

**Narrows Town Council Meeting
July 14, 2025**

Mayor Tom Spangler called the meeting to order. Council Members present were John Hale, Sara Bowles, Jonathan Creger, John Mills, and Alicia Lane.

Staff members present were John Davis, Cindy Laws, Terry Nicholson, Benji Ratcliffe, and Debbie Thomas.

Attorney Mike Bedsaul was present.

Mayor Tom Spangler gave the invocation.

Council and audience recited the Pledge of Allegiance.

Appointment

Mayor Spangler said the first item on the agenda was to appoint a Vice Mayor and John Hale had graciously accepted that position.

Councilman Mills made a motion to appoint John Hale as Vice Mayor. Councilman Creger seconded the motion.

Ayes: Bowles, Creger, Mills, and Lane

Abstain: Hale

Nays: None

Motion Carried 4-0

Mayor Spangler said council would like to welcome Alicia Lane as their new council member. They appreciated her willingness to serve and looked forward to working with her.

Councilmember Lane said she was very excited to be part of this group. There were so many people at the meeting this evening that she respected and she was excited for what they were going to do together.

Public Hearings

Mayor Spangler opened the public hearing concerning the general obligation line of credit and asked if there were any comments. Hearing no comments, he declared the public hearing closed.

Approval of June 9th and June 16th Meeting Minutes

Councilman Mills made a motion to approve the June 9th meeting minutes. Councilman Creger seconded the motion.

Ayes: Hale, Bowles, Creger, and Mills

Abstain: Lane

Nays: None

Motion Carried 4-0

Councilman Creger said he appreciated being able to attend a council meeting remotely but thought there had to be a better way to do that because it was very hard to hear what was going on. He thought it may be able to be done through Zoom or something similar.

Councilman Mills made a motion to approve the June 16th meeting minutes. Councilman Creger seconded the motion.

Ayes: Hale, Bowles, Creger, and Mills

Abstain: Lane

Nays: None

Motion Carried 4-0

Consent Agenda

Library Report

Councilman Hale thanked Cindy Laws for what she did for their community and for faithfully attending these meetings. He was pleased to see the increase in state funding. He also wanted to compliment Cindy Laws on her pursuit of the grant that she mentioned, and he wished her well. Had she done that in the past or was that new.

Cindy Laws said she had done that in the past and they received \$4,000 one year and then last year she applied and did not get it.

Councilmember Lane just wanted to note that her family loved going to the paint nights that the library had. It was great to have that space available for some sort of group activity and her mom got super excited about it every time. It was such a great way to get people out and together.

Parks & Recreation Report

Councilman Hale said he wanted to make a comment from his mother who turned 92 years old on July 9th. He wanted to address this specifically to Terry Nicholson, Roger Shepherd, Sara Bowles, Benji Ratcliffe, John Davis, and others. He apologized to those he did not mention, but this was related to the July 4th activities. His family had a gathering at the park at their home that day across from the park, so his mother was able to see what was going on and she left at the end of the day and headed back to where she lives, mostly in Roanoke. She wrote him a note related to their day. At the end she said the best thing at the park as they drove out was that it was special to see so many young people out participating. The kids who came to the park seemed to be left free to entertain themselves. Sometimes good, sometimes troublesome. It looked like there were actual adult leaders there helping them to know what to do with their energy. John Hale's granddaddy and Uncle Dan, who both, he added, had been gone since the 1980s, would be so pleased to see the community using the community place in good spirits and as a community. That would please them to have seen such happy and enjoyable activity. So, from his mother to all of you and the community, thank you very much.

Councilmember Bowles said she would like to give a shout out to Jennifer Clark, Jenny Wheeler, Roger Shepherd, the police force, John Davis and crew, the fire department, and the fireworks

committee. It was a great celebration and appeared that everything went off without a hitch so that was very much appreciated. The park looked great. She understood it was very profitable.

Terry Nicholson said attendance-wise they believed they were pretty close to where they were last year, which was good.

Councilmember Bowles said she also wanted to thank Patrick Bailey for taking on the basketball tournament.

Mayor Spangler said the Gallimore family was very appreciative of the dedication and how everything came off. They were very impressed with the person that put the dedication letter together, which he understood was Jennifer Clark, and was sure she probably had some help along the way.

Terry Nicholson said he heard comments from others in the family who took the time to call him and thanked the town for the dedication to Mac as well.

Farmers Market Report

No report was available.

Police Report

Councilman Hale thanked Police Chief Ratcliffe for his attention to and inclusion of reference to nonfunctioning streetlights in his report.

Police Chief Ratcliffe said it had been a battle. He contacted their representative with AEP and told him the lights that he had turned in numerous times had still not been fixed. He responded back with an email that said he had done work orders on all the lights, so he would contact the supervisor and get back in touch with him to give an exact date they would get those fixed.

John Davis asked if he could give an update on that. One of the AEP workers called him two weeks ago and said they had work orders for 40+ lights that were out. He asked John Davis if the town would be interested in going to all LED lights. AEP would come change out every light that the town had and put LED lights in. He told the AEP representative that the town would be in favor of it, so he put him in touch with another gentleman that was getting the process started. That may be one of the reasons why they have not had them fixed yet.

Mayor Spangler told John Davis to ask AEP about upgrading the lighting at the park and ride.

John Davis said he was pretty sure that was part of the town lights so that would be included.

Mayor Spangler said he did not think the light at the park and ride was part of the town lights.

John Davis said he would check with AEP concerning that.

Councilman Hale asked John Davis if that included the lights on the bridge.

John Davis said yes.

Financial Report/Treasurer's Report

No comments.

Town Manager's Report

Councilman Hale told Terry Nicholson he appreciated him being forthright with council as he always was and thought he felt just as they did relative to the issue regarding the switch at the wastewater treatment plant. He asked Terry Nicholson if he could offer any additional comments about where he thought that was going.

Terry Nicholson said at this point right now, Peed & Bortz was working with the manufacturer of the switch itself to coordinate getting the switch reconfigured. Terry Nicholson believed that was the problem, and the electrician agreed. The way that switch was configured when it was set up initially caused the generator to shut down. It is a different problem than it was originally, so they were not running into the same problem. The ATS would kick on and go through its sequence that it needed to and then at the end of the sequence it told the generator to shut down and they were not sure why that was. Kohler, who was the manufacturer of the switch, needed to help the town figure out what the problem was but they were going to charge someone to come. Peed & Bortz was working with them trying to figure out whether they could do that configuration over the phone or whether they were going to have to get somebody to come to the wastewater plant. That was where it stood right now.

Councilman Hale thanked Terry Nicholson for his information.

Councilman Mills said Gerry Clark had storage buildings in town on a street called Princeton Street. He knew for a fact that Princeton Street should be Princeton Avenue.

John Davis said he thought it was Princeton Lane.

Councilman Mills said whatever it was named now was not correct. He did not believe it would do any harm if it would help a business person to name it whatever it needed to be so that it was correct.

Councilman Hale asked if the root of the issue was a GPS issue.

Councilman Mills said yes.

Mayor Spangler said he guessed that Gerry Clark was asking to rename the street whatever the GPS said it was.

John Davis said he would take a look at it and find out what the sign said. He would even Google it.

Debbie Thomas said it was listed as Princeton Lane on Google Maps.

Police Chief Ratcliffe said it should be Princeton Lane.

Terry Nicholson told John Davis to check VDOT records as well.

Councilman Mills said he also talked to the Gallimore family and they were exceptionally pleased with what everybody did on July 4th. The grass had not been mowed around the Gallimore property and it was very high. He did not know what the town told them they would do but he knew the town needed to mow the grass.

John Davis said the town was mowing it weekly. He asked what part of the property the grass was high at.

Councilman Mills said the upper part.

John Davis said he would check on it.

Terry Nicholson said he had something to add to his report that he did not learn until today. Concerning the EPA grant the town received for \$350,000, he received a contract in his email today for that. The Green Healthy Homes Initiative (GHHI) had sued and were successful in getting that program back, so there was more of a possibility now that the town may receive those funds.

Councilman Mills said he and Terry Nicholson met with the owners of Riverview Campground. Terry Nicholson sent an email to DCR concerning the decks that people had built and had attached to their campers. The decks were on big wheels and were classified as an RV and DCR accepted the letter.

Councilmember Lane asked if the decks had a license plate and were registered.

Terry Nicholson said that was the caveat. DCR said if they met the conditions of a recreational vehicle, which the town ordinance defines what a recreational vehicle was, they had to be licensed and road ready all of the time. They had to have wheels on them and could be supported on their jacks themselves but could not be lowered onto cinder blocks. He also required them to modify their evacuation plan for that site to address the fact that they, the owners of the campsites, were responsible for getting those things out. They had to address the fact that now they had 250 campers, so with porches, they could have 500 things they had to get out of there now. That was one of the things DCR said would cover the town from the floodplain side.

Councilmember Lane said that evacuation plan seemed trickier now because they would likely have to pull the camper out and then go back and get their makeshift deck.

Terry Nicholson said the owners told him they would require their campers to bring two trucks so they could get both out at the same time. In an emergency situation the police force might not be letting them go into the site, they would only let them go out.

John Davis asked if the campers had to register the decks.

Terry Nicholson said yes. They had to be road ready. He also noted the Virginia legislature just changed the regulations for trailers and vehicles for farm use. You could not put a farm use tag from Tractor Supply on your trailer anymore and have it be licensed, it had to be through DMV and had to be a farm vehicle.

Councilman Mills said he was not very happy with the decision but thought it was imperative that their team stayed on task and monitored the campground closely.

Councilman Hale asked Terry Nicholson if he personally had the capacity to do what John Mills was suggesting in terms of performing those inspections and if he did not could they talk about another plan. He said that only because their follow-up and their regular visibility with the owners of the campground and residents would be critical to making this work.

Councilman Mills said he had heard through the grapevine that there had been a proposal put forward that the county hire a full-time floodplain manager for all entities in Giles County.

Terry Nicholson said that was true. He had been talking with Chris McKlarney and John Ross concerning this, before John Ross changed job positions. The county received a DCR grant to put together a resiliency plan which was required in order to apply for any other funding from DCR. The Town of Narrows wants to apply for DCR funding for the wastewater treatment plant, and so we had been asking the County to do that, and now was the time to do it after the wastewater treatment plant flooded. Under the DCR grants, they could submit an application to pay for up to five years' salary for a floodplain administrator for a municipality, and in this case it made the most sense to do that at the county level and have all of their floodplain ordinances match each other. One person would enforce it countywide and that would be their job.

Councilman Mills said he agreed with that 100% and what he would like to propose to his teammates tonight was that they task Terry Nicholson with drafting a letter to the county saying that the town supported this 100%.

Mayor Spangler asked Terry Nicholson if there had been any discussion about whether they were going to allow roofs on the mobile decks.

Terry Nicholson said they would not be allowed.

Chuckie Buracker asked if campers would be allowed to put a 4X4 post up and put up mesh screens or would there be no shading allowed whatsoever.

Terry Nicholson said they could do an awning off of the camper itself, so it had to be attached to the camper.

Councilmember Lane had a question about evacuation plan. Was there a process they had to go through and was that something they had to show Terry Nicholson and get his approval?

Terry Nicholson said it had to come through him. He had their draft now and that was when he went back to them and asked them to modify that with the changes that he needed to see.

Councilman Mills said if everybody did what they were supposed to do it could be a really healthy compromise.

Terry Nicholson said as far as enforcement that was something that Police Chief Ratcliffe and himself could work together on as well because his officers were going through there routinely. They could train them as to what kinds of things to be looking for. If they saw something that they were worried about, they could let him know.

Public Works Director's Report

Councilman Hale asked John Davis if he had an estimate as to when the Dogwood Lane project would be completed.

John Davis said it was going to take a while. They were doing it in house and in phases. The main would go in first and that would hopefully start within the next couple of weeks. They will put all the main water lines in and tie them into the mains that were already there. The next phase will be the upper side for Southview Avenue and Dogwood Lane and then the next phase will be for Dogwood Lane and Park Drive to all those houses. They just received the construction permit back from the health department, so they were good on that. They still had a few things to get from VDOT and then they would be ready to work on that.

Mayor Spangler told John Davis that over the weekend residents in that area were wondering why they had no water. Was there a leak or something that affected that?

John Davis said yes. On Saturday afternoon, the town received a call saying there was a water break on the old side of the park up Monroe Street and was right where the 8" inch main came under the creek and came out and there was water running across the road. When they got there, they thought that it was a water main break, but it ended up being a service line that came off of the main and went to the last house on the left up on the hill just as you left town. They got it patched and put it back together. They did not run a whole new service line because it ran up the road, crossed the road, and went up the ditch line so that would have been an extensive line to put in.

Councilman Mills asked John Davis if the school signs would be up by the time school started.

John Davis said he hoped they would be up next week. There would be a total of five signs.

Councilman Creger made a motion to approve the consent agenda. Councilman Hale seconded the motion.

Ayes: Hale, Bowles, Creger, Mills, and Lane

Nays: None

Motion Carried 5-0

Communications, Concerns, and Requests from the Public

Chuckie Buracker said he was not able to attend the 4th of July celebration but wanted to speak about Mac Gallimore. He had given one of his buildings for the past seven years to be used by a travel baseball team and then they used it for the high school. Mac Gallimore really helped a lot of kids and he just wanted to let council know. Mac Gallimore was a good friend of his and his father. For him to do that and not take a dime was something meaningful. He just wanted council to know what kind of guy he was.

Communications from Mayor, Council, and Staff

Mayor Spangler said he had a thank-you note from the family of J.J. Perdue he would like to read: To Mayor, Town Council, and Town Employees, thank you for the beautiful flower sent to my family during the passing of my mother-in-law. Everything was much appreciated. God bless. Signed-J.J., Pam, J.D., and Olivia. From the family of Mary Helen Coulter.

Councilmember Bowles said July 30th at 7:00pm was set for GreenWave recognition and she was waiting on some lists from some of the coaches and sponsors. On Saturday August 9th there were a couple of people that were hosting a fundraiser for Corey and Lindsey Thompson and she just wanted to spread the word on that. It will be at the farmers market from 8:30 to 10:30 in the morning and will be a pancake breakfast.

Terry asked Council to please keep Corey and Lindsey in your prayers.

Councilman Mills said the PSA meeting will be on July 16th.

Mayor Spangler said Austin Sacks was in attendance this evening from Davenport & Company with a financial report.

Austin Sacks with Davenport & Company introduced himself. The town had discussed during their budget process some long-term capital funding strategies and one of those concepts was a line of credit just to give the town another buffer in addition to their fund balance. In talking to the town manager, there were some capital expenditures with Hurricane Helene at the ballfield, concessions, and campground. This would put some stress on the town's cash flows just based on the fund balances. Davenport & Company's recommendation was to move forward with securing a line of credit for interim financing, so the results of that RFP process and their recommendation were in the presentation council had been given. On the front end, what they will be looking for was that council already held a public hearing, but the real action by council this evening would be approving a resolution put together by their bond counsel that basically approved all the terms and conditions of the recommended funding that would happen later this week.

The first page of the presentation just had some background; he thought he had covered most of this in his introduction stating that Davenport & Company was the town's financial advisor. He thought the key points were that Davenport & Company had circulated an RFP, a request for proposal, and had sent that to local, regional, and national banks. They received responses back and he would go through those in a second. As they understood, there was a potential that the costs associated with capital expenditures as well as potentially the interest cost with this loan was reimbursable by FEMA so one of the key points here was that they wanted to maintain

flexibility with this loan. So, to the extent they did receive those dollars reimbursed they would be able to pay off that portion of the interim financing. He wanted to give council a general sense of interest rate trends. These were long-term tax-exempt interest rates so as a local government the town had the opportunity to finance on a tax-exempt basis. That allowed them to secure lower interest rates. The trend over the last 40 years was that those rates had been going down, and outside of the all-time lows of the COVID pandemic, they were really in a historically favorable financing environment in terms of interest rates. On the flip side there were reinvestment rates council had probably seen in their personal finances and savings accounts, and those interest rates had really increased over the short term. Going back 25 years were these really long time periods where short-term interest rates were effectively at zero, but now they were up in that 4% to 5% range. The graph was showing LGIP, the Local Government Investment Pool, which was a longtime state-run program. Those interest rates were between 4% and 5% so the town had the opportunity to generate investment earnings on their reserves, cash, and the bank. Although they were not borrowing at 3% during the COVID all-time lows, now they were at a time where maybe they were borrowing in the 5% to 6% range. They were able to reinvest those dollars at 4.5% right now, so there was a good relationship in terms of interest rates. The town received four proposals from banks, so there was a good showing from those banking institutions. Those were First Bank & Trust Company ("First Bank"), Truist Bank, First Community Bank, and First Sentinel Bank. All of these proposals were to finance up to \$500,000 and an interim financing mechanism.

Councilman Hale asked who First Community Bank was.

Austin Sacks said they were a local bank within the southwest Virginia region. Davenport & Company had seen them participate on some of the other localities' requests for proposals. Davenport & Company reached out directly to them, and they seemed interested and put in a proposal. Davenport & Company's recommendation was going to be First Bank. They offered a five-year line of credit proposal at a 5.81% interest rate. The key terms and why this was their recommendation was, first and foremost, a fixed interest rate. They knew moving forward that the interest rate was going to be 5.81% no matter if interest rates went up or down. Another key component was that this was a line of credit, so the town would only pay interest on what they drew down from the loan. If it was up to \$500,000 and they drew \$200,000 they would only pay interest on that portion. It gave the town a lot of flexibility to manage that. The third piece was prepayment flexibility. They were saying the town could prepay the loan in whole or in part at any time, so that was helpful. If there were a couple of these projects going on and the federal government reimbursed a project, the town could go ahead and prepay that portion of this loan amount off with no penalty. A lot of the other proposals had a 3% penalty, a 1% penalty, or they were just not offering any prepayment at all. The last key component was credit approval. They said they had everything they needed and had gotten credit approved on their side, so no additional information was needed from the town.

He wanted to give council a sense of what those payments could look like and this will ultimately be determined by what was drawn down on the loan. It was Davenport & Company's understanding that today expenditures related to those projects was around \$215,000, based on payments that were fixed and that the town had already made or was going to make, and to the extent they made that first draw down at closing of \$215,000, payments would be, on an annual basis, about \$12,500 the first year. He just wanted council to remember they did have that 2023

interim financing outstanding and that came due in 2029, so they still had some time on that to determine what the ultimate permanent financing looked like. This line of credit had its final maturity in FY2030 so they had about 5 years to work through this. Davenport & Company was presenting the results of the RFP process tonight, along with their recommendation. They already held a public hearing and so the only other action necessary by the elected body was approval of the resolution. That would put them closing in about two weeks at the end of the month on July 31st. They will work with town staff and the town's bond counsel to make sure all of these documents are correct, and by the end of the month the town will have access to the funds. He would be happy to answer any questions council might have.

Councilman Hale asked what it would cost the town to go through this process of establishing this credit solution.

Austin Sacks said the cost associated with this would be Davenport & Company's fee as well as bond council's fees. He thought the total cost would round up to about \$30,000.

Councilman Hale said the reason he was asking was because personally he liked the idea of a fixed line of credit and a fixed interest rate. That worked for him personally. He agreed that 5.81% seemed to be a reasonable rate. He heard all kinds of talk these days about how high interest rates were and to him they were really low based on what he had experienced in his lifetime. He agreed this was a reasonable rate. He also knew there was pressure nationally to lower rates and he did not know where that may lead. Inflation will likely have some impact on where that landed long term. What he was getting around to was as good as this may look, they could find themselves in a year or two in a lower interest rate environment where this becomes an expensive number relative to the market. The town could prepay the loan and could pay the obligation in full either with their own money or money they borrowed from somebody else in order to get out of this agreement. He was thinking about what it would cost the town to do this again and he thought he heard Austin Sacks say, at least using today's numbers, around \$30,000. Were there any provisions in this proposal to do what he was thinking of doing and that was if they found themselves in a lower interest rate environment to renegotiate this number that was mentioned in item one was there anything within this note agreement that would allow for something like that.

Austin Sacks said that prepayment flexibility, if rates did decrease, the town could definitely go back to the bank and renegotiate. The other point that he would make was, at least to their understanding, the costs associated with this loan were also potentially reimbursable, along with Davenport & Company's fees for advising on this process. He thought that was another thing to keep in mind. But no doubt, if interest rates decreased substantially or it made financial sense, they could renegotiate and or refinance.

Mike Bedsaul said to Austin Sacks' point he thought this was what he was saying but please correct him if he was incorrect. Currently, as they understood it, \$30,000 would be reimbursable from FEMA. If they were to refinance again in the future, it might not be. Whereas right now the town would have the opportunity to get \$30,000 back for the cost, if they kept financing in the future, FEMA was not going to pay for it twice. That was something to take into consideration.

Terry Nicholson said to give council an idea where the \$200,000 came from was that right now the town had roughly that amount committed for either things already paid, or things they were getting ready to pay for FEMA damages from Hurricane Helene. The town's ultimate goal here was to limit borrowing to what he knew the town was going to get back from FEMA. The town has a cash flow problem right now where their cash reserves were really low. He and Debbie Thomas fretted every morning when they came in looking at the bank account and figuring this out. It would make him more comfortable to borrow more but he did not want to do that. He only wanted to commit to what he knew they could pay back. Town staff was being cautious about what they were spending and were sticking within their budgets. They took a hard-hit last year, from the flood for one thing, but they had several other instances of things that hit the town that were significant, and some things that were secondary things from the flood that they did not plan on. A good example of that was Riverview Campground. Their water bill was often running between \$5,000 and \$6,000 a month. When the flood happened, they shut down, and the town lost that income. The town figured their prior year was about \$41,000 of income from them that went away. There were things like that where their income did not meet projections from last year and their expenditures were higher than they had anticipated last year. That was why they were in this cash flow problem that they were trying to address with this bridge funding.

Councilman Mills said he had been saying all along the town needed something like this.

Terry Nicholson said the town did need this. The town did not have very much capacity at all to handle an unexpected blow like that.

Councilman Hale asked Austin Sacks how quickly after closing the town would have access to the funds.

Austin Sacks said with the schedule right now it would be July 31st.

Councilmember Lane asked Austin Sacks if the interest rate could be reimbursed as well, like any payments towards interest.

Austin Sacks said yes.

Terry Nicholson said the town was asking FEMA to reimburse them for Davenport & Company's cost, for the interest costs itself, and for bond counsel's cost as well. So, basically, they should make the town whole for the damage.

Austin Sacks said he did have one other topic he would like to cover and that was the DEQ clean water revolving fund loan. He had been working with Terry Nicholson and the town had been approved for a clean water revolving fund loan issued through the state. He thought the town was waiting to see whether they would get principal forgiveness. That scoring came through and it looked like the town did not receive any principal forgiveness but it would still be Davenport & Company's recommendation to move forward with this financing for mainly two purposes. For some background, it was for an amount of \$1.5 million in round numbers and that was for the wastewater I&I study as well as wastewater collection improvements. Those loans issued by DEQ function as a drawdown, and so they were very helpful in that the town would not pay any interest during the project and it would function as a construction loan. During the life of the

project as the town drew down funds, they would accrue interest, but the actual payments would not kick in until six months after the project was complete. That financing was at 30 years fixed rate and they offered a below market rate that would be set once the loan was approved and DEQ went through their due diligence. He looked earlier today and the July interest rate was in the high three's, so it was very low-interest money and it did have drawdown flexibility. It would have limited budgetary impact to the town. During the planning they did earlier this year from the March time frame they had taken that loan into account and had used more conservative numbers which was 30 years at 5%. Having this loan 30 years at some interest rate lower than that plus the draw down should come in better than the financial projections they did earlier this year. He would be happy to also answer any questions on that topic as well.

Terry Nicholson said this was the meeting that he, John Mills, and the team from Thompson and Litton went to meet with DEQ and Austin Sacks attended that meeting with them to talk with DEQ about the bigger topic, which was combining the town's wastewater treatment plant with Pearisburg's. DEQ was focusing on Narrows needing to deal with their I&I problem first before they moved towards the combination of the two plants. That was what this financing was for. That was another example of a hit the town took last year where they were paying for that I&I study out of their general fund. It will be reimbursable through this loan, but the town will probably not take that loan until they get to the point where they are ready to start actual repairs on the collection system itself.

Mayor Spangler, Council, and Terry Nicholson thanked Austin Sacks for his presentation.

Terry Nicholson said Jacob Taylor had already started moving stuff into the outfitter building and the town had worked out the contract details with him, and Mike Bedsaul had reviewed the contract. Jacob Taylor accepted the conditions that they had proposed to him and that was what he had proposed in his answer to the town's RFP. Terry Nicholson put a copy of the agreement in council packets for their reference. He and Jacob Taylor had already signed it and it would go into effect tomorrow. Terry Nicholson would like for council to approve the agreement tonight so they could move forward with this official lease tomorrow.

John Davis asked Terry Nicholson if it had anything about the grounds in the agreement.

Terry Nicholson said it did. The town would continue to maintain the grounds and were responsible for the building itself as landlords.

Councilman Hale said Jacob mentioned to him today how grateful he was to Terry Nicholson, John Davis, and their staff for efforts they made to assist in his moving and relocating facilities. He said something like they had gone above and beyond in helping. He thanked Terry Nicholson, John Davis, and staff for that.

Terry Nicholson said John Davis's team did some modifications to the building to accommodate Jacob's kennels. His kennels had drains on them, so they added a small sewer line to tap into the existing sewer there. This was done at very little cost to the town for the materials and they used force labor to do that.

Councilman Hale made a motion to approve the agreement between Precision K9 and the Town of Narrows. Councilman Creger seconded the motion.

Ayes: Hale, Bowles, Creger, Mills, and Lane

Nays: None

Motion Carried 5-0

New Business

Terry Nicholson said Police Chief Ratcliffe had a complaint about a vehicle that was uncovered and did not have tags on it, and the question came up from the owner of the vehicle as to whether or not they could just put a tarp over it in order to hide it, and therefore satisfy the requirements of the town's ordinance. In the town's ordinance, they did not specifically prohibit that. When Terry Nicholson worked for Radford, this was part of his job, and they specified in their ordinance that a tarp or a car cover was not sufficient for compliance. The vehicle still had to be licensed in order to be legitimately stored on site. Police Chief Ratcliffe and Terry Nicholson talked about it, and then Terry Nicholson talked to Mike Bedsaul and asked if they could look at that particular item within the town's ordinance.

Mike Bedsaul said there were some other things in the Virginia state code that had changed as well, so it was time for a refresh. Terry Nicholson sent the ordinance over to Mike Bedsaul to add this provision relating to car covers, and Mike noticed that the town had not updated this since 1992 and he saw some things that might be a good idea to update while they were at it, and it resulted in a rewrite of the ordinance. He and Terry Nicholson thought it would be a good idea to put it in front of council's eyes first to see if they were okay with it, if they wanted to change it in any way, or leave it like it was before action was taken on it. He was happy to answer any questions that council might have.

Councilman Hale asked Mike Bedsaul if they could consider one or two modifications to what had been presented.

Mike Bedsaul said that was fine.

Councilman Hale said section 32-14 B item 2 spoke about 'or other essential parts required for the operation of the vehicle' and he proposed they insert the word 'safe' to try to tighten up the language, such that an individual could not say well I can operate this but you know it may not have all the tires inflated or whatever. He thought the spirit of this was intended to be 'road worthy' and that was why he suggested that in lieu of the word 'road worthy', which would be an acceptable modification, they could say 'safe operation'. The other thing he noticed was about placing a lien on the property. His concern was that they talked about original notification and his feeling was that it should be provided to both the property owner and the vehicle owner in cases where the property owner might not be the vehicle owner.

Police Chief Ratcliffe told Councilman Hale that when he served those notices he did make sure that it was served on the vehicle owner. A lot of times they were the same but he could run the VIN on the vehicles and make sure that he contacted the vehicle owner and they were the ones that got the notice.

Councilman Hale said he thought he read that they spoke about placing a lien on the property and asked Terry Nicholson if that sounded correct.

Mike Bedsaul said Section F stated *‘the cost being such removal and disposal as provided subsection (e) of this section, including any storage costs and administrative fees, shall be chargeable and billed to the person found in violation of the section and shall be collected as taxes and levies are collected. Every cost authorized by this section constitute a lien against the real estate from which the inoperable motor vehicle, trailer, or semitrailer was removed, and the lien shall continue until actual payment of all costs have been made to the town’*. He thought it provided notice to the property owner as well as the owner of the vehicle, and if it did not they could add that. The logic behind that was that sometimes they would have properties that were being leased and the tenant was the owner of the inoperable vehicle and the property was owned by someone else. The problem they could run into was the town could exercise its authority under the ordinance to go in and remove the inoperable mode vehicle and the tenant did not pay. He did not know what else the town could do but try to establish a lien against the property where the violation existed. He understood that affected the property owner, not the owner of the vehicle. He guessed the logic behind it was that was an issue for the property owner to take up with the tenant under the terms of their lease. That was the only way the town was going to have any leverage. A lot of localities will sometimes exercise their right to go in and clean it up themselves and establish a lien against the property, but a lot of times they did not want to front that money because they knew they were not going to get paid back, and even if they established a lien against the property, they would have to wait until the property was sold to get their money.

Councilman Hale said he agreed with everything Mike Bedsaul said but just wanted to make sure they were notifying the real estate property owner as well as the individual that owned the offending property.

Mike Bedsaul said Subsection C stated *‘the notice of violation may be provided to the person found in violation by any one or more of the following methods’*. He thought they needed to add a provision that required notice to the property owner if they were different than the vehicle owner.

Mayor Spangler said the section above that where it talked about shielded or screened from view it talked about a fence. Did the fencing have to be approved or could they just stick up any kind of a fence that might look worse than the vehicle?

Councilman Hale said that was a good question because he wondered what the zoning laws might say about that in terms of fence height, fence location, or fence type.

Terry Nicholson said there were fence-height restrictions for front yards especially but not for backyards. The section of the updated ordinance dealing with fences stated *‘means not visible by someone standing at ground level from outside of the property on which the subject vehicle is located’*.

Mike Bedsaul said he thought that came from the state code.

Terry Nicholson said it did.

Police Chief Ratcliffe said that was what he went by.

Mike Bedsaul said that was a state code requirement so it had to be included.

Terry Nicholson said for a code enforcement officer or a police officer it had to be visible from the public right of way; you could not go onto the property to look for it.

Mike Bedsaul said he believed Councilman Hale's concern was like in the middle of that sentence about the materials that the fence would be made out of. Did council want to change that in some way? Right now, it stated '*a solid, rigid, opaque fence composed of standard fencing materials*'. That language existed in other localities as well to describe the type of fencing. He would try to select definitions that were used in other localities because they had been tested, so to speak. That was not to say that council could not change things.

Councilman Hale said he thought at the very least they should be consistent with the town's zoning requirements.

Terry Nicholson said the section on fencing was pretty brief. The fence could not be higher than four feet in the front yard and could not obstruct view on a corner lot so it could not be higher than three feet.

Councilman Mills asked if there was any language about the fence not being flammable because someone could put up a piece of canvas and that would be a fence.

Terry Nicholson said it had to be a solid, rigid fence.

Mike Bedsaul said the ordinance stated '*a solid, rigid, opaque fence composed of standard fencing materials*'. It could not be a tarp because they were specifically not allowed.

Terry Nicholson told Mike Bedsaul he thought it might be worth referencing the town's zoning ordinance.

Mike Bedsaul said he would include that.

Councilman Creger said where it talked about sufficient in height, spacing, density, and circumference, they could add installation or something in reference to proper installation of it so they could not just lean fencing against the car.

Councilman Hale thanked Police Chief Ratcliffe and all of his officers for taking care of matters in this regard.

Councilman Creger made a motion to approve the ordinance to repeal and replace Section 32-14 related to the storage of vehicles and to include the changes that were discussed.

Councilman Hale seconded the motion.

Ayes: Hale, Bowles, Creger, Mills, and Lane

Nays: None
Motion Carried 5-0

Unfinished Business

None.

Matters for Consideration by Council

Chuckie Buracker said he had spoken to Terry Nicholson about a possible donation from the town to the Narrows Athletic Fund for the 16th Annual NAF Golf Tournament. The town was very big in helping support school athletics and he thought this was a great way to show the town's support. Council had been given a letter from the Narrows Athletic Fund. They were seeking sponsorship for the golf tournament and the costs were \$250 for a corporate sponsor and \$100 for a hole sponsor. In the letter, the Narrows Athletic Fund gave over \$300,000 back to the high school. Every February the athletic fund had to submit a request and in that request, there was criteria for it. If they wanted money, they had to show that they either participated in a golf tournament, worked the golf tournament, worked the basketball tournament, did their own fundraising, and if they did not do any of those they were not given any money. At the same time, the athletic fund tried to support any shortfalls that the school system had with athletic programs.

Councilman Mills made a motion to donate \$250 (corporate sponsorship) to the Narrows Athletic Fund Golf Tournament. Councilman Hale seconded the motion.

Ayes: Hale, Bowles, Creger, Mills, and Lane

Nays: None

Motion Carried 5-0

Councilman Hale made a motion to approve the resolution for the General Obligation Bond Line of Credit. Councilman Creger seconded the motion.

Ayes: Hale, Bowles, Creger, Mills, and Lane

Nays: None

Motion Carried 5-0

Councilman Mills made a motion to enter executive session to discuss real property (Discussion of Gallimore Property), Sec. 2.2.3711.A.1 of the Code of Virginia. Councilman Hale seconded the motion.

Ayes: Hale, Bowles, Creger, Mills, and Lane

Nays: None

Motion Carried 5-0

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

Ayes: Hale, Bowles, Creger, Mills, and Lane

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 Mills made a motion to accept the certification. Councilman Hale seconded the motion.

Ayes: Hale, Bowles, Creger, Mills, and Lane

Nays: None

Motion Carried 5-0

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

Ayes: Hale, Bowles, Creger, Mills, and Lane

Nays: None

Motion Carried 5-0

Clerk, Debbie Thomas

Mayor, Tom Spangler