

Minutes of Town Council Meeting
September 10, 2019
Glasgow Public Library

Council Members Present: Sonny Williams, Andy Ryan, Aaron Britton, Andrea Bradley

Also Present: Mayor Ruby Clark, Town Manager Eric Pollitt, Sr. Admin. Asst. Jane Higginbotham, Town Attorney Tom Simons, Chief Angel Poole

Absent: Councilors Barrett McFaddin, Greg Hartbarger

Guests Present: Chris Flint; Benny Shafer; Roger Funkhouser; Sarah Funkhouser; Adam Funkhouser; Carolyn Bradley; Shane Watts; Boyd Walker; Joyce Wyche Carter; Natalie Harris; Reese McClanahan; Katie Doar with the News-Gazette; Ben Thurman, Town Attorney Tom Simons new law partner; DGIF Police Officer Caleb Manspile; DGIF Police Officer Ken Williams

The Pledge of Allegiance and a brief prayer were led by Mayor Ruby Clark.

Mayor Ruby Clark called the meeting to order at 7:00 PM.

Presentation:

- A. DGIF Police Officer Joseph Manspile. Officer Manspile stated he wanted to let Town Council, as well as citizens of Glasgow, know about how DGIF conducts law enforcement at the boat landing, as there was conflicting information going around. Officer Manspile stated in 2019, DGIF has already issued ten (10) summons/arrests at the boat landing for the following:
- 1 fishing without a license
 - 1 possession of a concealed weapon
 - 1 possession of a controlled substance – marijuana
 - 1 possession of a controlled substance – meth
 - 1 possession of a firearm and a controlled substance - meth
 - 1 violation of a restricted driver’s license
 - 1 possession of a sawed-off shotgun
 - 2 utilizing the facilities for a purpose other than hunting, boating or fishing
- Officer Manspile stated there are signs posted everywhere stating that the area is for hunting, fishing, boating only, and anyone else is trespassing. Officer Manspile stated DGIF owns the gravel parking lot to the culvert under the train tracks. Officer Manspile stated they do not arrest anyone for sitting in their car eating lunch, anyone walking their dog, etc. Officer Manspile stated if anyone looks suspicious they will check them out. Officer Manspile stated drinking and littering are not allowed at the boat landing. Officer Manspile stated they want to keep this area safe and clean for families and the community to use. Councilor Sonny Williams asked if hiking is allowed. Officer Manspile stated hiking is not allowed as DGIF receives federal funding to maintain the area and if someone were doing something that was not allowed and got hurt, DGIF would lose their

funding. Councilor Aaron Britton asked if Officer Manspile knew how many of the arrests made this year were local residents. Officer Manspile stated he did not have that information, and that the Rockbridge County Sheriff Office and Glasgow Police Chief Angel Poole are always patrolling the area as well to make sure everyone is obeying rules, and that the area remains safe and clean. Officer Manspile stated the Rockbridge County Sheriff Department as well as Chief Police are allowed to make arrests there as well under the federal law. Boyd Walker asked if he could ask a question. Mr. Walker was recognized by Town Council to speak. Mr. Walker stated there are conflicting signs at the boat landing that hunting is allowed, then another sign that stated hunting is not allowed. Officer Manspile stated you can hunt water fowl at the boat landing. Mr. Walker stated that he goes to the boat landing almost every day and people have told him that no one is allowed down there, and that they are always run off. Officer Manspile asked Mr. Walker if he had ever been stopped or questioned when he was down there and Mr. Walker stated no. Mr. Walker stated he has an electric scooter and asked if he is allowed at the boat landing with it. Officer Manspile stated, by code, if he has a fishing pole with him he is allowed.

Review of Minutes:

Motion by Aaron Britton and **Seconded** by Andrea Bradley to approve minutes for August 13, 2019 Council Meeting.

Carried unanimous voice vote.

Reports and Updates:

A. Committee/Commission/Staff Reports

1. **Police Report.** Chief Angel Poole stated she had twenty-one (21) calls for service; 1,360 miles; eleven (11) citizen assists; three (3) bad check cases worked out; three (3) warrant/arrest/juvenile petition; one (1) protective order; two (2) traffic summons/parking tickets; ten (10) business checks. Chief Poole stated she attended the ribbon cutting for the event venue on August 27th and the Music in the Park August 31st. Chief Poole stated she ate lunch with Ms. Monica's last preschool class, who are now in Kindergarten at Natural Bridge Elementary School. Chief Poole stated all the children are doing well, have been evaluated as above-average, and she hopes the preschool, which now meets twice a week at the library, will continue its success. Chief Poole stated she is still on buzzard patrol and working on inoperable vehicles.
2. **Parks and Recreation Committee.** Town Manager Eric Pollitt stated Council has a copy of budget for the Music in the Park event. Town Manager Pollitt stated the next Movie in the Park will be held Saturday, September 21st at the Farmers Market. Town Manager Pollitt stated the Trunk or Treat and Haunted Hay Ride are still being planned. Town Manager Pollitt stated Chief Poole will be collecting Toys for Tots again this year, a Christmas tree lighting ceremony is being planned, and the Christmas parade will be on Saturday, December 7th this year.

3. Treasurers Report:

a. Bills over \$500.

- 1) Utility Trailer. Town Manager Eric Pollitt stated Council has the information on the three (3) utility trailers. Town Manager Pollitt stated the trailer from Lowe's is \$2,220; the trailer from LB's Virginia Sales is \$2,597; the trailer from Tractor Supply is \$2,399. Councilor Aaron Britton asked how big the trailers are and if there is a rack for the weed eaters. Public Works Chris Flint stated you can get two (2) zero turns on a 14' trailer and should be able to put the rack from the Explorer on the trailer. Town Manager Pollitt stated all trailers have a one (1) year limited warranty.

Motion by Sonny Williams and **Seconded** by Andrea Bradley to purchase the trailer from Lowe's for \$2,220.

Carried unanimous voice vote.

- 2) Zero Turn Mower. Town Manager Eric Pollitt stated Council has the information on the zero turn mowers. Town Manager Pollitt stated a new John Deere from James River Equipment is \$9,089; a Bad Boy from Herring Small Engine is \$9,699; an Exmark Mower from Rockbridge Farmer's Co-Op is \$11,300; a Caboda diesel from Rockbridge Farmer's Co-Op is \$13,024. Councilor Aaron Britton asked if the mower that was recently fixed is still working. Public Works Chris Flint stated yes. Councilor Britton stated he did some research and the town's mower only has 900 hours on it and did not want to proceed with the purchase of a new mower. Mr. Pollitt asked for clarification about discussion of potentially trading in the mower. Councilor Britton stated he did not think it should be traded in for the purchase of a new mower at this time either.

Motion by Sonny Williams and **Seconded** by Andy Ryan to not trade in or purchase a new zero turn mower at this time.

Carried unanimous voice vote.

- 3) Cutting Down Tree on Town Property. Town Manager Eric Pollitt stated a tree on town property behind the fire department needs to be cut. Town Manager Pollitt stated it is a liability to the Town if it falls on someone's property. Town Manager Pollitt stated he has a quote from John Underwood out of Buchanan for \$1,200 and a quote of \$3,500 from Greg Dudley, both with a copy of their insurance.

Motion by Aaron Britton and **Seconded** by Andrea Bradley to have the tree on town property behind the fire department cut down by John Underwood from Buchanan for \$1,200.

Carried unanimous voice vote.

4. Town Manager Report:
 - a) SERCAP Project. Town Manager Eric Pollitt stated Robert Humphreys, Jr has now completed thirteen (13) properties totaling roughly \$19,000 in expenses as of Tuesday, September 3rd. Town Manager Pollitt stated Mr. Humphreys will be working on 1009 Virginia Street, 1034 Fitzlee Street, 1105 Fitzlee Street, 1202 Fitzlee Street, and 1028 Rockbridge Road from September 3rd – 13th. Town Manager Pollitt told Council they have an updated budget for the project in their packet.
 - b) Old Carnival Grounds and Events Venue Update. Town Manager Eric Pollitt stated Council has a copy of the budget breakdown in their packet. Town Manager Pollitt stated he has three (3) Proclamations for Town employees Chris Flint, Benny Shafer, and Chief Angel Poole. Town Manager Pollitt stated Mr. Flint and Mr. Shafer went above and beyond their normal duties and saved the Town thousands of dollars in labor costs. Town Manager stated Chief Poole had the original idea for the pavilion and the events venue grounds, as well as organizing and donating countless hours to Glasgow's second Music in the Park.
 - c) QS1 Tax Software Update. Town Manager Pollitt stated a date to go 'live' with the software has not been provided yet but he is hoping this will happen by mid or late September.
 - d) Website Update. Town Manager Pollitt stated Jeff Pufahl has the website ready for Heather to begin working on it. Town Manager Pollitt stated the official launch date is set for October 6th, using the same web address as the current site. Town Manager Pollitt stated Councilor Andrea Bradley and Mrs. Carolyn Bradley stepped up to help with developing the website content. Town Manager Pollitt stated the website will be updated on a regular basis.
5. Planning Commission: Town Manager Eric Pollitt told Council they have a copy of the minutes in their packet from the August 21, 2019 Planning Commission meeting.
 - a) Abandoned Houses Update. Town Manager Eric Pollitt stated he has no new updates from Jon Ellestad on abandoned properties.
 - b) CDBG Planning Grant. Town Manager Eric Pollitt stated he submitted an application last month for the Community Development Block Grant (CDBG) Planning Grant for business district revitalization. Town Manager Pollitt stated it takes a couple of months to review applications, develop recommendations, and draft an agreement for the funds. Town Manager Pollitt stated applying for this grant was one of the objectives in the recently adopted strategic plan.
6. Old Business Updates.
 - a) 138 Catawba Street. Town Manager Eric Pollitt stated the owners of the property at 138 Catawba Street are asking to have the alley vacated to have access to the property and to get water and sewer. Town Attorney Tom Simons stated if Council gives him the approval, he will go ahead

with publicizing this and a Public Hearing will be held at the October 8, 2019 Council meeting.

Motion by Aaron Britton and **Seconded** by Sonny Williams to advertise for a Public Hearing to vacate the alley at 138 Catawba Street.

Carried by unanimous voice vote.

- 7) Public Comment Period. Town Manager Eric Pollitt stated comments are limited to no longer than three (3) minutes per person up to thirty (30) minutes total for the period. Councilor Aaron Britton read the following *Public Comments Guidelines*:

How and What. A sign-in sheet will be placed near the Council Room door for citizens who wish to speak during Public Comment. Comments may only be on items specifically on the agenda. Other issues or concerns should be addressed with the appropriate Town Staff during Town Hall business hours. Citizens should list their name, address, and topic to be addressed. After all speakers who signed up have spoken, anyone else interested in speaking will be given the opportunity to speak on items specifically on the agenda before ending the public comment period.

Amount of Time. Speakers are limited to three (3) minutes and a maximum of two (2) items and/or topics. The second topic must be addressed after all other speakers have finished. There is a maximum time limit of thirty (30) minutes allocated to Public Comment in any one meeting. If the number of individuals on the sign-up sheet would exceed the allotted 30-minute timeframe, the Mayor or Town Manager has the latitude to place a shorter limit on individuals. The Mayor or Town Manager has the latitude to ask Council to extend the public comment period another fifteen (15) minutes by roll call vote. This can be done up to a maximum of two (2) times, capping the public comment period to one (1) hour.

Conduct. Speakers shall be recognized by the Mayor and/or Town Manager and shall direct all comments and/or questions to the Council as a whole (not individual members or employees of the Council). In maintaining decorum, debate and dialogue with the Council, Mayor, and/or Town Manager is not allowed during public comment. Members in the audience who speak out of turn or are acting in a disruptive manner in the meeting shall receive one (1) warning before being asked (escorted) to leave. If necessary, the Mayor, Council, or Town Manager, may bring formal charges for disruption of a public meeting and/or the like.

Language. Profane or vulgar language, partisan political statements, or comments related to the conduct or performance of Council members or staff are not appropriate in this setting. Members in the audience who speak in this manner shall receive one (1) warning before being asked

(escorted) to leave. If necessary the Mayor, Council, or Town Manager, may bring formal charges for disruption of a public meeting and/or the like.

Council. Members are not expected to respond to questions or comments unless the Mayor or Town Manager deems such response appropriate. Council members may seek clarification or additional information from speakers through the Mayor or Town Manager.

Record. Speakers are to provide a copy of remarks to the Administrative Assistant (Deputy Clerk), if in writing.

Natalie Harris. Mrs. Harris stated she had issues she needed to discuss with Chief Poole. Mrs. Harris stated she can never get in touch with Chief Poole and needs her phone number and her schedule.

Action Items

A. Old Business: None.

B. New Business.

1. Committee Restructuring Finance. Town Manager Eric Pollitt stated Council has a copy of a charge and composition for the Finance Committee, which is not stated currently in the Glasgow Town Ordinance. Town Manager Pollitt stated he felt it was best to outline and formalize what their responsibilities are. Town Manager Pollitt stated the following are nominees who need to be appointed by Council based on the charge and composition:

- Sonny Williams – Council representative
- Andy Ryan – Council representative
- Roger Funkhouser – local business owner
- Tom Camden – citizen-at-large
- Eric Pollitt – Town Manager

Motion by Aaron Britton and **Seconded** by Sonny Williams to adopt the Finance Committee Charge and Composition as presented and approve the stated appointments to the Finance Committee.

Voice Vote as follows:

S. Williams – Yes A. Ryan – Yes A. Britton – Yes
A. Bradley – Yes G. Hartbarger – Absent B. McFaddin – Absent

Carried unanimous voice vote.

2. Budget and CIP Calendar for FY 2021. Town Manager Eric Pollitt stated Council has the preliminary CIP and Budget Schedule for the upcoming year. Town Manager Pollitt asked Council to start thinking about programs and

services they want to provide and possibly cut, and capital items they want the Town to acquire in the next few years. Town Manager Pollitt also asked Council to consider how to change the delivery and execution of these services.

Motion by Aaron Britton and **Seconded** by Andrea Bradley to adopt the FY 2021 Budget Calendar as presented.

Voice Vote as follows:

S. Williams – Yes	A. Ryan – Yes	A. Britton – Yes
A. Bradley – Yes	G. Hartbarger – Absent	B. McFaddin – Absent

Carried unanimous voice vote.

Request for Public Hearing

Town Manager Eric Pollitt stated Mr. Roger Funkhouser has requested a Public Hearing Appeal regarding the Nuisance Ordinance Violation letter he received for high grass on the creek bed at 1006 10th Street. Mr. Funkhouser stated he had made a FOIA request to the Town Manager on all violations sent out from the Town in the last thirty (30) days. Mr. Funkhouser gave Council members a packet of pictures showing other creek beds and property in Glasgow that have not been mowed. Mr. Funkhouser stated there are other creek beds in the Town that have been mowed and weedeated by the Town, and there are other areas in Town that have been in non-compliance all summer. Mr. Funkhouser asked why only ten (10) ordinances had been sent out in the last thirty (30) days and none of them had creek beds. Mr. Funkhouser stated the Town used to get the inmates every two (2) weeks to keep the ditches and creek beds mowed and weedeated. Councilor Aaron Britton stated the Town does not get the inmates any more. Town Attorney Tom Simons stated basically the Public Hearing Appeal is a show cause, showing that there is no evidence to back up the violation. Town Attorney Simons stated that the pictures taken and the GIS map show that the property does in fact belong to Mr. Funkhouser. Town Attorney Simons stated if it is proven it is a nuisance, which Mr. Funkhouser admits to, and if it is proven it is his property, then the Town has a legitimate right to send the Nuisance Ordinance Violation letter. Town Attorney Simons stated the fact that others did not receive a Nuisance Ordinance Violation letter is not a defense for this case. Councilor Aaron Britton stated he agreed that everyone should get a letter that is in violation of the grass ordinance. Councilor Britton suggested the Town mow Mr. Funkhouser's creek bed this time and from now on if it is not mowed, a Nuisance Ordinance Violation letter will be sent. Town Attorney Simons stated the Town has the option of charging a fine(s) found in Section 11-3-e in the Glasgow Town Code, or cutting the grass and charging the homeowner. Town Attorney Simons stated if Council decides a violation has occurred, the Town can send a second letter stating that after the Public Hearing Appeal, the Town still finds that Mr. Funkhouser is in violation, and that he has so many days to comply. Councilor Britton asked Mr. Funkhouser if he is going to cut the grass in the next few days. Mr. Funkhouser stated when he gets Council's

decision and a second letter, then he will decide what he is going to do. Town Attorney Simons stated the Public Hearing Appeal is concluded.

Mayor Ruby Clark dismissed the Public at 8:15 PM for Town Council to go into Executive Session.

Motion by Andy Ryan and **Seconded** by Aaron Britton for Glasgow Town Council to convene in executive session under the Virginia Freedom of Information Act, Sec. 2.2-3711 (A) (1) in order to discuss personnel matters.

Voice Vote as follows:

S. Williams – Yes	A. Ryan – Yes	A. Britton – Yes
A. Bradley – Yes	G. Hartbarger – Absent	B. McFaddin – Absent

Carried unanimous voice vote.

Motion by Aaron Britton and **Seconded** by Andrea Bradley for the Glasgow Town Council to reconvene in open session at 9:10 PM.

Voice Vote as follows:

S. Williams – Yes	A. Ryan – Yes	A. Britton – Yes
A. Bradley – Yes	G. Hartbarger – Absent	B. McFaddin – Absent

Carried unanimous voice vote.

*Whereas, the Town of Glasgow Town Council has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act;
and*

Whereas Section 2.2-3711 of the Code of Virginia requires a certification by the Town of Glasgow Town Council that such executive meeting was conducted in conformity with Virginia law;

Now, therefore be it resolved that the Town of Glasgow Town Council hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirement by Virginia were discussed in the executive meeting to which this certification resolution applies and (ii) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed, or considered by the Town of Glasgow Town Council.

Motion by Sonny Williams and **Seconded** by Aaron Britton that to the best of my knowledge (i) only public business matters lawfully exempted from open meeting requirements under Section 2.2-3711 (A) of the Code of Virginia, 1950, as amended, and

(ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting.

Voice Vote as follows:

S. Williams – Yes	A. Ryan – Yes	A. Britton – Yes
A. Bradley – Yes	G. Hartbarger – Absent	B. McFaddin – Absent

Carried unanimous voice vote.

Motion by Sonny Williams and **Seconded** by Andy Ryan to adjourn the meeting.

With no further business, Mayor Ruby Clark adjourned the meeting at 9:10 PM.

Mayor

Clerk