



**Minutes of Combined Council Meeting and Work Session
Buchanan, VA**

October 12, 2021

Present: Mayor Craig Bryant
Vice-Mayor James Manspile
Councilmember Marlon Rickman
Councilmember Chris Witt
Councilmember Chris Petty

Attending: 6 citizens, Sheriff Matt Ward, Board of Supervisors member Amy White, 2 Town employees

Mayor Craig Bryant called the October 12, 2021 Council meeting to order at 7:00 p.m. This meeting was held in the Council Chambers. Town Manager Susan McCulloch took roll call. With five councilmembers present, a quorum was established. A moment of silence was held and all that were present stated the Pledge of Allegiance.

The first item of business was to consider approval of the September 2021 Financial Report, unpaid bills, and approval of the Council minutes from the September 2, 2021 Work Session, the September 13, 2021 Regular Council Meeting, and the Special Called Closed Session September 30, 2021. A motion for approval for all items under consent agenda was made by Vice Mayor Manspile, with a second from Councilmember Witt. With no further discussion, the motion carried with a vote of 5 - 0.

Next on the agenda was Awards, Recognitions, and presentations. Mr. Bill Price presented a piece of glass recovered at ground zero on September 11, 2001 to the Town. Mr. Price's charity gave the glass as a thank you for supporting the 9/11 Memorial Walk. Mayor Bryant thanked Mr. Price for the gift. Pictures were taken of Council with Mr. Price. Mayor Bryant asked Town Manager Susan McCulloch to put something together for the Fincastle Herald. Mayor Bryant suggested statements from Council about what 9/11 means to each Councilmember.

Next on the agenda was to hear citizen comments and petitions regarding agenda items. No one had signed up to speak.

Next on the agenda was New Business/Action Items/Public Hearings. First item of business was Sheriff Matt Ward giving his quarterly report. Sheriff Ward stated that he doesn't think the Town of Buchanan is going to be listed as one of the top deadliest Towns. Sheriff Ward stated that from May to September there were 32 incidences in Town. The Vice Mayor's wife has done a great job at geo fencing the calls to

just the Town of Buchanan. Sheriff Ward stated that of the 32 incidences, 8 to 10 of those calls were informational reports. Informational reports do not reach the level of a crime, but are something that is unusual that we want to make others aware of the issue. For example, a vulture was stuck in the soccer net at Buchanan Elementary. Sheriff Ward stated there were a couple mental health issue calls, a couple thefts, one of which was the water system tampering, an arrest warrant from Rockbridge County gave false information to LEO, and typical drunkenness calls and domestic violence calls. Sheriff Ward stated that the Sheriff's Department continues to address speeding complaints. There is a grant out for the stealth staff that is radar that you put on a pole that takes an indiscriminate reading of the actual reading of traffic speeds so that we have actual data to know if there is a speeding problem. Hopefully we will have that in the near future. The purchase comes out of the DMV grant money and that process can take some time. Sheriff Ward stated that his department continues to address speeding issues on Lowe Street, which is a continual thing because it is heavily traveled. The speeding issues on Boyd Street and Culpepper Avenue are being addressed as well. The speed trailer was placed there for deterrence and observation. David Moyer, the Traffic Safety DMV Coordinator has contacted VDOT in reference to the speed limit signs on Culpepper or Boyd. The Town is going to have to reach out to VDOT to make sure that the speed study is being done. Sheriff Ward stated that the Sheriff presence in Town may be down because there have been seven resignations this month. That is almost one quarter of the deputies the County has on patrol. Sheriff Ward stated that he attributes this to generational issues. This generation is not career minded; the average length of employment is 3 to 5 years. A lot are not happy with the environment and direction the state is moving towards law enforcement. All seven of the resigning deputies are getting out of law enforcement all together. Sheriff Ward stated that the Sheriff's contract has not been addressed. If the Town wishes to continue the contract, that goes to the County. Sheriff Ward stated that whether there is a contract or not, Town of Buchanan will continue to receive services. Please reach out if there are any concerns. Mayor Bryant thanked Sheriff Ward for bringing the report to Council. Town Council appreciates the responsiveness of Sheriff Ward and giving the report of what is going on in the Town. Councilmember Rickman stated that with all the events going on in Town, the Sheriff's Department has provided excellent service to the Town. Mayor Bryant asked if anyone had any questions for Sheriff Ward. Vice Mayor Manspile stated that he was not sure if this was a law enforcement issue, but Glasgow has signs up that state Town Wide Speed Limit is 25 unless otherwise posted. Sheriff Ward stated that he has seen these signs, but that he would have to research the language in the County code to see what it specifies. Even in contacting VDOT about the speed limit signs for Boyd and Culpepper, there is specific language in the County Code that addresses the distance between signs, and how many signs can be in a certain area. Sheriff Ward stated that the Town warning signs are like yellow signs, they are not enforceable. Sheriff Ward stated that someone with more jurisprudence would have to answer that question.

The next item for business was the Council Leadership Discussion. Mayor Bryant stated that this item comes from work that has been done recently in a closed session. The Town and the Town Council are heading into six months with a new Town Manager, as well as recovering from a global pandemic, and having to adjust to new laws and regulations that affect even the smallest Towns. With that being said, Council met to discuss leadership and how we can position Council and the Town to allow for the Town Manager and staff to appropriately and effectively carry out the policies and procedures that are set forth by Town Council. Mayor Bryant stated that Town Council's job is to develop and set policy. Town staff through the Town Manager's office are to carry out those policies, procedures, and daily operations. Mayor Bryant stated that in order to do that, Council has in front of them, a resolution that

outlines Council's commitment to maintain the governance of our Town from today moving forward. Mayor Bryant then read Resolution R21-1012-01, A Resolution Concerning Town Operation and Communication. Mayor Bryant asked for any discussion. Vice Mayor Manspile asked for clarification on number 4 of the resolution. The wording may be used to cause an issue. What are the limited circumstances for contact between Councilmembers and Town employees? There should be a consensus of the Councilmembers as to what the circumstances are, so that no employees are caught in a loophole. Vice Mayor Manspile stated that can be worked out in a Work Session at a later date. Vice Mayor Manspile made a motion to approve the Resolution with a second from Councilmember Petty. Mayor Bryant stated that there is a motion to accept the resolution with some discussion at a later work session as to what limited circumstances means. Town Attorney Puvak stated that the wording is done so that the expectation is the rule, but we are leaving open the possibility that there might be communication needed that is inconsistent with the general rule. It can be reworded however you want, but there is no possible way to renumerate every situation. Vice Mayor Manspile stated that there is no way to list all the possibilities, but he would like to have some general ideas of things that have come up in the past. Town Attorney Puvak stated that you have to use reasonable judgement when you see the limited circumstances wording. Mayor Bryant stated that the proposal is not to reword the resolution, but to understand what constitutes a limited circumstance. Vice Mayor Manspile stated that this is a progressive document that will have to be revisited when the rules need to be changed. Mayor Bryant stated that there is a motion and a second, and asked for further discussion. With no further discussion, the resolution was adopted with a vote of 5 – 0.

Vice Mayor Manspile stated that he has had it with all the mouth and everything else that is going on around here. He is not going anywhere because the citizens of this Town voted him to Council, but effective tonight, he is resigning as Vice Mayor. When he leaves as Vice Mayor, he takes 2 dump trucks, dozers, loaders, tractors, and all of his personal equipment. Councilmember Manspile stated that he would do the luminaries and Christmas tree lighting because this will be his 29th year putting it up, but everything else, the midnight calls for sewer and water, he would no longer answer. Councilmember Manspile gave Town Manager McCulloch the Town credit card, and the public works report stating they were hers now. Town Manager McCulloch thanked Councilmember Manspile. Mayor Bryant stated that the Vice Mayor position was now vacant and asked the Council to move forward and fill the Vice Mayor role tonight. For the public's knowledge the Vice Mayor position is to be implemented in the event that the Mayor is not able to preside over the Council meetings. Also, further down the chain of command, if there is a dispute, the Vice Mayor can be used to help resolve that dispute. Mayor Bryant asked if anyone would volunteer themselves for the role of Vice Mayor. Councilmember Witt stated that he volunteered himself for the role of Vice Mayor. Mayor Bryant asked if anyone else would like to volunteer. No one else volunteered. Mayor Bryant made a motion to accept Councilmember Witt as the Vice Mayor with a second from Councilmember Manspile. Mayor Bryant asked for further discussion. With no further discussion, the motion carried with a vote of 5 – 0.

Next on the Agenda was Committee Reports. Mayor Bryant asked Town Manager McCulloch to give the committee reports. Town Manager McCulloch started with the Special Events Committee. The Town just held its Mountain Magic in the Fall event that was well attended despite several other similar events happening in the area. Town Manager McCulloch stated that it was not a huge fund raiser, but more a community enjoyment event. Upcoming events are listed on the Agenda with several Christmas events listed. We have an ambassador for the parade, Ms. Pat Brooks from the Hair Affair has been recruiting

people to join in the parade and has sponsored ribbons for the children's parade as well. Next was the Planning Commission. Vice Mayor Witt stated that the Planning Commission has finished going through the Town Code. What that means is that code has been seen and discussed in group format by the Commission. Currently Town Staff is making sure of wording, transcribing notes, researching, comparing to other Municipals in the area, and deciding what penalties would be on violations. Vice Mayor Witt stated that after that is completed, the next step would be a public hearing. He asked if Council would like to see a rough draft before it goes public. Mayor Bryant stated that would be best. The next committee was Public Safety. Town Manager McCulloch stated that it has been quiet. She is going to contact the officer in charge of the inmates and they will start painting the curbs for the Town. Town has already purchased the paint, and public works will prep the area prior to painting. Town Manager McCulloch stated that the officer did reach out and said that mowing season is over, and the inmates are now available to work for the Town and help our citizens. Councilmember Manspile stated that the street light across from the firehouse went out this morning. The brush needs to be cut at Reid's Towing so the photo cell is clear. The lights on the bridge are staying on until late morning. Councilmember Rickman stated that the crosswalk on Lowe Street has been completed and looks very nice. Town Manager McCulloch stated that the contractor found a man hole while completing the cross walk. Next was the Public Works report. Town Manager McCulloch stated that there were 6 water cut-offs, 6 cut on, 0 breaks, 2 repairs for water, and 4 water meters were replaced that were reading backwards. There was 1 sewer backup, no breaks, no repairs, there was a main lift station with a valve issue, and there was a water leak at the Town Park that was fixed quickly. There were 19 Miss Utility tickets, 7 meter-reader inserts replaced, and all the sidewalks were repaired by SC Rossi. Mayor Bryant asked if there were any questions. Vice Mayor Witt stated that it is getting colder, he asked if the meters were going to be insulated this year. Frozen meters have been an issue for the Town, himself included, in the past. Vice Mayor Witt stated that since this is Town Manager McCulloch's first winter here, he wanted to make her aware of the issue. Councilmember Manspile stated there is a list of meters that have had trouble in the past. Town Manager McCulloch stated that Public Works supervisor Billy Eagle is working on the list. Councilmember Manspile stated that the warranty period on the water meters needs to be checked. The meters reading backwards may be covered under warranty. A lot of meters were changed from one location to another when the meters were freezing.

Next on the agenda was Citizen Comments and Petitions Regarding Non-Agenda Items. Gary Manspile of 20578 Main Street, Buchanan, VA. Mr. Manspile stated that he had been in the Council Meeting four months ago. He asked Mayor Bryant if he remembered what Mr. Manspile asked him at that meeting. Mayor Bryant stated that he did remember. Mr. Manspile asked if Council has looked into it. Mayor Bryant stated that Council has started to look into the matter. Mr. Manspile stated that something needs to be done. Mr. Manspile and Councilmember Manspile have cleaned up 4 houses. He has cleaned up 2 and Councilmember Manspile has cleaned up 2. Now, the Town needs to look into it and get these abandoned houses cleaned up. Mr. Manspile stated that the Town needs to take care of it, we have helped you enough.

Next on the agenda was Additional Comments. There were no additional comments.

Next on the agenda was Upcoming Meetings and Events. Mayor Bryant stated all the events were listed on the agenda.

Next on the agenda was Adjournment Until After Work Session. Councilmember Manspile made the motion to adjourn with a second made by Councilmember Witt. With no further discussion, the motion was approved 5 – 0.

Adjournment until after the Work Session was at 7:39pm.

Mayor Bryant called the meeting back into session at 7:45 pm. All Councilmembers were still present, and a quorum was established. Mayor Bryant stated that there would be no more public comment for the night, and he would forego reading the rules for meetings as everyone present had heard them at prior meetings. Mayor Bryant stated this is just for Council to talk through and discuss what is on the agenda.

First on the Agenda was the Gauge Dock Update by Mike Burton. Mayor Bryant asked if there was any information that Council should be looking at. Town Manager McCulloch handed out gauge dock information documents. Mayor Bryant stated there was a Gauge Dock Plan Expectation document, and a schematic. Mike Burton of 591 Culpepper Ave thanked Council for inviting them to speak, and Steve Davis of 599 Hardbarger Rd. spoke to the Council. Mr. Burton stated that the schematic was created by Carmeuse for the Gauge Dock project with a quote. This is a representation of what the Gauge Dock Committee hopes to accomplish. Moving forward to the Gauge Dock Plan Expectations, the Gauge Dock committee agrees with all the expectations except for the last one. Mr. Burton stated that he needed to update Council on two things, one is the Contractor. The Gauge Dock Committee has found a contractor to do the job. Mr. Burton stated that they are in the process of getting a drawn-up plan from the contractor. The second update, is the time frame for the walkway. There is a sixty-day time limit, and we are going to attempt to do it all in the sixty-day time frame, but there are some things we need to discuss with Council. Mr. Burton stated that some things are not in their control to meet that sixty-day deadline. Mr. Burton stated that the committee is not certain how long it will take to fill in the gauge dock. If it isn't done quickly, it will be harder to make the sixty-day time frame. Mr. Burton stated that the contractor's work load and schedule is unknown at this time. It may take some time for the contractor to start this project. Mr. Burton stated that weather could be a factor in completing the project. Lastly, is money. Mr. Burton stated that the Gauge Dock committee had not started fund raising yet because the agreement had not been completed with the Town. The committee will start fundraising immediately as soon as an agreement with the Town is made. If the Council is okay with the agreement, the Gauge Dock Committee will start immediately, but there is no way of knowing how long it will take to raise the funds to complete the project. Mr. Burton asked Mr. Davis if he had anything to add. Mr. Davis stated that they do not anticipate the pandemic causing an issue. The committee understands the spirit of getting the project done in sixty days after the gauge dock is filled, but there are circumstances that are not in the committee's control. Mr. Davis stated that the Committee cannot plan because there is no exact date for the Gauge Dock to be filled by the Town, or the ground has settled sufficiently for the work to begin. Mr. Davis stated that everyone is on the same page, but there are circumstances that no one can control that may inhibit the sixty-day time frame. Mr. Burton stated that the Gauge Dock Committee objects to is the parking. Mr. Burton stated that the area is not being used for parking now. The weekends with the kayakers, and the Carnival during the summer, there is no need to use this area for parking. The flea market has offered to have people park there and be shuttled to the Town Park if needed. The Committee's main concern is the danger to what is being erected at the Gauge Dock. There is a lot of effort and money being put into the pathway and signs for the Gauge Dock. The area could be heavily damaged by a vehicle. Mr. Burton stated that they Gauge Dock

Committee is going to raise money to maintain the Gauge Dock, and doesn't want the money raised for maintenance to have to be used for damage done by vehicles. Mr. Burton stated that if there is an event where the parking is needed, there can be a barrier erected around the walking path and actual gauge dock. Mr. Davis stated that the document is more thorough than what is being summarized here, and as soon as the Council agrees, the Committee can move forward with letting the public know and start fundraising. Mr. Burton asked if there were any questions from Council. Town Manager Susan McCulloch stated that the document is missing the explanation of each item 1 through 8. Town Manager will make sure to email each Council member a copy from her phone. Vice Mayor Witt asked if the Town has a time line on filling in the Gauge Dock. Town Manager McCulloch stated there is not a time line at this time. Vice Mayor Witt stated that the last time he drove by it was half to three-quarters full compared to last year. Councilmember Manspile stated that public works has been working on the outlet end toward the river getting it filled and graded. That would help keep the river out of the Gauge Dock, especially if the river floods. Vice Mayor Manspile stated that dirt needs to be worked between the top of the excavation and the rock wall around the perimeter of the Gauge dock. That way, material can be brought in to fill the Gauge Dock without damaging the structure. Mr. Burton stated that he assumes that Town will have the documents drawn up for the Gauge Dock Committee to sign. Vice Mayor Witt stated that the Town Attorney will probably draw up the waiver. He thanked Mr. Burton and Mr. Davis for the presentation, and told them they could have a seat and Council would direct their questions to them. Mayor Bryant stated that to recap for Council, you are asking Council to consider the flexibility of the 60-day time limit, which is a legitimate request because of the unknowns on the Town's side as well, the Town's stance on the parking, and the next step. Mayor Bryant stated that the work needs to be done by volunteers and the contractor, but we also want to be cognizant of our commitment of limiting the use of tax payer funds for this project. Mayor Bryant asked if the Committee needed Town Council to provide some type of support for the fundraising, or to transition some of the work to volunteers. Mr. Burton stated that right now, the priority is to get the Gauge Dock filled. The Gauge Dock Committee will proceed with the fundraising. Once the Gauge Dock is filled, and the Committee has the plans from the contractor, meet with Council again to look at what is recommended to move forward. Mr. Burton stated that Town Council had previously stated that Town would help with some of the excavation and overseeing what needs to be done. Mayor Bryant stated that we have to be careful with Council's wishes of limiting Town staff dedicating time to this project. Town would prefer that the majority of this project be done by the Gauge Dock Committee. Mayor Bryant asked if Council wanted to discuss this tonight or do something different. Vice Mayor Witt stated that he would like to talk about it. Councilmember Manspile asked about the calculations on the schematic for square footage figured up with depth, volume, gravel density and tons, what is that calculation? Mrs. Jesse Burton stated that is for a three-foot wide pathway that Carmeuse is going to donate the crush and run gravel. Now, the Committee is looking at a four-foot-wide pathway because of the Americans with Disabilities Act. Mr. Burton stated that the contractor suggested making the path four feet so that people can walk side-by-side. Mrs. Burton stated that Carmeuse offered to do the schematic, that it was done on a \$12,000.00 instrument, not a hand-held GPS. This is wonderful for future reference, since the Gauge Dock will be buried, to have the exact coordinates for the Gauge Dock. Mayor Bryant stated that if it will help with the sixty-day time frame, the pathway will need to be completed within an agreed upon time frame, once the Town has the Gauge Dock has been filled in. Councilmember Manspile stated that the biggest obstacle is not doing the work, it is finding the material and where you will get it. Unless we are going to dig out the reservoir out on Carson Hill, the Town does

not have the material to fill the Gauge Dock. Right now, all the material in Town is wet, material won't slide out of the dump trucks. It would be best to wait until cold weather and things have started freezing up. Councilmember Manspile stated that the Gauge Dock Committee has presented a good plan to Council, other than a few technicalities that need to be worked out. Town getting it to the point of being filled, unless it is packed with a roller, which you don't want to do with that structure, it will take a year and a half to two years for the material to settle. That is barring any flooding from the river. Councilmember Manspile stated that in the project and Town's best interest, put a 12-to-18-inch layer of clay on the top and pack it to help with erosion in case of flooding. Mr. Burton asked if there should be a delay to allow for settling before the pathway is installed. Councilmember Manspile stated that he felt that would be necessary to delay the path. Dump trucks will tear the path up filling the Gauge Dock. Vice Mayor Witt stated in reference to number 8, he was under the impression that the time frame for completion of work was not 60 days immediately following when the Town had finished its part in the project, but 60 days from start to finish on any work once it is started after the Town had finished. Vice Mayor Witt stated that the 60-day time frame should be kept for when the contractor comes in and starts construction so that there isn't ongoing construction for an unlimited amount of time. Vice Mayor Witt asked if the Town can reach out to VDOT about for material to fill the Gauge Dock. Councilmember Manspile stated that VDOT has to approve the site. Mayor Bryant asked Town Manager McCulloch to reach out to VDOT about the fill material. Mayor Bryant stated that Vice Mayor Witt's point is that once the Town has finished its part, the Gauge Dock Committee will be contacted and told they have 60 days to complete the project. Vice Mayor Witt stated that if Town could give the Gauge Dock committee an estimate of when the Town would have the Gauge Dock filled, the Committee could start fundraising, and let the contractor take a look at it and start preparing. Mayor Bryant asked Councilmember Petty if he had anything to add. Councilmember Petty asked if Carmeuse had been asked about fill material. Mr. Davis stated that Carmeuse uses all of their fill material for reclamation, that they could use more fill material themselves. Councilmember Manspile stated that he and Town Manager McCulloch had previously discussed Town Manager McCulloch getting clarification on what material can be used to fill the Gauge Dock. People are complaining about what has been put in the Gauge Dock. Town needs to know if the same material that came out of the Gauge Dock can be used to fill the Gauge Dock, or if other material can be used. If Town can use the same material that came out of the Gauge Dock, people should stop complaining because when the Gauge Dock was dug out asphalt, concrete, boulders, brick and pipe were dug out of the Gauge Dock. The Gauge Dock was used as the Town dump for years for that type of material. Councilmember Manspile stated that every piece of concrete that can be used, as long as it is installed correctly, means less fill dirt will be needed. Vice Mayor Witt stated that the bigger and heavier the less likely it will wash away in a flood. Mayor Bryant asked Councilmember Rickman if he had anything to add. Councilmember Rickman had nothing to add. Mayor Bryant asked for any thoughts on the proposal for when the contractor is ready to start, the contractor really needs to finish in 60 days. Vice Mayor Witt stated that once Town has completed filling the Gauge Dock, the fill has settled, the contractor has stated they can start, the contractor has 60 days to complete work. The question is what is an acceptable time between Town finishing and the contractor starting. Vice Mayor Witt stated that his recommendation is after the Town finishes filling the Gauge Dock, give the Gauge Dock Committee the green light, have a six-month settling period for the fill material, and then 60 days for the contractor to complete the project. Councilmember Petty stated that seems fair enough. Mayor Bryant asked Town Manager McCulloch to work with Mr. Burton on the verbiage of the agreement. Mayor Bryant stated that this project isn't going to be completed overnight. There is time to work out

the agreement. Mayor Bryant asked if Vice Mayor Witt is suggesting putting a time line on when Town will have the Gauge Dock filled. He would not put a time line on when the Town will have the Gauge Dock filled because of the many different factors involved. Vice Mayor Witt stated that it would be great to give them a time line, but as a Councilmember, the Town doesn't need to be bound to a time line. But, in order for the Gauge Dock Committee to start their fundraising, and have a contractor look at the project, Town needs to give them a date even if it is way out. Mayor Bryant stated that he is more comfortable giving the Gauge Dock committee the commitment to start their fundraising and start that process without a deadline or time frame of having the Gauge Dock filled. Mayor Bryant stated that he likes the 6 month and 60 days once the Gauge Dock is filled. Councilmember Manspile stated that he agrees with once the Gauge Dock is filled, the 6-month settling and 60 days to complete the project. This is going to have to be reviewed as the Town makes progress on the project. Councilmember Manspile stated that each time this project is discussed, the scope of the project has gotten bigger. The last public discussion the corners of the Gauge Dock were going to be marked. Now, there is going to be a path around the Gauge Dock. Town had been at the point of marking the corners and putting up a kiosk because Carmeuse was donating the stone to mark the corners. Council knows that the Town has a parking issue in this Town, especially at the boat ramp. Once the Gauge Dock is filled in, there will be a push for more parking. The hard part is going to be getting the Gauge Dock filled. The way prices are going up for fuel will affect the fundraising by the Gauge Dock committee. Councilmember Manspile stated that everyone is going up on prices to use equipment. He personally has gone up \$2.50 per ton for hauling rock. Councilmember Rickman stated that the Gauge dock will have to be cordoned off to keep people from parking there once the project is completed. Vice Mayor Witt asked Mr. Burton with what is being discussed with the time line, will giving a 6-month window upon completion of filling the Gauge Dock in give the Gauge Dock Committee time to start their part of the project? Mr. Burton stated that it will take longer to fill in the Dock than the Committee had anticipated. He suggests that if Council likes the plan, and has to take time to consider how the Dock will be filled and start the process of filling the Gauge Dock, let the Gauge Dock Committee start fundraising now. Vice Mayor Witt asked what the Gauge Dock Committee needs from Council in order to start fundraising. Mr. Burton stated that Council needs to come to an agreement with the Gauge Dock Committee about the project and the verbiage of the agreement set forth for the project. The Committee will stay in touch with Town Manager Susan McCulloch to keep abreast of progress. Mayor Bryant stated that the parking needs to be discussed. He stated that Councilmember Rickman suggested putting a cable around the area. Councilmember Rickman stated that if that much money is being put in the project, parking shouldn't be allowed on it. Vice Mayor Witt stated that as a reminder to Council, Council has had a hands-off approach towards the Gauge Dock, whether to make it a site or parking. We put that out, had a committee created, they are the ones that went out to the citizens, came up with a plan, and the only ones who have spoken up about what to do with the Gauge dock. Vice Mayor Witt stated that as far as he is concerned, the citizens have spoken, and they want a historical site. He knows that we are hurting for parking in Town, especially at the boat ramp, but the results of the committee that Council requested be created so that Council had no input, was the citizens want a historical site. Vice Mayor Witt stated that needs to be kept in mind when considering parking. Councilmember Manspile stated keep the parking off of it. Mayor Bryant stated he agreed with keeping parking off of it. Councilmember Manspile stated that when you get into the maintenance and upkeep of the Gauge Dock, the Gauge Dock is on Town property. There needs to be a public meeting held to get citizen input on the project. The plans have been presented to Council by a small percentage of the community, but before we change how Town

property is used and who is going to maintain a designated area, the citizens should have input before the project is started. Councilmember Manspile stated that if we do this with a separate group maintaining the Gauge Dock, that the Town is not in the situation where the Town has to fight with the Committee about who has to pay for maintenance. The Gauge Dock will have to have perpetual care, and will have the same vandalism issues as the Town Park. Mayor Bryant stated that for the parking issue, Council is amenable to removing that as part of the expectations that were outlined. Vice Mayor Witt stated that to go along with Councilmember Manspile, add on to the expectations that as long as the Gauge Dock Committee maintains the Gauge Dock with their funds, there will be no parking on the Gauge Dock. If at some point the Committee has no funds, or has dissolved, and the Gauge Dock is falling into a state of disrepair, and the Town becomes responsible for upkeep, the Town reserves the right to treat the Gauge Dock as usable parking space. Mayor Bryant stated that before Council starts this project, there needs to be a public meeting where the decision can be made with votes. We need to understand and clarify the intermingling of the public / private relationship. Meaning the standards that the Town and the private organization are working together with needs to be clarified and outlined. Vice Mayor Witt stated that in his opinion, this project is like the Lions Club donating a park bench or a memorial of someone to the Town. It is a beautification project that is an addition to the Town Park area. As far as the liabilities, that goes back to signing the liability waiver. Mayor Bryant stated that as a recap, Council has discussed and agreed about the timeline, majority of Council in concept is in agreement to not allow parking, and allow the Committee to start fund raising as soon as the foundation of the public / private relationship is clarified and outlined. Mayor Bryant stated that Town Attorney Puvak, Town Manager McCulloch, and VML may be able to clarify and outline this Town/ private party project is located on Town property, and telling Council what the next step is. The issue of insurance needs to be addressed as well. Mrs. Burton stated that Joe Obenschain is working on the non-profit, so he would need to sit in on that as well. Mayor Bryant stated that council has not given the go ahead with the fundraising and other aspects of the project. Council has steps they need to take to get public input, and because it is on Town property as well. Vice Mayor Witt stated that as soon as there is a finalized draft of the expectations, Councilmember Manspile is right, there needs to be an open forum on what the Town's plans are for the Gauge Dock. The time for discussion and plans was last year when the Gauge Dock Committee was formed. Vice Mayor Witt stated that you can't please everyone, if you make 50 % of the people happy it is a good day, but this definitely needs to be presented to the citizens of the Town, if possible, by the end of this year to show the progress that has been made.

Mayor Bryant asked if any of the other Agenda items could be tabled to the next work session. Town Manager McCulloch stated the ARPA funds discussion could be tabled until Mr. Hudgins of CHA could give the presentation since that would help decide how the majority of the ARPA funds would be spent. Councilmember Manspile stated that the Citizen's Request to Reopen Access on 3rd Street could be tabled, Southview has been an issue for the Town for several years, 3rd Street only a month or two. Mayor Bryant asked if the Carnival Funds Discussion could be tabled. Town Manager McCulloch stated that Town had spent some of the Carnival funds on Resolution R21-0913-03, but the rest of the discussion could be tabled. Mayor Bryant stated that it would be nice to do the budget update tonight, and the Bridge Repair Discussion. Vice Mayor Witt asked if the Update Regarding Bridge Traffic Maintenance Plan During Repairs would be faster. Mayor Bryant stated that since there were citizens there, they would probably rather hear about the budget. Councilmember Manspile stated that the Bridge Repair could be tabled, Town is still getting information from VDOT.

Next was the Budget Update. Town Manager McCulloch stated that she had looked at what former Town Manager Jason Tyree had done last year, he summarized the occupancy tax information. There are four businesses that report occupancy. One didn't report and one had low occupancy due to COVID restrictions. The average occupancy is down by \$233.46, it is less than last year by about \$200.00. Town Manager McCulloch stated that is not a lot of the Town's income, but since it was covered last year, she wanted to bring it up. There are nine restaurants reporting meals tax. The meals tax revenue was about \$10,000.00 for July, August, and September. The water and sewer revenue, is higher in the water and lower in the sewer. Town Manager McCulloch stated that the increase in water has been attributed to the change from the 10% penalty to the \$20.00 charge for late payment. The total water and sewer are trending the same as last year, it is lower than 2019. Town Manager McCulloch stated that the biggest change in water and sewer that is a concern is contracting out to Inboden versus Petrus. Town is spending more on the contract with Inboden than Petrus, however they are doing more work for us that they could charge us for, but they are not. Inboden is fixing pumps, cleaning out things, and fixing air leaks. Inboden is doing deferred maintenance left from Petrus. Town Manager McCulloch stated that even though Town is paying more, Inboden is helping us stay ahead of issues. Petrus would band aid everything until it was a terrible issue. The budget for Petrus for June and July was \$10,000.00 per month, but Town is paying almost \$15,000.00 per month for Inboden. The deficit is about \$4780.00, but when you figure in the partial month for July, there is a \$52,590.23 deficit. Town Manager McCulloch stated that we figured out that we have underbudgeted in some areas, so Town will be about \$28,000.00 over budget for the operating contract if we stay with Inboden until June 30, 2022. But, as of now, we are in the green \$32,145.00 in the utility fund. Town Manager McCulloch stated that there is not a lot budgeted for equipment. That was done on purpose because the ARPA funds can be used to purchase equipment. ARPA funds may be used to offset some of the other expenses in water and sewer, not operating expenses. Town Manager McCulloch asked if there were any questions. Councilmember Manspile stated that once the insurance for Town employees has been decided on, the water and wastewater can be operated by two employees cheaper than what Town is paying Inboden. That was known going into the Inboden contract. Last year, staff was instructed to do a comprehensive review on insurance. Councilmember Manspile stated that when the Town looked into hiring an operator for the wastewater plant, the operator would have had to pay around \$3,000.00 a month to add their spouse to the plan. That is not feasible. Councilmember Manspile stated that he did not know what had been done about the insurance review. Town Manager McCulloch stated that she could answer that question. Vice Mayor Manspile stated that Inboden is doing an excellent job for the Town. A whole lot of what Town Manager McCulloch stated that Inboden is doing is the operator's responsibility to do if you have the right operator. Councilmember Manspile stated that maintenance of the facility is the operator's responsibility, and the Town was not getting that from Petrus. Councilmember Manspile stated that Town will be starting next budget review in the red. The discussion of bringing on two employees will be done in closed session under personnel matters after what has gone on here. Councilmember Manspile stated that if you are looking for cost savings, if the insurance is changed, bring it in house with two employees and they can help with other things in Town. If Town stays the contractor route, Councilmember Manspile believes Inboden is the best contractor that the Town can hire for the job. But, like anything, no one does anything for free. Mayor Bryant asked Town Manager McCulloch if she had anything to add. Town Manager McCulloch stated that she has received quotes for insurance from Local Choice, one of the insurance providers used by other localities such as Scottsville. They gave quotes on individual, employee + 1, and employee + family. Town Manager

McCulloch has also asked for quotes from Farm Bureau and Our Insurance Options across the street. The Town's insurance rolls over in March. Hopefully we will have three packages to look at before then. Town Manager McCulloch stated that she tried five insurance companies, but two do not provide insurance in Virginia. Hopefully by March, we can switch over to a different plan. Right now, Town is paying \$1,000.00 per month per employee. That is a lot of money. Councilmember Manspile stated that insurance review is not something the Town has done. The insurance was rolled over to Farm Bureau when Mrs. Harlow left. Insurance has not been discussed since 2017. Councilmember Manspile stated that the way health care and insurance changes yearly, it is hard to keep up. Councilmember Rickman stated that Our Insurance Options does a good job. Mayor Bryant asked Town Manager McCulloch if she had anything else for the budget review. Vice Mayor Witt asked if the ARPA funds could be used for the budget deficit caused by the contract with Inboden. Town Manager McCulloch stated that it could not be used to pay the contract with Inboden or day to day maintenance, but it can be used to purchase equipment to maintain the water and sewer which Town has been doing. Town has purchased about \$3,000.00 of supplies. If we need to purchase more that will offset. When CHA comes in, we might be able to upgrade which will help the budget deficit over time. Vice Mayor Witt stated that he was thinking that since the ARPA funds were for COVID related issues, we could connect COVID related activity to the fact that Town lost Petrus because of their loss of manpower, and Petrus was not meeting Town's needs. Since Town had budgeted for Petrus, not for Inboden, and because of that we had to shift contracts to Inboden from Petrus in order to meet the Town's needs. Town Manager McCulloch stated that Vice Mayor Witt had a valid point. Councilmember Manspile stated that Council needs to keep in mind that Town is on record for removing Petrus for breach of contract, not COVID. Mayor Bryant stated that Town needs to look into it. Vice Mayor Witt stated that yes it was breach of contract, but why did Petrus breach the contract? Was it because of lack of manpower because of COVID? Petrus will not write us a letter because of how the contract ended, but worded the right way by Town Attorney Puvak, it is possible to use that in our favor to balance the budget. Vice Mayor Witt stated that he would rather use the ARPA funds for other things, but this may be necessary to balance the budget. Councilmember Manspile asked if CHA will help us clarify what equipment can be bought using the ARPA funds. There are small line items in our budget equipment, supplies, things like that, if they can be rolled together and pulled from the ARPA funds, that could free up money to offset the budget deficit. Vice Mayor Witt stated that this would not be done for the long term, this would be a one-time usage so that the budget is balanced this year. Next year, the budget can be changed for whatever is decided for the water/wastewater contract. Councilmember Manspile stated that the utility fund ran with a deficit for many years. The last few years it has run with a surplus. Inboden has given us good service for what they are being paid. If, at the end of the year the General Fund has to supplement the utility fund to balance the budget, that is what will be done. It will make it easier when Council starts budgeting for next year to know what needs to be changed. The purpose of these ninety-day reviews is to show us what will need to be addressed for next year's budget. Mayor Bryant stated that for the next budget review, have these things laid out for Council. If there has to be a mid-year budget adjustment, what are our options. For the true mid-year budget review, the insurance, and anything else, Council needs to be ready to discuss these items. Mayor Bryant asked if we maintain what Town is doing know through June, 2021 the amount of the deficit will be \$28,000.00. Town Manager McCulloch stated that was the correct amount. That is utility fund, but the General Fund is way over budget in revenue because of Carnival and ARPA funds. Mayor Bryant stated that Town has dipped into the General Fund every year, Council has worked hard to stop doing that. Things have changed, and that

\$28,000.00 is probably going to be more by the end of the year. Vice Mayor Witt stated that five years ago, Town was pulling \$30,000.00 to \$40,000.00 a year from the General Fund to the utility fund. Councilmember Manspile stated that Council turned it around in a two-year span to operating in the green. Vice Mayor Witt stated that last year was the first year in a five-year span that the utility fund was in the green. Town Manager McCulloch stated that because of having to find more money because of the insurance in the general fund, part of the Town Treasurer and Town Clerk compensation is now coming from the utility fund. But, the \$28,000.00 is just from the Inboden contract, Town Treasurer Tina Kingery feels that the money can be found in other areas of the utility fund. Mayor Bryant stated that Council needs to know in December, do we need to make adjustments then, and it gives Council six months to plan if Council decides not to make adjustments. Councilmember Manspile stated that the new Budget discussion will start in February or March. Councilmember Manspile stated that Council will have to make adjustments, and all options will be on the table. There is not much left than can be removed from the budget.

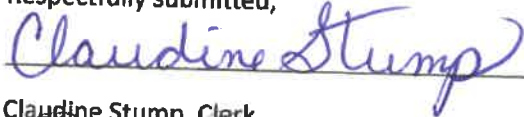
Next item for discussion was the Update Regarding Bridge Traffic Maintenance Plan During Repairs. Town Manager McCulloch stated that she met with Ashley Smith from VDOT and 2 members of the bridge team. There is an issue about the construction schedule. VDOT would like to talk to the Town of Buchanan about the construction schedule agreement and do a memorandum or MOU. Town Manager McCulloch stated that she originally said the Town does not want the construction going on at night. VDOT has stated that the schedule will be either 8:00pm to 4:00am, or 9:00am to 3:00pm. VDOT wants to work longer at night. Town Manager McCulloch stated that VDOT does not want to limit their contract to just day-time. The issue is that there will have to be some night-time construction, and the timeline is on-and-off from Spring 2022 to Thanksgiving 2023. Town Manager McCulloch told VDOT that they need to come and explain everything to Council because Council will be getting the complaints. There are many factors in a project of this size that will determine the amount of time it will take: weather, accidents, and materials can all cause delays. There will be loud construction on and off throughout the project. Town Manager McCulloch stated that VDOT not working at night is not an option. VDOT asked if Council would rather them work at night, or drag the project out another 6 months. Councilmember Manspile stated that VDOT remarked that Town has 11 trains coming through Town everyday that make noise. VDOT is not organized well, departments don't know what each department is doing. Bridge maintenance stated that the work can't be done with traffic on the bridge. Upon further discussion, VDOT stated it could be done. CSX will hold up construction on the North side of the bridge. There is not enough clearance for VDOT to put up their equipment and run the trains and that is time consuming. Town Manager McCulloch stated that CSX has given them the permits needed to start the project. She also stated that the night-time working will benefit Carmeuse as well. Carmeuse is concerned with the weight of their vehicles impacting their transport. Councilmember Manspile stated that VDOT will close Bridge Street at Stop-In. That is so that tractor trailers coming out of Rocky Point can have room to turn to use the bridge. The bridge is going to be jacked an eighth to a quarter of an inch to replace the bearings. Mayor Bryant stated that he appreciates the information provided. Mayor Bryant asked if this information can be brought to the citizens to make them aware and get their input. It is quiet around here, and jackhammers are going to echo up and down that river. Town Manager McCulloch stated that VDOT has asked to meet with Council before holding a public hearing for citizen input. Town Manager McCulloch stated that VDOT stated that if there is an emergency, all bets are off, they will work 24 hours a day 7 days a week. Councilmember Manspile stated that once VDOT is set up to work under the bridge, traffic will not be disrupted. VDOT does not

like anything hanging under the bridges. Councilmember Manspile stated that he did not know that Town left the old water line under the bridge. Anything old is going to be removed from under the bridge. Councilmember Manspile stated that after talking to the engineer, he feels confident that the force feed sewer line across the bridge will be in better shape after the bridge project is finished. Vice Mayor Witt stated that as far as he is concerned, this is just a courtesy by VDOT. VDOT is going to do what they need to do to finish this project. The bridge has not had a major overhaul since the 90's. It was the only time Buchanan had a stop light. Councilmember Manspile stated it was the year he graduated. Mayor Bryant stated asked if VDOT wants to meet with Council first. Town Manager McCulloch stated that VDOT wants to meet with Council before taking the plan to the public. Mayor Bryant asked when VDOT wanted to meet with Council. Town Manager McCulloch stated that VDOT wants to meet in the evening sometime before the end of the month. Mayor Bryant stated that Council will send Town Manager some dates.

Vice Mayor Witt made a motion to adjourn the work session with a second from Mayor Bryant. Mayor Bryant asked for any discussion. With no further discussion, the motion was carried by a vote of 5 – 0.

Council Meeting and Work Session were adjourned at 9:24pm.

Respectfully submitted,



Claudine Stump, Clerk



Craig Bryant, Mayor