



GATE CITY TOWN COUNCIL MEETING MINUTES
APRIL 10, 2012
156 E. JACKSON ST.
6:00 PM

I. COUNCIL MEETING CALL TO ORDER 6:01P.M. Mayor, Mark Jenkins

II. ROLL CALL – Town Clerk Kathy Riley

PRESENT: Mayor, Mark Jenkins
Vice-Mayor, Roger Cassell
Council Member, Tommy Herron
Council Member, Wallace W. Ross Jr.
Council Member, Frances Perry
Council Member, Randy Lane

Others present: Town Attorney, Michele Brooks, Town Manager, Jeremy Keller, Debbie Kindle, Andy Miles, Jane Williams Cross, Mike Williams, Rev. Ralph m. Crass, Don Muncie, Benny Reed

III. INVOCATION Don Muncie

IV. PLEDGE OF ALLEGIANCE Mayor, Mark Jenkins

**V. PROCLAMATIONS, CONGRATULATORY RESOLUTIONS, AWARDS,
APPOINTMENTS, RESIGNATIONS AND CONFIRMATIONS, ADMINISTRATION OF
OATHS AND INTRODUCTION OF GUESTS.**

VI. APPROVAL OF AGENDA

Motion made to approve the agenda.

Motion by: Council Member, T. Herron 2nd by: Vice Mayor, R. Cassell

VOTE:	Yea,	5
	Nays,	0
	Absent,	0
	Abstain,	0

VII. COMMUNICATIONS None

VIII. APPROVAL OF MINUTES

Motion made for approval of minutes of the March 13, 2012 Public Hearing regarding water rate adjustment.

Motion by: Council Member, F. Perry 2nd by: Council Member, R. Lane

VOTE:	Yea,	5
	Nays,	0
	Absent,	0
	Abstain,	0

Motion made for approval of Town Council meeting minutes from March 13, 2012.

Motion by: Council Member, T. Herron 2nd by: Council Member, W.W. Ross, Jr.

VOTE:	Yea,	5
	Nays,	0
	Absent,	0
	Abstain,	0

IX. APPROVAL OF PAYMENTS

Motion made for approval for payment of bills for March, 2012.

Motion by: Council Member, F. Perry 2nd by: Council Member, T. Herron

VOTE:	Yea,	5
	Nays,	0
	Absent,	0
	Abstain,	0

X. REPORTS

A. Engineer's Status Report

Andy Miles – The report this month is short. We have our preconstruction meeting for the water line project with the contractor, state, VDOT and health department. We anticipate the notice to proceed to be April 23rd. Chris said that Webster Day had indicated that June 15th is the tentative loan closing date. That is working out well. We had a timeline, working back from the loan closing, which is like a home mortgage with them bringing you a check for money you incurred to date which goes into your account. That is the schedule and we will be discussing scheduling possible night work on Kane Street to avoid traffic disruption with a lot of that being worked out at tomorrow's meeting. That is the biggest and only item I have. The other water projects the plans are at the Health Department being reviewed and Michele and I are in process of finalizing the paperwork as far as the proposed tank site with the County.

Town Attorney, M. Brooks – I think all those documents are prepared. The pump station deed was revised and I sent that to them this morning. I think everything else is done.

Andy Miles – We have time, because it's based off the Health Department it will be a few more weeks before they get back with us on the construction plan/review.

Vice Mayor, R. Cassell – Did they approve our extra \$500,000?

Andy Miles – Yes, everything is set. You only pay back what you actually use. We will monitor that week to week and keep the Town Manager up dated.

Vice Mayor, R. Cassell – Is there a chance it can come in less than the bid?

Andy Miles – Yes and I'll mention to the Town Manager will be issuing Change Order 1 in the next few days before the work starts which reduces the stone and asphalt. Tomorrow VDOT will talk about going from boring to open cuts.

Town Manager, J. Keller – I didn't understand that procedure and Andy explained it to me.

When we signed the contract with the original amount then immediately changed it with number 1.

Andy Miles – Right. That is for the Health Department. They authorize you on the amount you agree to and reduce it right after that.

Town Manager, J. Keller – Asks him to explain the HEE upgrade at the plant and the letter I submitted to you.

Andy Miles – The water plant project, the plans are for review at the Health Department now.

- **Andy's opinion regarding Core Drilling of Basin** - There is one item that was not included in the original scope of work is actually checking the integrity of the basin at the plant. We suggested and maybe for your best interest while the tanks are drained and the water is out to test the shape they are in. That is an additional \$11,000 to the cost. It's eligible to be repaid through the grant and loan combination, but has to be approved to do. What it involves is bringing in special equipment and small core samples out of the concrete and test for the structural rebar to make sure it's not rusted out and the concrete is in good shape. There are cracks in the walls, so some of that could be just surface cracks, but with water actually leaking out. We will take care of some point repairs, but this is like an x-ray to see what is inside. It is additional work that is above and beyond what was originally proposed. This is totally elective but for your benefit. If you want to authorize that, we can work it in the schedule. I'll try to answer questions if you have any. It basically checks for the steel and concrete integrity. It's like a double edge sword, if you do find something, and it only has 3-4 years left for potential failure. It is good to know that now so you can do something about it. But if you don't know about it, you can assume all is okay and go on. So, it's totally elective.

Vice Mayor, R. Cassell – What are the chances of doing irreversible damage?

Andy Miles – No. What they told me it is about the size of a pen so they can get their monitoring equipment in there and it sends radar signals out. That's how it was described to me, but then it's filled back up. It doesn't pose any structural problem. We don't need to know right now, so you have some time. But, if we know about it, we can schedule for it to reserve the equipment.

Council Member, W. W. Ross, Jr. – Is that a suggestion for the fact that the how long the equipment has been there is that for that reason?

Andy Miles – The concrete has been there decades ago and has been part of original plan, I think. It's really to look at the condition of the interior part of the walls.

Council Member, W. W. Ross, Jr. – So would that well if we found that they didn't meet the criteria or our system was in real bad shape would that qualify for extra money/grants for that?

Andy Miles – It goes back to what you asked before, if you do the assessment and some of the rebar is compromised then yes you could go and get some grant money, but you won't know that until you see what it is like inside.

Council Member, W. W. Ross, Jr. – But that would put us in the category

Andy Miles – You're looking at, yes.

Council Member, W. W. Ross, Jr. – What about since our equipment is old would that qualify for us anyway because is in such a long?

Andy Miles - Well, some of the grant money you have coming in now is to fix some of the cracks you see now. Without doing the investigative work on the front end we don't really know what to re do the whole basin.

Council Member, W. W. Ross, Jr. – Oh, so actually we should have done this first before you **Andy Miles** – To do the full extent, however you're adding another $\frac{1}{2}$ million dollars to the project.

Council Member, W. W. Ross, Jr. – Okay, so, but if we had done that first then that would qualify us for a

Andy Miles – Yes, and there is nothing to say that once you take this while doing construction, it's not like we could have approached the Health Department to tell them this is in real bad shape can you give us some grant money now from your emergency pod while we are here working.

Town Manager, J. Keller – The reason I asked Andy to talk about that back in December, I think Mark had written a letter authorizing Vaughn and Melton to do that testing down there. It was about \$11-12,000. We're not approved for the grant right now, are we?

Andy Miles – You've been approved for it, but you haven't reached, you need to have the plans and specs approved before they start doing the loan closing process.

Town Manager, J. Keller – I think we were afraid if we do it in March and given a bill for \$12,000 without grant money there it would be a cash flow. I think you said it could be done as far back as in June. What about when the basin is drained, for the water supply?

Andy Miles – The basin will be down for seven days.

Town manager, J. Keller – Do I need a bladder and/or PSA.

Andy Miles – That goes back to what the Health Department. They were encouraging to supplement your water source with PSA for the seven days. The alternative we suggested was to bring a skid mounted unit that would by-pass the whole treatment unit like Big Stone when they had their problem. The Health Department didn't stop it but said your already connected to the County why not use them.

Mayor Jenkins – To do that, we have to put in a larger pump?

Andy Miles – In their pump station to get it to work.

Vice Mayor, R. Cassell – Is that a temporary?

Andy Miles – That is temporary. But if you put a pump station in, that's going to improve their system. That is a decision you will have to make.

Vice Mayor, R. Cassell – You're saying it's a skid mounted pump there or are we going to set them a new pump?

Andy Miles – That could be negotiated. You could tap and go around the system by putting in a temporary by-pass. That would be the way to do it. When you're done with it, ship it back to where you rented it from and you're done.

Town Manager, J. Keller – Or the bladder like you said.

Andy Miles – Or just putting an actual treatment unit right beside the basin right now. When it comes up to the big basin there it goes through this filtration unit and back inside the plant. You're by-passing that step by using those filters.

Council Member, W. W. Ross, Jr. – Will the pressure be down?

Andy Miles - No.

Council Member, W. W. Ross, Jr. – No loss of pressure?

Andy Miles – There won't be. Want you're doing is taking out the larger particles and when it gets past that to inside your building then it goes through the finer filtration inside. All you are doing with the skid mounted unit is running it through large coarse filters as opposed to let it sit in the basin for a while, just let gravity work. You have options. The Health Department encourages you to get water from PSA, but if you are adamant about if that you want to do this, well we'll follow your orders.

Vice Mayor, R. Cassell – Do you have any idea of per day rental for the pump?

Andy Miles – I'd have to check and see. If we did that, it would all go into the construction bid price. We just tell the contractor the type of equipment and number of days.

Mayor Jenkins – What are the chances of it being cheaper than the filtration unit itself would be pretty good.

Council Member, W. W. Ross, Jr. – Would that qualify us to go to the National Guard to get that system since it would be an emergency?

Andy Miles – That is an option. I've not explored that. I know Dungannon years ago did that. That is something you could do. There are options you can do, it's just the Health Department has to approve it. They have it in their mind how they would like you to do it, but if you go and say you want to do this or this.

Council Member, W. W. Ross, Jr. – So, okay, so you said the Health Department won't let you plan go through the water system through PSA.

Andy Miles – That's what they're preferred method is.

Council Member, W. W. Ross, Jr. – And the second option we take the pump that you suggest.

Andy Miles – Getting back to the original question, that is how we would address being without the basin that you are looking at to do the improvements to repair the spot cracks and put in the new cleaning system to get the sludge out. Right now when you want to clean the sludge, you have to cut it down, scoop it out and haul it away. What we are doing with the grant money is putting in a vacuum system that would constantly go into the drain now so you never have to take the tank off-line.

Council Member, W. W. Ross, Jr. – Well, would the lifespan of the when you repair stuff like that in time the old so once you complete the problems at one location are you going to create problems at another would that be the same or would that?

Andy Miles – With that it shouldn't. There's no moving parts, it's just a lot of drains that is sticking up off the ground and we have it where we can back wash it. If one happened to get clogged, throw a switch and it would put water up against it and blow it backwards to clean it out. We try to make it as maintenance free as we could, so you wouldn't have to get it back in there to clean it out. If you want to do the \$11,000 investigative work that is your call, don't need an answer tonight but you need to think about it.

Council Member, W. W. Ross, Jr. – So, how long do we have to think about it?

Andy Miles – Sooner I know the better. Next Council meeting will be fine to make a decision. That would be great.

Town Manager, J. Keller – May 8th?

Andy Miles – That would be fine.

B. Treasurer's Report

Council Member, W. W. Ross, Jr. – Questions on page 7 of 14. Down where I see that the Crooked Road and the Clinch Mountain Fest which is \$5,000, I was just wondering if we took a \$1,000 from that just from my point of view and add it to the Shriner's Club give them \$250 and maybe Relay for Life maybe \$250 and House of Scott County Hope another \$250 to increase would that cause a problem from the Mountain Music Festival to increase those organizations that doing something worthwhile?

Council Member, F. Perry – This is this Fiscal Year's budget which will end May 30th, right.

Council Member, R. Cassell – June 30th.

Council Member, F. Perry – June 30th. So, if you're making that suggestion, that, to me would go, my suggestion for next year to look at.

Council Member, R. Cassell – We were also going to take that and put it towards our own festival, right?

Council Member, F. Perry – Right.

Town Manager, J. Keller – Yes, it's on the agenda.

Council Member, W. W. Ross, Jr. – So, we don't have anything

Council Member, F. Perry – Including in Jeremy's report, wasn't it? It's in Jeremy's report, that plan for

Council Member, W. W. Ross, Jr. – Well, are we Clinch Mountain, are we on our own individual self or are we still involved with them are we

Town Manager, J. Keller – Clinch Mountain Music Fest was given all names, rights when it was given over to the Carter Fold.

Council Member, W. W. Ross, Jr. – Right. So we are

Town Manager, J. Keller – To take place at the Carter Fold that weekend. So we are excluded from everything there.

Council Member, W. W. Ross, Jr. – Oh, so we going pretty much on our own?

Town Manager, J. Keller – Yes. Which is a good opportunity for the town, to not rely on that organization to do something like this.

Council Member, W. W. Ross, Jr. – I know that (inaudible) does a lot, well okay then let's see again on page 7 of 14. I know I asked this question but I can't remember the Fire Department that \$500.00 that's for what?

Vice Mayor, R. Cassell – Usually goes towards the Christmas Parade.

Council Member, W. W. Ross, Jr. – Christmas parade and they still get the \$25,200 and they 13 for the water, right?

Mayor Jenkins – Yes.

Council Member, W. W. Ross, Jr. – I mean \$1,300, I'm sorry.

Mayor Jenkins – Yes, \$1,300 for the water.

Vice Mayor, R. Cassell – I had actually talked to Chris about this, about changing the wording on it instead of calling it Miscellaneous designate it for the parade. Because I have heard it mentioned in years past, if we don't use it it's still in there for whatever. I always went for when they come and ask for parade money that is what it's technically been understood that it was going for the Christmas Parade.

Council Member, W. W. Ross, Jr. – Okay, so they don't have anything in it, right next to the budget? Oh, yes, on page 11 of 14 maybe you can help me with this. Well, now the budget is it says \$25,000 on the streets improvement. So, for 2044, I mean \$2,448 has been taken out. Now, my question is, I'm on the Street Committee, how much of the money so far has (inaudible) because they said they didn't have any money to go to do any streets so how much has gone in to that fund to do \$2,448 worth?

Vice Mayor, R. Cassell – You talking about what \$2,448 has been spent on?

Council Member, W. W. Ross, Jr. – Right. That's money being spent out of the budget for the \$25,000 correct? That's what it says.

Mayor Jenkins – Yes, that's what it is.

Council Member, W. W. Ross, Jr. – Alright, so if so how much have they collected from the revenue for that to go into \$25,000 to be for that money to be spent.

Vice Mayor, R. Cassell – The budget doesn't work Wallace if you start taking in money and put aside. We just put all these figures down as the money comes in, it goes into the General Fund and if the money is there and we have \$25,000 to spend, it doesn't mean we have \$25,000 waiting in a special account for the street. Everything comes in goes in General Fund and Chris writes checks out of it and when he goes in and does the accounting on the computer it charges it against these accounting codes over here.

Town Manager, J. Keller – Maybe I can explain it a little better. If you look at page 1 of 14, well not even 1 of 14, the actual summary, year to date we've collected 1.32 million we spent out 1.28 million to give us a buffer of about \$40,000. We have a lot of backlog bills and the main one is with PSA which would eat that up at any given time. We're not spending out as much as we're taking in, but there is only a slight cushion there right now. If you took that whole \$25,000 and put it towards streets we would have a buffer of about \$15,000 right now. The PSA bill would eat that up easily.

Council Member, W. W. Ross, Jr. – Well okay, so I'm on the Street Committee and and a \$2,448 has got for pot holes or what?

Town Manager, J. Keller – I think, I'm pretty sure, some of it went for road repair right across the street on Woodland. For the gravel, ditch, I think Chris put that in the street budget.

Council Member, W. W. Ross, Jr. – Well now, I had talked to Stoney and Mr. Jenkins was there and I asked Stoney how do they determine how much when they do a street how many how long it takes how much money they spent to be sure that they were within the budget and he said they didn't put that down. I asked Stoney that so I don't know how they can keep up with the amount correct amount on each category when Stoney says they don't have the record and I asked they said they keep records. I asked that question

Mayor Jenkins – The amount that is reflected here will be the actual materials. They don't record specific hours worked on a project.

Council Member, W. W. Ross, Jr. – Why not?

Mayor Jenkins – Because it would be overkill.

Council Member, F. Perry – Because they work for the town so many hours a day and that is part of their days work.

Council Member, W. W. Ross, Jr. – Well, that's what I'm saying so you wouldn't be saying well Falin worked on for a job they worked eight hours with two hours here and then they went to another place and two hours, that's four hours within that parameter of eight hours it would still see what how they are basic gauging their time.

Mayor Jenkins – We can see how they are engaging their time by the amount of work orders which keeps them pretty busy.

Vice Mayor, R. Cassell – That's why there's a line item on here strictly for salaries. We've been over this before, if you want true accounting that Chris takes their salary your \$25,000 street improvement is going to go right out the window. He's really doing a favor and just charging straight materials and salary. Like Mark said, somewhere there's probably somewhere on a sheet where they worked, but that's why there's a line item on here for salaries under water, sewer and public works.

Council Member, W. W. Ross, Jr. – A favor for who?

Vice Mayor, R. Cassell – The street budget.

Council Member, W. W. Ross, Jr. – Oh.

Vice Mayor, R. Cassell - If you start adding hours on top of materials \$25,000 won't go very far. Now, if we bid it out, and a contractor comes in here, they show it by line item.

Council Member, W. W. Ross, Jr. – Well now you had 30 you took 5,000 away from that I never did figure where the 5,000 went to get it down to 25,000. So, I guess I'm not I'm still a little well you all probably have more expertise on how to do that than I do

Vice Mayor, R. Cassell – I don't think we just said we're going to take \$5,000 we're going to put a 1,000 here 1,000 there when we did the budget it just pretty much we cut and added where we needed to make it come out. Is that not correct Randy?

Council Member, R. Lane – Yes, it is.

Vice Mayor, R. Cassell – We didn't just take and say we're going to put this dollar amount here, we just

Council Member, F. Perry – The budget isn't going to be the same every year with the same guidelines.

Council Member, R. Lane – There's certain line items that have certain amounts of flexibility. There's certain ones do not have that same flexibility.

Council Member, W. W. Ross, Jr. – And they are?

Council Member, R. Lane – Salaries don't have much flexibility. Unless you want to start cutting peoples pay which probably wouldn't work.

Council Member, W. W. Ross, Jr. – Well when you make the budget and you say it's pretty tight so you just say you just cut certain items you don't cut down the board?

Vice Mayor, R. Cassell – I think we just about cut every item.

Council Member, R. Lane – The ones we could.

Vice Mayor, R. Cassell – I sat with the Police Chief for over two hours trying to come up to get him three auxiliary officers and what equipment he wanted and that was with a cut. This wasn't done on a whim, Chris did a lot of it in the computer and we figured quite a bit of time sitting in here line item by line item.

Council Member, W. W. Ross, Jr. – Okay, on page 7 of 11, 112326 so they replaced they just did the fire people do this or we replace

Council Member, R. Lane – The Premium Protection?

Council Member, W. W. Ross, Jr. – Yes?

Council Member, R. Lane – That was probably the company that actually did the inspection.

Council Member, W. W. Ross, Jr. – So, they did, they did the equipment put the filled up the anything

Council Member, R. Lane – I don't know if we have anybody qualified to do fire extinguisher inspections.

Vice Mayor, R. Cassell – A mobile company that I'm assuming, there's probably five or what's in the police cruisers and they are required to annually to have them tested. Any fire extinguisher that's on a vehicle has to be tested annually. I think Jason set that up with this company and they continued. They can do everything on site and refill if necessary. I feel certain with five of them it's probably for the police cruisers.

Council Member, W. W. Ross, Jr. – Alright. Now this was a question it says I see where they have 112 12329 they have the same dues 726 726 on dollars and is that a renew? What was that system, what was that the system you all talking about?

Mayor Jenkins – It is their yearly renewal of the two reader units that we have.

Vice Mayor, R. Cassell – I know it's kind of hard to follow, Wallace, but if you look at those accounting codes you can tell where he breaks down the account it's going under.

Council Member, W. W. Ross, Jr. – Yeah, I can see that. One more question, 10-11-112363 what do they mean by that? Penalties/interest, what is it? \$150.00?

Council Member, T. Herron – What was your question then?

Council Member, W. W. Ross, Jr. – What was miscellaneous expense so what was that a treasurer (inaudible) where be paid the premium for that month of March 20, 11?

Mayor Jenkins – It is penalty, I don't know why it was incurred, but it is a penalty.

Council Member, R. Lane – Maybe if we can ask Chris just to email the Council with explanation of the penalty.

Mayor Jenkins – Anything else?

Council Member, W. W. Ross, Jr. – That's it.

Mayor Jenkins – Thank you, Wallace.

C. Codification Committee/Property Maintenance

Town Attorney, M. Brooks – I had one complaint today, that I found out about, the police actually on Ravine Street. Told Amy if she sent me the documents I would file it by the end of the week. Everything outstanding we have filed and received orders for destruction. We're working through it.

Council Member, T. Herron – What's the next step on this Alonzo Sexton?

Town Attorney, M. Brooks – We got an order of destruction. The judge has to sign it, but it was ordered to be destroyed and placed against the property. The first five that we did.

Vice Mayor, R. Cassell – Do we have to take bids to get someone to do that?

Town Attorney, M. Brooks – Chris and I talked about it the other day as far as outlaying resources for that.

Vice Mayor, R. Cassell – It would be an excellent time while we had that company in town with the equipment here.

Town Attorney, M. Brooks – I have to get the Judge to sign the orders. There is some specific language that needed to be in that from the code section which I got hold of. It's not a property maintenance code. I got it from Robert Mullins, so I'll put those words in the order and send it to the Judge.

Vice Mayor, R. Cassell – That one needs to. I noticed they're writing graffiti on it right in front of the school and some of it is not.

Mayor Jenkins – I went and over sprayed once because of complaints. Is it back?

Vice Mayor, R. Cassell – I saw where you did, but the last words wasn't real dirty, but

Mayor Jenkins – There was some bad obscenities written, so I sprayed it because I was getting calls on it from parents.

Vice Mayor, R. Cassell – That's one we need to jump on.

Town Attorney, M. Brooks – We have a pending destruction order is the best way to put it.

When it is endorsed by the Judge we'll take the next step. I'll work with Jeremy and see

Vice Mayor, R. Cassell – Reason I asked, is if he's in the area he did a good bid on the Starnes Building that might be something to approach him about.

Town Attorney, M. Brooks – It's something we're going to have to take bids on. Can't see any way around it. It depends on how big a job it is, if the town crew can do it or it is something we need to. If it's going to be an outside contractor I don't see any way to avoid taking bids.

Mayor Jenkins – Probably can't, but we can cut it down to a ten day bid period.

Town Attorney, M. Brooks – Yes.

Council Member, F. Perry – Can we do anything that trailer down at the motel property.

Town Attorney, M. Brooks – Is that on the list?

Mayor Jenkins – No, it's not on the list, we need to put it on the list.

Vice Mayor, R. Cassell – I know Amy had looked to find a way when he originally tore it down. I think she even sent an email, if anyone has any ideas to come up with a way to make him move it.

Town Manager, J. Keller – He also owns the one over on Ravine Street.

Town Attorney, M. Brooks – Yes, it is

D. Police Department Report

Town Manager, J. Keller – Went over police report.

GATE CITY POLICE ACTIVITY SUMMARY March, 2012

	February	March	Year To Date
Calls for Service	294	349	947

Arrest	3	10	15
Summons	28	52	111
Crime Reports	12	17	40
Accident Reports	5	10	18
DUI Arrests	2	1	4

Significant Activity for March:

- Officer Gillenwater is performing well in the academy.
- Aux Officer Fink was sworn in as Part-time Officer 3-30-12.
- Officer Bill White is now an Aux. Officer
- Officer Fink is attending Academy and doing well, graduates in May.

Vice Mayor, R. Cassell – Bill asked to be switched around?

Town Attorney, J. Keller – I think he had,

Mayor Jenkins – Yes, he discussed it. He needed weekends off. He discussed it several months back to lessen the workload on himself.

- Officers continue to provide extra patrol in various areas of town as requested.
- Our department continues to work in a safe manner
- Officers continued with Radar Enforcement throughout town in an effort to slow down traffic and monitoring both traffic lights.
- Providing extra patrol in Food Lion Parking Lot due to catalytic convertors being stolen from vehicles.
- Utilizing Speed spy almost daily and I do see those reports.
- Officer Templeton had traffic stop, it was on the front page of the Scott County Daily News. Resulting in an arrest, seized car and about a pound of marijuana and \$1445 in cash.

Mayor Jenkins – Seized the vehicle also.

- Chief attended the National Child Care Passenger Training Class in Bristol. It was four days. He actually put my car seat in. I think he's the only one in town that certified to put a car seat in.
- Request for 2 DMV Grants have been submitted

For April:

- Officer Templeton plans to attend the Combating Domestic Terrorism on April 3.
- Chief plans to attend the Diversity and Ethics Training at the academy in Bristol on April 18.
- The DEA-NTBI plan to be at the GCPD on 4-28 to dispose of unused drugs and I think it's from 10 to 2. Anyone who wants to drop off any prescription drugs, illegal drugs they are free to drop it off. I think he said the State Police will destroy any that are given to us.
- Chief plans to, well he already attended the DUI Conference in Virginia Beach, VA last week.

Council Member, W. W. Ross, Jr. – Question, about still enforcing the two hour parking in town. Is that correct?

Town Manager, J. Keller – Yes.

Council Member, W. W. Ross, Jr. – My question is, this is sidewalk on Kane Street now for the last month or so I have seen someone park on this sidewalk. Is that designated a parking area now?

Town Manager, J. Keller – I wouldn't think so.

Council member, W. W. Ross, Jr. – Well, they've been parking and nobody has taken up ticket given them ticket I mean, so I mean I hate, I seen a camper and a truck there I mean if you're trying to refurbish the sidewalk but with the truck being there parking, I don't

know but I haven't seen nobody gave them a ticket and they still continue doing it and that's right there at right there at Kane and Jackson.

Council Member, F. Perry – Ms. Falin is moving her property out of that building down there and transferring it up on Jackson Street to store it there. That's why she had parked there to load up her goods.

Council Member, W. W. Ross, Jr. – Well, they've been parking there for a long time since that's been done. But I guess they get permission from town to do that or is that okay to do it?

Council Member, F. Perry – Well, I guess she got permission. Probably better to park there than to block a lane of traffic which is the only other place to park if you're going to load a bunch of stuff.

Council Member, W. W. Ross, Jr. – Well, I guess you can probably

Council Member, F. Perry – It's probably been inquired about when they found out what was going on they allowed it. It be my opinion. It's the courteous thing to do.

Council Member, W. W. Ross, Jr. – Well, you mean the police department knows about it which is what you are saying?

Council Member, F. Perry – I don't know if they do or not I said they probably had inquired about it and if they did and found out what she was doing they have allowed it because that would be the courteous thing to do.

Council Member, W. W. Ross, Jr. – Well, I guess

Council Member, F. Perry – I mean park in the lane of traffic, would you want them to park in the line of traffic?

Council Member, W. W. Ross, Jr. – Well, I'm just men coming in, so I didn't know. But they've been parking there for a long time, so I mean she's been moving a long time?

Council Member, F. Perry – She hasn't, I don't know about anyone else, but she has

Council Member, W.W. Ross, Jr. – Well, it would has been a camper there, too a couple time

Vice Mayor, R. Cassell – Gentleman has, I saw them washing their camper out. He had it pulled up on this business on the very corner.

Mayor Jenkins – There is regulated. They are supposed to put wooden shoring and everything to go across the sidewalk. We may have an issue.

Town Manager, J. Keller – What time of day?

Council Member, W. W. Ross, Jr. – Any time of day.

Council Member, T. Herron – I've seen a car there overnight.

Council Member, W. W. Ross, Jr. – I've been there seen campers It's been going on for a long time since the sidewalk being refurbished. But I was just curious and I just wondered was that you know I can understand people moving but I guess moving six/seven months. They have that much time to move, but I seen a big camper on there I mean there was a camper on that.

Council Member, F. Perry – That probably wasn't her she had like a van or something.

Council Member, W. W. Ross, Jr. – A van? No this was a camper.

Mayor Jenkins – There was a camper there the other night, I saw it when I came up to the red light.

Council Member, W. W. Ross, Jr. – It's been there several times though. I just curious.

Mayor Jenkins – We'll make the employees aware of it.

Council Member, W. W. Ross, Jr. – But if you're going to force people two hour parking

Mayor Jenkins – The law is the law.

Council Member, W. W. Ross, Jr. – Yeas, so, I'm

D. Council Reports

Mayor Jenkins – Wallace, do you have anything?

Council Member, W. W. Ross, Jr. - Well, yes, of course. My other question, I was curious about on Council Report about the Chamber of Commerce. How, I was trying to understand how this works. I know that when I attend, luncheon which is a business meeting, I pay my \$8.00 but now you all paid for the banquet so what's the different in those two identities?

Mayor Jenkins – I don't know. You want your lunches paid for when you go?

Council Member, W. W. Ross, Jr. – Well, I'm just trying to understand well if I'm paying for my lunch why you all paying for the banquet?

Mayor Jenkins – The banquet, as far as I can understand it, is a fundraiser for the Chamber.

Council Member, W. W. Ross, Jr. – Okay and the Chamber going to the business luncheon is not considered a knowledgeable communication between the town and the Chamber and all the businesses?

Mayor Jenkins – I really haven't thought of it, I always paid for my own lunches when I went. So, I mean, if you want

Council Member, W. W. Ross, Jr. – I'm just trying to understand what the principle, what is the proper rules and regulations that you do certain things. I'm still trying to acclimate myself so I'm just trying to (inaudible).

Mayor Jenkins – My assumption would be one of the Chamber dinner is a fundraiser.

Council Member, F. Perry – Well, it always says "dutch treat", which means you pay for it yourself.

Mayor Jenkins - Yes, and the luncheons, I mean all the luncheons I gone through I paid for and I paid for the dues for the Rotary and the breakfast fees

Council Member, W. W. Ross, Jr. – So, what you saying is that the luncheon is not a fund raiser?

Mayor Jenkins – I wouldn't

Council Member, W. W. Ross, Jr. – It's not soc, I mean those two don't associate with what money they raise how they raise it it's not considered a fund raiser?

Mayor Jenkins – I don't think it would be. I always considered that I was going to each lunch and I was paying for my lunch there. But, if you consider it differently we can probably address that.

Council Member, W. W. Ross, Jr. – Well, I'm just asking question is it that's what I'm trying to learn here.

Vice Mayor, R. Cassell – They're charging or why if the Council wants to go they're not being reimbursed, which?

Council Member, W. W. Ross, Jr. – Well, I'm just trying find out what's different if you go to a the Council paid for the banquet which is more money so I didn't know what. So, that is a totally different identity I'm just trying to find out? So, I just wanted to know.

Council Member, R. Lane – I don't know the different identity, what if it is a fundraising for the banquet, but the \$8.00 is basically going to the vendors. That's not being, that money, that \$8.00 is, probably, not any of that, that's going to the vendors.

Mayor Jenkins – That's probably and with next year's budget, that would probably be a good item to discuss.

Council Member, W. W. Ross, Jr. – I'm just trying, you know, just trying to see where, where the since the Chamber where they was getting half of that \$4.00 might have been going to the vendor \$4.00 might be going, I didn't know so

Mayor Jenkins – The way I always understood it, you were just paying for your lunch and no one was profiting other than the person delivering the lunch. I'm sure they are profiting, but

Council Member, W. W. Ross, Jr. – Okay, so when you go to the banquet all the money goes in goes for the fundraiser and that's not considered a tax deductible?

Mayor Jenkins – I really don't know. I know they taut it has a fundraiser. Anything else?

Council Member, W. W. Ross, Jr. – Yes, about this park that we voted on. Now I sent it out to the Grogan Park out there since we've had a lot of rain, and they've been having a lot of flood and I believe it's going out to the field, the baseball field gonna get kind of washed off cause it getting a lot of problems out there and then if we put that other part trying to enhance the other part now as this part of it that we voted on will that be affected if one part get flooded water goes down do we have concerns about that?

Mayor Jenkins – You're going to have to make yourself more clearer, I

Council Member, F. Perry – He's talking about the playing field at the Park?

Council Member, W. W. Ross, Jr. – Right.

Council Member, F. Perry – That has been taken into consideration.

Council Member, W. W. Ross, Jr. – Okay, that's what I was going to say where.

Mayor Jenkins – I'm sorry, I didn't know that was a continuation of a question.

Council Member, W. W. Ross, Jr. – Oh, I'm sorry, yeah.

Town Attorney, M. Brooks – Just trying to clarify about.

Council Member, W. W. Ross, Jr. – Yeah, you did because he didn't want, you know, so we

Council Member, F. Perry – We had those questions at the Park Committee.

Council Member, W. W. Ross, Jr. – Okay.

F. Economic Development Committee - Did not meet.

G. Façade Committee

Mayor Jenkins – We had the Management Team and the Façade Committee yesterday. We are requesting another two month extension on the project at the request of VHCD to finish it up and to make sure we have ample time to disburse the money and get everything under contract. We're getting a couple other buildings to put under contract. They are wrapping up the remainder of I guess the paying of the ones that have done the improvements. The Quillin Building, I don't know if the contracts have been signed, but the old ABC Store.

Town Attorney, M. Brooks – Rob just sent it to me yesterday.

Mayor Jenkins – They have agreed to redo that building. The old ABC building across the street. That contract should be signed. The Taz Farmer building, beside Jenkins Dance School, will be under contract soon or it may even be under contract.

Town Attorney, M. Brooks – I have prepared any documents.

Mayor Jenkins – The demolition of the Starnes/Little Store will start tomorrow and it shouldn't be long with the equipment they have before that is leveled and taken to clean slab.

Vice Mayor, R. Cassell – Do you know if, I mentioned this. We've been talking about these windows at the Dollar Store. Pat was here on Saturday morning, he said he may have a phone number if Rob was interested in calling him to see if they would be interested in replacing those, the Baker family. Do you know if Pat gave him a phone number?.

Council Member, F. Perry – I talked to Jim Belt about it and he didn't like some of the language in those contracts and he didn't want to take part in it. He was approached about it.

Council Member, R. Cassell – That's a shame because that would improve 100% on that block if he would just replace the windows.

Council Member, F. Perry – Well, maybe we can get Dollar General to do that. They did the door. We'll work on them again.

Council Member, R. Cassell – That would help dramatically. That is the first thing you see coming into town and the last thing you see when you leave. They leave a light on at night and that makes it look even worse. Building doesn't look that bad if he would just replace the windows.

Mayor Jenkins – The windows have been ordered for Chris's building. All the upper story windows will be replaced. He has met his match. The front window will be fixed and the upper story windows will be replaced.

Vice Mayor, R. Cassell – We had to put a lien against the property.

Mayor Jenkins – Yes, there is a lien on the property for those, but he had a match to do a \$15,000 match for some of the other repairs.

Council Member, F. Perry – Back to the Starnes building, did we decide if we wanted to try to salvage some of those bricks or is that part of the contract that they?

Mayor Jenkins – The contractor will let town employees on site, the ones that are insured. I don't know, it doesn't look like very long window to re-coop them because they are going to work fast. I'm sure we could have the town dump truck out there to recover some, but I don't think they are going to slow down a whole lot when they start tearing it down.

H. Historical Committee - Did not meet.

I. Manager

Town Manager, J. Keller – I'm just going to hit a few high points. **Grogan Park** – I've already reserved the Gazebo for the first and third Saturday of the month with May 5th being the first date. This is kind of in conjunction with the Farmers Market, with not getting a good review on the Farmers Market. I think it will be too hard to compete with the Friday Flea Market and the existing established Farmers Markets in the area. My idea was to approach the Farmers Market another way. I know a lot of musicians in the area who are begging for a place to come and have reserved so they can come and play/jam and not be interrupted.

Council Member, T. Herron – What's the hours going to be?

Town Manager, J. Keller – It'll be, I'm still debating on 8:30 to Noon or 9 to Noon, something like that in the morning. It won't be too hot or too early. I'm going to ask that it will be acoustic instruments only and if crowds warrant it, eventually, we can have maybe a weekly concert and/or Farmers Market in conjunction with it, if we get enough people over here. It won't cost the town any money. Just a little bit of work down there. That is what I would like to do with the Gazebo down there. **The Hope for Hayley 5K Foot Race** – VDOT has approved the route. Michele and I have been working on this. The town can't give money unless it's to a non-profit. So, we can't give money directly to Haley, so what we are going to do. I spoke with the Rotary this morning, I think the Rotary will be the medium for us. They will allow us to give them the money and in turn will give it directly to Hayley White and her family. That is on the calendar for June 16th at 8 a.m. If you look on runtricity.org it's up on that calendar. In the whole tri-cities area, for that particular weekend, there might be three other events. There are a few thousand runners in the tri-cities area, hopefully we will be able to get a few hundred over here on the streets. **Bike Ride** – I have been given permission from Carol Dixon and Pam Collie to host it and call it the Go Collie Memorial. We'll still do it on June 9th and it will start at the parking lot at 8 a.m. If you want to look on our town website, both the flyers and registration forms is on our website as well. I'll touch on Rural Development later because it is on the agenda to be voted on, along with the BBQ Festival as well. The older trash truck went out, with Stoney replacing the transmission filter which got it to the shop, but it died again. We were given a quote for scrap metal of \$16.00 per 100 pounds x 25,000 pounds is roughly \$4,000. We put it on GovDeals with a reserve of \$4,000.

I did hire two seasonal employees just for weed eating and mowing, with Stoney asking if we could have them and the budget allowed it.

Vice Mayor, R. Cassell – Guess that means we're going to for next budget year take bids on garbage truck if we don't have a reserve now?

Town Manager, J. Keller – No, we don't. I think it might be included in the re-financing.

Vice Mayor, R. Cassell – That's what we were hoping to do several items and pick and choose. The garbage truck was the main priority, but I think we were going to try to do the wish list and see if we could afford it and start marking off. The garbage truck was priority, now it looks like top priority.

Town Manager, J. Keller – It's a 1997, 15 years out of a trash truck is beyond the life expectancy.

Mayor Jenkins – Especially with our terrain.

Town Attorney, M. Brooks – Jeremy, how are the proceeds with the Bike Ride, how is that handled?

Town Manager, J. Keller – I think it's just going into the General Fund. Chris said it wouldn't be a problem.

Town Attorney, M. Brooks – That's fine.

Town Manager, J. Keller – Make it out to the town. I spoke to Allen Cochran he said we had 125 bike riders @ \$20.00 head minus expenses, we're looking at \$2,300.00 to the good.

Mayor Jenkins – Thank you for securing this bike ride because we thought it was gone.

J. Park Committee

Council Member, F. Perry – We did meet and the topic of discussion was the water play. Jeff is looking at some plans and Ray was going to look at some sites. He had one out of Knoxville. To answer your questions about the flooding down there, there is a berm as when the water is coming out from the bottom and if it floods those sprays go off and sealed up to where that won't get dirt/gravel down there. It can have a cover over it as well, so those things have been looked at. Jeff is pretty thorough with that.

Council Member, W. W. Ross, Jr. – Where, up in here?

Council Member, F. Perry – We haven't determined the site yet.

Council Member, T. Herron – Wallace is talking with the Gardening Club wanting to come in here and do all those drawings

Council Member, W. W. Ross, Jr. – Well, okay, I'm getting ahead

Council Member, F. Perry – You're talking about what the Gardener Club is doing?

Council Member, W. W. Ross, Jr. – Yes.

Council member, F. Perry – There isn't any way to protect that. We've already got some landscaping down there and it just gets watered really good when it floods. It's my understanding they're going to maintain that as well, Wallace. So, what is your question with the flooding? We all know it floods down there.

Council Member, W. W. Ross, Jr. – Right. It's in the floodplain. It's getting more conducive with more water that with it being raining and the ball field and all is been really covered. Some people concerned that's why I was saying you know about what can they be doing if you were to look at it to maybe to help to maybe

Council Member, F. Perry – The only thing that you could do is to take a machine out there and dredge out the creek and EPA won't let you do that. So, we just fight it. It's been that way ever since the park been down there. It has always been a flood problem. You can't put in drains because when the water gets above the drains the drains won't drain.

Council Member, R. Lane – The banks have been bermed but that only gives you a little extra security there.

Council Member, F. Perry – I know they hauled in some extra dirt on the banks to curb the creek, but then it rains and

Council Member, W. W. Ross, Jr. – So when it floods, it won't put extra duty for the crew to go down there and try to keep it up where it would be feasible for people to use it?

Council Member, F. Perry – Well, it's going to take maintenance. It has to be maintained if it floods. When it rains hard, the trees are going to shed limbs, debris is going to wash. Yes there will be maintenance. Is that all we discussed on that?

Vice Mayor, R. Cassell – Yes. Is there anyway, I'd be willing to, being down there, is there some provisions for more parking. Is there going to be more parking when this addition is made? Do you know?

Council Member, F. Perry – No. We talked about some of the property that is out there on the very end that belongs to the railroad if we might be able to maintain a lease on that or something.

Vice Mayor, R. Cassell – I noticed Sunday, you might pick up three or four spaces but there are a few spots down there that might be able to cut some trees beside of what parking is there, on the new part side. I could show you.

Council Member, F. Perry – I know where you're talking about. But, actually trees are part of the park. That's part of it. We don't like to cut down trees if we don't have to. I had asked Ray about the Civitan on how they have taken this and he said they were all for it. That's a plus for us as far as the financing goes.

Mayor Jenkins – They do a lot of work down there and provide a lot of money. Thank you, Frances.

K. Planning Commission

Vice Mayor, R. Cassell – We're still working on the King-Ford lease with it going to Richmond to be finalized. They were going to give us a permit to receive dirt and sod from the Baptist Church with it being convenient for them to dump. Steve Buston is back peddling thinking we were going to use the lot as is, with no scraping due to the hazardous materials. He said we can fill all you want, with the church needing a place to dump the dirt with a permit in the works to dump the dirt. VDOT has agreed to the rough sketch of a site plan and once we open it and decide where we want the parking, they have agreed to close the crossover with yellow posts at their expense.

Town Attorney, M. Brooks – Juanita Wells is back to work and planning on attending your meeting.

Town Manager, J. Keller – She has taken over for Jeff Sams for Phase 1 & 2 water projects for VDOT.

Council Member, T. Herron – They've approved to dump the dirt there?

Vice Mayor – Waiting on the permit. Michele wanted the permit in hand.

Council Member, R. Lane – You'll have to put a silk fence along the back to keep anything from going into the creek.

Council Member, W. W. Ross, Jr. – Are you going to cut all the little trees down first?

Vice Mayor, R. Cassell – Jo Ann and I looked at it originally and if there are any that we could keep, we'll try to keep. There are some nice.

Council Member, W. W. Ross, Jr. – What about the grass? If you pour dirt on the grass it will eventually come up. Are you going to do anything to kill the grass?

Town Attorney, M. Brooks – I don't think we can do that right now because we don't have a lease to the property. All we have, potentially, is the permit to dump the dirt. That would be

premature on the town's part to do that. Not saying that's not a good suggestion, but it's definitely something that we will not be permitted to do, at this point. Until we have contract in hand, especially, we gotten some mixed messages, I think it's going to work out. I just want to make sure we have it in writing and everything we need before we do that.

Council Member, W. W. Ross, Jr. – So, what you saying is that the possibility is just dump the dirt, we won't be able to spread it out.

Town Attorney, M. Brooks – I think we can spread it. I think the permit will be specific, as I understand, specific as to what we can do. If we were going to treat things, before hand on a property that we don't have a lease to, we could technically be trespassing.

Vice Mayor, R. Cassell – I didn't look on the email, but Steve has been talking to me on the report. What I told you before, what Mark and I discussed asking him to look at he turned down except the step assist handrails. He said not to the jet out at the Family Bakery, but their working on the turn lane at Broadwater and Jackson.

Council Member, W. W. Ross, Jr. – So, clarify for me, I had mentioned about the handicap parking from across there and they turned that down.

Vice Mayor, R. Cassell – They told us we could not do the parallel, we could do all the diagonal we wanted. Pam was to get back with the dimension, but you're looking at taking two spaces per handicap on a diagonal.

Council Member, W. W. Ross, Jr. – So, one of the parking spaces out in front of the bank is not possible.

Vice Mayor, R. Cassell – Not on parallel.

Council Member, W. W. Ross, Jr. - In front here, is that possible?

Vice Mayor, R. Cassell – No. They told us anything on parallel they couldn't allow.

Council Member, F. Perry – The banks not parallel.

Council Member, W. W. Ross, Jr. – I'm talking about here in front of the office, we can't put a handicap parking.

Council Member, F. Perry – That is parallel parking.

Vice Mayor, R. Cassell – When we asked them about here, she said it is still parallel parking.

Town Manager, J. Keller – We asked what about the courthouse they said we didn't see it.

Council Member, W. W. Ross, Jr. – That's what I'm saying.

Council Member, F. Perry – They said don't talk about it, we didn't see it.

Town Manager, J. Keller – They'll take it away.

Council Member, R. Lane – What about right here in the front, that is basically two lanes of traffic that could come up through here. It is probably the same width of the road that is down the rest of the town. Could we explore the possibility of putting diagonal parking and going with one lane of traffic through here?

Vice Mayor, R. Cassell – Might be an option.

Council Member, R. Lane – That way we could have a couple handicap accessible, with possibly a couple more spaces.

Vice Mayor, R. Cassell – Never understood why they put in that other lane, thought it was to give people room to pull up and back in. We could certainly ask.

Council Member, W. W. Ross, Jr. – We need something for the handicap. I'm getting older, my knees can't walk as far as I used to. Need close places to park, since I'm getting older. I know you're all getting younger, but I'm getting older.

Vice Mayor, R. Cassell – We need to keep it hush about the one in front of the courthouse. Steve asked who put that in.

Mayor Jenkins – The state put it in.

Council Member, W. W. Ross, Jr. - That's who I thought.

Mayor Jenkins – When they resurfaced the road, the state actually did the painting because they're the ones who messed up the angles on the parking place.

Vice Mayor, R. Cassell – The lady who came with him that day, is one who make those decisions with them agreeing we need to leave well enough alone. Jeremy and I asked and everywhere we went asking about a parallel they said you can't because the driver has to get out with a wheelchair, you're opening right into traffic.

Mayor Jenkins – That's what they always told us, if it opens into the lane of traffic.

Council Member, W. W. Ross, Jr. – They can, okay. The bank could put one in.

Vice Mayor, R. Cassell – You're talking about Bank of America? He said on diagonal you can put it anywhere you want. We just have to decide if we want to lose the spaces. I'll follow up on that. Pam was supposed to send the dimensions on the spacing, but must not being copied on the emails. He didn't address the extra light. He did look at the loading zone at the bakery was putting the light down on the pole to where you can see it.

Town Attorney, M. Brooks – So, if there is a light lower, they can do a loading zone in front of the Bakery?

Vice Mayor, R. Cassell – We may pick up two spaces is what they said.

Council Member, W. W. Ross, Jr. – Okay, so, alright then, they can put up handicap parking right there in front of Chris' there. So, that's where I had early to have a handicap parking on that side over there.

Council Member, F. Perry – You could have one on each end of the block.

Council Member, W. W. Ross, Jr. – Right, so should be able to put there since they meet the criteria.

Council Member, R. Lane – It would be difficult, probably, on the lower side of Jackson because of the curb. You have to have it wheelchair accessible. You would have to have a ramp up and over and that would be some difficulty on that side.

Council Member, F. Perry – There is one at the far side of the Karate school, there's one there, but you can go down that street and turn around. Back on this parking, on these loading zones, we need to have signs that are marked loading with signs up saying fifteen minutes or however how long because some of the merchants have talked to me about that. We need to have a time limit because some people might pull up there for an hour or two and say they're still loading.

Mayor Jenkins – Yes, there should be some loading or unloading activity and allotted amount of time.

Council Member, F. Perry – Right. They need to marked and the signs need to go up.

Mayor Jenkins – Anything else on the Planning Commission?

Town Manager, J. Keller – I have one thing. There was a gentleman on Jackson Street who wanted to build a ramp down to the sidewalk. That house the R-O-W encompasses his front porch, along with a foot of his house. I brought it up to the Planning Commission and emailed Steve Buston, VDOT. He said they would be willing to talk to the guy and issue a permit, but he wants town approval since the public works crew would be maintain the sidewalk. Jo Ann made a motion to put it on the agenda for a vote. It's not on the agenda, but we can put it on for next time. The more I thought about it, this is something that shouldn't be taken up with Council's time. It's VDOT's R-O-W and really up to them. The town is fine with it as long as it doesn't interfere with the sidewalk.

Vice Mayor, R. Cassell – The Planning Commission did vote with recommending it to the town. I don't have a problem with it, just authorizing Jeremy to work with Steve and do it. Jeremy pointed out to him we are getting ready to work on that part of the sidewalk and he might want to wait and tie it in with that.

Town Manager, J. Keller – He already started and lacks a little to coming to the sidewalk with asking me after he got that close to the sidewalk.

Mayor Jenkins – We don't need to take action on that.

L. Public Works

Mayor Jenkins – Can tell Spring is here, brush is almost double. This last month they had 117 work orders, recycled 10,400 pounds of boxes, trash pick-up was up 16,000 pounds from the month before 166,320 pounds and the brush pick had more than doubled with 20,000 last month and 44,000 this month.

Council Member, W. W. Ross, Jr. – Question, I guess on page 3. So, how come the date where it says 3-19-2012, location, pick up brush, alright, is this started date and time is this on the 3-15-2012 and then complete, is that the date it started ended?

Mayor Jenkins – I would think start date is when it was probably called in and the work order was issued and they picked that up on Thursday and I think that would be the 19th. I've not checked the dateline.

Council Member, W. W. Ross, Jr. – So, that what it means, they would call in on that date and complete the date was the 15th and then they picked it up on the 19th.

Mayor Jenkins – I'm only assuming that. I don't know that for sure. We can find out, but that looks realistic.

Council Member, W. W. Ross, Jr. – So, down here on the 20th, the 3rd of 20th of 12 they have right here the 20th and then the 21st so, that's they call it in and they finish it, they did the work on that same day and did it on the 21st.

Mayor Jenkins – Which one is that, which one are you looking at?

Council Member, W. W. Ross, Jr. – Let's see, 3202012 on down at 52028.

Mayor Jenkins – Give me the

Council Member, F. Perry – 3416

Mayor Jenkins – The code number 3416?

Council Member, F. Perry – Yes. About 2/3rd 's of the way down.

Mayor Jenkins – Okay, 3416. So, this is you're talking about the water cut off?

Council Member, W. W. Ross, Jr. – Well, yeah. Well they told different dates when they are going to cut water off and pick up trash? They do that the same date when they call it in or they don't have any dates that's different say they got a water problem today and two days they may cut it off?

Mayor Jenkins – It looks like most are. I know that sometimes water cut off is issued after 3:30 on the prior day and the next day they have the work orders come in and pick them up and they'll do the water cut-off or water cut on.

Town Clerk, K. Riley – Or the customer is requesting the water to be cut-off on a certain day and brush pick up is always done on Thursday.

Council Member, W. W. Ross, Jr. – Okay, so, so okay on, page 2 brush pick up was done on 0 top of the page 3082012 and then it was on the 8th and picked up on the 15th right?

Mayor Jenkins – Yes.

Town Clerk, K. Riley – They pick up one day a week on Thursdays.

Council Member, W. W. Ross, Jr. – Okay. Now, I had a question about the on this brush pick up. I know there was some confusion on maybe I yeah. Pick up, brush pick up due to charter 9 section 9 3 385, I got copies. Thank you.

Mayor Jenkins – Okay, where are you at?

Council Member, W. W. Ross, Jr. – Well, right here it says right here where she got it highlighted line 3

Mayor Jenkins – Okay, preparation and storage of solid waste.

Council Member, W. W. Ross, Jr. – Right and then talking about the trash the brush pick-up I had a what I'm trying to find out is that a neighbor said that you all was going to charge him \$500 and what has transpired from that trash they had a lot of branches and what I think happened is the community got together which you all had been sending out a letters to people and take them to court to do their property. This property belongs to somebody and the neighborhood got together and cleaned it off. And so they had a lot of brush and trees to make enhance the property and so they wanted the stuff picked up. And so from this I think they showed them they wanted to charge them \$500 to move that brush and they showed this from the charter. Now do we go by the charter just by the certain things that may derive or do we stick to the charter at a times?

Mayor Jenkins – We try our best to adhere to policy. Whether it's chartered or not. It's policy.

Council Member, W. W. Ross, Jr. – Well, that's why I wanted to be sure that it we are going to stick by the policy and the charter or are we deviate just for certain kinds or certain things to be brought up? I wanted to try to understand that. You're going by policy.

Mayor Jenkins – My instructions are to go by policy.

Town Manager, J. Keller – I think what happened was, Stoney and the guys had been cleaning up some brush piles that were just taking all day to do. They were looking at it so we went back at the policy in place and

Council Member, W. W. Ross, Jr. – What is this? What is this?

Mayor Jenkins – What are you looking at/

Council Member, W. W. Ross, Jr. – What's this pictures of?

Mayor Jenkins – A brush pile I assume.

Council Member, W. W. Ross, Jr. – This is not the property we're talking about.

Town Clerk, K. Riley – No, that was the property you had asked about this afternoon.

Council Member, W. W. Ross, Jr. – Oh, yeah, and?

Town Manager, J. Keller – I looked back and looked at the policy. And the policy plainly says that tree trimmings must be cut in manageable lengths not to exceed 60" or five feet nor 6" in diameter and not weigh more than 40 pounds. Stoney and the guys have been picking up some branches and stuff that were 10-15 feet long and weighing, weigh more than the 40 pounds. I've been telling them if they want to get an estimate of it, they could charge the private customer if they didn't want to cut it in those manageable pieces.

Council Manager, W. W. Ross, Jr. – Okay, on page 2 3082012 also have a tree that was blown down and the roots is still in the ground and so

Mayor Jenkins – What is the order number on that?

Council Member, W. W. Ross, Jr. – 3366

Mayor Jenkins – 3366? The one that was on VDOT R-O-W or the town? I'm assuming it's in the road and needs to be removed.

Council Member, W. W. Ross, Jr. – Well, so this is what I'm saying. So, for example, that was the situation that you felt needed to be done, the neighborhood came in and cleaned this community for you would be a lawsuit to get this property to be

Mayor Jenkins – You think this is the case with this property?

Council Member, W. W. Ross, Jr. – No, but, that does not have anything to do with it.

Mayor Jenkins – Now if a tree falls in the road, we're going to get it out.

Council Member, W. W. Ross, Jr. – Well, this is on town property. That tree is on town property.

Town Manager, J. Keller – The tree blocking the road is a necessity. Brush pick up is a courtesy.

Council Member, W. W. Ross, Jr. – Well, this was on, this is on town property anyway. The tree was anyway fell down the neighborhood just cut it but there's all that down

Mayor Jenkins – So, Mr. Wolfe wasn't paid to cut this tree?

Council Member, W. W. Ross, Jr. – No.

Council Member, T. Herron – Do you know anything (speaking to Town Clerk, K. Riley) about the tree in the road?

Town Clerk, K. Riley – What happened with that tree, the customer said that it blew over and half of it was still in the ground and half of it wasn't. He asked, originally, for the town to come and pull it out the rest of the way. We told him we could not go on private property and take the tree out. He said he got it out of the road and got it off the ground. I asked him if it was in manageable pieces in accordance with our ordinance and he said yes it was. When we had Stoney go out there, Freddy was the one who went out there and he came back in and said it would require the back hoe to pick it up because the gentleman never cut it down. I explained to the gentleman, I called the gentleman, and I explained to him that we would do that but we would require a charge because it would require the back hoe and dump truck to take it out. He said he would take care of it himself.

Council Member, W. W. Ross, Jr. – If this is on VDOT, how come he didn't call the state?

Mayor Jenkins – I don't know, Wallace.

Council Member, W. W. Ross, Jr. – I mean if it was hazard usually you call the state and they come.

Council Member, F. Perry – The tree was not on the road. The tree was not on the road.

Council Member, W. W. Ross, Jr. – That's what he told me.

Council Member, F. Perry – Pardon?

Council Member, W. W. Ross, Jr. – Oh, you said it wasn't on the road? It was on private property? Pardon?

Council Member, F. Perry – It was in his yard.

Council Member, W. W. Ross, Jr. – Oh.

Council Member, F. Perry – He just called for information, is that right Kathy?

Town Clerk, K. Riley – He had asked for the town to pull it out of the ground the rest of the way and I explained to him. I asked him if it was on his property and he said yes. I said I'm sorry we cannot go on private property to do that kind of work. He said he would take care of it. He then called back and wanted us to pick it up and I asked him if it fell within the ordinance with the requirements or our ordinance and he said yes it did, but then when Freddy went out he said the gentleman didn't cut the tree, the portion up and Freddy said it was at least 10-12 feet and it was the whole root system. It would require the back hoe and the dump truck to haul it out of there.

Mayor Jenkins – So, is this the one on Bowen Drive that we're talking about? The 3366 order?

Council Member, F. Perry – Yes, it's on the Bowen Drive address, but the tree was on Frances Street two houses below me. It was when the tornado, the winds came through. The winds tore it down. The tree was actually growing on VDOT property because of the R-O-W but it's on his yard. It's in his yard that he maintains and he did take care of it and we helped him clean it up. The neighbors helped him clean it up.

Council Member, W. W. Ross, Jr. – Well, the neighbors helped him clean this lot off where they would have to go to court for action against his property and they came in and cleaned this lot up. It looks great up there. But it was in a mess.

Council Member, F. Perry – I thought you said it was town property?

Council Member, W. W. Ross, Jr. – Excuse me? I, no, you that

Council Member, F. Perry – You said the tree was on town property.

Council Member, W. W. Ross, Jr. – This tree was on town property. We was talking about the other property the tree that was they had a lot of tree they cleaned out this lot and they wanted to charge the gentleman \$500 to pick it up. They said that it was too big.

Council Member, F. Perry – I'm not following you, if the tree was on town property how did the town take it to court?

Council Member, W. W. Ross, Jr. – We getting confused.

Vice Mayor, R. Cassell – Two different incidences.

Council Member, W. W. Ross, Jr. - Two, yes, thank you.. This is totally different than what we've been talking about.

Council Member, F. Perry – How'd that one get into it?

Council Member, W. W. Ross, Jr. – Because I brought I guess because I called asked them to come up pick up the tree and I guess they said it's too big.

Town Clerk, K. Riley – It's the way that's it's laid there. It's all hodged-podged, it's not neatly stacked and it's longer than the 60 inches, some of those branches.

Mayor Jenkins – If it was property cut and stacked and no one was paid to do the job, the town would pick it up.

Council Member, W. W. Ross, Jr. – I know that nobody was paid, the tree fell down and nobody, you know

Mayor Jenkins – The only thing that is wrong then is it is not property stacked, because it's a brush pile.

Council Member, W. W. Ross, Jr. – Well, I guess because of branches high and the grass making it looks because the grass hadn't been cut in under there when they piled you know so I guess the

Vice Mayor, R. Cassell – This one here is still not the one you're talking about. Is this Herman's pile here?

Council Member, W. W. Ross, Jr. – No

Town Clerk, K. Riley – No

Vice Mayor, R. Cassell – This one?

Council Member, W. W. Ross, Jr. – No, that's another pile. That pile was across the street which they want to charge \$500 to pick up and this pile came later. This pile showed up later and it's been up there for about over two weeks.

Council Member, R. Lane – I think this is order # 3356.

Town Clerk, K. Riley – We just did that today.

Council Member, W. W. Ross, Jr. – Yeah, cause I just did that today.

Town Clerk, K. Riley – Herman Spriggs

Mayor Jenkins – So there's not an order on this?

Town Clerk, K. Riley – Yes, there is. I just did it today.

Mayor Jenkins – But it's not on this log report?

Town Clerk, K. Riley – No, Herman Spriggs is probably on there. That's the one that Mr. Ross is talking about the \$500 charge. When Mr. Spriggs came in I explained the way it is to be stacked and cut and he said that it was. When Stoney went out there, it was about 70-75 feet long and it was just stacked piled like that. So, we contacted Mr. Spriggs and explained to him that it needed to be neatly stacked and what he did was pushed it back to the back of the lot where he had burn pile there before and he burned most of it. The rest of it was picked up, it was changed around and stacked appropriately.

Council Member, W. W. Ross, Jr. – He was very upset about being charged \$500 because he was doing a community service to the community was by coming in and cleaning off the lot which you all would probably have to go through court fees and do everything to get it cleaned off I'm pretty sure because the property so they were trying to do a good thing to make to two neighbors to house of the side of that property the private property they went in and just trying to cleaned it up to make it look.

Town Clerk, K. Riley – Well, the same situation was with Mr. Herron up there on Moccasin Hills there were neighbors that had cut a lot of trees down and put it out there and we charged those

people for pick up and they paid. We explained the ordinance, we explained how it was supposed to be done and they asked if the town could take it and they paid us for it.

Council Member, W. W. Ross, Jr. – So how much did you charge them?

Town Clerk, K. Riley – We charged them according to the job.

Council Member, W. W. Ross, Jr. – Well, how much did you charge for the job?

Town Clerk, K. Riley – If you want to come in tomorrow we'll break it down for you. I don't have those numbers at the top of my head, Mr. Wallace, but I'll be glad to give you that information.

Mayor Jenkins – It was several hundred dollars.

Council Member, W. W. Ross, Jr. – Well, but you gave Mr. Herman a quote of \$500 so how do you engage

Town Clerk, K. Riley – It was according to the job. What they had versus what Mr. Herman, Mr. Spriggs had. We have a picture on the camera, I'll be glad to show that.

Town Manager, J. Keller – Stoney gives the estimates. He goes and looks at the

Council Member, W. W. Ross, Jr. – How do they, well, okay I'm trying to just.

Town Manager, J. Keller – Stoney says it will take about four hours two guys

Council Member, W. W. Ross, Jr. – Okay, so how do you, how do you, you said earlier you all don't keep a record I had asked

Mayor Jenkins – We don't keep a record of all activities that go on, but if there are billable activities we will keep a record.

Council Member, W. W. Ross, Jr. – So, who determine that? That's what I'm saying. So when this

Mayor Jenkins – The job determines that.

Council Member, W. W. Ross, Jr. – So, in this case you come up and determine that it's going to take 4 hours and do whatever and then you base your salary, how much you will engage to do that job by what Stoney says. But then when I ask Stoney, how long it takes to do a pavement on a street or how much I cannot get a answer to for the reason that you said well we don't put this down. So what it at one point you now I've asked in the minutes several times do you keep accurate records, you all say yes. Now you said no.

Council Member, F. Perry – There's a difference there, Mr. Ross. The difference is if they're paving the street that's a town job. If they're doing something for a private person, that's a private job, that is why they break it out and make a record of that one. If it's for the town, they're being paid anyway, if it's for a private person they have to pay.

Council Member, W. W. Ross, Jr. – They getting paid to do private work.

Mayor Jenkins – No, the town is being reimbursed for the time it takes to do the private work. They are not being paid

Council Member, W. W. Ross, Jr. – But you're still not telling me what category to you base how you charge

Mayor Jenkins – Whether it is a routine service or a non-routine service.

Council Member, W. W. Ross, Jr. – Well, what is it non service \$2 - \$3 - \$4 there? Service is \$6 - \$8 - \$20

Mayor Jenkins – No, we will charge based on the rate that we pay the people.

Council Member, W. W. Ross, Jr. – Okay, do you have a scale?

Mayor Jenkins – We know the people that are working there and how much they make an hour. We don't do a profit, we do a reimbursement for the hours and the equipment. And yes there is a schedule for use of the equipment. It's a standard state schedule. They have a schedule of how much a back hoe costs and hour, how much a dump truck costs an hour. But if this, had not been paid to do the cutting, if no one has paid someone to do the cutting which should have removed the brush

Council Member, W. W. Ross, Jr. – No, it was not.

Mayor Jenkins – If it is restacked properly the town will pick it up without charge. If there is a water service at this place.

Council Member, W. W. Ross, Jr. – Okay.

Vice Mayor, R. Cassell – Make sure you clarify which brush pile you're talking about.

Mayor Jenkins – The one in this picture.

Council Member, F. Perry – It has to be cut to 60" and stacked.

Council Member, W. W. Ross, Jr. – And this is town property?

Mayor Jenkins – It should be stacked on the owner or right at the edge of the town property. We can't go off much of town property to pick up brush.

Council Member, W. W. Ross, Jr. – But, if it's, what is it from the state 50' from the highway?

Mayor Jenkins – It's different places it's different widths.

Council Member, W. W. Ross, Jr. – Well, it's a state highway so if it's 25 it would still be part of the state property city property wouldn't it?

Mayor Jenkins – I would suppose it is.

Council Member, W. W. Ross, Jr. – Okay, thank you.

Mayor Jenkins – Anything else on public works?

M. Sanitation Authority

Vice Mayor, R. Cassell – I just have a couple highlights. Mr. Danko did come to the meeting last month. We had a very productive meeting with questions answered, things explained that we didn't thoroughly understand on the billing. I brought us couple issues regarding phone and gasoline usage with them going back and look at it. Questions being billed on percentage, didn't feel like it was a percentage and he was going to check on that. Jeremy stated they were having a public hearing for a rate increase and I asked Mr. Danko if that would affect us with him saying no. The only increase to us would be if their operating expense went up. He said he would try to come back periodically, maybe once a quarter or if we had a question he would be glad to come back. We're making pretty good headway with them, cooperation and getting things back to where they need to be.

Mayor Jenkins – That's good, thank you, Roger. Street Committee? Safety Committee? Water Plant?

Council Member, W. W. Ross, Jr. – Did we meet Street Committee?

Mayor Jenkins – Yes, I called for Street Committee, do you have something?

N. Street Commission

Council Member, W. W. Ross, Jr. – Oh, I was just want we mentioned earlier about the handrails, what progress is that still on-going or since you all meet with VDOT I don't have any interaction with them so I can't talk to them know what's going on. So

Vice Mayor, R. Cassell – The last time anything was brought up here the Mayor put the ball in your court to find the person who manufactured them if I remember correctly and VDOT is willing to permit them.

Council Member, W. W. Ross, Jr. – Okay. About this problem about the parking what's this street down here?

Town Manager, J. Keller – Tucker?

Council Member, W. W. Ross, Jr. – Yeah. I got this off my computer and they was saying so has this been corrected.

Town Manager, J. Keller – To the best of my knowledge and ability, yes.

Council Member, W. W. Ross, Jr. – Yeah, well, when I looked, I was just curious what business was staying on down that end is that a

Vice Mayor, R. Cassell – It's not now. Years ago it was Dee's Cleaners. It's been out of business as long as I remember.

Council Member, F. Perry – He lives above it.

Council Member, W. W. Ross, Jr. – Oh, are we having okay, another thing, are we having plan in the future with the streets to refurbish the sidewalks or are we just going to leave them as it is or are we looking for some ways to enhance to do a better improvement on the sidewalk around town and another thing that and another question is about the where the plants and where the I still see a lot of where dog walkers stuff in there. I know people, I don't want don't knock people walking their dogs but they are leaving their waste in those little things those little plant or wet a little what would you call it a little side things on streets?

Town Manager, J. Keller – Plant reservoir or whatever?

Council Member, W. W. Ross, Jr. – Yeah, I've seen a lot of that on the streets and I know that we had use, could you iterate on that you had ordered the cigarette

Town Manager, J. Keller – They're out. They are out in place right not. Yeah.

Council Member, W. W. Ross, Jr. – Okay.

Town Manager, J. Keller – I'll touch on both of those. I think the sidewalk enhancement project from the Baptist Church to Oak Street on that side of Jackson should take place sometime this year. That is the only sidewalk refurbishing that I'm aware of.

Council Member, T. Herron – How far does it go?

Town Manager, J. Keller – Up to Oak Street and that back way up to Estil Heights.

Council Member, R. Lane – Did they say up to 500 feet?

Town Attorney, M. Brooks – Andy knows better than

Andy Miles – Maybe 5-600 feet.

Town Manager, J. Keller – And I did check into those little sanitary stations for pet owners. The cheapest one that I found was to put out was \$200-300 apiece. Those ash trays were a fraction of that, that is why I went ahead and goes those. I am having a Community Service worker reporting to me Monday. I'm going to ask that she do it Monday, Wednesday and Friday to walk the streets to pick up cigarette butts, trash and clean the weeds out of those reservoirs and we'll get a good inventory on the plant count we need to put back in those.

Council Member, W. W. Ross, Jr. – Thank you, sir.

Town Attorney, M. Brooks – Are they actually assigning our Community Service people to the town? I told them we had jobs for them. Judge Lewis said he would do that, because we have lots of people who are getting community service.

Town Manager, J. Keller – Well, they just assign community service, Jason and the PO's down here, I've asked they already for reliable. Good community service workers are hard to find. I'm supposed to have two more coming to me on Monday.

Council Member, T. Herron – What kind of restrictions to they have? Can they use a weed eater or anything like that, tools?

Town Manager, J. Keller – I don't know what kind of liability on our part. We're not paying workman's comp for them. I think in the past, other municipalities, when I was a PO I had one guy work for the Town of Pennington and he was operating all the heavy duty machinery, weed eating. I know here in the past, the guys have done that.

Mayor Jenkins – Yes, we let them in the past, if they are over 18 the can use motorized equipment.

Council Member, W. W. Ross, Jr. – If we, would the equipment use, someone would help get up some of that cigarette butts would that be a liability? You know just the just get the streets look in better condition.

Town Manager, J. Keller – I don't think so, they're be wearing a big bright vest.

Town Attorney, M. Brooks – Make sure they have gloves.

Town Manager, J. Keller – Michele says it's okay, it's okay.

Town Attorney, M. Brooks – We might check with VML with the weed eating thing.

Town Manager, J. Keller – I don't want them to, honestly. They have in the past. We should have two people come in on Monday to do that.

O. Safety Committee

Council Member, W. W. Ross, Jr. – I just wanted to know about these I'm not sure what this job consists of and I'm still trying to learn what, so with the new fire hydrant thing is that part of the Safety Committee is that just I just stay within the parameter of the office?

Mayor Jenkins – The new fire hydrant thing?

Council Member, W. W. Ross, Jr. – Well, where they you know put in a new check new fire hydrant I mean a fire extinguisher, I'm sorry. When the fire extinguisher they put in we all that I think that's part of the Safety Committee, but I'm not sure, I'm not engaging what this job is consist of. I asked for guidance and direction but I'm still a little bit a confused.

Mayor Jenkins – And I don't know to guide or direct you on it. You can shape it anyway you want it.

Council Member, W. W. Ross, Jr. – Well, you all made the Safety Committee. You all put me on it.

Mayor Jenkins – The DOT probably decides what fire extinguishers we will have on board vehicles where they are located and everything.

Council Member, W. W. Ross, Jr. – Well I mean it says streets with you all wrote the manual and you said fire department and police department and all, so

P. Water Plant

Town Manager, J. Keller - It looks like they are running a little bit better this month with only 31% loss. No major water leaks that I'm aware of. I think the last time I reported there was one Stoney and guys fixed at the Sheriff's Office front steps.

Mayor Jenkins – Do you know how many hours a day the plant is running now?

Town Manager, J. Keller – I think it's 14 or 15 and Loretta is actually had done a terrific job this past time there was no overtime. They are getting it done in the most efficient manner possible.

XI. PUBLIC COMMENT

Debbie Kindle – Discusses PSA water rate charges.

Benny Reed – Discusses his approval on Council Member, R. Lane's suggestion regarding changing parallel parking to diagonal parking on Jackson Street from Kane to Tucker.

Mike and Jane Williams – Discusses their high water bill at 686 Benton Street. Advised Council there are no leaks at the home, no one in home to use the water and asks if there is a mistake with the meter. Council Member, F. Perry and Vice Mayor, R. Cassell discuss possible situations of outside spigot leak, toilet hanging up, someone hooking to their home. Council Member, F. Perry asks about a cut-off valve inside the home, with Vice Mayor, R. Cassell stating high usage was a one-time hit, not month to month. Town Manager, J. Keller, states meter read twice with no leak showing and no change in the reading and has to adhere to water policy. Mayor Jenkins states

meter will be re-read and bench test performed on the meter. Until findings of re-read and bench test, no late fees will be charged to customer's account and presented at next Council Meeting.

Mayor Jenkins closed the public comment session at 7:56 P.M. and opened the consent agenda session.

XII. UNFINISHED BUSINESS

- **Discuss applying with Rural Development for community facilities loan or grant for vehicles and/or equipment for the Police Department.**

Town Manager, J. Keller – I spoke to Dwight Pierson today to refresh myself on this. He said there is no money right now from now to September for grants. He said we can apply but he's being told there will not be any money for at least three years after. If grant money comes in they will fill it in the order of applications received with about a two year backlog. We can apply for a loan which can be funded by September at a 3.75% rate. Chris was looking to include the cruiser with the refinancing at a lower rate. Dwight suggested completing the grant paperwork to be in line if the money comes available. The loan is there, but at a higher rate than what the refinance rate would be.

Council Member, F. Perry – What kind of vehicle did we seize in this arrest?

Town Manager, J. Keller – A2000 Hyundai, I think.

Council Member, F. Perry – No much money?

Vice Mayor, R. Cassell – Steve said the bath salts and cash they confiscated we get a portion of that when they settle, plus the vehicle.

Town Attorney, M. Brooks – It takes a while. They have to go to court and we have contract with the Commonwealth Attorney they do the forfeiture, then we get a percentage.

Vice Mayor, R. Cassell – We had \$5,000 on an insurance claim when the one caught on fire that was settled. It went into the General Fund.

Council Member, F. Perry – We ought to put that money into the fund for replacement on Police automobiles.

Vice Mayor, R. Cassell – We discussed the refinancing gave a better rate on that to include in this budget to see if we could afford it.

Town Manager, J. Keller – I think Chris said we could, but only one.

Vice Mayor, R. Cassell – That's something we'll have to have right on. Are we obligated if we apply for it?

Town Manager, J. Keller – To accept the loan? I would think so, but I'm not sure. It would look bad to apply for it, then deny it.

Mayor Jenkins – Are we needing to take any action on this or just let you apply for the grant?

Town Manager, J. Keller – Do I need Council approval to apply for the grant?

Mayor Jenkins – No.

- **Request motion for a water rate adjustment**

Mayor Jenkins – Do we have a motion for any adjustment?

Town Attorney, M. Brooks – If you do not vote on tonight, if you were in increase it we would have to have another Public Hearing.

Mayor Jenkins – It falls within the 28 days and if it goes beyond 30 it would take a third Public Hearing.

Motion made to do Example #1 and revisit it after a year to see how these water up-grades does, maybe save a bunch of money.

Vice Mayor, R. Cassell – That's just adding the straight \$8.00 and no additional?
Council Member, T. Herron – Yes.

Motion by: Council Member, T. Herron 2nd by: Council Member, F. Perry

Mayor Jenkins – We have a motion to approve Example #1 which is the base rate increase of \$15.00 a month to \$23.00 a month with a \$7.00 per extra 1,000 (gallons) after the base of 2,000 (gallons). Is that correct? That is for in town and then \$30.00 for out of town.

Council Member, T. Herron – Yes, Example #1 and revisit it after a year.

Mayor Jenkins – We have a motion and a second any other discussion?

Vice Mayor, R. Cassell – Are you adding as part of your motion to revisit after a year?

Council Member, T. Herron – Yes.

Council Member, W. W. Ross, Jr. – I know we have to do this, of course I don't like it, but it's going to shoot up my water rate pretty high.

Council Member, F. Perry – Ours too. We're not putting anything on you that we're not putting on ourselves. I'd rather pay a little more to have water than not being able to have any.

Council Member, W. W. Ross, Jr. – Well, most of the, most of the, you got water, I mean most of the grants in the last twenty years has been going to communities around here that is in pretty good shape. Now where I live, our community

Council Member, F. Perry – Yes, Wallace what you're not listening, what you didn't hear before was if the water doesn't support itself then we're not in compliance with the terms of our loans.

Council Member, W. W. Ross, Jr. – I know that.

Council Member, F. Perry – Our grants.

Council Member, W. W. Ross, Jr. – Yes, right.

Council Member, F. Perry – So, we have no choice.

Council Member, W. W. Ross, Jr. – I know, but that's not, that was done in the past. That was, that was my fault. I didn't have that decision making in that. This is affecting me now, because somebody else made that decision. They should have evaluated that at that time. So, I have to, because of that decision, I'm gonna have to buckle up and pay the price for somebody else's decision. That's what I'm saying, now. This is, I've lived in Gate City all my life and our water rates has been going up each year and I'm still, we have a lot of leaks a lot of problems we need to a whole system for this whole city. Certain persons that getting it, but I'm still, you paying you gain it, I'm paying, I'm losing.

Council Member, F. Perry – The problem is if we don't pay this one the way it's supposed to, there won't be any more grants for any upgrades.

Council Member, W. W. Ross, Jr. – That's true.

Council Member, F. Perry – So when it all tears up and we don't have any water it'll be because we didn't meet our, what we needed to do to keep our grants going.

Town Manager, J. Keller – And if we don't

Council Member, F. Perry – I mean, it's black and white, plain as day

Town Manager, J. Keller – If we don't

Council Member, W. W. Ross, Jr. – I know it's black and white, that's what I said, people who should have been working on it years ago we wouldn't have been in this problem.

Council Member, F. Perry – Well, we can't go back. Once the water goes over the dam, you can't put it back.

Council Member, W. W. Ross, Jr. – Well, we're still paying out a lot of money we've been paying lot of money out to subdivisions that we took over that you all made a decision about years ago when these subdivisions came in and you all was paying this money out to them for

Council Member, F. Perry – Well, all of us haven't been on this Council forever either Wallace.

Council Member, W. W. Ross, Jr. – You haven't been on here long enough? I have.

Council Member, F. Perry – Well, that doesn't mean that we all had a say in what happened years ago. Like I said, we can't go back. There's no need to go back to something that we can't change.

Council Member, W. W. Ross, Jr. – That's true.

Council Member, F. Perry – We have to work to the future.

Council Member, W. W. Ross, Jr. – Thank you.

Council Member, F. Perry – You were going to add something.

Town Manager, J. Keller – If we don't increase the rates to where self-sufficient, Rural Development comes in automatically and increases them for us. Tells us what it's going to be.

Mayor Jenkins – Any other discussion on this item? If there is no other discussion on the item, I call for a vote.

VOTE:	Yea,	4
	Nays,	1-W.W. Ross, Jr.
	Absent,	0
	Abstain,	0

- **Request motion for the core drilling of basin**

Mayor Jenkins – Did we decide to table that till next month? Do you all have to vote on it now? We can vote on it now if you wish.

Council Member, W. W. Ross, Jr. – Do we have the money?

Council Member, R. Lane – It's included in the grant.

Andy Miles – It will come out of the funding package. It won't be done until the construction. It's just whether you want to spend an extra \$11,000 out of the 1.3 million to have that work done.

Vice Mayor, R. Cassell – If we don't, how long will it be before we have the basin drained to ever do it?

Andy Miles – Hoping with the new cleaning system you won't have to drain it anymore.

Vice Mayor, R. Cassell – That's what I'm saying, if we don't do it now and the question come up later, than here we are again, we'll have to drain it.

Council Member, F. Perry – Pay me now or pay me later.

Motion made for the core drilling to test the basin at the water plant.

Motion by: Vice Mayor, R. Cassell 2nd by: Council Member, R. Lane

VOTE:	Yea,	5
	Nays,	0
	Absent,	0
	Abstain,	0

- **Request motion for selection of Vaughn and Melton for engineering services for the Town of Gate City**

Mayor Jenkins – The proper advertising, bids, everything has already been done. The firms that have applied has been rated by?

Town Manager, J. Keller – Chris, Roger and myself have each gave five submittals. We all strongly suggested Vaughn and Melton.

Mayor Jenkins – And that is Andy's firm which we have been very happy with.

Motion for selection of Vaughn and Melton for engineering services for the Town of Gate City.

Motion by: Council Member, F. Perry 2nd by: Council Member, T. Herron

VOTE:	Yea,	5
	Nays,	0
	Absent,	0
	Abstain,	0

- **Ron Baker – Water bill** - 153 W. Jackson. In your preparation you had lying on the table. You show the exact thing I want to address the Council about. I want the Council to issue a refund for the penalty and interest that was placed on this disputed water bill. You have a utility activity bill by date and there is a page 3 at the bottom is where sewer/water interest and penalty was placed for the total of \$50.90. Now on page 4, you have it show the amount was taken from the bill. Page 10 and the receipt #7 and #6, the #6 is a receipt where I paid, prior to this time, there were other than the regular bill was all that I paid until I got this dispute settled. That was paid each month. Now we come to this receipt that I received after coming here and paying it. You'll notice the total was \$425.26. What was taken off, or rather what was charged, and then what was taken off, you'll see on this bill that I was charged the \$50.90 was added right back to the bill and I paid it. Therefore, I'm due a refund of \$50.90.

Vice Mayor, R. Cassell – If you look at page #9, it shows 5/24 those amounts taken off exactly.

Ron Baker – It does look like it, but Roger go to the next one

Vice Mayor, R. Cassell – July the 18th

Ron Baker – Go to page 10, look at the bill I paid and add up the amounts. That was in my check, whether intentional or unintentional, whichever.

Vice Mayor, R. Cassell – Well, it's saying those dates 5/19 those were added and then on this one it says 5/24 they were taken off.

Ron Baker – Roger, it doesn't matter if they're showing to be taken off, it was added into my final bill that I paid the town. That is what I wrote the check for \$426.25 and as you can see, that's in the total.

Council Member, R. Lane – Roger, you was saying on page 9, that was included in one of those adjustments?

Vice Mayor, R. Cassell – It has a #5 beside the customer copy.

Council Member, R. Lane – Yes.

Vice Mayor, R. Cassell – It has it as a minus. That receipt is dated July the 18th.

Council Member, R. Lane – Okay, that has the \$3.94, \$19.71, the \$4.54 and \$22.71.

Vice Mayor, R. Cassell – Corect.

Council Member, R. Lane – So, it looks like between that #5 and #6 it's the same thing that happened over here, there's been an adjustment that has been added, but there's also been deducted. Just like there was here, it's been done here right back here as well.

Ron Baker – All that is simply paper.

Council Member, R. Lane – Pardon?

Ron Baker - It's simply paper. Simply paper. There's no money involved in any of those transactions. The final one #6 is where the money was

Council Member, R. Lane – But this one right here should have been \$50.90 more.

Ron Baker – No. You can't charge the same penalty over and over and interest neither. There was none supposed to be added to this water bill

Council Member, R. Lane – It wasn't

Ron Baker – It was.

Council Member, R. Lane – No.

Ron Baker – Look at #6 receipt. That's one that was paid.

Council Member, R. Lane – Look at #5.

Ron Baker - #5 is no bearing. You can get it up, you can add it, you can take it off,

Council Member, R. Lane – That's what had happened.

Ron Baker – But when you, here I paid this bill

Council Member, R. Lane – You paid \$50.90 less on this bill.

Ron Baker – I didn't pay that bill.

Council Member, R. Lane – This is a receipt.

Ron Baker – It may be a receipt, but it was not a receipt to me for anything received from me. I never paid that bill.

Vice Mayor, R. Cassell – It has a check #3616.

Ron Baker - \$40.00, like I paid each month if you find a receipt/check, because that is all I paid until the final settlement was made. I kept my regular billing up. The final paid bill that money was actually transacted in is #6. The \$40.00 I paid when the dispute started was to keep my regular bill paid. #6 bill is the settlement after you all made the adjustment. That is the amount I wrote the check for to settle my dispute. Other than what we corrected about the meter tampering fee and the water reconnect fee, which we resolved it. We have not resolved this bill. This was the one that had the money transacted in. You can see the same amounts added right into this final bill. It was stated that there was no penalty and interest added of any kind until the bill was resolved. And here it was clearly added, it was put in to the bill.

Council Member, R. Lane – If we hadn't have taken the \$50.90 off of #5 though we would have been \$50.90 more than the \$40.00.

Ron Baker – You talking that anything that you have to discuss about this on penalty and interest is a no issue, because there was no penalty and interest involved in this billing.

Council Member, R. Lane – It was negated over here as it was negated over here.

Ron Baker – So, why was it added back into the bill on the receipt and I was made to pay it at the time when I settled the bill.

Council Member, R. Lane – Between the dates and the way it was added and subtracted out, it should be niled on both sides.

Ron Baker – It should be, but it's not. There is no money transactions on any receipts with the exception of the \$40.00 per month that I paid all during the time that this dispute was going on instead of getting added to the disputed the amount. That was the only thing. I paid it. I created it for everybody on the last time that I was here in front of the Council. #6 bill, is the one that I paid directly to the town to resolve the issue after your adjustments have been made. You added penalty and interest making the decision it would not be added, it shouldn't be added during that whole period. It was added, negated, and this other bill and in my opinion so it would lead to confusion of your #5 bill because that had nothing to do with the issue whatsoever. Had it been negated, it would have been no need to have had it on the receipt for #6. There should be no penalty or interest of any kind added into that bill and it is. Am I wrong? Was it not added into this bill.

Council Member, T. Herron – What's the \$128.00 taken off for, what's that?

Ron Baker – What's that now?

Council Member, T. Herron – The \$128.00

Town Clerk, K. Riley – That was part of the adjustment.

Ron Baker – What are we talking about now?

Town Manager, J. Keller – #5.

Council Member, T. Herron – I'm just looking at the \$128.00

Vice Mayor, R. Cassell – Look twice, Tommy, This says Ron Baker water history, when you got all of that, there's a total of \$257.14. That's \$128.57 water and \$128.57 sewer.

Council Member, T. Herron – Okay, I got you.

Ron Baker – So that would be the water and sewer adjustment? It should appear very plain just looking at the receipts that were issued. I never received a receipt in hand accept this one #6. The other receipts were in-house as far as I know. But this #6 was the only one I get and the only one I got. It was the one I came and directly paid the \$425.26. It's in that bill that I have the check for that was written for this amount. It is plain to see the penalty and interest is added all into this bill. The issue is simple, that bill to settle this water dispute should have no penalty or interest in it whatsoever.

Council Member, R. Lane – I don't know where it did, because it was negated on #5. It was subtracted off your bill on #5.

Ron Baker – Well, Randy, we can go around Gate City to get across the street and that is essentially what we have done with all these receipts in house that has been done and compiled. When it comes down to the final issue it's the bottom line. Right, you would agree with that. It the money that has been spent.

Council Member, R. Lane – Or the money that's owed.

Ron Baker – And look at the receipt for #6, it is my final payment to settle the water. No in the issuance of the Council, the letter said there would be no penalty or interest on this account during the time of dispute. And the final receipt of #6 clearly has penalty and interest on it. Therefore it's a mistake. Therefore, I paid that by mistake.

Council Member, R. Lane – If we went back and changed, took it off of there, but added it back onto #5, you agree with that?

Ron Baker – How can you justify that the final bill that I paid to the town, none other than the \$40.00. How can you justify after saying that the town would not charge penalty and interest during the dispute time. That any form or fashion be added back to the bill which I paid to settle the water dispute. All else is new. It's a straight forward issue. No penalty or interest should be on that final bill or the settlement period. And from your own receipt, you can see that it is. The others had nothing to do with it. This is the final one, to settle the water dispute. So, therefore, it should have no penalty and interest of any kind on it. But it does and it amounts to \$50.90. Therefore, I again, request a refund of the \$50.90, because it was an accounting error or something of the kind because this is what I wrote the check for and I was issued that letter that there would be none of that on that bill.

Council Member, T. Herron – Until it was settled. Until the dispute was settled.

Ron Baker – I couldn't hear you.

Council Member, T. Herron – There would be no penalties or interest until the dispute was settled.

Ron Baker – That's right and this was the settlement.

Council Member, T. Herron – Is this still in dispute? I missed a couple meetings.

Town Clerk, K. Riley – No, it was taken care of with an adjustment.

Vice Mayor, R. Cassell – We gave him an adjustment and then we refunded the tampering fee.

Ron Baker – Because that was a mistake, so is this.

Council Member, T. Herron – So, this bill #6 is this the final payment after we settled and agreed on anything?

Town Clerk, K. Riley – The last time Mr. Baker was here, it was decided that Judy would look at the paperwork to see if an error was made. No error has been made. Randy even looked at the paperwork, too and he did a spreadsheet. Randy, did you see an error?

Council Member, F. Perry – He came in and paid the bill and then we met that night and that's when we gave what adjustment we gave.

Ron Baker – Adjustment being made, arguments have been carried through on both sides, mine and yours, and this is the final bill to settle the water dispute. The issue is, quite clear, there should be no penalty and interest from sewer or water added to the final bill, but it is added to the final bill. That is why I am asking for the \$50.90 back.

Council Member, R. Lane – Can you explain to me, those four values on #5.

Ron Baker - #5 is a mute issue.

Council Member, R. Lane – Not in my mind. Not in my mind.

Ron Baker – It may not be, but let me show you why it is. I didn't receive a bill nor did I pay any money on that bill. I didn't receive this bill #5 and I didn't pay any money on this bill #5, period. That was, in my opinion, the same as an internal memo, because it was never issued to me.

Council Member, T. Herron – You say that's not your check number on there?

Ron Baker – Yes, but it got for the \$40.00 that I kept up and continued throughout the dispute period rather than let a regular water bill spill on top of the dispute. If you look back at the others, you'll see the check numbers it will be for the \$40.00 as well. Each month I did that and you can see right down at the bottom \$40.00. That is what my normal billing as always been. So, I continued that though I wasn't obligated during the dispute time, but I did it and kept the issue from getting more confusing by having the \$40.00 added to it on that month by not being paid. There was no check issued concerning any other amounts other than that \$40.00. The final bill was #6 which I settled the water dispute with that. That was the settlement. It is clear that penalties and interest was added on and it should not have been.

Council Member, T. Herron – Asks Town Attorney if she has anything.

Town Attorney, M. Brooks – Do I have anything?

Council Member, T. Herron – Do you see anything out of the ordinary?

Town Attorney, M. Brooks – I think it is very clear from the town documentation that he was not charged that.

Ron Baker – How in the hell, Michele, do you get this

Town Attorney, M. Brooks – I don't appreciate you cursing at me.

Ron Baker – Ugh?

Town Attorney, M. Brooks – I don't appreciate you cursing at me. I won't take that.

Ron Baker – That wasn't cursing.

Mayor Jenkins – That was out of line and you won't use it again.

Ron Baker – Say what.

Mayor Jenkins – I said you will not use it again.

Vice Mayor, R. Cassell – Left meeting 10:45 p.m.

Ron Baker – You settle this so that I can leave.

Mayor Jenkins – I will settle this by making a request does anyone want to make a motion to refund Mr. Baker that money?

Motion made to refund Ron Baker the money.

Motion by: Council Member, W. W. Ross, Jr.

Mayor Jenkins – Wallace has made a motion, is there a second? We'll wait till Roger gets back.

Ron Baker – I'll tell you this, I've been more patient than Jobe in dealing with you, in particular, Mr. Mayor.

Mayor Jenkins – Deal with me.

Ron Baker – And I've had more than enough patience for six/seven months now to settle what should have been a simple issue over this and if this is the way that this Council has to operate to run this town then I guess it's a good thing you have your own (inaudible).

Mayor Jenkins – You know what you recourse is, if the decision is not what you wish it to be.

Ron Baker – It's not me wishing it to be.

Mayor Jenkins – It is you wishing it to be.

Ron Baker – It is wishing you to be honest.

Mayor Jenkins and Ron Baker speaking at the same time – inaudible.

Ron Baker – and every property owner in this town. You are not honest in doing that and you're not truthful in doing that either.

Mayor Jenkins – We follow policy.

Ron Baker – Your policy is not law.

Mayor Jenkins and Ron Baker – Speaking at the same time – inaudible.

Ron Baker – It's what you want everyone else to believe that it is.

Vice Mayor, R. Cassell – Returns to the meeting 10:49 p.m.

Mayor Jenkins – Roger as motion has been made Mr. Wallace Ross, to refund the amount that he is requesting. There has not been a second, would you like to second it?

Vice Mayor, R. Cassell – No. Sorry, I stepped out, I had to have a drink of water.

Mayor Jenkins – There is no second, the motion dies.

Ron Baker – Then I guess, let the Circuit Court will settle it.

Mayor Jenkins – That will be fine.

XIII. NEW BUSINESS

- **Request motion for Council's approval to apply to Rural Development for a community facilities loan or grant for vehicles and/or equipment for the Police Department**

Town Manager, J. Keller – We already did.

- **Request to adopt Resolution 02-2012 To Add Optional Worker's Compensation Coverage for Gate City Auxiliary Police Officers**

Town Manager, J. Keller – If we choose to do the next option to reinstate the Auxiliary Officers, Worker's Comp. for that would be, I think, \$3.68 per pay period, about \$7.50 a month, if we chose to reinstate the Auxiliary Officers. If we have them, we have to have Worker's Comp. on them.

Town Attorney, M. Brooks – Were we paying that before they were

Town Manager, J. Keller – No.

Mayor Jenkins – This has been brought back from some of the recent laws?

Town Attorney, M. Brooks – Yes.

Vice Mayor, R. Cassell – It's not a requirement, but we're asking somebody to come out here and volunteer and if they get hurt they're on their own.

Town Manager, J. Keller – We only have one, which is Officer White.

Council Member, F. Perry – So, which one are you looking at right now?

Town Attorney, M. Brooks – It'll probably be better to switch these out.

Council Member, F. Perry – They’re backwards, aren’t they?

Vice Mayor, R. Cassell – If we don’t reinstate them, it’s kind of a moot point.

- **Request motion for approval to reinstate Auxiliary Police Officers as per option provided by DCJS**

Motion made for the reinstatement of Auxiliary Police Officers.

Motion by: Council Member, F. Perry 2nd by: Vice Mayor, R. Cassell

VOTE:	Yea,	4
	Nays,	0
	Abstain,	1-W.W. Ross, Jr.
	Absent,	0

Mayor Jenkins – Now back to the adopt resolution 02-2012 to ad optional Worker’s Compensation for the Gate City Auxiliary Police Officers.

Motion made to the adopt resolution 02-2012 to ad optional Worker’s Compensation for the Gate City Auxiliary Police Officers.

Motion by: Council Member, T. Herron 2nd by: Council Member, R. Lane

VOTE:	Yea,	5
	Nays,	0
	Absent,	0
	Abstain,	0

- **Approval to submit the grant application for the Burnt Cabin Branch Trail proposal for the 2012 Recreational Trails Program grant**

Town Manager, J. Keller – This is the same one we submitted in 2009. Just copy and paste with addition of a few more information. It’s a 80/20 matching but we have to be financially able to support 100% of it and submit reimbursement. It looks like the 09, which I kept the same figures for is a total project cost of \$149,838 which means we would be refunded 80% of it, about \$120,000. About \$30,000 we would have to come up with it for the match. Any kind of labor could go towards that match. But we do have to be able to financially support 100% of it to be eligible. They usually receive requests for five times the amount of funding, I think it is 1.4 in this case, so I think she is expending five million dollars in submittals. I have to finish he applicant, it’s due Friday, the 13th at 4 p.m. in Richmond. If we want to do it, I’ll have to next day air it tomorrow. I can pass it around for everyone to look at, it’s pretty much the same exact.

Mayor Jenkins – I’ve already seen it.

Council Member, W. W. Ross, Jr. - So, what you saying, we have less than 24 hours to make a decision about this Branch Cabin Branch. I know where this location is, which is also in the flood plain. So, how you,

Mayor Jenkins – Those are allowed activities allowed in flood plains, parks, and things like that. They encourage you to look at them

Council Member, W. W. Ross, Jr. – Well, are they going to provide a road up through there to get into that location are they going to develop that and still the town has the property up there that they haven’t cut or maintained property all, so we’re going to another avenue of grant money for another entity when we don’t even are not maintaining other localities in the town property.

Town Manager, J. Keller – So far this grant is all inclusive. It's about 600 feet of new trail construction, 2600 feet of rehabilitation. The cost estimates cover the entire project from start to finish. There would be no additional grants, it would be just for a walking trail with the trail head being at the intersection of Jackson and Fir Street. More than likely, if we submit it, we probably won't get chosen. This is one of those things 30% has to go toward non-motorized, 30% has to go towards motorized and 40% has to go toward combination. This falls in the 30% of the 4 million to do all the stuff on the list, non-motorized only.

Council Member, F. Perry – But we do need to keep reapplying, so we will be considered one of these days. That's the point, that we need to remember here.

Council Member, W. W. Ross, Jr. – You say it was submitted back in 09 and being rejected ever since?

Town Manager, J. Keller – Yes. It got rejected in 09 has not come back up three years later.

Mayor Jenkins – I guess I should make this be done correctly. Do we have a motion to approve this first?

Motion made to approve the submission of the grant.

Motion by: Council Member, F. Perry 2nd by: Council Member, T. Herron

Mayor Jenkins – Now is there any more discussion:

Council Member, W. W. Ross, Jr. – How much did you say it would cost the town for the grant part and to maintain it?

Town Manager, J. Keller – To maintain it, just like the Grogan Park, the Public Works guys is what was submitted in the grant.

Council Member, F. Perry – We need to get the community involved in some of this stuff, too.

Mayor Jenkins – Yes, we do.

Council Member, F. Perry – We get something for our community, maybe we can get them involved in it. A question in this line, at one point, we talked about maybe applying a bank for a line of credit which is something that we need to do to cover us for things like this where we have to put money up front and then be reimbursed. We need to look into that, this would be a good instance right here, where we would need a line of credit. Where we can pay and when it was reimbursed we put that back in there and then we have for the next time when it comes along.

Town Manager, J. Keller – We don't have one now, do we?

Council Member, F. Perry – No, we don't, if we had we wouldn't have to take CD out that we took out. You weren't here, at the time, but that's when we discussed that. That's one thing we need to look at.

Mayor Jenkins – Any other discussion on the item?

VOTE:	Yea,	5
	Nays,	0
	Absent,	0
	Abstain,	0

• **Approval for Gate City to host a BBQ festival in September**

Town Manager, J. Keller – I was contacted by Jennifer Puckett, Director of Tourism of Scott County, with her being contacted by two citizens wanting to know if Gate City would be willing to host a BBQ Festival, this being a competition, similar to Racks by the Tracks in the area. People would bring in their smokers, have a competition, charge, however they do it. I've looked

at a preliminary, with having 16x16 foot stage, all day, sound system, someone to run it, stage has a back drop, roof, lights, someone to set it up, supply the sound system and run it all day long, for about \$1,000, an unbelievable good deal.

Council Member, F. Perry – That's what I was going to ask you, can we do activities in conjunction with this like, since we're not a part of Clinch Mountain Fest. Can we make this our fest?

Town Manager, J. Keller – Yes, that's what I would like to do.

Council Member, F. Perry – I told you I had a great entertainer for \$250.00.

Town Manager, J. Keller – I was thinking 3-4 different bands from noon to 8 p.m. like they did before.

Vice Mayor, R. Cassell – I was asked if it had to be county or blue grass, that they knew of a band that would like to play and would be reasonable, someplace to play. They said this band can play anything.

Council Member, F. Perry – I think the variety would be good.

Town Attorney, M. Brooks – I think it would appeal to a lot more people.

Mayor Jenkins – Jeff Mann?

Vice Mayor, R. Cassell – No, someone in my family who knew someone.

Town Manager, J. Keller – As a part of this, and I'll meet some opposition on this. I was looking to serve some beer too. I've already spoke to VML, we're covered and the Assistant City Manager of Bristol, VA and they have a procedure they follow for Rhythm & Roots as far as other festivals for serving beer on the streets. They charge per band, placing a limit of 4-5 beers, all vendors who supply beer are required to receive ABC permit and undergo at least one training session by ABC.

Mayor Jenkins – And it will be kept separate, it needs to be kept separate.

Town Manager, J. Keller – They have to barricade off for alcohol and no alcohol can leave that area. If you've been to Rhythm & Roots they have a little beer tent, you can't take beer outside the tent on the street.

Vice Mayor, R. Cassell – How do they mark the banks?

Town Manager, J. Keller – You can get a band and give each vendor a marker and 1-2-3 per beer with the Town of Gate City charging \$3-\$4-\$5 per band showing your I.D. with the vendor collecting money for the beer. Festivals like this, has received a large attendance. This is week after Rhythm & Roots in Bristol, so there's no competition.

Council Member, F. Perry – We wouldn't have to make a decision as to what would be entailed in it before we voted to have it, right?

Town Manager, J. Keller – I don't think so, no.

Mayor Jenkins – So, do we have a motion for approval for Gate City to host a BBQ Festival in September?

Motion made to approve for approval for Gate City to host a BBQ Festival in September?

Motion by: Council Member, F. Perry 2nd by: Council Member, T. Herron

Council Member, R. Lane – One question, Frances brought up, at what point do we make some decisions on that. This right here is approval for it.

Council Member, F. Perry – Right, I think we need to form a Committee and have some plans made and have them brought before the Council and them studied and looked at and approve.

Mayor Jenkins – Yes, that would probably be the proper avenue.

Vice Mayor, R. Cassell – He's going to have to tell people who inquire about what going on soon. **September sound like a long way off, but it's not.**

Mayor Jenkins – Planning will need to be done quickly.

Council Member, T. Herron – It takes 45 days to get a permit, doesn't it?

Town Manager, J. Keller – I think it about 4 weeks out, it's 45 days.

Council Member, F. Perry – What day in September?

Town Manager, J. Keller – September 22nd.

Council Member, F. Perry – That's five months. So, if we had something for the June meeting,

Town Manager, J. Keller – What are we looking at so I know how, what all kinds of stuff we will have? I know Bristol, the guy, the City Manager, sent me this application to have all the vendors fill out in addition to the permit and the training session.

Council Member, T. Herron – Do you have to be an established company, any Joe Blow? I have a neighbor makes his own beer.

Town Attorney, M. Brooks – I don't know about that. You would have to have an agency that has a license.

Vice Mayor, R. Cassell – You would have to be some type of business that normally sells alcohol.

Mayor Jenkins – You would have to have production in selling license.

Vice Mayor, R. Cassell – I think it's a good idea, since we're not having the Clinch Mountain Music Fest, we definitely need something. Jeremy feels if we can stay within a \$5,000 budget.

Town Manager, J. Keller – If we get the stage and sound system for \$1,000

Council Member, F. Perry – That's a great deal right there.

Town Manager, J. Keller – We may want to get a business to sponsor the stage.

Council Member, R. Lane – Are you still looking at blocking off Jackson.

Town Manager, J. Keller – I would like to do it in the same place.

Council Member, F. Perry – I think that's good. We need to pick it up and keep going with it.

Mayor Jenkins – Yes, we don't need to miss a year, because things will die in a year.

Council Member, F. Perry – We might look at some of the people who served on the Clinch Mountain Fest committees and see who of those will work and give them a couple months to pull it together.

Council Member, T. Herron – I'll talk to my wife they sponsor, New Peoples Bank is one of the biggest sponsors, they may be able to sponsor.

Mayor Jenkins – A \$1,000 sponsorship for the stage would be a good, cheap sponsorship.

Town Manager, J. Keller – I went ahead and told him to tentative put it down on his calendar that I had to get Council approval first.

Council Member, W. W. Ross, Jr. – What date did you set for?

Town Manager, J. Keller – September 22nd. VML said we're covered for something like this, with alcohol being served.

Town Attorney, M. Brooks – If we decide to do the alcohol, I would certainly do research on this and look at how we can do it. I think what he has done is excellent to see how it's done, but I just to make sure I advise you all correctly, I want to make sure I do some research on that.

Council Member, W. W. Ross, Jr. – Do we have to do it the first year?

Council Member, F. Perry – Do you think that's a big draw?

Town Manager, J. Keller – I think it is.

Mayor Jenkins – All the festivals I've been to, it is a big draw.

Town Manager, J. Keller – Talking to Dad about it, he said we would have a problem with parking. I hope we have that problem.

Council Member, F. Perry – The first year we had the Music Festival, I got permission to use the van from the church, we had a drop off and a pick up right here and we shuttled people from the high school back and forth. We shouldn't make that stand in our way. That would be a good problem to have. We have parking at the church, we have parking at Baptist Church, we have the municipal parking lot. If you think it will be that good, we'll get us some shuttle vans.

Town Manager, J. Keller – I think it would with the right musicians, bands, BBQ ribs and all that stuff on the street.

Council Member, W. W. Ross, Jr. – Are you going to block the street off there at the Courthouse?

Town Manager, J. Keller – The same section that was blocked off for the Music Fest.

Council Member, W. W. Ross, Jr. – Maybe, probably, if you do have a good crowd maybe put a that street that Jackson coming in make that all handicap so people who can't walk could probably park from that side and just go out, make it one way, you know, they could go out and go around. And that would give people who handicap maybe want to come, it would be level and stuff like that. I just idea.

Town Manager, J. Keller – Michele, you'll let me know what all we need for this to get it going.

Town Attorney, M. Brooks – Well get it together, I guess we're a little premature with whatever everybody comes up with.

Council Member, F. Perry – Well, I would, definitely, want it looked at.

Town Attorney, M. Brooks – I can see it working well and I think we can make it work. I've been to Rhythm & Roots several years and it's still very family friendly, but you have that element as well.

Council Member, F. Perry – As long as it's a restricted area, I think that's what helps it be successful.

Town Manager, J. Keller – You have to keep in contained in the state of Virginia.

Town Attorney, M. Brooks – It would be a draw for younger people, people out of the town.

Town Manager, J. Keller – I'll forward you this as for as the City of Bristol User Agreement is and with the Vendors too.

Mayor Jenkins – Any other discussion on the item?

Vice Mayor, R. Cassell – I noticed, maybe it's something that you have to have so many years, but it was in the paper, was it Haysi that had the festival?

Council Member, F. Perry – Damascus

Vice Mayor, R. Cassell – It was recently recognized on the Crooked Road.

Mayor Jenkins – Yes, it is Haysi.

Vice Mayor, R. Cassell – The Red Plum Festival or something. Can we get this on there or is that something has to occur so many years before they'll put it on there.

Town Manager, J. Keller – I'm sure if we're paying our membership dues to that, we should go on there.

Council Member, F. Perry – Even at that, as a criteria for that, we ought to be able to pick up the years that we did with Clinch Mountain Music Fest as a part of it too.

Vice Mayor, R. Cassell – That article said they would , it goes into the advertising for the Crooked Road and that would even draw more, I think.

Town Manager, J. Keller – It should, we pay our dues they should advertise for us.

Mayor Jenkins – Any other discussion? I'll call for a vote.

VOTE:	Yea,	5
	Nays,	0
	Absent,	0
	Abstain,	0

Mayor Jenkins – The other items, we'll address next Council meeting.

- **Mike Williams and Jane Williams Cross dispute water bill** – Agreed to be placed under Public Comment

XIV. PUBLIC COMMENT – NEW BUSINESS - None

Mayor Jenkins closed the public comment session for new business at 9:10 P.M. and opened the consent agenda session.

XV. CLOSED SESSION

Mayor Jenkins opened the closed session at 9:10 P.M.

Motion made for Council to enter into closed session to discuss legal and personnel matters.

Motion by: Council Member, T. Herron 2nd by: Council Member, R. Lane

VOTE:	Yea,	5
	Nays,	0
	Absent,	0
	Abstain,	0

Council Member, W. W. Ross, Jr. left meeting at 9:58 p.m.

XVI. RETURN FROM CLOSED SESSION

Council returned from closed session at 10:00 P.M.

Motion made for Council to return from closed session.

Motion by: Council Member, R. Lane 2nd by: Council Member, T. Herron

VOTE:	Yea,	4
	Nays,	0
	Absent,	1-W.W. Ross, Jr.
	Abstain,	0

Mayor Jenkins – All ayes with the exception of Wallace Ross who I'm assuming has left the meeting. We'll give him a few moments to see.

Vice Mayor, R. Cassell – Just list him as absent.

Mayor Jenkins – What?

Vice Mayor, R. Cassell – She has him here absent. We'll just have to list him as absent effective as of whatever p.m. if there is any question as to why he didn't vote.

Mayor Jenkins – Did he leave?

Town Attorney, M. Brooks – I don't know.

Council Member, R. Lane – He took his jacket

Debbie Kindle – He told me good bye.

Council Member, F. Perry – He's gone.

Debbie Kindle – He's out in the hallway.

Town Attorney, M. Brooks – We really need to vote on the closed session.

Mayor Jenkins leaves the meeting 10:02 p.m. asking Council Member, W. W. Ross, Jr. if he is leaving?

Council Member, R. Lane – Because he participated?

Town Attorney, M. Brooks – Yes, he participated in closed session, he needs to vote on that. If he moves to lay, we really do need him. If he won't, he won't.

Mayor Jenkins returns to the meeting at 10:03 p.m.

Mayor Jenkins – We'll give him a few minutes to return.

Council Member, W. W. Ross, Jr. returns to the meeting 10:03 p.m.

Mayor Jenkins – We've had a motion and a second to return from closed session. All have voted with the exception of Mr. Ross, would you like to vote to return from closed session?

Council Member, W. W. Ross, Jr. – Yea.

Mayor Jenkins – All yeas.

CERTIFICATION OF CLOSED MEETING

WHEREAS, the Gate City Town Council has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-7312 of the Code of Virginia requires a certification by the Town Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED, that the Gate City Town Council hereby certifies that to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirement by Virginia law were discussed in closed meeting to which this certification applies and (2) only such business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Gate City Town Council.

VOTE:	Yea,	6
	Nays,	0
	Absent,	0
	Abstain,	0

XVII. MOTIONS FROM CLOSED SESSION:

Mayor Jenkins – There are not motions from closed session.

XVIII. ADJOURN

Motion made to adjourn the meeting until the next regularly scheduled Council Meeting, May 8, 2012, at 6:00 P.M.

Motion by: Council Member, T. Herron 2nd by: Vice Mayor, R. Cassell

VOTE: Yeas, 5
 Nays, 0
 Absent, 0
 Abstain, 0

*Mayor Jenkins adjourned the meeting at 10:05 P.M.

Mark Jenkins – Mayor

Kathy Riley – Town Clerk

**RESOLUTION 02-2012
TO ADD OPTIONAL WORKERS' COMPENSATION COVERAGE**

WHEREAS the Town of Gate City has entered in a contract with the Virginia Municipal League, hereinafter called VML, for coverage of Town of Gate City personnel and

WHEREAS the basic contract with VML affords coverage for regular Town of Gate City employees, but provides for optional wider coverage by election of Town of Gate City Town Council and

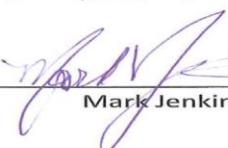
WHEREAS it is the desire and intent in Town of Gate City Council that the Town of Gate City Auxiliary Police Officers comprised of 3 Auxiliary Police Officers with the assumed annual salary of zero dollars to be afforded coverage under VML

THEREFORE, upon motion made by Council Member, Tommy Herron, and seconded by Council Member, Randy Lane, the following order was adopted:

Town of Gate City Auxiliary Police Officers will be included for Workers' Compensation benefits under the Town of Gate City's contract with Virginia Municipal League.

Approved and adopted in Town Council Meeting this 10th day of APRIL, 2012.

ATTEST: Kathy Riley
Kathy Riley – Town Clerk



Mark Jenkins – Mayor