

Minutes of the regularly scheduled meeting of the Saltville Town Council held on January 9, 2018 at 5:00 p.m. in the Town Hall

Council: Tom Holley, Sandra Wyatt, Eugene Call, David Smith, Steve Surber, and Ron Orr

Mayor:C. Todd Young

Staff: Brian Martin, Town Manager
Trent Crewe, Town Attorney
Chris Wilcox, Police Chief
Erik Puckett, Assistant Police Chief
Tammy Carter, Front Office Clerk
Steve Johnson, Clerk/Treasurer

Councilman Holley made a motion to approve the minutes of the December 13, 2017 regularly scheduled meeting, and Councilman Call seconded. The motion carried 5-0-1 with Councilman Smith abstaining since he was not present for that meeting.

Councilman Call made a motion to approve the minutes of the December 27, 2017 special-called meeting, and Councilwoman Wyatt seconded. The motion carried 5-0-1 with Councilman Smith abstaining since he was not present for that meeting.

Citizens' Time

Bruce Wilkinson was at the meeting representing the community garden at the Madam Russell Methodist Church and spoke on the following:

- 1) He thanked the Council for their prior support of the community garden and requested another letter of support.
- 2) Work was done with the help of the Appalachian Sustainable Development organization. Participants attended several classes in Abingdon with regard to seed distribution and the tools used to support these gardens.
- 3) The distribution of the food from the Madam Russell garden went to the Five Loaves community meals, the food pantry, and passersby.
- 4) For 2018, there have been budget cuts, so there will no longer be funding available for these public gardens. They will all become private. However, the Saltville garden will now be used as

a teaching site by the aforementioned Appalachian Sustainable Development. Seeds and tools will be distributed.

5) Mr. Wilkinson requested some topsoil from the town if any was available and asked that the garden be mentioned on the town's website.

6) Councilman Call made the motion to offer another letter of support for the garden, and Councilman Smith seconded. All were in favor.

Janice Orr, representing the Museum of the Middle Appalachians, spoke on the following:

1) This year's Winter Wonderland exhibit had thirty Christmas trees. Many of the visitors who took in the exhibit commented on the sense of community the display put forth.

2) The 25th annual Woolly Day will be held on January 27th with the breakfast at the high school taking place from 8:30 – 10:30. She asked that the Mayor get the weather prediction from Woolly herself when the breakfast concluded.

Approval of the Agenda

Councilman Smith made a motion to approve the agenda, and Councilwoman Wyatt seconded. All were in favor.

Old Business

1. House at 101 Henrytown Road

Clerk/Treasurer Steve Johnson said he had talked to the Health Department in Marion and was told that VDH did not get involved in property condemnation. This will have to be worked out through the town's own methods. The representative Mr. Johnson spoke with said that it might be possible for the Fire Marshal to get involved if the structure was dilapidated. Councilman Orr suggested asking the county how they were able to use the Health Department for condemning a property.

2. Inmate supervisors

Councilman Smith said he had gotten calls about inmate supervisors quitting and then coming back and asked Assistant Police Chief Erik Puckett to explain. Mr. Puckett said that during the winter each supervisor works an entire week by himself, and the schedule rotates. Last fall, the Council voted to hire three additional supervisors and one of them was Wally Chestnut, who had previously worked for the town but had resigned. There seems to be confusion about how many times Mr. Chestnut had worked for the town and resigned, but he only resigned once. He had filled in for the other supervisors last fall when the so-called regular season was finishing so he just continued on and is now working for the winter. The other two supervisors that were hired with Mr. Chestnut each chose to wait until the spring before starting.

Mr. Puckett stated that the supervisor who complained about Mr. Chestnut working again never came to him directly to express his dissatisfaction, so as far as he knows, everything is working fine. Councilman Surber asked Mr. Puckett how it would be handled if one of the two who will start in the spring came to him and asked to start working now. Mr. Puckett replied that since the Council approved their hiring last fall, he would probably put them on the current schedule after consulting with Town Manager Brian Martin. The Mayor said the supervisor who complained should have followed the chain of command in the first place and not gone directly to a Council member.

3. Acquisition of property for a town shop

Mr. Johnson asked the Council how they wanted to proceed in terms of buying the land on Battleground Avenue that they approved last month. He and Mr. Martin agreed that the process would be easier if the land was just purchased rather than leased for several years. As part of the current sewer project, the town is getting reimbursed by the state for the engineering fees associated with the sewer improvements, so those funds could be used to purchase the property.

Councilman Smith made a motion to purchase the property outright, and Councilman Surber seconded. The motion carried 5-0-1 with Councilman Orr abstaining.

4. Joint resolution for the library

The Mayor stated he and Mr. Martin had met with the town managers and mayors of Chilhowie and Marion regarding the Smyth County Board of Supervisors taking over the Smyth County Public Library. A draft resolution for all three towns was drawn up stating that all three towns wanted the Library's Board of Trustees to remain in place. Mr. Martin said that the resolution was in response to the Board of Supervisors voting to disband the Board of Trustees which means the town would basically be putting money into a county department.

The Council packets contained a draft resolution, but it was slightly revised. The Council has a copy of the revision. The original draft suggested an advisory council for library matters, but, ultimately, an advisory council could only advise. Without a Board of Trustees, the towns lose a voice. The Mayor continued that thought and stated that the town puts around \$22,000 in salary toward the Saltville branch in addition to paying for all of the maintenance, utility, and insurance costs; therefore, the town definitely needs a say in how the library is run.

Councilman Surber made a motion to approve the revised resolution, and Councilman Smith seconded. During the discussion, Councilman Orr said he supported Councilman Surber's motion but expressed concern that the town may still not have adequate representation as a municipality. For clarification, Mr. Martin explained that the resolution as it was now written meant that there would be representation from each of the county's seven magisterial precincts, but the towns still don't have a direct voice. Councilman Orr asked that Chilhowie and Marion both know that Saltville expressed concern over the fact that each town did not have direct representation.

Councilman Surber's motion carried unanimously.

New Business

1. Cubicles in the GCS Building

Councilman Orr mentioned that there has been prior discussions about cleaning and painting the inside of the GCS Building, but something needs to be done with the leftover cubicles as well. He suggested asking the call center in Marion if they would be interested in purchasing them and put that in the form of a motion. Councilman Smith seconded, and all were in favor.

2. *If I Were Mayor* contest

This topic was tabled until the February meeting.

3. Veolia report

No Veolia employees were present for the meeting.

Town Manager's Report

Mr. Martin spoke on the following:

- 1) He apologized to the town's residents over the recent water outage and thanked them for their patience. There is currently a boil notice, and everyone will be notified via the television, radio, and police Nixle when it is over. Mr. Martin thanked everyone from the Mayor to current and former town maintenance employees and the town's engineers for their assistance in seeing the problem was fixed.
- 2) The Council will have two quotes in February to repair the logs at the Stuart Cabin. Since this is such a unique situation, there aren't many contractors who work on logs like these. Therefore, there will just be two bids since several contractors were contacted but only two expressed confidence in making the repairs correctly.
- 3) The Environmental Protection Agency (EPA) is helping the town free-of-charge do the environmental assessment on the parking lot at the former Moss Trucking site to, hopefully, put that area back to use.
- 4) The revised Request for Proposal for water and wastewater services is anticipated to be advertised in this Sunday's Bristol newspaper.
- 5) The Council had previously approved for Cub Scout Pack 19 to use the kitchen area at the GCS Building for their meetings. With the recent closure of the local VFW post, however, Pack 19 has requested to use the VFW building instead for their meetings. They would basically adopt that building until the town finds another use for it. All of the current plaques and posters will stay in place so the Scouts can honor the veterans and learn their histories. Councilman Holley, a member of the former VFW post, said the former members will apply for reinstatement and asked if this would affect the Cub Scouts. Mr. Martin said he did not anticipate any interference since the Cub Scouts would just use the building once a week, but if a problem arose, they would hold their meetings elsewhere.

Councilman Smith made a motion to allow the Cub Scouts to use the VFW building, and Councilwoman Wyatt seconded. All were in favor.

- 6) Since the town is going back into the water business, the heavy-use parts of the system need to be studied. If the Council wishes, he will apply to the Southeast Regional Community Assistance Program (SERCAP) for a \$25,000 grant for pumps, fittings, etc. later in the spring. Public Works Director R.B. Henderson was hired after the town went with Veolia, so, through no fault of his own, he is playing catch-up right now. Former Public Works Director Jacky Colston knows the system better than anyone, and if the Council approves, he has agreed to work part-time up to twenty hours a week at his last pay rate to provide needed assistance. The Mayor

endorsed the re-hire by saying that Mr. Colston came out and helped during the water outage and during the day today for follow-up as a favor to the town. Councilman Smith made a motion to re-hire Mr. Colston at his last pay rate for no more than twenty hours a week, and Councilman Call seconded. All were in favor.

7) There is a bad pump at the station near British Rowe behind the Bank of Saltville that needs replacing. This pump is responsible for pumping water from Well #10 to Edgewood. The town has been told by Veolia that a pump has been ordered, but it is needed now. The Mayor suggested having the town buy the pump directly and then billing Veolia for the cost. Councilman Holley was concerned about the fact that a warranty would be built in the price that the town pays, so the town would need to recoup that cost too. The Mayor replied that is why he would like to see all costs associated with getting this pump withheld from the monthly payment the town sends to Veolia. Councilman Smith made the motion to buy the pump and withhold all costs associated with the purchase from the payment to Veolia. Councilman Surber seconded, and all were in favor.

Regarding this particular pump, Mr. Martin said this problem was identified over a year ago by Crossroads Engineering. Crossroads is also putting together the specs for the new pump. Councilman Orr commented that he had asked Veolia for a status update of all of the equipment and that it was now in hand. Some pumps have been taken out of play or won't work, and there has been no effort to replace them. Additionally, there are no back-ups in some of the pump stations, so this problem definitely needs to be rectified.

Police Chief's Report

Chief Wilcox spoke on the following:

- 1) Officer Cline's last day will be this Thursday.
- 2) The background check was performed on the person that the Council offered the Academy scholarship to, and it came back good. His orientation will be Thursday, and his start date at the Academy is Monday.
- 3) The new signs for the big trucks are working it seems since no trucks have gone the wrong way since the signs were installed.

Maintenance Report

Mr. Henderson spoke on the following:

- 1) He thanked the Saltville Volunteer Fire Department for their assistance in the burning of the brush pile on December 30th.
- 2) The curfew signs have been installed at the pool parking lot.
- 3) The pipes were frozen at the GCS Building.
- 4) Two contractors will give quotes on the roof at the GCS Building.
- 5) The lights at the VFW Wall were cut off for non-payment. When the VFW post closed, apparently the bill was not paid. Mr. Johnson called AEP and had the lights put in the town's name.
- 6) He thanked Councilman Orr for going with him to Ohio to get the motor for the chipper motor. The quote to put the motor into the chipper will be between \$400 and \$600. Councilman Smith made the motion to install the motor for that price range, and Councilman Surber seconded. All were in favor.
- 7) Councilman Surber thanked Mr. Henderson for how well the Christmas decorations looked. He said he received many compliments and that many people thought this year's decorations were the best ever.
- 8) The shelters in the Wellfields are in need of roof repairs. The Mayor asked that this work be put out to bid.

Fire Department Report

Assistant Chief Bobby Dye spoke on the following:

- 1) BINGO is still drawing good crowds which is enabling the department to purchase more equipment.
- 2) The Mayor asked Mr. Dye about the crash truck at the Rescue Squad. Mr. Dye said the only thing that was needed was the big light on top. It's considered a dead expense and is not worth it; additionally, there's nowhere for the fire department to park it.

3) Councilman Surber asked about the red car at the department. The county had originally donated this car to the Rescue Squad, and someone told Councilman Surber that if the Rescue Squad ever wanted to get rid of it, then it had to be returned back to the Board of Supervisors to be auctioned. Mr. Dye said the department purchased the vehicle from the Rescue Squad at the same time they purchased the dive boat, and it has been tagged, painted, and put on the insurance. The members use it for going to classes, etc. If the Board of Supervisors had an issue with the Rescue Squad selling it, then they would need to take that up with the members of the Rescue Squad, but he was unaware of this arrangement. The Mayor asked about the red blazer that Chief Jimmy Davidson drives, and Mr. Dye said that he bought it from the department.

Closed Session

The Mayor said the maintenance personnel item on the agenda was discussed during the Town Manager's Report, so it did not need to be discussed further in Closed Session. Regarding the fire department personnel discussion, Councilman Orr said that needed to be under Section 2.2-3711(A)(3) for the discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body instead of Section 2.2-3711(A)(1) for discussion of fire department personnel. Mr. Johnson said he had misunderstood what Councilman Surber had wanted on the Closed Session agenda with regard to the fire department. With the change, Councilman Smith made a motion to enter Closed Session in accordance with the Code of Virginia, Section 2.2-3711(A)(3) for the discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body; Section 2.2-3711(A)(29) for the discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body; and Section 2.2-3711(A)(7) for the consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body. Councilman Holley seconded, and all were in favor.

After exiting Closed Session, Councilman Smith made the motion to certify that the Closed Session was conducted in conformity with Virginia law regarding those matters that are exempted from open meeting requirements and nothing was discussed other than what was mentioned in the motion to convene Closed Session. Councilwoman Wyatt seconded, and the roll call vote was 6 - 0.

Councilman Smith made a motion to have Mr. Martin take the Council's recommendations back to AEP regarding the memo of understanding. Councilman Orr seconded, and all were in favor.

Saltville's representative on the Smyth County Board of Supervisors, Roscoe Call, arrived at this point of the meeting, so the Mayor invited him to speak, and he spoke on the following:

- 1) The Board has two new members. The Chair is Todd Dishner, and the Vice Chair is Rick Blevins.

- 2) The Mayor brought up the leak the town had and asked Mr. Call about water flowing to the county first. Mr. Martin had contacted Scott Simpson, the Smyth County Engineer, and asked to cut off the valve so the town's tanks could be back-filled since their water levels were dropping, but Mr. Simpson declined. The Mayor said this was wrong since it hurt the citizens of Saltville, and he could not understand why Mr. Simpson did not work with the town in this situation. He said the town's tanks could not fill up fast enough to offset the water that was going to the county, and he asked Mr. Call to address this with Mr. Simpson. Mr. Call said he was the Chair of the county's water and sewer committee and would look into this.

The Mayor then asked Mr. Call to set up a meeting with the county regarding the contract the town has with the county. This contract, which has expired, pertains to the rate the town charges the county to sell it water, among other things. The Mayor asked Mr. Call to set up this meeting with Mr. Simpson and the county's administrator, Michael Carter. He, Mr. Martin, and Councilman Call, the Chair of the town's Water/Sewer Committee would represent the town. Additionally, representatives from the Lane Group and Crossroads Engineering should probably attend as well.

- 3) Councilman Surber asked Mr. Call about the illegally built structure on Third Avenue. Councilman Surber had previously spoken to Mr. Call about this a couple of months ago. The attorney for Smyth County, Jeff Campbell, is in charge of this matter since the town does not issue building permits, but the county does. The head of the building and zoning department for Smyth County, Clegg Williams, told Councilman Surber that Mr. Campbell's office was given all of this information last May but has yet to pursue the matter. Mr. Call said that Mr. Campbell was currently in Richmond due to his responsibilities as a Delegate, but he would contact his office.

- 4) The Mayor asked Mr. Call what the county does with dilapidated or unsafe structures since the town has the same issue. Mr. Call said a complaint form is available for people to fill out. The owner is sent a letter and given thirty days to clean up the area. If the owner doesn't comply, another letter is sent giving thirty more days. If the situation is not rectified after the thirty additional days, then the issue goes to court. Councilman Orr said the town needs the county's building officials to get involved in the condemnation process since the town has no inspectors itself. He asked Mr. Call to check with Clegg Williams to advise the town how to handle issues like these that arise.

5) Councilman Holley asked Mr. Call if the county could pave the portion of Kent Street that lies within the county to match where the town paved the portion of Kent Street that lies within the town. Evidently, school buses are having issues turning around and passing each other. Mr. Call told Councilman Holley that the county does not own any roads, so it could not pave any roads. This would have to go through VDOT.

The Mayor asked Darian Musick of Crossroads Engineering, who had also just arrived, to give an update on their projects and the leaks the town just experienced. Mr. Musick spoke on the following:

1) There were multiple leaks that emptied the tanks that caused many of the town's citizens to lose water. Though the leaks have been repaired, it takes the tanks a long time to recover and fill up which is why the service to some residents has taken so long to be restored. There are still problems with that pump at the station at the Bank of Saltville, but it's being monitored. The county's demand for water must now be satisfied since the tank in Edgewood is filling up more quickly, the tank at Smokey Row is full, and the tank on Highway 107 is filling up at a more brisk pace.

2) Regarding the valve that the county could have cut off to have allowed the town's tanks to fill up more quickly, Mr. Musick said there were provisions in the contract with the county that if there is an emergency situation, the amount of water sent to the county could be reduced proportionally to the amount of water the town needs. The Mayor said the town really needs another water source to which Councilman Orr replied there were two wells on the Cobia property that the town owned that could be explored. However, he did not know if the water there was potable. Mr. Musick said that VDH would have to run their tests to determine this, so the Mayor requested that Crossroads look at the wells to give an opinion on how to proceed.

Mr. Musick said the best way for the town to increase capacity would be to reduce the current water loss. Also, the leak detection study last year showed that many water meters were not reading correctly which hurts the town's revenue stream, but there's still the water loss. Speaking of the water loss, Mr. Musick thinks a lot of this is in the service lines based on the monthly reports that Veolia puts together showing their repairs made. Fortunately, these lines are scheduled to be replaced in the upcoming water project. Additionally, master meters will be replaced to help identify the leaks in these service lines.

Lastly, Councilman Call made the motion to adjourn, and Councilman Smith seconded. All were in favor.

