

## **Narrows Town Council Meeting December 12, 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.

Town Attorney present was Mike Bedsaul.

Mayor Spangler gave the invocation.

Mayor Spangler mentioned the importance of supporting veterans, in any small way possible, keeping them and our librarian (Cindy Laws) in our prayers due to her husband's (Bill Laws) recent passing. Mayor Spangler asked for a moment of silence prior to the Pledge of Allegiance. The Council and audience recited the Pledge of Allegiance.

### **Oath of Office**

Mayor Spangler, Joe Goorskey, and Bobby Lucas were officially sworn in by Sherry Gautier, Clerk of the Giles County Circuit Court.

### **Recognitions**

Mayor Spangler presented Clyde Turner with a plaque recognizing his 8 years of service as a Narrows Council member.

The Rec League football teams (Juniors & Seniors) were recognized for their excellent seasons. Clyde Turner spoke to the teams and their coaches and parents, offering advice such as listening to their parents and coaches and representing our community.

Lindsey Caudill's birthday was recognized.

### **Audit Report (FY22)**

Corbin Stone gave the audit report on behalf of Robinson, Farmer, & Cox Associates. The General fund ending balance is currently \$138,674, which *does not* include ARPA funds (a little over \$708,000) because those funds are not considered revenue but a "refundable advance".

The Enterprise Water & Sewer Fund includes long term debt of \$735,651, plus long-term debt governmental funds of \$366,054. Total long-term debt: \$1.1M (which per capita is \$526, under the national and state averages).

The Water & Sewer system net position, if we were to sell today would be worth a little over \$1.1M, approximately. We can depreciate it over 30-35 years.

We've seen slight differences in revenue due to meals, sales, and other local taxes increasing in the last couple of years. The Cigarette tax increase is somewhat responsible too.

Real estate tax appears flat, dating back to 2010, however the personal property taxes have increased, due to the rising valuations of new and used vehicles. Those values may come back down in the next few years.

Mr. Stone then referred Council to the letter included as "Communication with Those Charged with Governance" and noted that there were no problems with Debbie Thomas and her staff providing the requested documentation during the audit. He also noted that there are estimates in the audit such as pension liabilities and depreciated assets that may or may not last as long as they have estimated.

Mr. Stone noted the appendix entitled "Accounting Update – Summary of Upcoming Pronouncements by the GASB." One particular change he noted is that any operating lease (for instance the Town Offices) will now require placing the lease liability in the asset column for the life of your use of the building. This was instituted to prevent a locality from using operating leases to finance long-term assets.

Finally, Mr. Stone noted the lack of segregation of duties, due to the small staff size of the town. He pointed out that this finding will likely always be in our report, because it is not feasible to hire enough staff to allow us to separate those handling the money from those who account for it.

### **Approval of November 2<sup>nd</sup> Meeting Minutes**

Mayor Spangler asked for a motion to accept the Nov. 2<sup>nd</sup> minutes.

**Councilman Mills made a motion to approve the minutes. Councilman Goorskey seconded the motion.**

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

**Nays: None**

**Motion Carried 5-0**

Sarah Bowles made a point to recognize Debbie Thomas for all her hard work for the audit.

### **Consent Agenda**

#### *Library*

No report.

#### *Parks & Recreation*

Councilmember Bowles recognized those responsible for the “Very Narrows Christmas” event and the skate rink. The event was a tremendous success. Mayor Spangler added that he has heard great comments about the events and Parks and Rec in general.

#### *Police Report*

Councilman Conley thanked Chief Ratcliffe and Officer Hughes for a recent drug arrest. Mayor Spangler mentioned the number of traffic stops on 460, thanking the department for doing their best to curtail speeding.

#### *Financial Report*

No discussion.

#### *Town Manager’s Report*

Councilman Goorskey thanked Mr. Nicholson for his pursuit of grants. Mayor Spangler thanked Mr. Nicholson and Debbie Thomas, who have worked with Edmunds Software resolving issues with our tax tickets again this year. Edmunds agreed to correct these issues by the first quarter of 2023 and re-run our 2022 taxes at NO charge to us to prove that the corrections work.

Councilman Conley expressed his disappointment that Rich Creek did not want to support our stance against school consolidation.

Water Billing – Mr. Nicholson noted this was our first month with both old and new water meters being billed. We had 150 re-reads, and out of those, 51 were still indicating high usage, and needed to be addressed further.

We have installed approximately 700 new meters out of 1,100, and that has generated many discrepancies in bills which must be individually investigated (where the old meter reading must be added to the new meter reading in the month where a meter is replaced). That has delayed the bills for this month. We will therefore NOT do any cutoffs this month. We may very well have delayed billing next month too because of the continuing transition period. Councilman Goorskey stated that maybe we could put a small ad in the paper, or something like that, to educate/inform the public about the new water meters and the discrepancies or issues that they may have experienced or are experiencing.

Town Manager Nicholson researched unaccounted water percentages with other municipalities and the Virginia Office of Drinking Water (ODW) and found that anything over 30% unaccounted water should require a corrective plan of action (which we have with our leak detection and meter replacement). Our goal should be under 30%, and preferably mid-20’s.

Mr. Nicholson mentioned unaccounted water usage that we may not be aware of, for example Norfolk/Southern RR was using one of our hydrants to fill water tanks on trucks, with no communication to the Town. An employee noticed them filling the truck and brought it to our

attention. We contacted N&S and they did come in and pay for the water that they had used from that hydrant.

**Councilman Goorskey made a motion to approve the consent agenda. Councilman Conley seconded the motion.**

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

**Nays: None**

**Motion Carried 5-0**

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

There were no requests from the public.

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

PSA Report: Councilman Mills reported that the PSA had to purchase new equipment and negotiated with a Class III licensed individual (the one on staff is no longer with us). The regional sewer study is proceeding. Councilman Mills said the cost of sewer treatment upgrades is going to be too much for any one locale to afford. The PSA has advertised for legal counsel and received two (2) responses. It was suggested that the PSA board table the selection of counsel until Ricky McCoy can be present at their meeting.

Mr. Nicholson recommended (based upon the Governor's Holiday calendar) that the Town give staff the other half of December 23<sup>rd</sup> off.

**Councilman Conley made a motion to approve closing the office on December 23rd.**

**Councilman Mills seconded the motion.**

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

**Nays: None**

**Motion Carried 5-0**

Mr. Conley spoke about the consolidation of schools and the response received from our FOIA (Freedom of Information Act) requests. He noted several instances in the correspondence that demonstrated the desire to draw attention away from the word "consolidation," as well as indications that there is no clear plan for how to proceed. The need for transparency is paramount, and everyone on our Council agrees on that. Mr. Mills was part of providing tours for the facilities when he was employed by the County and he confirmed that it was represented to him as part of a facilities study, not a "consolidation" study. Mr. Mills said there is (and has been) money set aside for each school's renovation. However, Giles does not currently have the funds and without the cooperation and support of the Board of Supervisors, it looks like a daunting task. Councilman Turner noted that the closing of Narrows High School is now off the table, but there are several options still being discussed which would change the function of the school (to a middle school). So, we are still not "out of the woods."

The billboard concerning consolidation and feedback received (both positive and negative) was discussed.

### **New Business**

There was no new business.

### **Unfinished Business**

Mr. Nicholson said the Virginia Outdoors Foundation conservation easement is included in Council's packets. He said the Town's goal of the easement was to give us the flexibility to make improvements to part of the site, such as parking, cabins, picnic shelters, and repairing or renovating the facilities related to the water tower. Attorney Bedsaul stated the amount for the grant is about \$43k, but the easement from the Virginia Outdoor Foundation and the language on the deed is restrictive, stating what can or cannot be built, even the cutting of trees. There are significant restrictions to be imposed forever on this property, even if sold to another party. Those restrictions are forever, regardless of the owner. The Attorney and Town Manager added language to include the continued existence and use of the water tower, with any requisite improvements for its operation. The property is about 165 acres and much of the land is not buildable nor developable, because the terrain is steep and wooded throughout. Mr. Nicholson pointed out that the Comprehensive Plan discusses the need to preserve the Town's viewshed, and that the park is what much of the Town looks at. Mayor Spangler mentioned the overcrowding at The Cascades in the summer could bring tourists to this location. Mill Creek

runs through it and the town looks out on the mountain; there has been mention of the park on social media and other marketing sites.

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

Mr. Nicholson presented Council a request for more funding to cover the overages for the ARC and CDBG grants. He went through each line item in the budget for both grants that had overages, including:

- Hill Studio's initial bid was \$39,241 higher than the grant budget.
- Thompson and Litton (T&L) were contracted to do a structural analysis after the wet-floodproofing design was completed at a cost of \$12,000. Councilman Goorskey questioned whether this should be paid for by Hill Studio and T&L, since they should have known that floodproofing was needed at the outset. Mr. Nicholson pointed out that the study is already completed and was approved by Council in a meeting earlier this year.
- T&L provided a "No-rise Certification" at a cost of \$4,500, which allows us to avoid filing a Conditional Letter of Map Revision (CLOMR) through FEMA.
- SIMCON's bid for their part of the project was \$63,180 higher than the grant budget. We were able to eliminate two items from that portion of the project which reduced the total by \$20,900.
- Cornerstone Contracting's initial bid for the construction of the Outfitter's Building was \$6,507.76 over the grant budget. After the floodproofing design required for the floodplain was completed, Cornerstone gave us a change order to the contract which added \$51,441.50.
- Sale of the apartment which was purchased along with the Shuff Building brought \$20,000 which can go back into the grant.
- Total overages are \$135,970.26, which is 12.5% of the total \$1,091,934.00 grant project.

Mr. Nicholson asked that Council approve \$135,970.26 of ARPA funds to be allocated to the completion of these two grant projects. He also stated that any funds for the façade improvements that are not used (Anna's Restaurant, the laundromat, and Jason Tickle's building) by the May deadline would go back into the grant funding and would reduce our costs.

**Councilman Mills made a motion to encumber \$135,970.26 to cover the cost overages of the grant projects. Councilman Conley seconded the motion.**

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

**Nays: None**

**Motion Carried 5-0**

Council received a request from the Giles County FFA chapter to help sponsor a Winter semi-formal dance. Mayor Spangler asked whether the dance would be open to Narrows students as well, or just Giles students? The letter states it is at Giles High School. Councilman Conley asked whether the Town has ever donated to this cause in the past? Debbie Thomas said we have not. Mayor Spangler asked whether Giles has ever sponsored anything for us in the past, saying it is a 2-way street. Councilman Mills said we should be the first to reach across the aisle, as a gesture of goodwill.

**Councilman Mills made a motion to approve a \$100 donation. Councilman Goorskey seconded the motion.**

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

**Nays: Turner**

**Motion Carried 4-1**

A public hearing was scheduled for the Virginia Outdoor Foundation conservation easement deed, which will be held at our January 9<sup>th</sup>, 2023, meeting.

### **Items for Council Information**

The Board of Supervisors Meeting minutes, PSA Meeting minutes, the New River Valley Regional Commission meeting minutes, and the Narrows Fire Department monthly reports.

There were no comments.

### **Executive Session**

**Councilman Goorskey made a motion to enter Executive Session for the purpose of discussion of personnel matters (Vacant Position and Job Performance). Councilman Mills seconded the motion.**

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

**Nays: None**

**Motion Carried 5-0**

**Councilman Conley made a motion to come out of Executive Session and resume open Session. Councilman Mills seconded the motion.**

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

### **Adjournment**

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

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

**Nays: None**

**Motion Carried 5-0**

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Clerk, Debbie Thomas

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Mayor, Tom Spangler