

Narrows Town Council Meeting
November 12, 2024

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

Staff members present were Cindy Laws, Terry Nicholson, Benji Ratcliffe, Debbie Thomas, and Lindsey Thompson.

Attorney Mike Bedsaul was present.

Mayor Tom Spangler gave the invocation.

Council and audience recited the Pledge of Allegiance.

Approval of October 14th Meeting Minutes

Councilman Mills made a motion to approve the October 14th meeting minutes.

Councilman Hale seconded the motion.

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

Nays: None

Motion Carried 5-0

Public Hearing

Mayor Spangler opened the public hearing for the Optimum (Cebridge) Franchise Renewal. Rhett Gum, the Manager for Government Affairs with Optimum, was present at the meeting to answer any question council or the public had. Mayor Spangler asked if there was anyone that wanted to make a bid on the franchise and there were none.

Rhett Gum introduced himself and thanked council for allowing him to attend the council meeting. His job is to be the customer's advocate with Optimum so he wants to hear complaints and concerns that anyone may have. He can take those back to his team and get these issues addressed. They are trying to clean up the mess Suddenlink left in this area. This is a non-exclusive contract so other providers can offer their services as well.

Councilman Conley said people he has spoken with have stated the following complaints about Optimum:

- ❖ Poor customer service
- ❖ The nearest store is in Princeton, West Virginia
- ❖ If a technician has to come to someone's house they charge a fee
- ❖ The equipment is outdated

Councilman Conley asked Rhett Gum how they would handle these complaints.

Rhett Gum said he would be happy to address these individual issues, and any other issues there may be, on his own. He can get with his team to see what the issue is with getting outdated equipment updated. He will leave council with his personal cell phone number and his email address so he can be contacted directly. A single point of contact can be designated with the town to collect complaints and send them to him as well. They have been working to bring some of the call centers back to the United States. If a customer has repeat complaints, they are escalating those internally to a new system so those issues are adequately addressed.

Councilman Mills said Optimum is the only provider in the area and sometimes that makes people feel helpless. These complaints could be channeled through Town Manager Terry Nicholson but people could contact Rhett Gum directly. He is asking that Optimum please listen to area customers because frustration levels magnify when they think no one is listening. He thanked Rhett Gum for attending the meeting this evening.

Councilman Goorskey said he does not remember a time in the past when an employee from the cable company has been in attendance when a franchise has been renewed. He asked Rhett Gum if he knew the age of the Optimum infrastructure in Narrows.

Rhett Gum said it depends on the area. They do upgrades depending on the situation.

Councilman Goorskey said they realize Narrows is a small locality and we do not have a large number of subscribers, so a new provider will probably not come to this area. Internet speeds from Optimum in this area seem to stay just above the threshold of being called an ‘underserved’ area. If they were an underserved area, they would probably have access to the federal funding that would bring in some newer upgraded systems. Are they expected to just break that minimum threshold from this point forward or could they someday see better speeds? His wife could work from home more often than she does if they had the internet speed to allow her to do that.

Rhett Gum said the system in this area comes from West Virginia and that system has been upgraded. They have seen a decrease in service-related complaints over the last two years. Optimum did get into some trouble with the West Virginia Public Service Commission and most of those issues have been resolved. He has spoken with some officials from Giles County and there are issues with internet speeds slowing down in the evening after 5:00pm when people get home from work. Optimum is working on this issue.

Councilman Goorskey said he does like the idea of a central point of contact to collect and transmit particular complaints. The only problem he has with that is when the person sends the complaints and the issues are not handled in a timely manner the person collecting the complaints is the one that is blamed.

Councilman Mills thanked Rhett Gum for being present at the council meeting and will take him at his word until he proves different.

Councilman Hale said he is familiar with some of the correspondence Rhett Gum has had with Richard Chidester, the attorney for Giles County, and appreciates him staying engaged in some pretty difficult conversations. He asked Rhett Gum what geographic area he covers in his job with Optimum.

Rhett Gum said he handles local government affairs so he handles franchising for the most part. His focus is on seventeen states.

Councilman Hale said it concerns him that Rhett Gum has such a large area to cover and appreciates him willing to share his customer-complaint data but he would feel better if it was independent data. He feels that customer complaints may have gone down due to the customer service customers have received from Optimum because they know they have no other choice. If Narrows is going to designate a single point of contact, he would like to have information coming back to council that provides information about the results from those issues and concerns. He asked Rhett Gum if he could cite some examples of his dealings with customer complaints and concerns that have resulted in improvements or changes in levels of service in a positive way. His personal opinion is that the higher you get in an organization the less you know what is going on in the field.

Rhett Gum said they have been doing work in Kingwood, which is in the greater Houston area, and city council reached out because there was an issue with downed lines. That area is prone to hurricanes. He personally took this problem to Optimum and there was a service team on site in two days to get this resolved. There have been similar instances in north Texas and some in Oklahoma.

Councilman Hale asked Rhett Gum if the markets he spoke of were about the size of Narrows.

Rhett Gum said Kingwood is a large metropolitan area but north Dallas is a little more rural. He understands Councilman Hale believes his job is a little overwhelming but he has six other members on his team that work on franchises along with him and they are very capable at resolving issues.

Councilman Hale said Optimum may need to monitor data speeds in this area. He thanked Rhett Gum for attending the council meeting this evening.

Mike Bedsaul asked Rhett Gum when complaints are made and given to him who will be taking action on the complaints.

Rhett Gum said he will send complaints to the construction manager in the area or the field service team in the area.

Mike Bedsaul asked where they were located in the area.

Rhett Gum said there are a few in Princeton and a few in West Virginia. There are a handful that live in Virginia.

Mike Bedsaul asked if the contractors were Altice employees.

Rhett Gum said the ones he spoke of were but sometimes they do use contractors for construction.

Mayor Spangler said council appreciates Rhett Gum being in attendance this evening. The issues and concerns addressed this evening were addressed five years ago when the franchise was up for renewal and the consensus is that very little has changed since then. Hopefully five years from now they will not be discussing the same issues.

Rhett Gum said he could come back to a council meeting in six months to discuss what has been happening with Optimum in the area.

Councilman Hale asked if Rhett Gum could provide improvements in infrastructure that have been made in his presentation when he comes back to address council.

Rhett Gum said he would.

Mayor Spangler asked if there was anyone else that wanted to speak concerning the franchise agreement with Optimum. Hearing none he declared the public hearing closed.

Consent Agenda

Library Report

Councilman Conley said he was glad to see the library was receiving extra money from the state.

Councilman Goorskey asked if this was because the state had extra money or because Cindy Laws had done extra work.

Cindy Laws said they are working to get libraries totally state funded.

Parks & Recreation Report

Mayor Spangler said October revenue for the rec department was pretty impressive.

Farmers Market Report

Councilman Goorskey said Lindsey Thompson had given them some amazing data. He would guess that the change in dates for the fall festival affected the revenues.

Lindsey Thompson said food trucks really affected the revenues because she has to book them in February and by postponing the festival they lost a lot of food trucks.

Councilman Mills said he was glad they were still able to hold the fall festival after the flooding and he is sure it boosted morale in the area.

Councilmember Bowles wanted to recognize Lindsey Thompson for all her work toward the fall festival. She knows a lot of the work was done while she was on maternity leave.

Police Report

Councilman Mills said the police department does a remarkable job for the town.

Councilman Hale thanked Police Chief Ratcliffe and his staff for all of their hard work. He asked when Melissa Cohen's new vehicle would be ready.

Police Chief Ratcliffe said it should be ready in one or two weeks.

Financial Report/Treasurer's Report

Councilman Conley asked council to turn to page 18 in the revenue and expenditure report. He was really impressed to see that only 40% of funds allocated for water and sewer had been expended. He did some calculations on water loss since January and the average water loss for this year so far is 20.3%. That is fantastic and the town is doing a great job.

Councilman Mills said when he and Terry Nicholson go to PSA meetings the other localities are envious of Narrows' water loss.

Councilman Conley said he appreciated the work done by Terry Nicholson and Debbie Thomas.

Town Manager's Report

Councilman Conley asked Terry Nicholson if very many customers asked for forgiveness on their water bills.

Terry Nicholson said the way they did that was if anyone had a higher bill in October than they did in September, they were charged the amount of the September bill on their October bill.

Councilman Hale asked if there was a way to put a note on the current water statements showing the adjustment they received on their bill.

Terry Nicholson said it was placed in the newspaper after the last council meeting. They can do a Facebook post to let people know.

Councilman Hale said that was a good idea but he was wondering if there could be a line on utility statements that said 'Year-to-Date Adjustments' to let people know what they have saved.

Terry Nicholson said the current utility statement does not have room for that because it is on a postcard.

Councilman Mills commended Terry Nicholson on telling Peed & Bortz this was their last chance to make things right with the town before the town hands these issues over to the town attorney. The town has dealt with this long enough.

Terry Nicholson said they will be discussing this later because it does not come with a cheap price tag.

Public Works Director's Report

Councilman Conley asked if the water crew had finished replacing the 705' – 800' of waterline from Warner Street to Woodland Avenue.

Terry Nicholson said it was completed as of today. This was a 2" galvanized line that had been problematic in the past. They expect the customers on the end of this line will see a pretty dramatic increase in water pressure. The town continues working on replacing galvanized lines in the water system.

Councilman Conley said this was one more checkmark on the list.

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

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

Nays: None

Motion Carried 5-0

Communications, Concerns and Requests from the Public

Emily Clem thanked council for allowing her to speak tonight on an issue that really upset her. For a long time, the town has put flags on the bridge for Veterans Day but they were not up this year and that really upset her. She was one of a group of people to get this started. They purchased flags the first year and asked the town if they would put them up and take them down, because they could not do it, and the town agreed to that. They let the town have the flags with an understanding that flags would be placed on the bridge on Memorial Day, July 4th, and Veterans Day. The flags were not placed on the bridge for Veterans Day and she thinks this is very disappointing for veterans in the Town of Narrows. Some of the flags have been replaced by the town and Emily Clem and the group she represents thank the town for that. If the town can purchase empty buildings and not put anything back in them then they should honor the veterans.

Council agreed that Emily Clem was correct in that the flags should have been placed on the bridge for Veterans Day.

Emily Clem asked if council and Terry Nicholson agreed with placing the flags on the bridge for Memorial Day, July 4th, and Veterans Day to show respect and honor for veterans. They all agreed.

Councilman Hale asked Terry Nicholson what process was or could be in place to make sure this does not happen again. He also likes the idea of flags being placed on the bridge for Flag Day.

Councilman Goorskey said he remembered a time council agreed to keep the flags up for an extended period of time.

Emily Clem said veterans need to be remembered.

Mayor Spangler said money for the flags that were purchased by the town came from the American Legion.

Terry Nicholson said they were keeping flags on the bridge from Flag Day through July 4th. He will make sure this does not happen again.

Councilman Goorskey said no one made a decision to not put the flags up for Veterans Day this year.

Councilmember Bowles thanked Emily Clem for being a voice for veterans.

Emily Clem said she has several service members in her family so this issue is close to her heart.

Communications from Mayor, Council, and Staff

Councilman Mills said the next PSA meeting will be held November 14th.

Terry Nicholson said since the last council meeting he and Police Chief Ratcliffe had been working on the school speed-zone issue. They did receive the report from the company that was doing the test and they said for the cost of the signs, with the number of speeders that were detected, they could not justify paying for the signs. The company said they would work with the town if the town wanted to purchase some of the signs. However, council also directed Terry Nicholson to contact the school board to see if they would be willing to pay for having the signs installed. He spoke with Mike Brown at the school board office and explained what the town was trying to do. They talked about the elementary school but that is not as much of a concern because of the stop signs on that street and since there is a police officer there when school begins and when school ends. They are still really concerned about the high school and have discussed where to place the signs with Police Chief Ratcliffe and the school board as well. The cost would be \$5,000/sign that includes posts and solar panels because it would be hard to connect them to electricity in the places they want to install them. Mike Brown asked Terry Nicholson to come back and let council know they would be willing to work with the town to put signs there but wanted to know if the town could make a contribution toward that.

Councilman Hale asked Terry Nicholson if he had any information on what other communities contributed to the signs that exist at other schools in the county.

Terry Nicholson said he does not know that for sure but John Davis and Police Chief Ratcliffe have said they believe the school board paid for those.

Councilman Hale said before council agrees to pay some on the signs he would like to know how the school board has handled this in the past.

Councilman Mills said the way the school board handled this in the past is that they paid for the other ones in the county.

Councilman Hale said then his and Councilman Mills' position is that they do not want to pay toward the signs.

Councilman Goorskey agreed. At the end of the day, they want the signs but they also want the same treatment the other towns have received.

Councilman Hale said he is not questioning Terry Nicholson and Police Chief Ratcliffe's judgment but there are signs at all of the other schools and whatever the town can do for the elementary and high school is a good thing. If it was known that other communities did not pay for their signs, he is disappointed that the question was even raised.

Police Chief Ratcliffe said the signs in other towns have been there a long time and when they were installed there was different administration. He is not saying it is right or wrong but there were different board members and a different administration.

Councilmember Bowles said she is hopeful that if the question concerning the school board paying for the signs was posed to the school board the question of the town paying toward them would not have been asked.

Councilman Conley asked Terry Nicholson how much of a contribution the school board was asking for.

Terry Nicholson said they did not specify that.

Councilman Conley said the study that was done was during school arrivals and dismissals.

Police Chief Ratcliffe said the data given to the town was from the time the flashing lights came on the signs until the flashing lights went off.

Councilman Conley said they do not have the data for other times of the day and night.

Mayor Spangler said the other times of the day would not pertain to this since data would only be collected when the lights on the signs were flashing.

Councilman Mills said, according to the data they received, there were 177 violations in a school zone and that is too much.

Police Chief Ratcliffe said his staff has been working more in that area in the last year and have given out several citations.

Councilman Mills said they are doing the best they can do internally and with their team. They need help with this from the school board.

Councilman Conley asked what it would take to do photo enforcement at the high school.

Terry Nicholson said if the signs were up the company that provided the data may be interested.

Police Chief Ratcliffe said he asked the company if the town installed the signs would they be interested in photo enforcement and they said definitely.

Councilman Goorskey said when Police Chief Ratcliffe stated when the other schools received their signs there was a different administration and a different staff but during those times the schools in Narrows were not thought about either. There are people actively at the elementary

school during these times that are not actively writing tickets but could. If the same number of speeding incidents were happening at the elementary school as were happening at the high school the town would know about it. He agrees they need lights at both schools.

Councilman Mills said Terry Nicholson needs to go back to the school board office and ask them to bring this issue up at a school board meeting.

Mayor Spangler said the school board needs to be asked to install flashing lights and if the issue does not improve then the town may need to incorporate the cost of the signs into their budget.

Police Chief Ratcliffe said he believes installing the lights will dramatically improve things.

Councilman Goorskey said he would like to see this question posed to the school board in a public meeting so their answer could be recorded in a public paper.

Terry Nicholson said the town has closed out all of the ARPA funds on the advice of the town's auditor. All of the ARPA funds were moved to the general fund. There is still about \$150,000 encumbered for the sewer project, which is ongoing, so that remains encumbered.

New Business

Terry Nicholson said he went back to Peed & Bortz and told them this was their last chance to fix the issue at the wastewater plant. In his opinion, he still does not have a definitive answer from them but they are having their engineers run electrical calculations to be able to assure the town that if the soft starts for the motors are installed this will fix the issue. Peed & Bortz did not plan on them in the work at the wastewater plant but have realized that the wiring from the generator into the building is not adequate for the amperage that would be running if they ran it at full capacity. They gave Terry Nicholson a quote to address both the wiring issue and installing soft starts for the two motors that would be affected. They may be able to only start one motor so if they went into a power-failure situation they would run on one motor rather than two, which they can do. This was done during the flooding emergency. This is not ideal, but a workable scenario for him. They do not know if it is going to work but it sounds like it will. It will cost \$25,000 to install all of this equipment. He wanted council to be aware of this and see if they wanted to go that route.

Mayor Spangler said Peed & Bortz stated the wiring was insufficient. If the wiring was replaced, would it fix the problem?

Terry Nicholson said no. The wiring being insufficient would simply make it run too hot and would make it a fire risk if it were running at the full amperage capacity.

Councilman Mills said he would rather spend money on the town's attorney than Peed & Bortz.

Councilman Goorskey said starting amps and running amps are not specific to those motors. Is the generator itself not capable of producing that amount of starting amps?

Terry Nicholson said no. The town has proven that their generator is operating at the same capacity it was when they were running the plant manually on that generator. They asked Peed & Bortz to design the system so that the town could run seven things in an emergency situation, which included the two motors.

Councilman Goorskey said the town is still using its original generator and replaced the transfer switches and they now have problems.

Terry Nicholson said the town's argument from the very beginning is that the wastewater plant has always been able to run those seven things on that generator.

Councilman Goorskey said the transfer switch is what cannot handle this.

Terry Nicholson said that is correct. When the system that is measuring amperage and voltage detects a drop in amperage it is kicking off.

Councilman Goorskey said they are looking at the transfer switch they have installed and making it work by adding another component to it, which is the soft start. Do they know if there is another transfer switch that should have been used in place of this one. The transfer switch may have had a different cost but may not be the same cost as the soft starts and the installation of those.

Terry Nicholson said he cannot answer that because he does not know enough about the automatic transfer switch other than what it does.

Councilman Goorskey said he is saying that he does not trust Peed & Bortz and their engineers to give the town that answer but the manufacturer could tell them.

Mike Bedsaul said he believes the question is would a different transfer switch have fixed the problem and what would the cost have been for it.

Terry Nicholson said he understood the question but does not know the answer.

Mike Bedsaul asked if the soft starts were band-aid solutions or is it something Peed & Bortz feels like should have been designed in the beginning to solve the problem.

Councilman Goorskey said it is making what they have now work.

Mike Bedsaul asked how it should have been designed in the beginning.

Terry Nicholson said they all believe this issue should have been caught. Peed & Bortz does not have their own electrical engineer so they contracted someone to do this for them.

Councilman Mills said it does not matter who the electrical engineer is. It is under Peed & Bortz's umbrella and that is who the town contracted with for the work. It will be hard for him to give Peed & Bortz another \$25,000 to fix what he strongly believes is their mess up.

Mayor Spangler said with the soft switches they are adding another component that has the potential to be a problem.

Councilman Conley asked Mike Bedsaul for his advice.

Mike Bedsaul said he would suggest that council amend their agenda to add 'Consultation with Legal Counsel' for closed session tonight so he can answer the question in closed session to maintain attorney-client privilege.

Councilman Conley made a motion to amend the agenda to add consultation with legal counsel, Sec. 2.2.3711.A.8 of the Code of Virginia (Wastewater Treatment Plant Matters) (Discussion of Gallimore Property). Councilman Mills seconded the motion.

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

Nays: None

Motion Carried 5-0

Unfinished Business

None.

Matters for Consideration by Council

None.

Councilman Conley made a motion to defer action on the Optimum (Cebridge) Franchise Agreement until the December 9, 2024, council meeting. Councilman Mills seconded the motion.

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

Nays: None

Motion Carried 5-0

Councilman Mills made a motion to go into executive session for consultation with legal counsel, Sec. 2.2.3711.A.8 of the Code of Virginia (Wastewater Treatment Plant Matters) (Discussion of Gallimore Property).

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

Nays: None

Motion Carried 5-0

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

Ayes: Hale, 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 Conley seconded the motion.

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

Nays: None

Motion Carried 5-0

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

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

Nays: None

Motion Carried 5-0

Clerk, Debbie Thomas

Mayor, Tom Spangler