

Town Of Iron Gate
P.O. Box 199
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Iron Gate, VA 24448
Phone: (540) 862-0770

The Iron Gate Town Council Meeting was held September 26th, 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, Councilperson Kawahna Persinger, and Councilperson Brandon Marshall. In attendance for the community are, Mr. Jimmy Jeffries, Paul Handwerk, Richard Unroe, Teresa Knick, Virginia Washburn, and Mary Brackenridge. Also in attendance is Kimberly Halterman, Melinda Snead Johnson, and Darrell Gleeson from the Alleghany County School Board office. Those who are not in attendance are Councilperson G.W. Reynolds, and Town Clerk/Treasurer Ashley Prior. Also present, Jerry Clark of the Alleghany Journal, and David Crosier of the Bath County Recorder.

Approval of Minutes:

Mayor Craig stated he needs a motion to add to the agenda, a closed session under legal 2.2-3707.2 at the end of the meeting. A motion was made by Vice Mayor Erskine, and seconded by Councilperson Marshall. All of those in favor signify by saying "Aye." Hearing no opposition, motion to add a closed session at the end of the meeting has been added.

Mayor Craig stated that council members did gather on September 16th, but did not have enough quorum. Mayor Craig said everyone has received their packets, and everyone has come in and received the updated packets. Mrs. Prior had found some discrepancies, and dates that she went back and fixed. The mayor asked for a motion for approval. Councilperson Tyree made the motion which, was seconded by Vice Mayor Erskine. All of those in favor signify by saying "Aye." Hearing no opposition, the motion carries to approve the minutes.

Receipts and Disbursements:

Mayor Craig stated that council has received the receipts and disbursements in their packets. Mayor Craig asked if there were any other comments, questions, or concerns, there were none. Mayor Craig asked to

get an approval of the Receipts and Disbursements. Motion was made by Vice Mayor Erskine and seconded by Councilperson Persinger. A roll call vote was taken.

Councilperson Tyree – “Yes”

Councilperson Persinger – “Yes”

Councilperson Marshall – “Yes”

Vice Mayor Erskine – “Yes”

The motion carries unanimously.

Mayor Craig stated everyone has seen the payment of the bills, and I have nothing to add. Ashley has been pretty good about getting those in, paying everything she can pay as money becomes available. Mayor Craig then asked if there were any questions, comments, or concerns on payment of the bills. Hearing none, Mayor Craig then asked for a motion to pay the bills. A motion was given by Vice Mayor Erskine, and seconded by Councilperson Tyree. A roll call vote was taken.

Councilperson Tyree – “Yes”

Councilperson Persinger – “Yes”

Councilperson Marshall – “Yes”

Vice Mayor Erskine – “Yes”

The motion carries unanimously.

Mayor’s Report:

Mayor Craig spoke of the town crew and how they have been diligently maintaining the town, along with fixing a town water leak. Mayor Craig said there has been a change under Alleghany County Transfer Station under fees. Our public works crew use to be able to take anything to the transfer station, apart from tires. Now there will be a charge for washers, dryers, refrigerators, things like that. We are working to get a complete copy from them stating what they are going to charge, and unfortunately that charge will revert to the owner of the property. The town cannot take on the burden of additional costs. Mr. Richard Unroe asked if the town picks a dryer, washer, and/or refrigerator up, why can’t the town take it to Clifton Forge and sell it. Mayor Craig said, we can, but if someone uses the dump trailer, and throws it in there, I do not expect the guys to climb in that trailer and move it around taking a chance of getting hurt. We can take it to Clifton Forge, but if it has to go to the transfer station, there has to be a charge for it. Mayor Craig then stated that our town police officer, Todd Ailstock, has been patrolling and writing tickets. Mayor Craig said that is all he has for his report.

Committee Reports:

Mayor Craig asked if there were any committee reports and there were none.

Public Comments:

Mayor Craig, and council received an update from the Alleghany County School Board on the progress of the schools. Mayor Craig asked if anyone has any comments, questions, or concerns. Hearing none, Mayor Craig moved on to the next Public Comment.

Mayor Craig began reading the Public Comment Sign-Up sheet. It actually says you must put down your address, you need to be a member of Iron Gate to make a public comment, and there is five-minute time limit. We have never held to the address, and I am not going to start tonight, but I will hold everyone to the five-minute time limit. Mayor Craig started down the list, and gave Mr. Paul Handwerk the floor. Mr. Handwerk said he appreciate it. He and his wife recently moved here and bough four lots on sixth street. I was putting up a building and I surprised to find out that the zoning has changed, the mayor said it was considered one lot. So, I had to do my building different which costed me more money, and I don't think that was right. Also, he mentioned my survey was wrong, and if my survey is wrong, and you can provide documentation that shows the survey is wrong, the surveyor will be happy to look at it. The survey is what the survey is. I also bought another unit on Tannery Road which were also going to knock down. Dominion has requested to go underground from the pole, across the ally, and to my house. They will be checking to see if there are any problems. Mayor Craig stated that he has already spoke to them regarding the matter, and they have the green light. Mr. Handwerk thanked Mayor Craig and continued saying, he checked with zoning, and it was five feet both ways, the mayor came to me and said that it changed to ten foot and twenty feet. It was surprise to me and the contractor, and the surveyor had to reset everything. I have been down here many times asking if the town needs anything from me many times. I am trying to be the good guy; I am not here to disturb your town. We're going to move here; I am fixing the house and I want to do it right. I am trying to fix up the town too, I have put a lot of money in this house and I fell like I was harassed. Mayor Craig thanked Mr. Handwerk. Mayor Craig then stated, consideration of one lot, that was not what was said, you bought four lots. Your first lot is the corner of the property; therefore, it has to adhere to corner lot setbacks for VDOT, they set those we do not. However, your other lots, and I brought you a copy of the ordinance so we were all on the same page. You said you spoke to Chuck Unroe and different people. I gave you a copy of the ordinance so you knew exactly what it said, and everyone is on the same page, and that is also what the zoning officer has to go by. Mr. Handwerk said the zoning officer was wrong in telling him the setback was five feet. Mayor Craig stated, I am not going to say the zoning officer is wrong, but the zoning officer has to go by the ordinance. Mr. Handwerk stated that is what I am trying to figure out, and I was told five feet. Mayor Craig stated, I handed you the ordinance and you, and your contractor read it just like I did. Mr. Handwerk stated, yes, but it was last minute. Mayor Craig stated, however, your contractor was there ready to start construction and break ground, and I came to you and asked if you have your zoning permit. As far as your surveyor, I never said your survey was wrong, I told him I thought he was off. I still think he is off because where the survey marker is on that one corner, and that is only because it is directly through a storm drain. My only concern with anything is the storm drain, I had to reach out to VDOT, take pictures, and I had to submit those to Richmond for them to determine whether that is the right survey marker, or theirs. We have had this conversation before in this town and it has gotten us in trouble with dealing with something belonging to VDOT, and I will not do that again. If VDOT states the marker is good, then it is good. Mr. Handwerk states, down on this end closest to the road way that would be a foot off due it being in the basement. Mayor Craig states, that is fine. Then asks Mr. Handwerk where the stripped all the soil, dug up and put gravel all the way to the asphalt did you get a permit from VDOT to do that. Mr. Handwerk states no, no one asked for one. Mayor Craig said that's why I was trying to talk to you, technically that is VDOT's right of way. Mr. Handwerk states, I have been down to town hall multiple times asking what I need and no one said I needed one. Mayor Craig states, you asked for a building permit not a drive way. I have a

building in my yard that doesn't have a drive way going to it. I did not know you were putting in a drive way until it was already there. Mr. Handwerk asked who he needed to speak to. Mayor Craig said you need to speak to Susan Hammond with VDOT out of Staunton, and I will get her number to you tomorrow. I am not trying to give you a hard time, you said you wanted to make sure everything is right, and I want to make sure everything is right too, I'm not trying to give you a hard time. Welcome to the town, I am glad someone is actually taking care of the property and getting it fixed back up. At the same time, a lot of things have been laxed and we need to get back on track with following the rules. Mayor Craig states this council holds me to the rules. Councilperson Persinger stated you still haven't moved your stuff. Mayor Craig replied moved what stuff. Councilperson Persinger said, well, I see wooden pallets down there now. Mayor Craig stated there is nothing wrong with the wooden pallets. Councilperson Persinger said I don't think their supposed to be in your front yard. Mayor Craig stated they are in my driveway, where is the ordinance at. Councilperson Persinger stated I thought they are supposed to be in your backyard. Mayor Craig stated no. Councilperson Persinger said yeah. Mayor Craig said, okay, show me the ordinance. Councilperson Persinger stated I don't have it right now. Mayor Craig stated anyway, that is where we stand on that. Welcome to the town. Mr. Handwerk states I appreciate it. I am from New Jersey and things are done a lot different than they are done down here, and that's why I asked all the questions I have asked. If I wasn't given the answer, I can't do anything about it. The public welcomed Mr. Handwerk for a moment. Mayor Craig asked if Paul had anything else, and he said no. Mayor Craig moved on to the next Public Comment.

Mayor Craig gives Mr. Richard Unroe the floor. Mr. Unroe states he wants to speak about the lawsuit, are you bringing that up tonight. Mayor Craig states I will bring it up under closed session under legal. Mr. Unroe stated that is what I want to speak on. Mayor Craig said, okay, go ahead and speak on it, but if I don't answer your questions right now it's because it is still under legal. Mr. Unroe says first off, I saw on Facebook that the transcript for the trial wasn't submitted to the court is that true. Mayor Crais stated, that is not true the courts received the transcripts. Mr. Unroe said, so, we are stuck. Mayor Craig stated the courts could not have review the appeal, and come back with the packet that I received without receiving transcripts. Councilperson Persinger asked what transcript was missing. Mayor Craig stated I don't know exactly what transcripts were missing, but they could not have reviewed it without have transcripts of the case. Councilperson Persinger stated not if they didn't get everything because I was watching that as well. I also heard that they did not receive the transcripts of where the town was questioning Judge Stein being biased against the town. I was under the impression they did not receive the transcripts. Mayor Craig asked, how long were you under the impression of this. Councilperson Persinger stated I wanted to know what transcripts were sent, if the town paid for those transcripts. Mayor Craig stated, you know the town paid for them, and you know it was approved to pay for it. Councilperson Persinger stated yes, I do know we approved it. Mayor Craig stated and they were paid for. Councilperson Persinger said, did we pay the attorney and he took the money, or did we pay the appellate court directly, how has that worked out. Mayor Craig said no, you have to write it to the transcriber. That is what we were told sitting right here in a council meeting. It had to be written out to the third-party transcriber for them to transcribe the transcripts. Councilperson Persinger stated we need to get in touch with them and find out exactly what was sent because I have also heard that discrepancy, and that's a big red flag. Mayor Craig stated now, they transcribe them, they don't send them. That would be something that Jared would have to send in. Councilperson Persinger stated, again, if she transcribed them, he would have gotten them from her, correct. Mayor Craig stated yes. Councilperson Persinger said, and she should be able to verify one way or the other what she gave to him. Mayor Craig said right. Councilperson Persinger said I did not mean to cut in front of you Mr. Unroe. Mr. Unroe said, you are doing great. Councilperson Persinger said that came to my attention as well. Mayor Craig stated I am just now hearing of what transcripts we are talking

about. If you had a question of these transcripts before tonight, you as a councilperson should have rose that question long before tonight. Councilperson Persinger stated I know. Mayor Craig stated exactly. Councilperson Persinger states oh we are not going to get on this twenty-four seven. Mayor Craig stated no, you don't want to. Councilperson Persinger states you don't want to open that can of worms with me not being down here, or me not being in town. Mayor Craig states I am here for my council meetings and work sessions. Councilperson Persinger states that's about it, and that was the other thing too, I think the town computer assigned to you as the mayor needs to be kept here in this building, and not be taken out of this building. Mayor Craig states we will discuss that amongst council and vote on that later. Councilperson Persinger states, no, I think we need to let the members and citizens know that that computer is not here. Mayor Craig states, no you're not, you're right, that computer is right here. Which I use on a daily basis. Councilperson Persinger states then it should be in your office. Mayor Craig states, I am not in here every day in my office, I have a full-time job also. We will discuss this later. Mr. Unroe said back to me, get a hold of the so-called lawyer that we had, that you should have gotten rid of when he got in trouble in Bath County. Mayor Craig states he wasn't in trouble in Bath County. Mr. Unroe states he lost his license for something. Mayor Craig states, no he didn't. Mr. Unroe states, that was a red flag right there. Councilperson Persinger states he was suspended in Rockbridge County but he appealed it. Mr. Unroe states so get a hold of him and see if he's done all he was supposed to do that we paid him for. Mayor Craig states, okay, your opinion is that there was a red flag and he lost his license. Let's go back and look at the rest of things where he appealed it, and was upheld on the charges they were getting rid of him for. Mr. Unroe stated that has nothing to do with it. Mayor Craig states, exactly, it was in the paper and on Facebook. Mr. Unroe states I don't get a paper. If it's not on Facebook I don't look at it. Mayor Craig states it was on Facebook. Mr. Unroe states I didn't look at it. Mayor Craig states you looked at something then. Mr. Unroe stated I didn't like the man to start off with. Mayor Craig stated that is a personal opinion. Mr. Unroe states it is. Mayor Craig says do you have anything else. Mr. Unroe states, like I say make sure you get a hold of him and make sure you got everything right, because if not and this comes down, and were stuck with two hundred and thirty some thousand dollars, where are going to get the money from. Mayor Craig stated first of all don't point your finger at me, I won't stand for that because I don't point my finger at you. Mr. Unroe states you will get over it. Mayor Craig states no I am not going to get over it, I will respect you as long as you show me respect. Mr. Unroe states, come on man, you don't show respect for me. Mayor Craig stated yes, I do. Mr. Unroe stated don't sit here and talk like that. Mayor Craig states you think what you want, you are entitled to your personal opinion. Mr. Unroe stated that's right, and that's what I am saying. Mayor Craig stated okay, but you are not going to come in here and point your finger at me like that. Mr. Unroe states, oh come on man, you sound like a democrat. Can I get a motion from the council to authorize the mayor to get ahold of Jared. Mayor Craig stated you don't have that authority. Mr. Unroe stated can I ask to somebody to make a motion; I can't do that. Will somebody on council have enough guts to do that, to see if we are still on legal ground. Mayor Craig stated first of all we can reach out to Jared, I can reach out to him, but he has resigned from here. I didn't say I wouldn't contact him. Mr. Unroe states you didn't say you would either. Where are we going to get the money. Mayor Craig stated let me put it to you this way, I know of two people sitting on this council right now who were on this council for the last eight to ten years since this has been going on. I inherited this mess, were you on council when it started. Mr. Unroe stated yes, I was. Mayor Craig states okay so you are one of them that have let it get this far, so don't come in here pointing fingers and making accusations. I am trying to clean your mess up, and we are going to move on. Mayor Craig asked if anyone has any comments, questions, or concerns. Hearing none, Mayor Craig moved on to the next Public Comment.

Mayor Craig gives Mrs. Teresa Knick the floor. Councilperson Persinger stated before she says anything was there anything else you wanted to say Mr. Unroe. I didn't know if you had any other questions about something else. Mayor Craig states his five minutes are up, then gives the floor again to Mrs. Knick.

Mrs. Knick states I can say that is pretty embarrassing, the behavior at this point. These people have a right to know what is going on in their town they are tax payers. This bickering back and forth is not doing us all any good. We need to find out where we stand, the people need to know where we stand. All this closed door not putting things up where people know where meetings are, this is important, and it's got to stop. Mayor Craig said what do you mean closed meetings, and not putting notes up. Mrs. Knick stated, us as citizens, we don't know what's going on with this legal stuff, but we're going to be responsible to pay it with our taxes. We have a right to know as much as we can. Mayor Craig stated I agree with you, however, everything you need to know is in the minutes. Mrs. Knick stated I am not going to argue with you. I am here to state my opinion and to stick up for the people of this town. My parents lived here, a lot of people lived here for many, many years and it is a shame that we are at this point. Mayor Craig states, and again, I inherited this. Mrs. Knick said we have inherited a lot of things to from our forefathers and you don't resolve conflict by creating more conflict, you try to work together, and that is all I have to say. Mayor Craig asked if anyone has any comments, questions, or concerns. Hearing none, Mayor Craig moved on to the next Public Comment.

Mayor Craig gives Mrs. Virginia Washburn the floor. Mrs. Washburn said I don't have anything to say, I thought I had to sign because I was present. Mayor Craig asked if anyone has any comments, questions, or concerns. Hearing none, Mayor Craig moved on to the next Public Comment.

Mayor Craig gives Mrs. Brackenridge the floor. Mrs. Brackenridge says I would like to say that we have guests in the room tonight. You cannot be disrespectful to anybody and get anything from it. When you are disrespectful to me, it makes me want to be disrespectful to you. I think we need to think about respect when we are talking to each other, and things can be solved without so much aggression, and that's all I've got to say. Mayor Craig asked if anyone else has any comments, questions, or concerns, there were none.

Old Business:

Mayor Craig spoke briefly on a proclamation signing that occurred on October 10th, for the Children's Environmental Health Day. Mayor Craig stated the town overpaid the Internal Revenue Service this year, and will be receiving a refund. The Alleghany County Sherrif's Office sent the town a letter asking the Town of Iron Gate to donate some millings allowing them to have an area that is free of weeds and mud to store their vehicles. After speaking with Vice Mayor Erskine, we did come to an agreement with officer Fisher, and Sherrif Moore. We did allow them to come and get some of the millings that were given to us for free, and in return the town will not have to pay any fees to the Sherrif's Office from September 16th through October 15th. Mayor Craig spoke briefly regarding gWorks. It is our water billing system and it is how we keep track of our water bills, and accounts. It is doing away with the system we currently have at the end of this year, and the new system will go into effect on January first of next year. Mayor Craig then spoke on the last order of business. Mayor Craig began reading,

September 11th, 2024

Mayor Gary Craig

Iron Gate Town Council

Dear Mayor Craig and members of Iron Gate Town Council,

It is after much thought and careful consideration that I resign from my position as Council member on Iron Gate Town Council. This decision did not come easily to me, but is one I make for health and personal reasons.

I have enjoyed working with and getting to know each of the members of council, staff, and administration. I wish the council continued success and wisdom in their governance of town affairs. I appreciated all the time and effort each of you give to Iron Gate.

Sincerely,

Debbie Harris

Councilperson Persinger asked when her date of resignation is, that became effective September 11th. Mayor Craig states she put her resignation in on September 11th, and it needs to be voted on It will go in effect tonight after the vote. As of right now, if council approves Mrs. Harris's resignation, that will leave Councilperson G.W. Reynolds, Councilperson Brandon Marshall, and of course Councilperson Harris's seat open during the upcoming election. Lastly, we hosted a mandatory pre-bid meeting at Town Hall for anyone who is licensed and met the requirements for the water project. With that being said, tomorrow marks the end of any questioning, by close of business, that any of the contractors may have, and on Thursday October 10th, we will open the bids. The bids are awarded by the rules, and will go to lowest contractual bidder. Mayor Craig then asked if there were any comments, questions, or concerns. There were none.

New Business:

Mayor Craig spoke to council regarding previous Town Clerk/Treasurer Wendy Biggs. The town agreed to pay Wendy as a consultant, and she has given her time more than willingly through this venture. Council did come up with the hourly pay for her consulting and that was twenty-five dollars per hour. I asked for her time and Ashley put it together, it is thirty-eight hours. Most of these hours were when after her regular job, or she would come in on Sunday's.

Mayor Craig moved to the next order of business of gWorks. Councilperson Tyree made the motion to order the new gWorks system at the first of December, and seconded by Councilperson Marshall. Mayor Craig asked if there were any comments, questions, or concerns, there were none. A roll call vote was taken.

Councilperson Tyree – “Yes”

Councilperson Persinger – “Abstain”

Councilperson Marshall – “Yes”

Vice Mayor Erskine – “Yes”

Hearing yes by three and one abstain vote, motion carries to order gWorks in December.

Mayor Craig moves on to the next order of business. I need a motion to use the IRS reimbursement money to help pay for gWorks. A motion was made by Vice Mayor Erskine and seconded by, Councilperson Tyree. Mayor Craig asked if there were any comments, questions, or concerns, there were none. A roll call vote was taken.

Councilperson Tyree – “Yes”

Councilperson Persinger – “Abstain”
Councilperson Marshall – “Yes”
Vice Mayor Erskine – “Yes”

Hearing yes by three, and one abstain vote, motion carries to use the IRS reimbursement money to help pay for gWorks.

Mayor Craig moves on to the next order of business. I need a motion to accept Councilperson Debbie Harris’ resignation. A motion was made by Vice Mayor Erskine and seconded by, Councilperson Persinger. Mayor Craig asked if there were any comments, questions, or concerns, there were none. A roll call vote was taken.

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

The motion carries unanimously.

Mayor Craig moves on to the final order of business. I need a motion to approve to compensate Mrs. Biggs nine hundred and fifty dollars for the help she has provided the town in the past. A motion was made by Councilperson Tyree and seconded by, Vice Mayor Erskine. Mayor Craig asked if there were any comments, questions, or concerns, there were none. A roll call vote was taken.

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

The motion carries unanimously.

Mayor Craig asked for a motion to go into closed session under legal VA Code 2.2-3711 Item 7. A motion was made by Vice Mayor Erskine, and seconded by Councilperson Marshall. Mayor Craig asked if there were any comments, questions, or concerns, there were none. A roll call vote was taken.

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

The motion carries unanimously. We are entering closed session, and when we enter back into regular session, we will swear that we discussed nothing but the legal matter at hand, and we will make a motion to adjourn.

Mayor Craig states we have a motion on the floor to come out of closed session, and back into regular session. A motion was made by Councilperson Marshall, and seconded by Councilperson Persinger. A roll call vote was taken.

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

The motion carries unanimously.

Mayor Craig stated I would like to get on record that we discussed nothing but legal matters, under legal VA Code 2.2-3711 Item 7. A motion was made by Vice Mayor Erskine, and seconded by Councilperson Tyree. A roll call vote was taken.

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

The motion carries unanimously.

Motion to adjourn was made by Councilperson Marshall and seconded by Vice Mayor Erskine. Mayor Craig said all those in favor signify by saying aye. The motion carried unanimously and meeting was adjourned at 10:00 pm.

Gary A Craig, Mayor

Ashley C Prior, Clerk