

MINUTES-TOWN OF POUND, VA  
June 17, 2025 @ 6:30 P.M.  
8422 North River Road, Pound, Virginia 24279

**REGULAR SESSION OF COUNCIL**

Mayor Cauthorne opened the regular session meeting with the pledge of allegiance and Pastor Greg Cyphers opened in prayer.

**PUBLIC HEARING FOR THE READOPTION OF TITLE 46.2 OF THE VIRGINIA CODE**

The mayor asks town attorney Kevin Dotson to explain what it is.

Mr. Dotson explains it is just to adopt 46.2 of the Virginia Code which is called the motor vehicle code just so the town police can write tickets, conduct traffic stops, things of that nature on your local ordinances rather than just state code. It's routine and adopted every year.

Mayor Cauthorne asks if anyone wants to make a comment about this ordinance.

Councilman Cauthorne asks if this just allows us to keep ticket revenue in the town rather than giving it to the county?

Mr. Dotson says yes, right.

Mayor Cauthorne verifies no one else needs to comment on that matter and proceeds to the next item on the agenda.

**ROLL CALL OF COUNCIL:**

Cauthorne - Here

Hall - Here

Kennedy - Here

Mullins - Here

Powers - Here

Consent Calendar - Mayor Cauthorne asks if there's any discussion on these items.

Councilwoman Kennedy makes a motion to approve the consent calendar.

Mayor Cauthorne asks if there is a second?

Councilwoman Mullins seconds.

**ROLL CALL VOTE:**

Cauthorne - Yes

Hall - Yes

Kennedy -Yes  
Mullins - Yes  
Powers - Yes

## AUDIENCE COMMENT

Daphney Williams: Lives out of town but a property owner on Stacy Branch Rd. She shares a packet with the council, Mr. Dotson makes her aware that this would be shared with the public. She states she wants to make a proposal. She speaks of a red gate that is shown in the packet, she states Clifton, Gary and Lyndon have seen the gate. The proposal, since it's your cheapest option, to close that off with fencing, up to 12 feet, then it's closed from the public and done. It's located at the entrance of the cut through, 20 feet off of National Forest. This way you can keep your campground along with your grant and not face litigation. The cut through is 40 foot high walls though, keep that in mind and there's continuous falling shell rock which poses a huge liability for the Town of Pound. In the packets is a map of the National Forest boundary, including a recent land survey done on the property and the cut through. She goes on to explain the property maps and where she suggests they close it off. I wanted you to have time to think about it before we get to the campground discussion.

Angela Barnette: 11529 Meade Fork Rd. Out of corp limits. The campsite is a complete waste of time, energy and resources. She feels the town would be much better off to have Cane Patch and Phillips Creek up and running for the community but she's not sure who is over it. She states they should forget the campsite and send back the grant money.

Robert Williams: Owns land on Stacy Branch. He has talked to his lawyer, Matt Dotson, the past couple months and they've found defects in the deed of dedication. States that Ms. Cox owns scattered 10 foot sections and it's never been surveyed and noon knows where the markings are up there. Mr. Williams states when he went up and talked to John Mullins up in the real estate, he said that John didn't have any maps of where any of this lays and says there's no proof of where it lays. They have a few maps but they are so old that they cannot read them. Mr. Williams states the campground has never been surveyed. He states that is the condition of the maps at the courthouse. He feels it won't help tourism come into this town to put the campground there and will be a waste of time. He says to put a sign up at the end of town, pointing for people to come down into town and that will help the businesses. He feels that the campground will eventually catch up to the taxpayers.

Sherry Large: In town. She states she has a code section here and she wants to know why the Pound town business license doesn't fall under. She also wants to know what hours the town police officers put in and wants to know if one of the police cars are being driven home and basically what's going on with the police dept. She gave the paper she had to the council.

Jennifer Everidge: She states she lives in the town at 11517 Thacker Place. She states as of a while back, Mr. Cauthorne walked the path and that will convey the privacy of our home

because it will go right through our yard. She states there's no way for them to get off before they have to come through her yard. She asks the council that if it was their home and their privacy, would they like it to be going through their yard?

Sierra Noble: Lives out of town limits but on Stacy Branch Rd. She states that all the research they have been doing, there seems to be a lot of unknown, a lot of questions that are still not answered. She hopes the council looks more into this. We are putting a house up there near the cut through and should be in by summer. She states they do not want to risk anyone coming over on their property and putting her family at risk.

## REPORTS

### POLICE REPORT

Chief Wilcox states that regarding the Skills Game, we went the very next day after the last meeting and everyone in the next 24 hours in Pound voluntarily complied with the law. But having said that, he noticed this evening he was convinced we've got one open and he did stop and speak to them and they said they would be in compliance. He states we've done what we can do until the state code says otherwise. He states the visits are continuing with the shops that you all requested. He states he's happy to report that Cindy Mullins was able to get another grant approved in the amount of \$50,000 for law enforcement equipment. He states that's all he has for right now.

Councilman Cauthorne brings back up the question from earlier that was asked about the police vehicles being driven home, Councilman Cauthorne asks Chief Wilcox if that's occurring for any of the officers. Chief Wilcox states no and if there's concerns about that, any citizen is free to come and we'll have that conversation.

Councilman Cauthorne also brings back up to Chief Wilcox, the question from earlier about how many hours of coverage the police officers are getting. Councilman Cauthorne states we'll be assessing the budget after a while. So he asks how many hours of coverage do we currently have for the Town of Pound in police coverage. Chief Wilcox states you currently have budgeted for two full time, so that's roughly 172 hours every 2 weeks.

### FIRE DEPARTMENT

Glenn Cantrell states that it's business as usual. We have a truck in Bristol getting the pump fixed and should have that back in about a month or so.

Councilman Cauthorne asks Mr. Cantrell if there's any update on the separation from town. Mr. Cantrell states we are still working on that, we are incorporated, we just have to get all the other stuff taken care of but it's in the process.

#### TOWN MANAGER

Brittany Carter states we applied for the VDOT Ready, Set, Go program grant and haven't heard back. We also applied for a local workshop scholarship through VDOT and that's more like a training course for local communities on product development and management from VDOT. So hopefully we will hear back on that as well. Our computers did come in and IT will be here to set those up next week. I also want to apologize because the video didn't get on youtube because the SD card was full and didn't capture the entire video and I didn't want to just post just a portion of the video. She states we have bought a larger SD card and longer charging cord so that won't happen in the future.

She states to the council that in the packet is a Central Football team ad for the program. In the past the town has done half page ad.

Councilwoman Kennedy makes a motion to approve the ad for the program.

Councilman Powers seconds.

Councilman Cauthorne asks what it will look like. Brittany states that in the past it's just been the school symbol and says Town of Pound.

#### ROLL CALL VOTE:

Cauthorne - Yes

Hall - Yes

Kennedy - Yes

Mullins - Yes

Powers - Yes

Councilman Cauthorne there was some discussion about the minutes being on the website in a timely fashion. Councilman Cauthorne asks Brittany if the minutes were up on the website for this months meetings and when were they put up. Brittany states they have to be up 7 days of the meeting. He asked if the agenda was put on the website as soon as the mayor sent it out. Brittany states there was an error and it linked the wrong agenda but she states she replaced it with the correct agenda.

From the audience, Sherry Large addresses Mrs. Carter to say that on the website, the April minutes are out of order. Mrs. Carter states she will correct that on the website.

Councilwoman Kennedy addresses Mayor Cauthorne to state that Mrs. Large is out of order. Mayor Cauthorne states he will allow it. Councilwoman Kennedy states if you wait until she's done, it does no good and that's not keeping the meeting under control.

#### EDA

Councilwoman Mullins states they have bought a water heater and had the house exterminated and right now we have \$1148.00 in the bank. We are paying out and not getting any income on it right now. We do have someone interested in staying there 3 to 4 nights a week per month.

Councilman Powers asks the rate we are asking, Councilwoman Mullins says about 150.00 per month. Councilman Cuathorne says some money is better than no money. The water bill always runs \$91.50 a month, base rate. The electricity was around \$9.00 last month but it's turned way down. In the winter, it sometimes runs a little over \$200.00. Councilman Powers asked if there

was an old water heater that needed to be taken out. Councilwoman Mullins says, yes. Councilman Powers asked if anyone measured to see if the new one would fit. Councilwoman Mullins says, Jimmy and Bo did.

#### PLANNING COMMISSION

Randy Carter and Councilwoman Kennedy advised that they did send the comprehensive plan to LENOWISCO for them to look over and they did come back with some edits. Councilwoman Kennedy states we will have to get those done. She states what was once formerly the Vance property out near the Subway that was part of a TACS sale and the gentleman that owns Big Ritas has bought that property, the problem is, it's in a flood zone. She states what he's looking at doing is putting tiny homes or RVs in that spot.

#### OLD BUSINESS

#### AUDIT UPDATES

Mrs. Carter states that David Cox has requested more information and we have gotten that to him and he is still working on that and will get back to us. Mrs. Carter also states that we are looking for a new auditor. The auditor we previously had stated that due to staffing changes in their office that they wouldn't be able to do our audit. She states we have talked to one out of Lebanon and one out of Texas. The Texas group is going to get their license for Virginia and would charge us \$8,000--\$10,000 to do the audit.

#### BROADCASTING OF MEETINGS

Councilman Cauthorne states we covered that earlier. Mrs. Carter states she had a SD card with more room and should be good to go for future meetings.

#### GRANT UPDATES

Councilwoman Kennedy states the contractor for DEQ was here yesterday to do an asbestos study on the Ratliff building that we are looking at removing. DEQ is paying for that and we still have and got an extension on the DEQ grants for demolition of the building because we haven't used all of that money yet. As soon as we hear back on the asbestos we should be able to move forward with the demolition. We are waiting on FEMA to approve our design for the slope on Church St. The EJCPs and the BRIC grant both have been lost through DOGE. Those were through At Voices. The MAAV grant is moving forward and we have gotten some pictures of the carving they've already started on their home sites. There is going to be a documentary made of the MAAV grant with regard to the stained glass and that's a company out of Nashville that the artist is working with to get the stained glass constructed. AMLR grant can't move forward until we've got the audit. We have talked to them and keep them updated as to where we're at on that. We did submit two letters of intent to AMLR for additional funding with this round.

#### POCKET PARK & SLIDE UPDATE

Councilman Cauthorne asks if we purchased the building. Mr. Carter states yes. Councilman Cauthorne asks if we've sold it yet. Mrs. Carter states we have to have the asbestos survey had to be done today before we can do anything else. Councilwoman Kennedy states we have two interested parties but we have not sold it yet. Someone did look at it today. Councilman Cauthorne asks if the asbestos will hinder the town selling it. Councilwoman Kennedy states the asbestos was only on the portion we're removing and has nothing to do with the rest of the building. She states both buyers are aware of the asbestos and aware of how to handle the asbestos in the building. One of the buyers stated that this building was 95% better than any they invest in.

#### CAMPSITE

Mayor Cauthorne asks for discussion or motion. Councilman Cauthorne asks if the attorney has had the chance to look at the packet that the property owners distributed. Mr. Dotson states he has not looked at it yet. Councilman Cuathorne states there is a gate pictured in the packet given by the property owners, and the question is that would it be legal to put another gate on the other side of the campground. Mr. Dotson states it is important to understand that the trail based on surveys and deed that he has seen was bought in fee simple by C&O in the 40s; and that means they bought it not as an easement, but with full rights and use as any property owner would have. He states in putting up the gate that falls upon the land owner, and his understanding is that the town does not own any portion of the rail bed. He states that would be Jamie Cox and heirs, and that would be potentially impacted by any sort of deeds of dedication; which does not convey any ownership. He states it conveys a right of the public to use it the same as the public can use roadways, streets or sidewalks. He states he thinks in putting up a gate would be a complication of certain rights and responsibilities that have already been conveyed to the public, and he doesn't think the town has the authority to do so because they don't actually own the land. He states that land, as he understands it, is owned by Jamie Cox and heirs, the land meaning the rail bed not the land on either side. Councilman Cuathorne asks for example Ms. Everidge, does the rail bed go through her property? Mr. Dotson states looking at this illustration, the C&O rail bed cuts property in two, that most if not all of the railbed that is not touching national forest cuts property in two. He states that is how it was written out in the 40s and conveyed, and that is the nature of property once it is sold. He asks if Councilman Cauthorne means her property specifically. Councilman Cauthorne states if people can be prevented from coming across her property, and that it looks like her carport is right where the bed goes. Mr. Dotson states if they are on the trail then they are not actually on the property, that if you stray from the trail then you would be on private property. Councilman Cuathorne asks what if it goes right through a carport. Mr. Dotson states that the owner of the railbed can instigate action for that carport to be removed because it would be on their property. Councilman Cuathorne asks Mrs. Everidge to inspect the papers given to the council. Mr. Dotson clarifies that he was not trying to say that her carport is on someone else's property he was just trying to answer Councilman Cauthorne's specific question, and that this is not a proper survey. Councilman Caurhorne asks if the first red fence is on the rail bed property, and Mr. Dotson states he would not be able to know without an actual surveyor going down and doing a survey. Mrs. Williams speaks up from the audience and states that there is no right of way through the Everidge property. Mr. Dotson states it is best if parties with an attorney who wishes

to communicate with the town do so through their attorney. He also states that he is ethically bound to walk a fine line in speaking on this subject because Matt Dotson is not present, and he is prohibited from communicating with represented parties unless their attorney is present or has consented to it. Councilman Cauthorne asks what Mr. Dotson is saying is that the town can not legally block this piece of property because of the deed that was drawn in 2010? Mr. Dotson states the town can not legally block the C&O railbed because it does not own it. Councilman Cauthorne states that the town could abandon the campsite, and let it grow up; then no one would go up there. Mr. Dotson states yes the town could choose not to maintain the property. Councilwoman Kennedy states the campsite has nothing to do with the trail. Councilman Cauthorne states no one is going to go on the trail unless they go through the campsite, and if the campsite is overgrown no one will go to the trail. Councilwoman Kennedy states that won't prohibit people from using the trail. Councilman Cauthorne states that anyone could go up there and camp because it is public property, but there would be a bunch of weeds there and they wouldn't want to. Mr. Dotson states there is a deed of dedication for the campsite itself, so it can be neglected; there is a coverage of liability under VA code for trails and campsites where you're relieved of liability should someone get hurt, but he doesn't believe you can prohibit people from going there because of the deed of dedication. Councilman Cauthorne asks then where did we get the red gate. Councilwoman Kennedy states it is not the town's gate. Mr. Dotson states that it is correct; it is not our gate, and the town would not have the authority to do that even if it was on the campsite property that we own because of the deed of dedication, we might be infringing on a public right. He states once that deed of dedication is done there is an irrevocable public right on the property. Because the last council executed that, this council inherited it. Councilman Cauthorne makes the motion, in order to keep people from coming through the campsite, we abandon as a town, taking care of the campsite and this would include Debbie Hale and any volunteers she might bring. Councilman Powers asks about town employees also. Councilman Cauthorne says no we would abandon taking care of the campsite, if anyone wants to come there and sleep with the snakes they can, but we just let it grow up until we have some sort of settlement with the land owners below the campsite. Mr. Dotson also states that it could just be tabled for a long period of time. Councilwoman Kennedy states there was already a vote by the previous council to allow Debby to apply for this grant and proceed with the campsite. Councilman Hall seconds Councilman Cauthorne's motion. Councilman Cauthorne states anything outside of town limits we need to cut and run, and when this grows up the land owners below the campsite will be happy, and if anyone wants to trudge through the tall grass they have that right, but no one has the authority to develop or care for the campsite until further notice. Councilwoman Kennedy makes a substitute motion to proceed with the campsite. She states we have the grant money, and it's the town's property. She states if we do nothing; expect nothing. Councilwoman Mullins seconds. Councilman Cauthorne states the substitute motion entangles the town with this out of corporation campsite, and endangers the town with a lawsuit from landowners below the campsite. Councilwoman Kennedy states the trail property does not belong to the town nor does it belong to the land owners in question it belongs to Jamie Cox. Councilwoman Kenney calls for the question.

ROLL CALL VOTE ON THE CALL FOR THE QUESTION

Cauthorne - Yes  
Hall - Yes  
Kennedy - Yes  
Mullins - Yes  
Powers - Yes

SUBSTITUTE MOTION: To continue with the campsite as we already have the deed of dedication, and the grant money.

Cauthorne - No  
Hall - No  
Kennedy - Yes  
Mullins - Yes  
Powers - No  
Substitute motion does not pass

ORIGINAL MOTION: The town of Pound will stop any further development or maintenance of the campsite and its property; and this would include for clarification purposes Debbi Hale and any other volunteers

Cauthorne - Yes  
Hall - Yes  
Kennedy - No  
Mullins - No  
Powers - Yes  
The motion passes

Mrs. Carter passed around paperwork from Jerry Bentley regarding the campsite.

Motion to table Jerry Bentley's proposal by Councilwoman Kennedy; Councilman Cauthorne seconds.

#### ROLL CALL VOTE:

Cauthorne - Yes  
Hall - Yes  
Kennedy - Yes  
Mullins - Yes  
Powers - Yes

#### BUDGET

Councilman Cauthorne states we already discussed it under new business.

#### BOUNDARY ADJUSTMENT



Councilman Cauthorne asks if we are able to have the public hearing on the boundary adjustment next month? Mrs. Carter states we have gotten all the maps together and sent to Mr. Dotson. Mr. Dotson states that he would like to talk to Karen Mullins about how they would like to move forward because they have to have a public hearing as well so he thinks it's a matter of professional courtesy to fill them in on where we're out in the process to see if they want to do a joint publication and if not, we'll just do our own and have our own hearing. We've got all the materials together and he states he needs to redraft the agreement just to update it, in terms of date, attach the survey and we'll do a public hearing and then vote and go to circuit court.

Councilwoman Kennedy says that these are included in the packet.

Mr. Dotson states this needs to be looked into to make sure there's no affected property owners, in terms of people used to being in the county, now being in the town for instance.

Councilwoman Kennedy states there's no residents. Mr. Dotson asks if the county owns the property. Councilwoman Kennedy states that the county does. Mr. Dotson states, we're good then.

Councilman Cauthorne repeats what he understood Mr. Dotson to say and Mr. Dotson explains it again to him. Councilman Cauthorne votes to table it until next month. Councilman Hall seconds it.

#### ROLL CALL VOTE:

Cauthorne - Yes

Hall - Yes

Kennedy - Yes

Mullins - Yes

Powers - Yes

#### PSA EASEMENT

Councilwoman Kennedy makes the motion to sign the easement so that the county PSA can continue. Mayor Cauthorne asks if that is in the packet. Councilwoman Kennedy states they were in the packet last month. Councilwoman Mullins seconds. Councilman Cauthorne states that as long as it only deals with property #32, then he has no problem with it.

Mr. Dotson states to refresh his memory, that's town property going back to the county via an easement. Councilwoman Kennedy states that it's just an easement for the sewer line. Mr. Dotson states that for purposes of complying with the Virginia code, it has to be in a form approved by the town attorney and signed off on by the attorney. Mr. Dotson states he did get a copy of that.

#### ROLL CALL VOTE:

Cauthorne - Yes

Hall - Yes

Kennedy - Yes

Mullins - Yes

Powers - Yes

#### STREET LIGHTS

Councilwoman Kennedy states that Mr. Hall was supposed to get numbers from the poles. Councilman Hall states he hasn't had time. Councilman Hall tables it until next month. Councilman Powers seconds.

#### ROLL CALL VOTE:

Cauthorne - Yes

Hall - Yes

Kennedy - Yes

Mullins - Yes

Powers - Yes

#### NEW BUSINESS

##### ADOPTION OF FY 2025-2026 TAX RATES

Councilman Cauthorne states #16 and #17 items on the agenda can be put together. The attorney, Mr. Dotson states we need to do those separately due to them being separate ordinances. Councilman Cauthorne makes a motion that we approve a compromise which was talked about last week, which would be to lower real estate taxes to .44 cents per 100.00 and double the cigarette stamp tax.

Councilwoman Kennedy seconds that motion but she points out that .45 cents was approved by Councilman Cauthorne in 2017 and we are going backwards at this point. Councilman Cauthorne states he didn't, Councilwoman Kennedy states, it's in the minutes.

#### ROLL CALL VOTE:

Cauthorne - Yes

Hall - Yes

Kennedy - Yes

Mullins - Yes

Powers - Yes

##### ADOPTION OF FY 2025-2026 BUDGET

Councilwoman Kennedy states that there is a copy in the packet. She states that they're grant funds that were added to that, the grant that Cindy just got and Debbi Hale also got approved for a grant and that's the only change you will see to that.

Councilwoman Kennedy makes the motion to approve the attached budget with the tax rate changes that we previously discussed. Councilwoman Mullins seconds. Mr. Dotson states for the record, the budget preparation transaction sheet is 7 pages.

Councilman Cauthorne states again, lower real estate tax and double cigarette tax which would take the burden away from the citizens and move it onto people who primarily live out of town. He states he appreciates Councilwoman Kennedy mentioning to compromise. Councilwoman Kennedy states that she thinks there's a lot for them to look at, other communities are charging

for vending machines. We need to look at those sorts of things for next years budget. Whatever we take away from being a responsibility for the citizens has to go somewhere and we can't go backwards.

Councilman Cauthorne states this motion isn't being voted on including the vending machines and that was only mentioned as a possibility for next years budget.

#### ROLL CALL VOTE:

Cauthorne - Yes

Hall - Yes

Kennedy - Yes

Mullins - Yes

Powers - Yes

#### READOPTON OF THE TITLE 46.2 OF THE VIRGINIA CODE

Councilman Cauthorne makes a motion to adopt.

Councilwoman Kennedy seconds.

#### ROLL CALL VOTE:

Cauthorne - Yes

Hall - Yes

Kennedy - Yes

Mullins - Yes

Powers - Yes

#### NOISE ORDINANCE

Councilman Cauthorne states he had a citizen come to him about the loud vehicles, radios, etc going down main street and they wanted to know if we have a noise ordinance. Councilwoman Kennedy states there is a noise ordinance and last time she read it, it said 10pm. Councilman Cauthorne asks Chief Wilcox if that's something he's familiar with. Chief Wilcox states he did contact Wise Co courthouse to see if there was any ordinance that may be on file. He states they haven't gotten back to him yet on what Wise Co has. Pound police cannot enforce Wise Co ordinances and he doesn't know if we have anything on file there or not. Chief Wilcox recommends to the council to get all the ordinances up to date and to get an estimate on how much it would be to update those ordinances and to put them into practice. Councilman Cauthorne states that maybe we can look at the 10pm ordinance next month and decide what we want to do, if anything. Councilwoman Kennedy asks if he's making a motion to table it until next month. Councilman Powers seconds.

#### CIVIL SUITS

Councilman Cauthorne states he has a few questions for the attorney. Mr. Dotson states that last month at our meeting, following our council meeting, we had 2 civil suits against an

audience member and the first question is, Is it normal for a uniformed officer to serve civil suits?

Mr. Dotson states they used a Cintwood PD officer to serve their civil suits. Oftentimes you'll see police officers engage as private process servers and say hey, give me \$50 and I'll serve your papers for you because as attorneys we have to get our papers served properly, personal service by any of these people. So, anyone who is above the age of 18, not involved as a party, or otherwise interested in the subject matter of the litigation, can serve papers. They do so at their own risk and if they're a mistake they can be liable to lawsuits from attorneys whose case went past the statute of limitations because someone wasn't served. He states his understanding is the department shouldn't be serving things because they're not a sheriff, only sheriffs or counties are authorized to serve processed and I'd defer to the Chief to the matter of dept policy, whether or not he wants his officers to engage in being a private processor.

Councilman Cauthorne asks if it's typical when the sheriffs dept serves, if they are in uniform?

Mr. Dotson states, the sheriffs dept, maybe but whether you're in uniform or not, that's not legally relevant or relevant at all as far as compliance with the code. Councilman Cauthorne asks if they should be on the clock when you serve civil papers? Mr. Dotson states that he supposes you can be but once again that's a matter of dept policy. Mr. Dotson says the Chief can say, hey I don't want you getting paid by the town to do this private gig that's earning you money but once again that's dept policy. He states in terms of compliance with Virginia Code, there's requirements of service that have to be strictly met, because you have a fundamental right to due process in this country, thankfully and when they're not met, it's something that raised in the context really of that specific litigation rather than any sort of penalty that could fall back on a dept. Or a person, unless they don't do it properly or paid money to do it properly.

Councilman Cauthorne asks if there's any conflict of interest, if say, an employee of the police dept is filing a civil suit and then a member of that same police dept delivers the papers? Mr. Dotson states he thinks that gets more into specific litigation and again the remedy for any defects of service is raised in the context of specific litigation. It's not something which is a matter of town business, Mr. Dotson states. Councilman Cauthorne states he understands criminal but civil and he didn't know if there was a difference. Mr. Dotson states there's certainly a major difference because criminal actions are often preceded by warrant where officers have the constitutional authority and in fact duty, to charge criminal offenses, whereas a civil suit, you or I could serve a civil suit. Councilman Cauthorne asks if a town council can have a policy to where none of its officers can serve a civil suit while in uniform or on the clock? Mr. Dotson states, it would be extraordinarily unusual but I suppose it could. Councilman Cauthorne says, in other words if someone is going to get \$50 serving a paper, he doesn't think they should also get paid by the town on the clock as well to do so. Mr. Dotson says once again that's a matter of dept policy and to the Chief serves with will and pleasure of the council.

Councilman Cauthorne makes the motion that no one who is employed by the town of Pound police dept can serve civil suit papers, while in uniform or while on the clock. Councilman Hall seconds. Councilman Cauthorne states he thinks it's just an intimidation factor and he would like to see this policy implemented. He states if someone wants to do it on their own time in their own clothes, that's fine, he just doesn't want the town to be drawn into the drama.

Councilwoman Kennedy states she doesn't think it's council's place to decide how the Chief of Police should run his dept. Councilman Cauthorne states even if we don't agree with one of his

policies, we still have the right to pass a resolution against him. Councilman Cauthorne asks for the motion to be read again, The Clerk does so. Mr. Dotson states to clarify the procedural posture that is really a resolution of the council instructing the Chief of Police who is appointed by the council, to not do something. It's not forcible as an ordinance is but it is something the council is instructing the Chief, hey don't do this, we don't like it. Councilwoman Kennedy states we need to stay in our lane and Councilman Cauthorne states he thinks if we have unfettered authority that can lead to actions that are unwise. Councilwoman Kennedy states if more control was handled through the council then these things wouldn't be a problem. Kennedy states, call for the question.

#### ROLL CALL VOTE FOR THE CALL FOR THE QUESTION/A VOTE TO END DISCUSSION:

Cauthorne - Yes

Hall - Yes

Kennedy - Yes

Mullins - Yes

Powers - Yes

Councilman Cauthorne asks for the motion to be read again. Clerk does so.

#### ROLL CALL VOTE:

Cauthorne - Yes

Hall - Yes

Kennedy - No

Mullins - No

Powers - No

#### POUND METHODIST CHURCH

Councilman Cauthorne states he understands that the church is having some issues with the building legally and at this time Pastor Carter said just pray for the situation and he wants them to know the town is here and if they ever need a resolution support that we are 100% behind you.

#### NEWLY ACQUIRED BUILDING

Councilwoman Kennedy states we've covered it.

#### COMPUTER SERVERS

Mrs. Carter states the IT dept was here and they talked to us about our server. Currently we share a server with the PD. The RMS system is not on the server. It does not meet the specs that Southern Software needs and RMS needs a server. These are both important to replace. We did talk about having them on the same server but he said that wasn't appropriate, with the

information the police dept had. There are two different quotes in your packet, one for 5 year contract, one for 7 year contract. The price difference between both is not much. It is an investment but desperately needed. Our server situation is quite dire per IT. Mayor Cauthorne asks if this is for the police dept. Councilwoman Kennedy states its for both, office and police dept, she also states the tariffs are killing us and this expires on the 19th. If we wait to do anything, the price will go up.

Councilman Cauthorne asks if this is something we have to have or we want?

Mrs. Carter states that he said the server for the PD is not even on a server, it is just on a laptop. Councilwoman Kennedy states that the security of our information is at risk, we did ask those questions.

Councilwoman Kennedy makes the motion to approve the 7 year contract and Councilwoman Mullins seconds.

Councilman Cauthorne asks if this holds everything for the town of Pound. Councilwoman Kennedy states it holds the domain. Mrs. Carter states one server for the police and one server for the office.

#### ROLL CALL VOTE:

Cauthorne - Abstain

Hall - Yes

Kennedy - Yes

Mullins - Yes

Powers - Yes

#### VRSA RENEWAL

Mayor Cauthorne states that this is Virginia Risk Sharing Association.

Councilwoman states that is the quote for the insurance.

Councilman Cauthorne asks what is this rate compared to past years?

Councilwoman Kennedy states it has increased but we also increased the deductible last year to try to bring the pricing down. Councilman Cauthorne asks what the deductible was last year, Councilwoman Kennedy states \$10,000. She states it was \$2,000 before that.

Councilwoman Kennedy asks for a brief recess so that she can find the correct insurance papers. Councilwoman Kennedy states they are pretty self explanatory. Last year we paid \$28,000 and this year at \$35,000 but we are eligible for that \$2,000. Ad that would bring it to \$33,000.

Councilwoman Kennedy makes the motion to authorize Brittany Carter to sign the agreement on the insurance. Councilman Powers seconds.

#### ROLL CALL VOTE:

Cauthorne - Yes

Hall - Yes

Kennedy - Yes

Mullins - Yes

Powers - Yes

#### PUBLIC COMMENT RULES

Councilwoman Kennedy makes the motion to approve the public comment rules that are listed and attached in the council packet.

Councilman Cauthorne asks if this was a creation out of the mind of a person or from another place. Councilwoman Kennedy states this came from some conversations that have been had with regard to the excessiveness of public comments.

Councilwoman Mullins seconds.

Mayor Cauthorne reads the list of public comment rules from the packet.

Mayor Cauthorne asks if there is any discussion on this matter.

Councilman Cauthorne states he wants to make some amendments. He states under #1, he wants it changed to 3 minutes of public comment per public comment period. Councilwoman Kennedy asks if he's making that a motion, Councilman Cauthorne states, it's an amendment to the motion, Councilwoman Kennedy states she wouldn't accept it. Councilman Cauthorne states, he's not asking her to. Councilman Cauthorne states he's amending the motion.

Councilwoman Kennedy states he has to make a substitute motion. Mr. Dotson states to Councilman Cauthorne, you can go through it and say what you'd like it to say and then make that as a substitute. Mr. Dotson says that would be the most professional and orderly way to do it. Councilman Cauthorne repeats what he said about #1, and take out #3, and take out #5. He states that's his substitute motion. Councilman Hall seconds.

Councilman Cauthorne states what we're doing here is taking away 6 minutes of public comment and we're making it 3 minutes of public comment and also saying that if more than one person wants to say the same thing, only one person can get up and speak for the whole group. Also, he states what we're doing is saying if you come in late and don't sign up for a public comment, you won't get to speak. And he states, that to him, that's a 1st amendment issue. We don't have that many people up for public comment and he feels this is overkill. But he's willing as long changes are made to #1 and #3 and #5 are taken out of the list of rules.

Councilwoman Kennedy calls for the question. Mayor Cauthorne states we have a call for the question on whether to vote for the substitute motion.

Mr. Glen Cantrell speaks up from the audience stating point of order, and why not move the audience comment. Mayor Cauthorne states we are in a meeting and moving on to the vote.

#### ROLL CALL VOTE ON WHETHER TO VOTE ON SUBSTITUTE MOTION OR NOT:

Cauthorne - Yes

Hall -Yes

Kennedy - Yes

Mullins -Yes

Powers - Yes

#### VOTE ON THE SUBSTITUTE MOTION:

Councilman Cauthorne wants the motion reread.

He wants #1 to be changed to 3 minutes of public comment, per public comment, period. And #3 and #5 taken off the rules.

#### VOTE ON SUBSTITUTE MOTION:

Cauthorne - Yes

Hall - Yes

Kennedy - No

Mullins - No

Powers - Yes

Mr. Dotson states this should be redrafted and a place somewhere for Mayor Cauthorne to sign. He also says this should be put with our procedures that we adopted in January. Mayor Cauthorne says he will get with the clerk or town manager.

#### PARKING (WHEELS ON SIDEWALK)

Councilwoman Kennedy states we do have an ordinance currently and we need to get that updated because we do have people parking up on the sidewalk. We can't complain about the damage to the sidewalks if we allow it to continue. Councilwoman Kennedy makes the motion to table it until next month and Kevin has a copy of the ordinance, so he can look over it and see what we need to do to put it in place.

Mr. Dotson would like to point out that the Chief made a good point earlier, muni code. These sorts of services help towns to develop their ordinances. He states he thinks that is something that the Chief could also look into before the next meeting and come into council with some idea what that would take. He knows that a lot of these small towns, they have their Chief of police go through and update their ordinances because they are numerous. But states he is happy to look at this as well and come back next meeting with a better understanding. Councilman Cauthorne seconds.

#### RESOLUTION FIRE DEPARTMENT

Councilwoman Kennedy states this is more of a heads up because we do currently have the fire dept on our insurance and once they come off, it will significantly reduce our insurance by \$8,000.00.

#### OTHER BUSINESS

Councilman Cauthorne mentions to Chief Wilcox that he noticed the lights are back on at the Skills Games place. He asks the Chief if they had insert money machines or other machines ? Chief Wilcox states they were not in compliance last month but they will be in compliance



effective tomorrow. Councilman Cauthorne tells Chief Wilcox to be sure to check them out and make sure they are in compliance.

#### PUBLIC COMMENT

Sherry Large: In town. She states this is the third meeting where the 3 minute session has tried to be taken away, that was added in February. Also, my question of how many hours our police officers are putting in, wasn't answered. She states that what has been approved for the budget is not what hours are being worked.

Councilman Cauthorne asks if that's something that she can FOIA. Councilman Kennedy states that he answered the question, you asked him and he said, 172 hours. Sherry Large states, are in the budget? Councilman Powers states that's what he said they served per 2 weeks. Sherry Large asks, is that what they work for two weeks? Mayor Cauthorne tells Sherry Large, she can address the council, please. Mayor Cauthorne says, yes, that's what he told us. Sherry Large states that he said the budget approved 2 full time officers and then he calculated how many hours that would be. Councilman Cauthorne says without giving names, can she FOIA how many hours the police put in? Mr. Dotson states a person can FOIA any question that they have for any records that they think the town might have and our website does have a link to FOIA rights and responsibilities. Councilwoman Kennedy speaks up and states that she can tell her, from patrol, that there's more than 172 hours being put in. She states that Chief Wilcox is talking just patrol for 172 hours.

#### ADJOURNMENT

Councilwoman Kennedy makes a motion to adjourn.

Councilman Cauthorne seconds.

#### ROLL CALL VOTE:

Cauthorne - Yes

Hall - Yes

Kennedy - Yes

Mullins - Yes

Powers - Yes

  
\_\_\_\_\_  
JOHN CAUTHORNE, MAYOR

ATTEST:

  
\_\_\_\_\_  
COURTNEY MEADE, CLERK