

Minutes of a regularly scheduled meeting of the Town of Saltville Town Council held on Tuesday, October 14, 2008 at 7:00 P.M., at the Town Hall.

PRESENT: Jeffrey L. Campbell, Mayor
Steven W. Johnson, Town Manager
Christen W. Burkholder, Town Attorney

COUNCIL: Dickie Dye, Danny Maiden, Todd Young, Neil Johnson, Thomas Holley,
Stanley Cahill

Mayor Campbell called the meeting to order with Councilman Dye giving the invocation and leading in the pledge of allegiance.

Councilman Dye made a motion to amend the September 9th minutes to change to John Deere 5030 and change the \$14,000 to \$1,400 for the mower only. Also, Councilman Dye said on the 3rd page the discussion that Councilman Cahill replying to the back-up generator needs to state the only generator. Councilman Maiden seconded. Motion passed unanimously.

There were three (3) citizen's signed up for Citizens Time.

Billy Whitley, told Council the Ruritan Club is have more trouble with the Fire Department. Mr. Whiteley said it was not over parking this time. Mr. Whitley said they were having bingo last Friday night, we were needing our green tent that was loaned to the Fire Department during Labor Day. Mr. Whitley stated we are doing the Autumn Excursion with the Town, we thought the Fire Department was helping as well. Mr. Whitley said Bobby Frye invited his daughter Tina over to the Fire Department for his brother Fire Chief Joe Frye, on helping on the haunted house; and when she arrived, Chief Frye jumped all over Tina. Mr. Whitley said Mr. Frye threatened to remove her from the property and ban her from the property, Mr Whitley said this does not belong to them this is Town property. Also, when Tina came back into the building, the Fire Department had called the police. Mr. Whitley said, Amber came and talked to Tina, and said it was a good thing that I could not go out there, Mr. Mayor, because there may have been more trouble. Mr. Whitley said the Fire Department is going way down; saying I don't think the chief should not be up in anybodies face, especially a citizens pointing his finger. Mr. Whitley said the Fire Department is part of the Town of Saltville, with all of the members going lifetime; in which I quit last Thursday Night. Mr. Whitley said only two or three are actually certified, saying Chief Frye is not certified as Firefighter One, I do not know what he showed you, but you can check in Marion.

Mayor said we will have the Town Manager look into this and get with the Chairman of the Police Fire and Rescue, and set a Committee meeting.

Councilman Dye, Chairman of the committee, said a meeting will be scheduled for Thursday, October 23, 2008 at 7:00 P.M. at the Town Hall.

Jim Bordwine showed Council the cannonball that was a part of several discussions a few Council meetings ago. Mr. Bordwine thanked Council for turning it over to them so they could defuse

it safe so it can be now safe for the public to view. Mr. Bordwine said he was a member of the SCV and forever trying to do things to improve our History, and to keep our History alive. Mr. Bordwine said he has noticed for some time now, the Welcome to Saltville sign on the McCready side is missing several letters. Mr. Bordwine said if the Town would get the letters our group would put them up this would be our commitment to the community. Mr. Bordwine said the SCV is wanting to do a Memorial Wall at the Cedar Branch Overlook; actually this was previously approved by Council, we are now in the building stage. Mr. Bordwine asked Council if they could work on cleaning the Broady Cemetery off, said several years ago the SCV cleaned it.

Steven Johnson said the Inmates cleaned the cemetery a few weeks back.

John Norris told Council he has been a member of the Saltville Golf Club for 40 years. Mr. Norris said he read in the paper; pertaining to the September 9th meeting; where it was stated that Council had problems with the golf course and was wondering if Council could let them know what their problems are.

Councilman Johnson said he did not have a problem with the golf Club.

Councilman Maiden said he did not have a problem with the Golf Club.

Councilman Young said he did not have a problem with the Golf Club, in fact, I think it is a good asset to our community.

Councilman Dye said he did not have a problem with the Golf Club.

Councilman Cahill said quite frankly I have a problem with the lease payment that they are currently paying; in which this is a valuable piece of property with a fair lease value. Councilman Cahill said if a fair lease payment could be addressed the problems would go away.

Mr. Norris asked Councilman Cahill if the Town leased other property, if so, is it a fair lease amount.

Councilman Cahill said the Palmer Mill has a similar lease like the Golf Club.

Mayor Campbell said these are recreational property; in which cost affiliated with such upkeep and promotional events would indeed have a astronomical price tag.

Mr. Norris said all of you realize this is a nonprofit organization.

Councilman Maiden said most people doesn't know how much it cost to run that place, that the chemicals alone are in excess of \$40,000. Councilman Maiden stated very seldom will they show a profit to carry over to the next season.

Councilman Holley said he had a couple of things, the first being two-three years ago was a net supposed to be put up to keep the balls from hitting houses in the area?

Mr. Norris said he lives in this area and get more golf balls than any other resident in this location. Mr. Norris said the net was discussed, you don't know if someone is going to hit a golf ball fifty yards or one-hundred yards. Mr. Norris said he believes the trees that were planted by the Town is more beneficial as a barrier than the net. Mr. Norris said signs are posted on the course that if anyone that does damages to any property, they will be held responsible.

Councilman Holley said the second thing is alcohol on the golf course and I think it should be brought under control. Also, when they need to use the bathroom they need to find one and not behind a tree.

Mr. Norris said if someone is drinking alcohol on the parking lot at the school, we don't expect Mr. Dunham to arrest them.

NEW BUSINESS

Steven Johnson discussed a request of an owner of a newly open garage requesting a chance to submit a proposal to service Town vehicles.

Councilman Cahill asked, what if we do it on a yearly basis, someone may be cheaper the next year, this would give everyone a chance to bid on it.

Councilman Johnson asked if we would get the same quality of work from every interested party.

Steven Johnson said the advertisement would have to be very specific so all proposals will be submitted on the same grade.

Councilman Young said he didn't think going out of Town when our businesses in Town pay taxes and buys business licenses. Also, keep as much in Town as possible.

Councilman Cahill asked isn't our fiduciary responsibility to save the Town as much money as we can for the same service.

Councilman Young said he feels like we should take care of the local businesses that are in Town.

Mayor said he agrees on what you are saying, we should be getting bids on these items in Town.

Councilman Johnson made a motion for the servicing and the repair work on Town's vehicles, we extend our business to the two institutes that buys business licenses. Councilman Young seconded. Motion carried 4-0-2, Councilman Holley and Councilman Cahill voting against.

Steven Johnson and Jeff Smith discussed the financing on the projects that were discussed at the September meeting. Mr. Smith said a grant from Mount Rogers Planning District Commission around \$101,000 can be transfer from the water to the sewer that is a 50-50 match.

Steven Johnson said Anderson & Associates have used some of this money on the #11 Well that earmarked for \$20,000.

Councilman Cahill made a motion to transfer the grant money from the water sewer department. Councilman Holley seconded. Motion passed unanimously.

Councilman Maiden discussed the recommendations from the Trail Committee on several issues concerning the rules & regulations and the needs of bikers & horseback riders. Councilman Maiden said the committee discussed the stretch of road above USG that is in need of widening. Councilman Maiden said the recommendation to purchase trail vehicle and hiring an agency for the promotion; in which this could be useful in other aspects of the Town and may even hire a Trail Director.

Councilman Dye asked Councilman Maiden about the horse & buggy issue that was discussed by the committee.

Christen Burkholder told Council, on the Creeper Trail a post in the center of the trail prohibits the use of a buggy or a carriage. Mr. Burkholder said if you have a horse & buggy a meets and horse and a bicyclist it would be impassable.

Councilman Maiden asked if an of the Council foresees any problems with horseback riders on the trail?

Christen Burkholder said they have the triangular signs on the Creeper Trail that reads bikers

yield to pedestrians and everyone yields to horses.

Councilman Maiden said the committee had concerns on the locations where individuals can park their horse trailers to unload.

Councilman Johnson said, he and Terry Hunt discussed about clearing the lot beside of the Coon Club. Councilman said this can be used during the reenactment or any other event.

Terry Hunt told Council the upper end of the Helen Williams Barbrow could be used to park the horse trailers.

Mayor Campbell said the Moss Trucking could be utilized as a parking lot and a place to water their horses.

Steve Surber told Council about several comments from citizen's on the narrow width of the trail that is on the sections beside of the roads.

Council authorized Councilman Maiden and Jeff Smith to look at the end of the Tin Bridge Trestle to see the possibility of getting the trail as close to it and as far off the road as possible.

Councilman Dye made a motion to buy the Ranger 700 Series vehicle for the trail, with the trail money, that was quoted. Councilman Young seconded.. Motion passed unanimously.

Steven Johnson discussed the Resolution for a proposed Post Office for the Town.

Councilman Dye made a motion to adopt the Resolution for a proposed Post Office.

Councilman Maiden seconded. Motion passed unanimously.

Steven Johnson gave the Town Manager's Report. Mr. Johnson gave an update on the Train Museum stating the project will start the last part of January or the first part of February. Mr. Johnson said Council had talked about showing movies at the stage during the week of Halloween; in which he has been speaking with the Reverend Strange about the movie system.

Reverend Strange told Council they show movies in a small area in their Church. Mr. Strange said it would take a bigger system than what they have, so when you back away the large picture will show more clearly.

Mr. Johnson said on the internet they have some inflatable screens that are 9 feet tall and 12 feet wide. Mr. Johnson said the entire system range from \$1,200 to above \$10,000. Mr. Johnson told Council the projector that the IDA has would not be feasible to use. Mr. Johnson said you can tie this into the trail money and it could be shipped within the next five to six days.

Ron Orr Chairmen IDA told Council, you are welcomed to use it, but when you adjust the picture to be seen on the Commons area resolution won't be there.

Councilman Cahill told Mr. Johnson, you may want to check with Woody Routh he may can find it cheaper than what you have found so far.

Councilman Young made a motion to add this to the agenda. Councilman Johnson seconded. Motion passed unanimously.

Councilman Young made a motion to authorize Steven Johnson to purchase the equipment needed for the movie shows not to exceed \$2,000 with the trail money. Councilman Maiden seconded. Motion passed unanimously. Councilman Maiden told Mr. Johnson you may want to check with the new State Surplus store in Wytheville.

Mr. Johnson discussed the Fall clean-up that is scheduled for November 2-7 and the post Labor Day singing on the stage.

OLD BUSINESS

Councilman Johnson made a motion to add the Town Attorney's response on the jake brakes to the agenda. Councilman Cahill seconded. Motion passed unanimously.

Christen Burkholder said you can try to do this with a noise ordinance. Mr. Burkholder said the opinion from the Local Governing Attorney's Association was, the effort to prohibit the use of the engine retarder system is probably not enforceable because they are legal and approved equipment to be on trucks. Mr. Burkholder said the best thing to do is to enforce the noise aspect and with the paperwork stating if they are properly adjusted they should not be a problem. Mr. Burkholder said there were some discussion in the archives for the LGAA's that he dug out. Mr. Bradshaw, Town Attorney for Big Stone Gap sent him his Opinion Letter and his conclusion was that you could not enforce a jake brake ordinance.

Councilman Cahill asked during Council Questions/Comments how the haunted trail was going. Jeff Smith said it opened on the 11th and every Thursday, Friday and Saturday through November 1st.

Councilman Johnson said on the behalf of the Burkett Family and myself thanking everybody especially the Town employees for their prayers during their loss.

Councilman Cahill said every time the Town needed something, Carol always went out of her way to send it over as quick as she possibly could.

Councilman Young addressed Council on the lumber his company sold the Town. Councilman Young said he made the call to Jeff Smith, asking if we could quote the building material, he sent a list to the sales Coordinator, and then faxed it back over to the Town Hall. Councilman Young said Mr. Smith called, and said they were the lowest bidder, and then I faxed him over a credit application and then we set the account up. Mr. Young said he didn't find out until recently we saved the Town over \$1,800.00, if anyone has a problem with this they are welcome to call the Store Manager or our Company Attorney.

Mayor Campbell said, what he understands you did not have anything at stake so it wouldn't be a conflict of interest.

Councilman Cahill made a motion to go into Closed Session at 8:45 P.M., Code of Virginia, Section 2.2-3711(A)(7) to discuss actual and probable litigation regarding the rail-to-trail issues, to consult with legal counsel on land disputes pertaining to the trail, and to consult with legal counsel on taxation. Councilman Dye seconded. Motion passed unanimously.

Upon returning to open session at 9:25 P.M., Mayor Campbell took a roll call vote to certify that only those matters identified in the motion to go into closed session were discussed during the closed session. Accordingly, each member present certified by responding 'AYE'.

Councilman Cahill made a motion to authorize the Clerk-Treasurer to adjust the machine & tool tax to .50 cents per-hundred, equal to the personal property tax as required by the Code of Virginia,

Section 58.1-3507. Councilman Dye seconded. Motion passed unanimously.

Councilman Young made a motion to authorize the Town Attorney to offer a certain amount to the owner of a certain parcel adjoining the trail with the Town paying the survey. Councilman Maiden seconded. Motion passed unanimously.

Councilman Dye made a motion authorizing the Town Attorney to send out legal notices barring Jay Porterfield, Shirley Bailey, Archie Bailey, and Jamey Miller from the Salt Trail. Councilman Young seconded. Motion passed unanimously.

After a motion, duly seconded, the meeting adjourned at 9:35 P.M.