



**GATE CITY TOWN COUNCIL MEETING MINUTES**  
**JUNE 29, 2011**  
**EMERGENCY CALLED MEETING**  
**156 E. JACKSON ST.**  
**5:30 PM**

**I. CALL TO ORDER**

Mayor, Mark Jenkins called the emergency called meeting to order at 5:32 P.M.

**II. ROLL CALL**                      Town Clerk, Kathy Riley

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

Others present:    Town Attorney, M. Brooks

**III. NEW BUSINESS**

**Resolution # 062911-01 regarding recommendation for State Highway Commission to select the following roads and streets in the Town of Gate City for allocations from secondary funds and being described as follows, to wit:**

1) Approximately .25 miles of Moccasin Hills Road, contingent upon the verification of the right-of-ways and plat records.

**Mayor Jenkins** – We are allowed a .25 mile of over to the state for maintenance and up-keep. If we have to scrape snow off of it, we get reimbursed for it. It is a one time a year opportunity. We should have done this earlier in the year, it just probably got overlooked. We were reminded we needed to do this. The reason Moccasin Hills has been recommended it is a very easy road to turn over. I already looked at it, the right-of-ways are already correct for taking it over. We just get a one shot a year and if we don't take it, it penalizes us on street up keep. Do we have a motion to take in the .25 miles of Moccasin Hills Road?

Motion made to approve Resolution #062911-01

Motion by: Council Member, R. Cassell 2<sup>nd</sup> by: Council Member, F. Perry

**Council Member, W. W. Ross, Jr.** – You said that if we didn't take this we would lose some benefit from this?

**Mayor Jenkins** – We'll lose this year's, this fiscal year opportunity to turn over a .25 mile of Town roadway to the state for maintenance and upkeep.

**Council Member, W. W. Ross, Jr.** – When was the last year that the Board did approve?

**Mayor Jenkins** – I know that we may have missed last year.

**Council Member, W. W. Ross, Jr.** – So, 08-09?

**Mayor Jenkins** – I'm not exactly sure.

**Council Member, W. W. Ross, Jr.** – So, we haven't been penalized for those years?

**Mayor Jenkins** – We are penalized if we miss a year. If we miss a year we don't get to make up that loss of road way that could have been turned over to the state. There is no applied penalty, but it can only penalize the Town for not having the opportunity of being reimbursed for the scraping of snow. We get paid back based on how many hours we spend on different streets scraping them, the state, if they are actually a state maintained road.

**Council Member, W. W. Ross, Jr.** – So, this property, road, Moccasin Hills picked because it was a very easy access.

**Mayor Jenkins** – We know there's a 40 foot right-of-way there. It's clear that it was approved by the state when it was put in being up to par with the guidelines and everything.

**Council Member, W. W. Ross, Jr.** – Does Mr. Lane live there?

**Mayor Jenkins** – Mr.?

**Council Member, W. W. Ross, Jr.** – Peanut Lane?

**Mayor Jenkins** – No.

**Council Member, W. W. Ross, Jr.** – He's the one from VDOT?

**Mayor Jenkins** – Mr. Lane is a retired VDOT representative for this area. He actually called and reminded us of the opportunity we were about to miss as far as I know that's all he's done.

**Council Member, W. W. Ross, Jr.** – The reason I'm asking these questions, I've been living on a state street or state road for the last 40 years plus. I pay my taxes and they haven't been maintained just to list and that's what I wanted to see. So, with the fiscal year of the budget cut from the state which they said the last year when I went to the meeting, that there was going to be a three year cut of fiscal money on the streets and everything. So, with this decision, how are you going to feel like to benefit from it? I mean budget is tight.

**Mayor Jenkins** - There is no downside.

**Council Member, W. W. Ross, Jr.** – Well, I've been from your point of view maybe.

**Mayor Jenkins** – No, not from mine, from the Town there is no downside.

**Council Member, W. W. Ross, Jr.** – Well, I've been living on a street for the last 30 + years. It's a state, Chestnut and Cleveland Street and they didn't even finish when they paved it. They didn't even finish Cleveland Street all the way down. It's still in bad physical shape. Right at the end of Jackson and Cleveland Street comes all the way down to this building right in there. They never did finish paving that all way down there.

**Council Member, F. Perry** – But when it snows it's cleaned, isn't it Wallace?

**Council Member, W. W. Ross, Jr.** – In the last year or so. Not really.

**Council Member, F. Perry** – The Town cleans it, yes the Town cleans it and the Town gets reimbursed from the state. It's part of the state highway system and that's what he's saying. The downside of it is, if we don't turn this over and we clean it we don't get paid

for cleaning it. We have to clean it anyways because it's in the Town. So, it's either a matter of them paying the Town crew for working to clean that street for the snow. If we don't take it this year we don't get ½ mile next year, that's the down side. That's what he's saying.

**Council Member, W. W. Ross, Jr.** – So, with our if we do that, if we keep my street had been given to the state, Chestnut Street, that's a state, they don't maintain that street as much as should.

**Mayor Jenkins** – But it is on their list for paving. We don't have control over what they pave. They will pave streets that are turned over for their responsibility, when they do get ready to pave.

**Council Member, W. W. Ross, Jr.** – That's what I'm saying. I just live up there and it's never been. I pay the taxes, everybody pays the taxes it's just never. That route rule doesn't really apply to what you are saying. So what you saying if you live in an area of the city of Gate City the services maybe a little bit better in certain locality in the city of Gate City.

**Mayor Jenkins** – No, I didn't imply that at all.

**Council Member, F. Perry** – Wallace, I'm in the same shape and I paid for the paving on my street. Out of my pocket and I live on a corner street so I had to pay double. I paid for 100 feet down the front and 150 back through the back and the state has taken the road, but they have never done anything for it.

**Council Member, W. W. Ross, Jr.** – I have the same problem.

**Council Member, F. Perry** – So, you need to know that they are not playing any favorites here.

**Mayor Jenkins** – I know they are tight on budget and they are going to be tight on budget, but either we turn this over now or we never get an opportunity to turn this quarter mile or we lose the quarter mile that is allotted for this fiscal year. We got a lot of quarter miles to turn over. I mean, we don't need to miss anymore.

**Council Member, W. W. Ross, Jr.** – Okay, so, but in the last you saying we missed I guess some

**Mayor Jenkins** – I'm not positive how many we have missed. I have a feeling that we did miss last year and may have missed the year before.

**Council Member, W. W. Ross, Jr.** – The year before that.

**Mayor Jenkins** – But, I intend to, as soon as we get this one done, if we get this one done, we'll go ahead and start working on next years and let the Street Committee actually get up here and spend some time for a decision and give us time. This one, we won't have to do a survey because there is an active plat already shows the correct right-of-way, it has already been approved.

**Council Member, W. W. Ross, Jr.** – Okay, so when does the state do that assessment of that?

**Mayor Jenkins** – Hopefully, we'll sign this tonight, it'll be in the mail tomorrow and they'll assess it very quickly.

**Council Member, W. W. Ross, Jr.** – Well, you said they had already looked at it.

**Mayor Jenkins** – They have already approved the roadways in that subdivision. VDOT approved those roadways.

**Council Member, W. W. Ross, Jr.** – Okay, so how far from do they go all the way up?

**Mayor Jenkins** – I'm thinking we've already taken a quarter of a mile a few years ago. Because what we did, we tried to turn all of Willow Street over to them and it didn't meet the requirements it meets the requirements out to over to the SCTV building on the corner and the street actually narrows down to twenty feet so they couldn't take all of it. We

applied a 1/8 of a mile there and a 1/8 of a mile to Moccasin Hills. Whatever the current state maintenance point is they go another 1/4 mile.

**Council Member, W. W. Ross, Jr.** – So that would be up to this curve or the first curve?

**Mayor Jenkins** – I have no idea. I just know that it will be a 1/4 mile beyond the current state maintenance.

**Council Member, W. W. Ross, Jr.** – So, we, okay, so as of the city itself we scrape that and that charged to us for the maintenance of the whole section?

**Mayor Jenkins** – If we scrape that and it is not turned over to the state, yes we do carry the full burden of the cost of the scraping. If we scrape it and the state has maintenance rights over it, for maintenance responsibility, we do get reimbursed for it.

**Council Member, F. Perry** – And those people won't be entitled to anymore than you have, they're right now not entitled to as much as we have.

**Council Member, W. W. Ross, Jr.** – Because they are?

**Council Member, F. Perry** – Because their road is not taken over by the state.

**Mayor Jenkins** – The road being taken over by the state don't mean that the state is going to run up there and repave the road either.

**Council Member, W. W. Ross, Jr.** – Well, now, well I know what you're saying, I was are we trying to enhance the city of Gate City do we tend the road, maybe we look at the budget to include that in the budget to incase so in the future that we can maintain these roads. That's what my concern is if we continue to do that does that take away from the direction or balance of the city trying to because if we keep giving streets like now I live up in there on my street so close to the Town it's on the limit, but it's a state street. So, that's very confusing and then when they put that subdivision up there it's going to even be, to me, another problem.

**Mayor Jenkins** – That subdivision is not going there.

**Council Member, F. Perry** – He talking about up on the corner, Egan.

**Council Member, W. W. Ross, Jr.** – Yeah, the subdivision will be there. That's right there at Cleveland Street and Chestnut.

**Mayor Jenkins** – Okay, if you put, okay, that's not even on this item.

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

**Council Member, R. Lane** – I have a question, this right here, since there is a contingency of verification of that, what's the level of confidence that this will meet all state requirements? Is there a high level of confidence?

**Mayor Jenkins** – Very high level. That is why that is chosen.

**Council Member, R. Lane** – Okay, the only reason I asked is if we had a second, a Plan B, to be able to fall back on if this one didn't.

**Council Member, R. Cassell** – I think Mike purposely laid the streets out there to meet VDOT specs.

**Council Member, F. Perry** – Well, they had to under the subdivision ordinance in the County, your streets have to meet state specifications before they approve your developed subdivision.

**Council Member, W. W. Ross, Jr.** – It meet Fire Department, Life Saving Crew standard?

**Mayor Jenkins** – They meet VDOT slope and width.

**Council Member, W. W. Ross, Jr.** – So, in case a fire truck

**Council Member, R. Lane** – Meets right-of-way.

**Mayor Jenkins** – We have had trouble, I mean we selected the last time I worked on it, five or six different streets and they all failed. We had to stop at where you turn into the ball field out there.

**Council Member, F. Perry** – A section right here on Water Street that’s in the Town that won’t meet state’s specifications. We don’t meet right-of-way.

**Mayor Jenkins** – If they narrow in less than 30 feet anywhere, they won’t accept it.

**Council Member, W. W. Ross, Jr.** – Well, has any money been spent on any streets or any repair this year or for

**Mayor Jenkins** – From VDOT?

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

**Mayor Jenkins** - VDOT, I can’t remember when they did the round of paving. But, we didn’t know there were going to do

**Council Member, F. Perry** – It’s been, this will be three summers.

**Council Member, W. W. Ross, Jr.** – Like I said, Cleveland Street, right there in that area in bad shape. Especially, when people come into town off of that sidewalk and look up through there. It’s real bad.

**Mayor Jenkins** – Yes, it is bad.

**Council Member, W. W. Ross, Jr.** – I mean, that’s some of the concern of mine that we will be able to maintain the streets that we have even though we give them but with our budget.

**Mayor Jenkins** – They’re more likely to have the money to pave it than we would be. Any other questions or comments? We have a motion and a second, all those in favor of turning this section over to state.

VOTE: Yeas,	3
Nays,	1 – W. W. Ross, Jr.
Abstain,	0
Absent,	1 – T. Herron

#### **IV ADJOURN**

Motion made to adjourn the meeting.

Motion by: Council Member, R. Lane 2<sup>nd</sup> by: Council Member, W.W. Ross, Jr.

VOTE: Yeas,	4
Nays,	0
Abstain	0
Absent	1 – T. Herron

Meeting was adjourned at 5:46 P.M.

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May



**Town of Gate City**

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**Resolution # 062911-01**

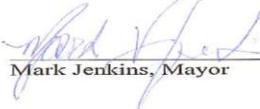
WHEREAS, under the provisions of Section 33.1-79 of the code of Virginia, as amended, the state Highway commission of Virginia was authorized and empowered to increase the mileage of streets and roads incorporated towns for maintenance, improvement, construction and reconstruction from allocations available from secondary funds not to exceed one-fourth mile and;

WHEREAS, the State Highway Commission has requested the Town of Gate City to make recommendations as to the selection of the addition of one-fourth mile of streets and roads in the construction and reconstruction from allocations available from secondary funds;

NOW, THEREFORE, BE IT RESOLVED, that the Town Council of the Town of Gate City hereby guarantees that the streets and roads selected for maintenance, improvement, construction and reconstruction will have a right-of-way as indicated below, plus additional easements for cuts, fills, channel changes and drainage if necessary. The Town of Gate City hereby recommends that the State Highway commission be requested to select the following roads and streets in the Town of Gate City for allocations from secondary funds and being described as follows, to wit:

- 1) Approximately .25 miles of Moccasin Hills Road, contingent upon the verification of the right-of-ways and plat records.

Dated this 29<sup>th</sup> day of June, 2011

  
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Mark Jenkins, Mayor

  
\_\_\_\_\_  
Kathy Riley, Town Clerk

or - Mark Jenkins

Kathy Riley – Town Clerk