

Town of Iron Gate

P.O. Box 199, 401 Commerce Avenue
Iron Gate, VA 24448
Office (540) 862-0770
May 25, 2023 Minutes

Invocation was given by Sgt. Chris Fisher of the Alleghany County Sheriff's Department.

The Pledge of Allegiance

The regular Town Council meeting of Thursday, May 25, 2023 was called to order by Mayor Craig at 7:03 pm.

PRESENT: Mayor Gary Craig, Vice Mayor Council Member Richard Erskine, Council Members Debbie Harris, Jennifer Tyree, Kawahna Persinger, Brandon Marshall and G.W. Reynolds; Town Clerk & Treasurer Wendy Biggs and Town Attorney Jared Jenkins. Also present were Jerry Clark with the Alleghany Journal; Sergeant Chris Fisher with the Alleghany County Sheriff's Department and Jimmy Jeffries.

Mayor Craig's first order of business was to open the Public Hearing for the Fiscal Year 2023-2024 budget. Council has received their packets with a copy of the proposed budget. This budget does not have any proposed rate increases for water, sewer, trash or the overages for water or sewer. The only proposed rate increase is on the cigarette tax, which will be going from .20 cents/pack to .30 cents/pack. The budget was also placed in the newspaper and a copy was available at Town Hall and at the Post Office. We have a proposed General Account budget of \$148,653.00 and the Utility Account has a proposed budget of \$274,373.00. The proposed General Account budget does have, as previously mentioned, a slight increase proposed in the cigarette stamp tax. Some items have increased such as the employee's healthcare by 8%, workers' compensation insurance has increased and other items such as advertising has also increased. This year we are not able to offer any pay raises to our employees due to the other increases. We are still able to offer employees' healthcare plans and vacations; things are starting to look a little better Mayor Craig said optimistically.

The proposed Utility Account budget has the rates remaining the same for the water, sewer and trash services as previously mentioned. Due to the sewer rates remaining the same this fiscal year and the water rates going down a little bit, we were able to keep those rates where they are. However, the little bit that we saved on our water rates will need to go towards the increase in other expenses; gas, vehicle costs, parts & maintenance are some of those items. We are grateful that the County was able to keep the sewer rates the same. We are working with the County on rates and we hope to keep working together to get everyone to a more

sustainable future with better rates and services for everyone. The Budget Committee met several times with many questions, which Mrs. Biggs was able to answer for everyone who attended. Mayor Craig thanked Mrs. Biggs for a job well done and thanked Councilpersons Persinger, Tyree and Marshall for their assistance in getting the budget prepared and presented.

Mayor Craig then asked if there were any comments or questions about the budget. Councilperson Tyree noted that she hoped people would understand that the only increase was for cigarette tax stamps and it was due to our current situation. We need to find a way to help bring in more revenue and unfortunately this is one way to do it; it is unintentional to hurt one business but we do need the revenue. Councilperson Tyree noted that she hoped that once the Town gets into a better position that the Town would be able to reduce the rate back to what it was. Mayor Craig agreed, stating that with Iron Gate being such a small Town, there are tough decisions that need to be made when it comes to increasing revenue. With no further comments, questions or concerns, Mayor Craig asked for a motion to close the Public Hearing for Fiscal Year 2023-2024 and move into the regularly scheduled Council meeting. Vice Mayor Councilperson Erskine made the motion to close the Public Hearing for Fiscal Year 2023-2024 and move into the regularly scheduled Council meeting for May 25th, 2023. Councilperson Marshall second the motion. A roll call vote was then taken:

Debbie Harris: Yes

Jennifer Tyree: Yes

Kawahna Persinger: Yes

Brandon Marshall: Yes

G.W. Reynolds: Yes

Richard Erskine: Yes

The motion was carried and approved. The Public Hearing for the Fiscal Year 2023-2024 was now closed and Council entered into the regularly scheduled Council meeting.

Mayor Craig asked if there were any corrections to be made in the minutes for the regular monthly meeting held on Thursday, April 27, 2023 or for the work session held on May 15, 2023; there were none. Mayor Craig asked for all of those in favor of approving the minutes as recorded to say "I". All six (6) Councilmembers in attendance stated "I". The motion was carried and approved.

Mayor Craig explained that there was (1) new bill to be added since the packets were prepared. The one bill is to Town Attorney Jared Jenkins in the amount of \$3,250.00; \$2150.00 of which was for a transcript of the case and the remaining \$1100.00 for Mr. Jenkins. Mayor Craig did note that Mr. Jenkins was being very generous in his fees, which we are very thankful for. Mr. Jenkins did note that this was now the total budget for legal services for this fiscal year, which

was \$4,000.00. Vice Mayor Erskine made the motion to add the bills for payment and it was second by Councilperson Reynolds. A roll call vote was taken:

Debbie Harris: Yes
Jennifer Tyree: Yes
Kawahna Persinger: Yes
Brandon Marshall: Yes
G.W. Reynolds: Yes
Richard Erskine: Yes

The motion was carried and approved.

Mayor Craig asked if there were any questions, comments or concerns on the payment of the bills; there were none. He then requested a motion to pay the bills as presented. Vice Mayor Councilperson Erskine made the motion to pay the bills as presented and Councilperson Harris second the motion. A roll call vote was then taken:

Debbie Harris: Yes
Jennifer Tyree: Yes
Kawahna Persinger: Yes
Brandon Marshall: Yes
G.W. Reynolds: Yes
Richard Erskine: Yes

The motion was carried and approved.

Mayor's Report:

Mayor Craig reminded everyone that anyone wanting to access the river to go fishing or floating or for other purposes, needs to be respectful of other people's property. As a reminder, if there is a posted "no trespassing" sign or a sign that says "private property" it will be your responsibility to get the landowner's permission. Only the property owner can give that permission. We do not want to get into giving permission for someone to cross another person's property to access the river. If someone comes up to one of us and asks for permission to cross on land that is not ours, they will be directed to contact that landowner. Sgt. Fisher explained that it can be verbal or written permission from the landowner.

Grass season is upon us and the Town crew is staying very busy with mowing.

Over the last couple of months the County has had some problems with their trash truck fleet and we have agreed to allow them to borrow ours, except for Thursday mornings, when we

need it. They have been very good about it- putting diesel back in it and paying for things that need to be fixed on it. Recently, the cylinder arm on the back passenger side of the truck started leaking and it finally went out. The truck went to Seibel's, where it took them about a day and a half to get it off the truck and they still couldn't get it apart. A new part has been ordered and until it comes in, we are borrowing the new, small County trash truck on Thursday mornings. The part is still on order and we will likely be waiting another 3 weeks or so. The County has generously offered to pay for the part and the repairs on this. Everyone is again showing that we can work together and that's a plus for all of us.

Graduation just took place for both Alleghany and Covington kids. Congratulations to all of them as they enter into the world as young adults. Some will go onto college and some will begin their working careers. Sharon Elementary just had their graduation and with today being the last day of school for many in our area, we need to be mindful that kids are now home during the day. We want to remind the public to slow down on the roads, look for the kids, and be safe.

As Sgt. Fisher said in the invocation, please remember those who are sick, those in rehabilitation facilities and the Unroe family for the loss of a loved one.

Committee Reports:

Parks and Recreation will have a meeting at 5:00pm on Tuesday, June 6th at Town Hall to discuss summer events. Mayor Craig thanked Councilperson Reynolds and his place of employment for the donation of the basketball nets, which are now up.

Public Comments:

None.

Old Business:

Mayor Craig asked Town Attorney Jared Jenkins to give an update on the Simpson case. Mr. Jenkins explained that not a lot is going on at the current time procedurally since the last meeting. We did receive the final updated amount of fees from Ms. Simpson (now Mrs. Worley) attorneys. As expected, they went up about another \$50,000.00, which is now at a reimbursement request of \$195,884.00. Together with the verdict of \$37,000.00 plus; we are looking at a total expense to the Town of over \$233,000.00. We are looking at a final court date for total of all fees and awards still, but it has not been determined when that will take place. We also have some other things where we are contesting the verdict as well so the \$233,000.00 is theoretical at this point because there will be appeals and other court dates. That's where things currently sit. Mayor Craig then asked if there were any comments or questions.

Councilperson Tyree asked Mr. Jenkins if they had a copy of our General Budget; Mr. Jenkins replied that we should give one to them and that it wasn't a bad idea. With no other comments or questions, Mayor Craig moved on.

Mayor Craig then explained that at the work session it was discussed about getting a credit account set up at Fisher Auto Parts. At one time the Town did have a credit account there, but it was closed for whatever reason. Mayor Craig then asked for a motion to apply for credit at Fisher Auto Parts and Councilperson Marshall made that motion. Vice Mayor Councilperson Erskine second the motion and a roll call vote was taken:

Debbie Harris: Yes

Jennifer Tyree: Yes

Kawahna Persinger: Yes

Brandon Marshall: Yes

G.W. Reynolds: Yes

Richard Erskine: Yes

The motion was carried and approved. Mrs. Biggs will get the application filled out and sent to Fisher Auto Parts for approval.

Also discussed at the work session was the adoption of the Clifton Forge grass ordinance. During that discussion, we realized that we do not have a code enforcement officer or a code administrator. In light of that information, it was discussed who would head up the notification of whose grass needed to be cut and who sends out the letter of enforcement. Mr. Jenkins explained that he will check and see who needs to make the determination and who needs to send out the letters by the next meeting. Mayor Craig then asked if while Mr. Jenkins was looking into that, if Council wanted to adopt or amend the Ordinance or table it until the next meeting. Mr. Jenkins suggested holding off until the next meeting unless it's a pressing issue as the one the Town currently has should be enough to take care of any problems in the meantime. Councilperson Persinger asked if the only difference in the ordinances was the cost of mowing the grass; Mayor Craig stated it was. Council was in favor of tabling the matter until the next meeting.

Mayor Craig and Mrs. Biggs were approached by Mr. William (Bill) Atherholt about the Roads of Honor banners that displays our veteran's pictures and service. These would start out on Market Avenue/Rt. 220 and go all the way through Town. Once we have no more room on Market Avenue, we can start on Commerce Avenue. There are applications at the Town Hall for residents to fill out and once 20 applications are gathered between Covington, Clifton Forge and Iron Gate, they will be sent off to be made. Once received, they will be placed along the streets of the community where they were turned in. Mayor Craig then asked for a motion to allow the Roads of Honor banners to be hung in Iron Gate. Councilperson Tyree made the motion and Vice Mayor Councilperson Erskine second the motion. Mayor Craig then asked all of

those in favor to hang the Roads of Honor banners in Iron Gate to say "I". All six (6) councilmembers stated "I".

Mayor Craig then asked if there was any other old business; with no other Old Business to be discussed, Mayor Craig moved into New Business.

New Business:

Mayor Craig stated that there were two (2) requests for adjustments on utility bills; the first was in the amount of \$108.42 and the second was in the amount of \$85.39. The adjustment requests were both due to a leak in the hot water heater and no water therefore went into the sewer. He then asked for a motion to give an adjustment of \$108.42 on the first and \$85.39 on the second, on the sewer portion of the bill. Vice Mayor Councilperson Erskine made the motion to give an adjustment of \$108.42 on the first request and \$85.39 on the second request, both on the sewer portion of the bill and Councilperson Reynolds second the motion. A roll call vote was then taken:

Debbie Harris: Yes
Jennifer Tyree: Yes
Kawahna Persinger: Yes
Brandon Marshall: Yes
G.W. Reynolds: Yes
Richard Erskine: Yes

The motion was carried and approved.

Mayor Craig then explained that as discussed at the work session, VDOT owns the triangular piece of land across from Rollers Smokehouse and the Washburn's. After speaking with Alvin Trout at VDOT, if Council agrees to sign a resolution to maintain and upkeep that parcel of land, then we can place the PRV (pressure reducing valve) in it. This is evidently the same form that other localities use when facing similar situations. Mayor Craig then asked for a motion to sign the VDOT resolution to be able to place the PRV in the triangular lot (also known as Veterans Park). Vice Mayor Councilperson Erskine made the motion to sign the VDOT resolution to be able to place the PRV in the triangular lot (also known as Veterans Park) and Councilperson Persinger second the motion. With no further comments or questions, a roll call vote was taken:

Debbie Harris: Yes
Jennifer Tyree: Yes
Kawahna Persinger: Yes
Brandon Marshall: Yes

G.W. Reynolds: Yes
Richard Erskine: Yes

The motion was carried and approved. Vice Mayor Councilperson Erskine did note that VDOT would need to be contacted about taking care of the Ash trees on that property; Mayor Craig agreed.

Mayor Craig then noted that the next work session will be on June 19th at 7:00pm and the next Council Meeting will be June 29th at 7:00pm. Mrs. Biggs reminded him and Council that June 19th was a holiday; Mayor Craig then questioned Council on what date they would like to meet instead for the work session. Council agreed after some discussion to Monday, June 12th at 7:00 pm.

Mayor Craig then asked if there was any other new business to be discussed; there was none.

Mayor Craig then asked for a motion to go into a Closed Executive Session under VA Code 2.2-3711, Item #7, legal. Councilperson Persinger made the motion to enter into a Closed Executive Session under VA Code 2.2-311, Item#7, legal and Vice Mayor Councilperson Erskine second the motion. A roll call vote was then taken:

Debbie Harris: Yes
Jennifer Tyree: Yes
Kawahna Persinger: Yes
Brandon Marshall: Yes
G.W. Reynolds: Yes
Richard Erskine: Yes

The motion was carried and approved.

Mayor Craig asked for a motion to come out of the Closed Executive Session under VA Code 2.2-3711, Item #7 legal, where no other business was discussed. Vice Mayor Councilperson Erskine made the motion to come out of the Closed Executive Session under VA Code 2.2-3711, Item #7 for legal where no other business was discussed. Councilperson Marshall second the motion. A roll call vote was taken:

Debbie Harris: Yes
Jennifer Tyree: Yes
Kawahna Persinger: Yes
Brandon Marshall: Yes
G.W. Reynolds: Yes
Richard Erskine: Yes

The motion was carried and approved.

Mayor Craig then asked for a motion to enter back into the regular Council meeting from a Closed Executive Session under VA Code 2.2-3711, Item #7, legal and where no other business was discussed. Councilperson Persinger made the motion to enter back into the regular Council meeting from the Closed Executive Session under VA Code 2.2-3711, Item #7, legal where no other business was discussed. Vice Mayor Councilperson Erskine second the motion and Councilperson Marshall second the motion. A roll call vote was taken:

Debbie Harris: Yes

Jennifer Tyree: Yes

Kawahna Persinger: Yes

Brandon Marshall: Yes

G.W. Reynolds: Yes

Richard Erskine: Yes

The motion was carried and approved.

There being no further new business to be discussed, a motion to adjourn was made by Vice Mayor Councilperson Erskine and second by Councilperson Harris at 8:25pm. Mayor Craig then asked all of those in favor of the adjournment to say "I". All six (6) Councilmembers in attendance stated "I". The motion was carried and approved.

A handwritten signature in black ink, appearing to read "Gary A. Craig", written over a horizontal line.

Gary A. Craig, Mayor

A handwritten signature in blue ink, appearing to read "Wendy S. Biggs", written over a horizontal line.

Wendy S. Biggs, Clerk