

Town Of Iron Gate
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The Iron Gate Town Council Meeting was held July 25th, 2024 at 7 p.m. in Town Hall

Vice Mayor Erskine gave the invocation.

The Pledge of Allegiance was then cited.

The meeting officially began at 7:00 p.m.

Present:

Mayor Gary Craig, Vice Mayor Richard Erskine, Councilpersons Jennifer Tyree, G.W. Reynolds, Councilperson Brandon Marshall, Councilperson Kawahna Persinger, Councilperson Debbie Harris, and Town Clerk/Treasurer Ashley Prior. Mr. Jimmy Jeffries, and Mr. Michael Prior were in attendance for the community. Also present, Jerry Clark of the Alleghany Journal, and David Crosier of the Bath County Recorder.

Approval of Minutes:

Mayor Craig announced that he had several things to add to the agenda such as adjustments that need to be made and council has looked over as well as the second payment for the Thrasher Group. Mayor Craig also mentioned there were some minor errors in the minutes that went out and that Town Clerk/Treasurer Ashley Prior has received those back and is working on them. Mayor Craig asked if everyone had received their packets and if there were any questions or concerns regarding the minutes from the Council Meeting on June 27th, and Work Session on July 15th. Everyone had received their packets and no one had questions. The Mayor asked for a motion for approval. Councilperson Tyree made the motion which, was seconded by Vice Mayor Erskine. A roll call vote was then taken.

Vice Mayor Erskine – “Yes”

Councilperson Tyree – “Yes”

Councilperson Reynolds – “Yes”

Councilperson Reynolds – “Yes”

Councilperson Persinger – “Yes”

Councilperson Harris – “Yes”

The motion carries unanimously.

Receipts and Disbursements:

Mayor Craig stated that there was not a profit and loss report as well as finance or anything. Ashley has been working diligently and she will have them back in the minutes for next month. Mayor Craig said with no one being able to see the receipts and disbursements, Ashley does have a folder with the bills that have been on her desk if anyone from council would like to take a look at those. Councilperson Harris asked Ashley if there was anything unusual, any huge bills or anything. Town Clerk/Treasurer Ashley responded no, not really. Mayor Craig stated with that being said, would anyone like to make a motion to approve the Receipts and Disbursements. Motion was made by Councilperson Harris and seconded by Councilperson Marshall. Mayor Craig asked if anyone has any comments, questions, or concerns to which there were none. Mayor Craig then had a roll call vote:

Councilperson Tyree – “Yes”

Councilperson Persinger – “Yes”

Councilperson Marshall – “Yes”

Councilperson Reynolds – “Yes”

Councilperson Harris – “Yes”

Vice Mayor Erskine – “Yes”

The motion carries unanimously.

Mayor Craig stated payment of the bills, she (Ashley) has a list of the bills on her desk that need to be paid however, we do have one special bill which is for the Thrasher Group pertaining to the water project. They have submitted their second bill for the total invoice of \$44,000, what all this is including is the study for the basic services of study and report, they had a budget of \$10,000, the previous bill was \$8,000, and this one is \$2,000 so we are at 100 percent on that. Preliminary and final design had a budget for \$75,000 and they have spent (the cart bill) is \$30,000 we are 73.33 percent complete on that. Under the basic services for a total budget of \$130,000, they have completed \$65,000 of that. There are some other things in there that will come up during construction that will pertain to the construction part of it once the bids are out, and there will be some of this bill that will not pertain to us, but it will be in there so it will be money that is left over for some extra stuff that we can do. Mayor Craig continued to read the additional services. Councilperson Persinger asked for a copy of the Thrasher Group bill. Mayor Craig said you can see it but, I don't want that actually leaving the office, that is not something that goes out of the office. Councilperson Harris asked what the next phase is after this. Mayor Craig stated he is getting ready to go into that under old business, and both papers of the Thrasher Group is here at the office and doesn't leave the office. Councilperson Marshall asked what percentage does that actually pertain to us. Mayor Craig said for going under the railroad. Mayor Craig then asked if there were any questions, comments, or concerns regarding the newly added bills, there were none. A motion was given by Vice Mayor Erskine, and was seconded by Councilperson Reynolds. Mayor Craig then had a roll call vote:

Councilperson Tyree – “Yes”

Councilperson Persinger – “Yes”

Councilperson Marshall – “Yes”

Councilperson Reynolds – “Yes”

Councilperson Harris – “Yes”

Vice Mayor Erskine – “Yes”

The motion carries unanimously.

Mayor's Report:

Mayor Craig stated things seem to be going pretty good and that he had to go and speak with Western Virginia Water down on the lower side of Iron Gate into Botetourt. He received a report that they were getting water from one of the fire hydrants and they collected about 2,000 gallons of water which is what their truck will hold. The guy from Western Virginia Water Authority stated that was the only place he knew of in our town to get water and they do not have a hydrant on the Botetourt side yet. Mayor Craig stated that he informed the guy he would let Ashley know so she can charge them for the 2,000 gallons and it will be the bulk water fee for them. Mayor Craig said they will also be getting water Wednesday July 31st off of 7th street at the meter and they are to advise Ashley before they go get it and Junior will go get a reading once they are done and give the reading to Ashley and she will add that to the Western Virginia Water Authority bill. Councilperson Marshall stated he thought they had one there before you get to Glen Wilton bridge on the left. Mayor Craig said no, there are none past fifth street until you get into McKenny's Hollar.

Mayor Craig stated the Public Works guys have been cutting grass and getting trash picked up and they cut Town Hall today, around all the vehicles with people coming in and out and they did a pretty good job. Trey will be going on vacation next week, through the 4th, so we are working through that, it's something they do every year and Junior has been aware of it. Trey is also aware that he does not get paid for his vacation since he is a part time employee. The Public Works crew will continue cutting grass and picking up trash. Councilperson Marshall asked if Trey has gotten his learner's yet and Mayor Craig said he has not. Town Clerk/Treasurer Ashley stated that Trey said he is going to take it again the day he gets back and that she forgot to let Mayor Craig know. Mayor Craig said I got that; you told me.

Councilperson Tyree asked if we had a driver lined up for Thursday and Mayor Craig stated yes, we are good, we have someone lined up to come in and help with trash and we will pay them the daily rate and that will be that. Mayor Craig stated he thinks Linda will be back on Monday and then Kent will be back in on Thursday to help Junior with the truck and everything. Linda is getting ready to leave for a cruise and her and Kent worked out who is covering who and the days they're working what and Linda told him today. Ashley will be off Monday, her father is having a procedure, me (Mayor Craig) and Vice Mayor Richard Erskine told her to put a note on the door on Friday letting everyone know that she will be back in the office Tuesday and take care of family.

Mayor Craig stated he did receive a complaint and we do not have an officer here tonight, we do not know where he is at. We did have another complaint about the mustang revving up to the stop sign, and on 220 he opens it up. Mayor Craig spoke to the gentleman several times and has asked him not to so now this is going to be handed over to the sheriff's office and we can let the sheriff's office handle it. That is all we can do, we can't force him to turn it off and stop, it's not our job, it's the sheriff's office.

Committee Reports:

Mayor Craig said they had spoken at the work session that the committee's wanted to carry it over to the next work session, is that correct. Councilperson Persinger said yes. Councilperson Marshall said he has a question and it really isn't committee but have we sent out any ordinances for grass. Mayor Craig said he is getting to it.

Public Comments:

Mayor Craig asked if anyone had any public comments and there were none.

Old Business:

Mayor Craig said we have once adjustment to be made under water and sewer, and two under new business. Council has had a chance to look at this and the total amount owed is \$2,535.18, this person has been making regular payments however, we have had to work through some issues because payments were not getting posted into the correct slot into the computer along with others in the town. She was asked to bring in all of her receipts that she had and Ashley was able to go in and straighten that out and get the proper amount that she owed. We did discuss at the work session about taking the sewer portion off of that bill and the sewer portion would be \$342.34 because we all knew this was a leak outside and none of it went into the sewer. When I (Mayor Craig) spoke to her about doing this she was very excited and thankful and she said she was never offered that option, which I don't think we did offer her that. Councilperson Marshall stated we did kind of drop the ball on her about the contractor. Mayor Craig stated we did and the contractor is a different issue, this is about the water. Mayor Craig stated with that being said, do I have a motion to make the adjustment of \$342.34. Motion was made, to approve sewer portion, by Councilperson Marshall and seconded by Vice Mayor Erskine. Mayor Craig asked if there was any comments, questions, or concerns, there were none. Mayor Craig then had a roll call vote:

Councilperson Tyree – “Yes”

Councilperson Persinger – “Yes”

Councilperson Marshall – “Yes”

Councilperson Reynolds – “Yes”

Councilperson Harris – “Yes”

Vice Mayor Erskine – “Yes”

The motion carries unanimously.

Mayor Craig stated that this is old business to the council but it may be new to everyone else and he has the letter of resignation from our town attorney Jarred Jenkins. Mayor Craig said he wasn't going to read it but he thinks he needs to read it just so there is no speculation put out there in peoples mind about why he resigned and this was given on, July 19th, 2024.

RE: Resignation as Town Attorney

Mayor Craig and members of Town Council,

Please accept this letter as written notice of my resignation as Town Attorney for the Town of Iron Gate, Virginia. Unfortunately, for various reasons we have discussed, I am resigning as a member of the Virginia State Bar and thus will be unable to continue as the Town Attorney.

It has been my honor and privilege to represent the Town, and I wish you nothing but continued success in the future. The Town's willingness to fight for its rights and those of its citizens is an inspiration and a guide for its future.

Sincerely,

Jared R. Jenkins

Mayor Craig stated that is Jared's resignation letter and he doesn't know if Jared has turned his information into the bar association yet. With that being said, do I have a motion to accept the town attorney's resignation. Motion was made by Vice Mayor Erskine and seconded by Councilperson Persinger. Mayor Craig asked if there was any comments, questions, or concerns, there were none. Mayor Craig made the comment he will be sad to see Jared go, Jared was a good attorney, he spoke from his heart and had the best interest for Iron Gate in his heart, and he also did right by us. Mayor Craig then had a roll call vote:

Councilperson Tyree – “Regretfully Yes”
Councilperson Persinger – “Yes”
Councilperson Marshall – “Yes”
Councilperson Reynolds – “Yes”
Councilperson Harris – “Yes”
Vice Mayor Erskine – “Yes”

The motion carries unanimously.

Mayor Craig said moving on to the next order of business. For reasons known to most of council, it falls in line with what's been going on with us. We received an email from Michelle Miles stating that she had not received our updated application for this year for our 599 funds, she made numerous attempts and everything was always pushed back and nothing was made. She finally reached out to Ashley and myself, Ashley jumped on it before I even had a chance to and she found out what was going on. The town was given until noon the next day to have everything in with our new information on it. I (Mayor Craig) went into kind of panic mode thinking that's quick. Mayor Craig stated he called Chris Fisher, he was inspirational again today, and they got to talk to Mrs. Miles. Chris Fisher and Ashley will be speaking to Mrs. Miles again in the morning. Chris Fisher did call and speak to Sherrif Moore and Deputy Tommy Dean about our contract with them. They are going through and doing the contract asap to get it signed by the sheriff and take it down to get it signed by the county's attorney. Being that we pay taxes, the county attorney will suffice for us also, as far as an attorney Mayor Craig will sign and nothing else is changing on it. Chris and Ashley will resume to get that in for our 599 funds. Councilperson Harris asked when the funds are distributed. Mayor Craig said they are distributed quarterly. Mayor Craig stated he needs a vote for moving forward with 599 application. Motion was made, to approve completing the application, by Councilperson Tyree and seconded by Vice Mayor Erskine. Mayor Craig asked if there was any comments, questions, or concerns, there were none. Mayor Craig then had a roll call vote:

Councilperson Tyree – “Yes”
Councilperson Persinger – “Yes”
Councilperson Marshall – “Yes”
Councilperson Reynolds – “Yes”
Councilperson Harris – “Yes”
Vice Mayor Erskine – “Yes”

The motion carries unanimously.

Mayor Craig said the next order of business is the Board of Zoning & Appeals (BZA) candidate. As you all know members have left the BZA so it's left us without anyone on them other than our zoner, which is our former Mayor Chuck Unroe who is doing our zoning for us now. Our Planning Committee, we are one person short on that so we are seeking a person for that position, all other positions are good until 2026 and 2027. Mayor Craig said he has a letter of interest for a BZA seat. Mayor Craig proceeded to read the letter to council that says,

Mayor and council members,

My name is Michael Prior and I have lived in Iron Gate for almost 9 years. I am very interested in joining the towns BZA committee. My passion is carpentry first and foremost, I received my carpentry certificate from Jackson River Technical Center. It would be an honor to join as I want nothing more than the very best for our town and I thank you for your time.

Kind Regards,

Michael Prior

Mayor Craig stated that for those who do not know, Michael Prior is Ashley's husband, and I've known Michael for quiet some time. I've gotten to know Michael a little bit better since Ashley started working here. Mayor Craig then asked Michael if he would like to stand up and say anything to council, or if council has any questions. Councilperson Harris and Councilperson Marshall thanked Michael Prior. Michael Prior said that he has plenty of experience in looking up zones, I've had buildings put on my property, fencing put on my property, an outdoor woodstove where I was looking up zones and codes for that. I've had experience with the process that needs to be done and the communication of someone you need to talk to when your having issues with zoning and that's why I'm interested. Mayor Craig asked the council if they had anything to ask and he thanked Michael Prior for his letter.

Mayor Craig stated that we did receive the construction process approval permission to submit for bid on our water project from Thrasher. We have signed that and sent it back to Mrs. Cook, she is getting that filed and by the middle of the month our bids will be out for our water project. The next step will be receiving those bids, opening them up and looking at them and going from there. Mrs. Cook will be helping us with that process.

New Business:

Mayor Craig said we have two more adjustments that need to be made. The first one says I had a water leak in November of 2023, was billed in December and I had the water leak fixed after the bill was received. This home owner has been paying diligently on this bill, to bring his water bill up current. He did come in and ask if there was anything we could do as far as adjustments and Ashley filled out his paperwork since the leak went inside the sewer. Mayor Craig asked if anyone had any comments, questions, or concerns and hearing none the mayor asked for someone to make a motion to the adjustment. Motion was made, to approve the sewer portion, by Vice Mayor Erskine and seconded by Councilperson Tyree. Mayor Craig then had a roll call vote:

Councilperson Tyree – “Yes”

Councilperson Persinger – “Yes”

Councilperson Marshall – “Yes”

Councilperson Reynolds – “Yes”
Councilperson Harris – “Yes”
Vice Mayor Erskine – “Yes”

The motion carries unanimously.

Mayor Craig stated that if you all see me doing stuff that I usually don't do it's because of some issues we have found that we are working on. If anyone wants to know what I'm writing, I am writing whether council is approving or denying adjustments with the date that we do it and my signature, along with when it was done that way it can go on record and we will know when it was done.

Mayor Craig said this adjustment states the previous clerk said she could never find this account on the computer. Customer stated she filled her pool up and said it's about 4,000 gallons. She also stated that every water hose she bought last month busted and water was gushing out. We do know that she filled her pool, we do know that she did not ask for someone to come and read her meter, nor did she come and get one of the hose meters that we put on the end of the hose to fill the pool. We do know that she left the water on and the pressure of the water busted the hose, I have busted a couple myself. Councilperson Marshall asked what her hose was hooked to and Mayor Craig stated it was hooked to her house. Mayor Craig said she is asking for an adjustment on the sewer portion. Mayor Craig stated he can see the sewer portion adjustment. As far as filling the pool she should have come down and let someone know. Everyone should be pretty familiar with our guidelines on pools. The fact that none of it went into the sewer, is great and I will entertain a motion with comments, questions or concerns as far as giving her an adjustment onto the sewer portion of the bill. Councilperson Harris asked if the customer is asking for something additionally, Mayor Craig said she is asking for an adjustment on the sewer portion. Ashley told her the town cannot adjust your water bill because you did not notify us and we have a procedure, but it can be presented to council for an adjustment on the sewer portion. A Motion was made, to approve the sewer portion, by Councilperson Marshall and seconded by Vice Mayor Erskine and Councilperson Harris. Mayor Craig then asked if anyone had anymore comments, questions, or concerns, hearing none, a roll call vote:

Councilperson Tyree – “Yes”
Councilperson Persinger – “Yes”
Councilperson Marshall – “Yes”
Councilperson Reynolds – “Yes”
Councilperson Harris – “Yes”
Vice Mayor Erskine – “Yes”

The motion carries unanimously.

Mayor Craig stated the next order of business is he needs councils' approval for permission to seek new legal counsel for the Town of Iron Gate. Motion was made, to approve permission to seek legal counsel, by Vice Mayor Erskine and seconded by Councilperson Reynolds. Mayor Craig asked if there was any comments, questions, or concerns, there were none. Mayor Craig then had a roll call vote:

Councilperson Tyree – “Yes”
Councilperson Persinger – “Yes”

Councilperson Marshall – “Yes”
Councilperson Reynolds – “Yes”
Councilperson Harris – “Yes”
Vice Mayor Erskine – “Yes”

The motion carries unanimously.

Mayor Craig said the last order of business is moving onto the BZA application letter. I am going to ask for a vote to approve or not approve Mr. Prior. Would someone like to make that motion. Motion was made to approve, Mr. Prior for a seat on the BZA for the Town of Iron Gate, by Councilperson Persinger and seconded by Councilperson Reynolds. Mayor Craig asked if there was any comments, questions, or concerns, there were none. Mayor Craig then had a roll call vote:

Councilperson Tyree – “Yes”
Councilperson Persinger – “Yes”
Councilperson Marshall – “Yes”
Councilperson Reynolds – “Yes”
Councilperson Harris – “Yes”
Vice Mayor Erskine – “Yes”

The motion carries unanimously.

The next work session will be held on August 19th, 2024 at 7 pm, and the next council meeting will be held on August 29th, 2024 at 7 pm. Motion to adjourn was made by Councilperson Tyree and seconded by Councilperson Marshall. Mayor Craig said all those in favor signify by saying aye. The motion carried unanimously and meeting was adjourned at 7:48 pm.

Gary A Craig, Mayor

Ashley C Prior, Clerk