town's billing software company and Fortiline on Thursday of last week and will have a kickoff meeting with Fortiline on October 19<sup>th</sup>. Soon after that they should begin installing water meters. They can install approximately 100 meters/week so the entire project will take around 4 months to complete. He assured council this will make a difference in their water loss.

**Councilman Turner made a motion to approve the public works director's report. Councilmember Bowles seconded the motion.**

**Ayes: Turner, Bowles, Conley, Mills, and Goorskey**

**Nays: None**

**Motion Carried 5-0**

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

Mayor Davis said Zach Thompson had a concern about the delinquent tax newspaper publication.

Terry Nicholson said Zach Thompson is not present so he will speak on his behalf. Council was sent an email when this occurred. There were 10 names listed the publication that were there in error. Letters were sent to those persons and a retraction was sent to the Virginian Leader.

Debbie Thomas said the error was on her part but was not done with malice. She will make sure that persons other than herself look over the list before it is published.

Councilman Mills said this shows that Debbie Thomas is a human being because human beings make mistakes.

Councilman Goorskey said he appreciates the way this was addressed and Debbie Thomas addressed it on her time off on a Saturday morning. She showed great concern immediately as well as the whole town. He asked if there was any legal recourse on this?

Mike Bedsaul said no.

Councilman Goorskey said he liked the way it was handled, the printing of the retraction, and the sending of the letters.

Mike Bedsaul said the town ordinance stating the delinquent taxes be published in the newspaper can be changed.

Allen Neely said he is a graduate and played sports at Narrows High School. He has always been proud of the sports teams and would like to read an invitation to Mayor Tom Spangler, Narrows Town Council, and Town Manager Terry Nicholson. The invitation reads as follows:

*In as much as the Narrows High School Football teams have brought significant positive recognition to the Town of Narrows over many years, MacArthur Inn wishes to recognize the many accomplishments of the team by having them attend dinner at the Inn Thursday Nov 10 at 5:30 p.m.*

*MacArthur Inn Management wishes to invite the Town of Narrows Mayor, Town Council and Town Management to join with it in this recognition event.*

*Please RSVP to MacArthur Management as there is much planning to be done for the event.*

Mayor, Council, and the Town Manager thanked Allen Neely for the invitation.

### **Communications from Mayor and Council**

Councilman Mills said because of the PSA director being in ill health there was no PSA meeting last month. There will be one held on October 13<sup>th</sup> and there will be some significant interest for the Town of Narrows. They are supposed to talk about the regional sewer project. It doesn't cost the town a dime to participate in the study and doesn't obligate the town to anything. With council's blessing he would like to make a motion to go forward with this.

**Councilman Conley made a motion for Councilman Mills to represent the Town of Narrows concerning the regional sewer project study. Councilmember Bowles seconded the motion.**

**Ayes: Turner, Bowles, Conley, Mills, and Goorskey**

**Nays: None**

**Motion Carried 5-0**

Councilman Conley said on behalf of the Class of 1972 he would like to thank the mayor, council, and town manager for the proclamation. On September 30<sup>th</sup>, there were close to 60 people at Anna's Restaurant representing the Class of 1972. Several people stayed at the MacArthur Inn and everyone had a wonderful time. He hopes that the Class of 1973 will approach council to be recognized for their 50<sup>th</sup> reunion.

Mayor Spangler said Allie Riffe was out of town visiting her daughter and her water was turned off for nonpayment, of which she was not happy. She is asking council to consider a credit of \$75 on her utility bill to refund the water disconnect fee.

Councilman Mills said Allie Riffe is a model citizen and has never been late on a utility bill.

**Councilman Mills made a motion to credit Allie Riffe's utility account \$75.**

**Councilmember Bowles seconded the motion.**

**Ayes: Turner, Bowles, Conley, Mills, and Goorskey**

**Nays: None**

**Motion Carried 5-0**

Councilman Turner said there is a study going around concerning the consolidation of the schools. Next Thursday at 4:30 p.m. there will be a school board meeting. He will be attending and speaking on the town's behalf at the meeting. There have been studies done and things that were found haven't been shared with the public. It will make a big difference in our end of the county as well as the other end. He is a Green Wave and if we lose our school there are a lot of things on the table for the town that the town will not be able to afford. Anyone that can needs to attend the school board meeting.

Councilmember Bowles said it was reiterated to her tonight that they are trying to push the consolidation through sooner than later.

Councilman Mills said Councilmember Bowles and Councilman Goorskey did a great job speaking at the last school board meeting. John Davis's daughter Tessa also did a great job.

Councilman Goorskey asked where the town was in an attempt to get an economic impact study?

Terry Nicholson said the last time he spoke to Kevin Byrd about it he said both the school board and the county would have to want the study done as well. He believes Kevin Byrd spoke with Richard Chidester.

Councilman Goorksey asked if the school board had been approached about the study and denied the request?

Terry Nicholson said he did not know.

Councilman Goorskey said they need to be approached. He said he would approach them.

Mayor Spangler said one of the board of supervisors took it to the board but he doesn't know if the board of supervisors decided anything. The particular individual wanted an approximate cost estimate of the study so he could present it to the board of supervisors. He heard that the cost of the study would be around \$30,000.

Councilman Goorskey said it would be in the best interest of the town to foot the cost of that because it's their town they are talking about.

Terry Nicholson said he believes the regional commission would be hesitant in doing the study and having the Town of Narrows pay for it entirely because then it would appear that the town would be pushing a particular agenda.

Councilman Mills said he hopes it appears the Town of Narrows is against it. He is against it.

Mayor Spangler said the board of supervisors has to sign off on any consolidation and right now his thoughts would be that with as many unanswered questions they have this will not happen.

Councilman Mills said he believes it behooves them to build a case for keeping Narrows High School. He still believes a study would be in order.

Councilman Goorskey asked if there was any other way they could do this unilaterally?

Terry Nicholson said the town could hire a contracting firm to do that. He went to the last school board meeting and as town manager he hasn't seen anything in writing about the studies they say were done. The town needs transparency.

Councilman Turner said the study was done but there were no facts with it, only what they wanted presented to the public.

Councilman Mills said there was a study done by an outfit that he was opposed to. They were engaged to do a facility study, not ask their opinion about consolidation.

Mayor Spangler said the study was done concerning the logistics of the building and the question concerning how much it was going to cost was never brought up. The first question that should be asked is how much it is going to cost and that has not been asked.

Councilman Goorskey said they do have cost estimates and a lot of different options there. When a FOIA request was made the document was produced with all of the cost estimates blacked out and he doesn't believe they should have done that. It was reproduced after that with the cost estimates back in the document. The document is already antiquated. There is a lot of information that went into making that study that is not available such as what did they use to come up with those numbers. The school board was not approached because of a problem, they just came up with a problem they were going to offer a solution to.

Councilman Conley said he wasn't at home but he watched the meeting in its entirety. They do not know the foe they are fighting. As far as the consolidation issue goes, they never made it plain concerning the cost of the building, the air conditioning, etc. In their best interest, council may need to submit a FOIA for all of the information the school board has before they move forward.

Mike Bedsaul said the same FOIA request Councilman Goorskey was referring to could be made to see how they respond and see what information is received.

Councilman Mills said they are asking the town manager to do that.

Councilman Turner said he wanted to thank everyone for the messages, thoughts, and prayers while he was sick last month.

Brian Tucker said he had a concern about the birds at the duck pond. He understands council was told they shouldn't be fed anymore because they are migratory. The birds they are speaking of are not migratory. If they can't forage enough food on their own they will die.

Mayor Spangler said they had a couple of people from the State of Virginia at a council meeting and they explained a lot of different things. Signs have been placed on the back of the benches at the duck pond that contain a QR code that can be scanned that will tell people why they shouldn't feed them. Bread is one of the worst things to feed them. All but a few of the ducks and geese will move to another place if they aren't fed. The reason they would like for them to leave is the excrement they leave behind in the field across from the duck pond where kids practice football.

Councilman Goorskey said that is part of it. There is a state statute that says if the town has a duck feeding pond it's the same as feeding other wildlife. The town could be held liable if someone encounters damages in some form. They asked the biologist that was present at their council meeting at what levels of population would they see animals getting sick and in his opinion it is now. There are way too many ducks for the size pond that is there. It was never council's intention to get rid of the birds or to tell people to stop enjoying them but if that population gets sick the town is on the hook for taking care of it and they could lose their duck pond altogether. The native species is potentially being crowded out by the overabundance of the farm species that are there.

Brian Tucker said the ones they are speaking of are not migratory birds and belonged to someone at some point. He feels like if they were dumped there they should be managed properly. He agrees with everything that Councilman Goorskey said.

Councilman Goorskey said the town could possibly adopt a duck initiative because there are ponds on properties in the area they could go to. If the numbers of the birds increases that would be detrimental to their health as well.

Councilman Conley said they could have the birds removed but it's costly to do that.

Councilman Goorskey said it's a tricky subject that can't be ignored. If the state would come and help the town with their bird population there would have to be postings stating 'no feeding' and citations could be written before the state would use their funding to help the town. That doesn't mean it's the only way. If you can catch one of the birds you can take it home. There are only 2 things you can do with a Muscovy duck if you catch it: donate it to science or euthanize it.

### **New Business**

Mayor Spangler said the first item under new business is policies for delinquent water bills (business and residential).

Terry Nicholson said he asked Tasha Riddle to attend the council meeting tonight to discuss delinquent bills.

Tasha Riddle said if they had disconnected past-due accounts this morning there would have potentially been 80+ accounts disconnected with a total of \$6,346.61 owed. One of the accounts on this list was a business account. Each month she typically sees 1-3 businesses on the list and typically disconnects 25-40 residential accounts. In July of this year, they began charging a water disconnect fee at \$75 for a first offense and \$150 for the second and subsequent offenses within a one-year period. These are accounts that remain delinquent after 11:00 a.m. but have not physically been disconnected. Any business that has been charged the water shut off fee typically pays it and never crosses words. However, there have been a couple of them who have 'fussed' over it but most did go on and pay the fee in addition to their delinquent bill. Some only paid the delinquent amount and wouldn't agree to pay the fee because their services hadn't been physically disconnected. In September there were 25 accounts that were physically disconnected and 3 businesses also on the list. In August there were 21 accounts disconnected and 2

businesses on the list. In July there were 16 residential accounts disconnected and 2 businesses on the list. One of the businesses was on the list for the first time so they received their one-time courtesy call. Customers can come to the office and apply for a payment extension that will allow them an additional 7 days past the 10<sup>th</sup> of the month to pay their delinquent bill provided that they have not defaulted on an agreement in the last 6 months. There are several customers that have taken advantage of that this month but no businesses have ever done this. She would like to discuss with council treating businesses the same as residential customers. She knows the town needs to keep the businesses they have and need to try to have more businesses in the future but she believes businesses should be held to the same standard as residential customers.

Terry Nicholson said he put a copy of the utility bill ordinance in council's packets. It is Sec. 34.79. This states what they are doing for their delinquent notices and they are following that to the t.

Councilman Mills said he agrees they are pro-business but they need to pay their bills like everyone else. The one-time courtesy call is a positive exchange. A business needs to pay a reconnect fee as well as a resident. They are asking for a policy change, is that correct?

Terry Nicholson said yes.

Councilman Mills said he is for the change.

Mayor Spangler said he believes what upsets people the most is the reconnect fee but he's not saying it's wrong. He's been approached by several people concerned about how the current system works.

Terry Nicholson said if they send someone to turn a meter off and then send them back out to turn it back on the town is incurring costs twice.

Mayor Spangler said someone mentioned a few years ago that if excessive amounts of water have been used a placard is placed on the resident's door stating they have used an excessive amount of water. Could they not do something like that for an overdue bill? There may be so many that it makes it impractical.

Terry Nicholson said that is a manpower issue.

Tasha Riddle said she can run a delinquent report the first of the month. She did that for this month and there would have been over 100 notices sent out.

Councilman Conley said there is a policy in place and they need to go by it. If something happens and someone's water is disconnected each account is on it's own merit and if the resident questions the reconnect fee they need to approach council. He doesn't believe they need to treat a business and a resident differently.

Councilman Mills said he doesn't want staff to have to make these decisions: that is what council is for.

Mayor Spangler asked Tasha Riddle if she is asking that a business be disconnected for a past-due water bill as well as a resident?

Tasha Riddle said yes.

Councilman Mills said he has enough faith in the town employees that if a business is in good standing Terry Nicholson, John Davis, or someone would contact them and tell them their water is going to be disconnected.

John Davis said there is one business in particular they would have to do that for every single month.

Councilman Mills said maybe they need to be turned off.

Councilman Turner said a business should be held to the same standards as a resident.

Mike Bedsaul said the policy isn't being changed but they haven't been applying it to businesses.

Tasha Riddle said they will be doing disconnects tomorrow. If a business is on the list, does council want them to be turned off?

Councilman Mills asked how much it would cost to notify every business they serve stating there is going to be a change of policy so they can't say they didn't know it was coming. Is that too much to do?

Tasha Riddle said she could do that.

Mayor Spangler said they won't be changing the policy but enforcing the policy.

Councilmember Bowles said there have been mums disappearing and they have invested in some new Christmas lights. They need to have some security cameras installed at the gazebo as well as 2 at the Farmer's Market.

Terry Nicholson said the town checked with their supplier and the cost would be \$22/month for each camera. For 3 cameras it would be \$792/year.

Councilman Goorskey asked what kind of images they're getting from the cameras they have installed now?

Terry Nicholson said they are pretty good.

Councilman Mills said if they agree to do this they don't need to be discussing this in June.

Councilmember Bowles said she would like to see the cameras installed at the Farmer's Market within the next few weeks if the purchase is approved tonight and the one at the gazebo. She would love to see one at the pocket park since Christmas lights will also be placed there.

Councilman Mills asked Terry Nicholson if the installation of the cameras would put the employees in a bind?

Terry Nicholson said they would just have to coordinate with the public works department to have them installed. They will make it happen.

**Councilman Mills made a motion to purchase up to four cameras to be installed at the farmer's market (2), gazebo, and the pocket park. Councilman Goorskey seconded the motion.**

**Ayes: Turner, Bowles, Conley, Mills, and Goorskey**

**Nays: None**

**Motion Carried 5-0**

Terry Nicholson said he met with Joy Rumley with the New River Valley Regional Commission to discuss applying for a planning grant through the Industrial Revitalization Fund (IRF), which is a Virginia DHCD program. It's aimed at the redevelopment of vacant and deteriorated industrial and commercial properties. The grants don't require matching funds but will require some legwork on the town's part to gather some information needed. He is proposing that the town study with this planning grant the two buildings the town owns on Main Street, which are the former BB&T bank building and the Wheeler building. If they can get the cooperation of the owners of adjacent buildings they could include those in that same study. Planning grants can study highest and best use of the structure so they would look at what kind of business would fit in this and how best to make it work. It will look at environmental hazards, which in the town's case would look at the flood risk and mitigation measures that might be needed for that particular building. They could do an asbestos and lead paint survey and could even receive funding for abatement of those issues so it would make the building more marketable. They can also use the funds for preliminary design for the highest and best use they determine. They would evaluate tax credits and other incentives they could use

in order to restore a building. They could even come up with a financing plan to secure end users. It's a great program and a great way to take advantage of some of the buildings and what the town may be able to do with some of those. He needs council to agree they would like for Joy Rumley and himself to work together and proceed with applying for that grant, which could be up to \$100,000 which would be plenty to handle those two buildings and adjacent buildings if they could get the owners to cooperate. There will be no extra charge for Joy Rumley's time: it will be included in the ARPA payment the NRVRC receives from the town.

Councilman Mills said this was a great idea.

Councilmember Bowles said she would love to see this happen.

Council agreed for Terry Nicholson and Joy Rumley to proceed with the grant application.

### **Unfinished Business**

Terry Nicholson said he asked Martin Jansons to be present at the meeting tonight to discuss the sewer line replacement project. Martin Jansons is with Peed & Bortz, the engineering firm that did the engineering study for the sewer improvements council approved about a year and a half ago. They put one of the pieces of the project out for bid last month and they received two bids, which were higher than they anticipated. He wanted Martin Jansons to explain why the bids were higher and whether or not the town wants to proceed with doing the sewer repair.

Martin Jansons said the bid prices came in high and that is not uncommon these days. VDOT stated after Peed & Bortz's initial estimate they wanted to see the entire width of Main Street repaved. They want to see it milled first and then repaved. The cost of everything is going up. They had a report that the cement pipe in the ground might be asbestos and, if so, a specialist will have to be paid to oversee that. He doesn't believe anyone gets their money's worth when they have to deal with it in that way. They had a bid price of \$303,715 and \$50,000 of that is the handling/disposal of asbestos pipe. The remaining price is 40% pavement and that is by the ton. One of the things to consider is the cost and would it be any cheaper in the spring. As the engineer they won't have any more costs involved so they can wait and see if the bid would be any cheaper in the spring. Another thing to consider is the deadline for spending the ARPA funds. As John Davis mentioned earlier that date is two years away. They do know there is crushed pipe in the ground and if that rears its head it could be a mess. They need to decide pretty quickly what they want to do because the paving needs to be done before it gets cold. Asphalt plants typically shut down anywhere from early to mid-December. VDOT may be a little pickier as to when they want the asphalt laid down. He recommends they award the job now but understands if council sees it differently.

Councilman Mills asked what the worst thing was that could happen to the town if this is delayed?

Martin Jansons said they could potentially pay more money in the spring. They could also have problems with the pipe in the ground. It doesn't serve a large portion on this end of town but there are a fair number of houses connected to it.

Councilman Mills asked John Davis how big a deal this was?

John Davis said that would be a pretty good size problem.

Councilman Goorskey asked if they had any promises that if council approves this tonight the project will be completed before the asphalt plants close because it is getting pretty cold outside?

Martin Jansons said there was no guarantee. In the bid document it states the contractor has to have the project completed by December 1, 2022.

Councilman Goorskey asked if VDOT would give them any leeway if they go ahead and open it up and can't pave it right away? Could they cold patch it?

Martin Jansons said that is probably what they would ask for.

Councilman Goorskey asked if they cold patched the road would that increase the cost because they would have to mill that back out?

Martin Jansons said it will have to be milled anyway.

John Davis said he spoke with an asphalt contractor one day last week and they told him they wouldn't have an issue with getting here and doing it but a lot of times VDOT will shut you down because they will come and check the air temperature and the ground temperature. As they are patching the road they will put a base coat in the cut and will mill it all at a later time.

Councilman Mills said he understands that an estimate is just that. The cost is what you get on bid day. They could agree to go with these people without any real solid assurance of getting it done in a timely manner anyway. Is that a true statement?

John Davis said they will get the project done but maybe not the paving. The piping will get put in the ground.

Terry Nicholson said there are penalties if the contractor doesn't complete the project by the completion date.

Councilman Mills asked what the completion date was?

Mike Bedsaul said December 1, 2022.

Councilman Goorskey asked what the definition of 'substantial completion' was in the contract?

Terry Nicholson said if the weather became a problem then they would allow the contractors to do whatever VDOT tells them they have to do to complete the project.

Councilman Goorskey said that would not be at the town's cost.

Terry Nicholson said that is correct.

Councilman Mills asked how much 'liquidated damages' were?

Martin Jansons said \$100/day. When they are talking about weather delays if they can't pave because it's too cold that justifies a weather delay. If they can't lay pipe because they're slow they will run into liquidated damages.

Councilman Mills said the most crucial part of this is the pipe and they can't afford to pay an exorbitant price and not get the pipe installed in a timely manner. That's where he's coming from. He doesn't like being in this spot. They need to move forward with this.

Councilman Conley asked if Main Street was one of the streets that was just tarred and graveled instead of paving it? Didn't VDOT do that?

John Davis said yes.

Mayor Spangler said on the first page it says the preliminary cost estimate in April was \$93,300. What did that include?

Martin Jansons said that included pipe replacement, 240 square yards of asphalt, connection to the existing pipes, and traffic control.

Mayor Spangler asked if it included any of the items listed on page two?

Martin Jansons said it included most of the items except the asbestos and a lot of the pavement.

Mayor Spangler said if you take the \$93,300 and add the milling, asphalt, and asbestos it doesn't equal \$303,715.

Martin Jansons said it comes up to about \$250,000. The difference is the market.

Councilman Mills asked how they determined these additional measures needed to be included in the contract? How did they find out about the possibility of asbestos piping?

Martin Jansons said there was a town employee that told them it was asbestos pipe. At the time, they didn't get any cost estimates and he didn't realize it was going to be a factor and it probably won't be a factor. When they started looking into it they realized it could cost a lot of money.

Councilman Goorskey said the understanding about the amount of paving was not known until recently.

Martin Jansons said he was at a meeting at the Town of Narrows concerning the comprehensive plan and Jessie Miller was there. He decided to mention this project to Jessie Miller and was told by him the entire width of Main Street would have to be paved because it involves a travel lane.

Mayor Spangler said the cost estimate in April was \$93,300 and if that included the pipe installation how did it increase to \$184,000?

Martin Jansons said it is the same amount of pipe but they have a lot more pavement.

Mayor Spangler said the pipe replacement is \$184,800 and the original cost estimate was only \$93,300.

Martin Jansons said the \$93,300 cost estimate does not include the 15% contingency which was also a part of the cost estimate. Contractors will play games with their bids. They know what a job will cost but will put more money in one item than they do in another and have their own reasons for doing so. The \$184,800 is just pipe replacement but, as he mentioned earlier, 40% of the cost of the job will be pavement. The increase in the cost he can rack up to inflation.

Councilman Goorskey said someone will make sure the pipe is asbestos before it is dug up.

John Davis said yes. They are very certain it is not asbestos.

Councilman Conley said he agrees that the cost is exorbitant compared to what the estimate was but the town needs to start moving. This needs to be done.

**Councilman Mills made a motion to approve the low bid on the sewer line replacement project subject to approval of the final agreement. Councilman Conley seconded the motion.**

**Ayes: Turner, Bowles, Conley, Mills, and Goorskey**

**Nays: None**

**Motion Carried 5-0**

Terry Nicholson said they expect to receive a deed of easement that Mike Bedsaul has been working on with the Virginia Outdoor Foundation to get the deed into language they are comfortable with. The deed will place Mill Creek Nature Park in a conservation easement for perpetuity to protect it as a dedicated open space that is open to the public where the only structures allowed are those that serve the community and enable public use and enjoyment. In exchange for this easement, the VOF will fund the installation of public restroom facilities in the park and some improvements in signage, roads, and trails. He wanted council to know the next steps for that. When they have the deed in hand they will schedule a public hearing in front of council where people can come and make comments about the easement being placed on the property and council will consider approval of the deed. They expect this to happen by the end of the year.

## **Matters for Consideration by Council**

Mayor Spangler said council is being asked to consider the Planning Commission recommendation for the special exception for 106 Spring Street.

Councilman Mills said the Planning Commission met and voted to approve the request with the same attachments they did for the last one. There will be a review after one year and if there have been no significant issues that will be the end of their involvement.

Terry Nicholson said it allows the Planning Commission to have a review showing conformity to their policies. If they have problems in the meantime they will work with the owners.

Councilman Turner said Spring Street is a very narrow street. He believes there would be a lot of issues going on.

**Councilman Mills made a motion to approve the special exception for Christine Bracken with the stipulation that the special exception will be reviewed for compliance after one year. If town officials receive complaints or have problems that are not adequately addressed by the applicant the special exception may be revoked. Councilman Goorskey seconded the motion.**

**Ayes: Bowles, Conley, Mills, and Goorskey**

**Nays: Turner**

**Motion Carried 4-1**

Mayor Spangler said council is being asked to consider approval of an ordinance to clean up animal waste.

Terry Nicholson said they actually had another instance of people riding horses through town and had to clean up excrement.

Councilman Goorskey asked if the town is considered owners or harbors of the ducks on the pond?

Mike Bedsaul said the ducks are abandoned property.

Councilman Goorskey asked if the ducks don't belong to the town how can the town be sued for people feeding them? If they allow people to feed them then they are harboring them, even if they're wild animals.

Councilman Mills said they are not allowing people to feed them.

Councilman Goorskey said they're not stopping the enforcement of it either. He just wants to know in case it gets sticky right there.

Mike Bedsaul said law enforcement enforces a certain level of discretion whether someone's conduct violates this ordinance. You can trust that Police Chief Ratcliffe isn't going to charge the town for each duck under this ordinance. The town is not keeping or harboring the ducks. In fact, the town is trying to let nature take its course by prohibiting feeding them so they move along naturally. The town is not caring for the ducks. The town is not the custodian of the ducks. This ordinance does not relate to the town where the ducks are concerned.

**Councilman Mills made a motion to approve the ordinance to clean up animal waste. Councilman Goorskey seconded the motion.**

**Ayes: Turner, Bowles, Conley, Mills, and Goorskey**

**Nays: None**

**Motion Carried 5-0**

Mayor Spangler said council is being asked to consider the Narrows Community Center HVAC study (ARPA funded).

Terry Nicholson said he told council at their last meeting he had spoken with Thompson & Litton to provide an engineering study and the cost of the study to install HVAC in the

gymnasium as well as the entire building. They will size the system and do any engineering required. They actually suggested not placing it on the roof but putting it on the outside of the building and going through the wall. They will also analyze the existing electric and natural gas service to determine if upgrades would be required. They would develop a rough order-of-magnitude opinion of probable project cost for installation of new electrical and HVAC systems. The cost would be a lump sum fee of \$14,000 which would come from ARPA funds.

**Councilman Goorskey made a motion to approve the Narrows Community Center HVAC study that will be performed by Thompson & Litton. Councilman Mills seconded the motion.**

**Ayes: Turner, Bowles, Conley, Mills, and Goorskey**

**Nays: None**

**Motion Carried 5-0**

Mayor Spangler said council is being asked to approve a donation to the Giles County Christian Mission. He understands the mission has been supplying bags of rags to the town for several years and it has been quite a while since a donation has been made to the mission. If the town had to purchase those rags it would be a substantial cost.

**Councilman Mills made a motion to donate \$500 to the Giles County Christian Mission. Councilman Turner seconded the motion.**

**Ayes: Turner, Bowles, Mills, and Goorskey**

**Abstain: Conley**

**Nays: None**

**Motion Carried 4-0**

Mayor Spangler said council is being asked to approve appointing Dalton Smith and John Hale to the Narrows Planning Commission.

Councilman Mills said Dalton Smith is his son in law.

**Councilman Goorskey made a motion to appoint Dalton Smith and John Hale to the Narrows Planning Commission. Councilmember Bowles seconded the motion.**

**Ayes: Turner, Bowles, Conley, Mills, and Goorskey**

**Nays: None**

**Motion Carried 5-0**

**Councilman Goorskey made a motion to go into executive session to discuss real property concerning the discussion of real estate purchase (Sec. 2.2-3711.A.3). Councilman Mills seconded the motion.**

**Ayes: Turner, Bowles, Conley, Mills, and Goorskey**

**Nays: None**

**Motion Carried 5-0**

**Councilman Conley made a motion to return to open session. Councilman Turner seconded the motion.**

**Ayes: Turner, Bowles, Conley, Mills, 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. Councilman Mills seconded the motion.**

**Ayes: Turner, Bowles, Conley, Mills, and Goorskey**

**Nays: None**

**Motion Carried 5-0**

Mayor Spangler said during closed session town council has been discussing the potential acquisition of real property under two separate agreements. One agreement is a real estate lease and purchase agreement and the second agreement is a real estate purchase agreement. For the purpose of this open session discussion, council will be referring to the real property that is subject to these agreements as the ‘Keystone Property’ because to identify the property prior to execution of the agreements would compromise the town’s bargaining position. However, upon execution of the agreements by the town and the seller, the agreements would then be subject to public disclosure.

**Councilman Mills made a motion to approve the agreements for the ‘Keystone Property’ and authorizes the town manager to execute them on the town’s behalf and take such other actions as are necessary to complete the agreements including making the changes to the agreements discussed in closed session. Councilman Turner seconded the motion.**

**Ayes: Turner, Bowles, Conley, Mills, and Goorskey**

**Nays: None**

**Motion Carried 5-0**

**Councilman Mills made a motion to adjourn. Councilman Goorskey seconded the motion.**

**Ayes: Turner, Bowles, Conley, Mills, and Goorskey**

**Nays: None**

**Motion Carried 5-0**

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Clerk, Debbie Thomas

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Mayor, Tom Spangler