

Town Council Agenda  
Tuesday, November 12, 2019  
7:00 PM  
Clifton Forge Council Chambers  
547 Main Street



A leader without the vision, to strive to improve things, is no good. Then you will just stay put, you won't progress.

Lee Kuan Yew

quotefancy





## TOWN OF CLIFTON FORGE

547 MAIN STREET · P. O. BOX 631  
CLIFTON FORGE, VIRGINIA 24422  
(540) 863-2500 / 2501 · FAX (540) 863-2534  
[www.cliftonforgeva.gov](http://www.cliftonforgeva.gov)

**COUNCIL AGENDA**  
**TOWN OF CLIFTON FORGE, VIRGINIA**  
**7:00 P.M. TUESDAY, NOVEMBER 12, 2019**  
**CLIFTON FORGE TOWN COUNCIL CHAMBERS**  
**547 MAIN STREET**

***INVOCATION***

***CALL TO ORDER***

***PLEDGE OF ALLEGIANCE***

**PUBLIC HEARING:**

**PUBLIC HEARING AND ADOPTION OF THE FIVE-YEAR UPDATE TO THE COMPREHENSIVE PLAN**

The Planning Commission held their public hearing on October 3, 2019 and have voted unanimously to recommend approval of the 5-year update to the Comprehensive Plan. The previous edition of the plan was adopted in late 2012.

**RECOMMENDATION:** Adopt updated comprehensive plan

**CONSENT AGENDA**

- |                   |                        |                         |
|-------------------|------------------------|-------------------------|
| <b>1. MINUTES</b> | <b>Council Meeting</b> | <b>October 9, 2019</b>  |
|                   | <b>Work Sessions</b>   | <b>October 29, 2019</b> |

**RECOMMENDATION:** Approve minutes of October 9 and 29, 2019

## **ACTION ITEMS**

### **2. RESOLUTION FOR CONSIDERATION OF APPROVAL OF A CONDITIONAL USE PERMIT**

To consider the approval of a conditional use permit for 1426 Main Street for the applicant to open an automobile dealership at that location. The Planning Commission held their public hearing on September 5, 2019 and have voted 3-2 to recommend approval with some stipulations in place. After the Town Council's public hearing on October 9, after which the applicant has completed some additional work to the lot and has provided a list of planned improvements which are now included as part of the permit resolution.

**RECOMMENDATION:** Second reading and adopt resolution

### **3. APPROPRIATION RESOLUTION**

The Town has received revenue from several sources that must be appropriated into the fiscal year 2020 operation budget.

**RECOMMENDATION:** Proceed to second reading

### **4. CHRISTMAS TREE LIGHTING AND STREET CLOSURE**

Clifton Forge Main Street is requesting permission to hold the annual tree lighting at 6 PM on Saturday, November 23, 2019 at the steps at Town Hall. They also request that the section of Main Street in front of Town Hall be closed to accommodate performers during the event. The event should last approximately 30 minutes and the Main Street organization will have a table set up providing free cider and cookies!

**RECOMMENDATION:** Grant requests

### **5. CONTRACT FOR TOWN ATTORNEY SERVICES**

**RECOMMENDATION:** Motion to approve



## **6. PARADE AND STREET CLOSURE REQUEST**

Clifton Forge Main Street is requesting to hold the annual Christmas Parade on Friday, December 6, 2019, beginning with line-up at 5:15 PM and the parade starting at 6 PM. The parade will progress from the 400 block of E. Ridgeway Street to the Clifton Forge Fire Department on D Street, with the street closed as they have been in previous years. The parade will include floats, bands, and walking groups and all participants are being advised that any candy will need to be handed out, rather than thrown due to safety concerns. The theme for the parade this year is Winter Wonderland!

**RECOMMENDATION:** Grant requests

## **7. REQUIRED LOAN AND BOND RESOLUTIONS**

USDA has agreed to loan the Town the additional \$404,000 needed to award a contract for dam repairs to the low bidder. The attached loan and bond resolutions are needed to finalize the arrangement and reflect the increased loan amount.

**RECOMMENDATION:** Adopt loan and bond resolutions

## **8. DEPARTMENT REPORTS**

Police Department  
Public Library  
Public Works Department  
Water Treatment Plant  
Fire Department  
Finance Department

**RECOMMENDATION:** Accept reports as written

## **INFORMATION**

Town offices will be closed on Thursday and Friday, November 28 & 29, 2019 for the Thanksgiving holiday.



**MANAGER'S COMMENTS**

**UPCOMING EVENTS**

**CLIFTON FORGE WOMEN'S CLUB**

ANNUAL HOME TOUR—SATURDAY, DECEMBER 7, 2019, 11 AM – 5 PM

**CLIFTON FORGE MAIN STREET**

ANNUAL TREE LIGHTING—SATURDAY, NOVEMBER 23, 2019, 6 PM

ANNUAL CHRISTMAS PARADE—FRIDAY, DECEMBER 6, 2019, 6 PM

**CLIFTON FORGE PUBLIC LIBRARY**

PRE-SCHOOL STORY TIME—WEDNESDAY, NOVEMBER 20, 2019 11 AM – NOON

TODDLER TIME—WEDNESDAY, DECEMBER 4, 2019, 11-11:45 AM

CHILDREN'S CHRISTMAS PARTY—MONDAY, DECEMBER 9, 2019, 4-5 PM

PATRON APPRECIATION DAY—THURSDAY, DECEMBER 19, 2019, 2-6 PM

**CLIFTON FORGE SCHOOL OF THE ARTS**

JAMMIN AT THE MILL—FRIDAY, November 15, 2019, 7 PM

**MASONIC THEATRE**

**“BOHEMIAN RHAPSODY” FILM—SUNDAY, NOVEMBER 17, 2019, 7 PM**

**BARTER THEATRE—“FROSTY THE SNOWMAN”—SATURDAY,  
NOVEMBER 30, 2019, 4 PM**

**LAST ILLUSION, TRIBUTE TO THE TRANS-SIBERIAN ORCHESTRA—  
SUNDAY, DECEMBER 1, 2019, 4 PM**

**DOWNTOWN MARKET DOWN UNDER BLUES JAM—THURSDAY,  
DECEMBER 5, 2019, 5 PM**

**CAROLS AND COCOA—FRIDAY, DECEMBER 6, 2019, 7 PM**

**SHENANDOAH BALLET—“THE NUTCRACKER”—SATURDAY,  
DECEMBER 7, 2019, 7 PM & SUNDAY, DECEMBER 8, 2019, 3 PM  
“THE PREACHERS WIFE”—TUESDAY, DECEMBER 10, 2019, 7 PM**

**CHRISTMAS WITH ELVIS, FEATURING MATT LEWIS—FRIDAY,  
DECEMBER 13, 2019, 7:30 PM**

**“ELF”—SATURDAY, DECEMBER 14, 2019, 1 PM**

**“EXCHANGE OF GIFTS”—SUNDAY, DECEMBER 15, 2019, 2 PM**

**STARS COUNTRY CHRISTMAS—SUNDAY, DECEMBER 22, 2019, 3 PM**

**CHRIS MICHAELS COMEDY AND MAGIC SHOW—SATURDAY,  
DECEMBER 28, 2019, 7 PM**

**PUBLIC COMMENTS**

**COUNCIL COMMENTS**

**CLOSED SESSION AS PER SECTION 2.2-3711 A1 PERSONNEL:  
APPOINTMENTS**





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**COUNCIL MINUTES  
TOWN OF CLIFTON FORGE, VIRGINIA  
7:00 P.M. WEDNESDAY, OCTOBER 9, 2019  
CLIFTON FORGE TOWN COUNCIL CHAMBERS  
547 MAIN STREET**

**INVOCATION-** David Davis provided the invocation.

**CALL TO ORDER-** Mayor Irvine called the meeting to order at 7:01 p.m.

**PLEDGE OF ALLEGIANCE-** Mayor Irvine led the attendees and Council in the Pledge of Allegiance.

**PRESENT:** Mayor Jeff Irvine, Vice Mayor Pamela Marshall, Councilman Umstead, Councilman David Oeltjen, and Councilman Ronald Goings

**Also, present but not on the roll:** LeeAnna Tyler, Finance Director, David Davis, Town Attorney, and Angela Carper, Clerk

### **PUBLIC HEARING:**

#### **PUBLIC HEARING AND FIRST READING OF A RESOLUTION FOR APPROVAL OF A CONDITIONAL USE PERMIT**

This hearing is to consider the approval of a conditional use permit for 1426 Main Street for the applicant to open an automobile dealership at that location. The Planning Commission held their public hearing on September 5, 2019 and has voted 3-2 to recommend approval with some stipulations in place.

**RECOMMENDATION:** Proceed to second reading

Following introduction of the subject by Mayor Irvine, Angela Carper, Clerk read the ordinance for first reading. Mayor Irvine then called upon Diana Kling Smith, Vice Chairperson of the Planning Commission to provide Council with some background information from the Planning Commission's public hearing and discussion.

Diana's comments were as follows:

October 9, 2019

The Planning Commission held a public hearing on September 5<sup>th</sup>.

Although all of us are in favor of new businesses in Clifton Forge, the vote on this issue was 3 in favor and 2 against.

Susan Goings and I voted "NO", because we believe, that as members of the Commission, we should consider more than just the fact that there would be a new business in Clifton Forge. Our obligation to the Town and the citizens goes much deeper than that.

Mr. Batten was not convincing to the Commission that his business would be an asset to CF.

The property located at 1426 Main St. is an eye sore as it now exists. If you look at the building that sits on this property, it is quite evident that it is need of renovation. The owner has said that he is not prepared to do any landscaping and he believes the structure is safe. Will it look any better with 10 cars on it?

Will the small amount of revenue that the Town may gain, be worth the **negative impact** this business could have on the efforts being made by the Town Administration, this Council, and many citizens, who are working overtime, to make Clifton Forge an **attractive** and vibrant community that people will want to, not just visit, but make their home?

The main corridors of the Town play a major role in first impressions.

I strongly encourage Council, to vote **against** this request!

However, if you are considering approval of this request, I strongly suggest that you set the following conditions: These are conditions that I wish the Planning Commission had recommended, but hind sight is always 20/20: That the property be landscaped, that the house be renovated to meet all codes, and that the number of cars placed on the lot be limited to 5.

If this request is granted **without these conditions**, what is the message you are sending to the citizens and the effort being made to move CF forward?

Diana K. Smith

Vice-Chairman of the Clifton Forge Planning Commission



Councilman Goings asked Mrs. Smith if she knew the reasoning behind the 3 votes in favor of approval and why none of those members were present at this meeting. Mrs. Smith advised that she could only state what she felt were their reasons, but that all members had been asked to be present and there were two of those three who were currently out of town.

Councilman Umstead asked about the rumors stating that there was going to be a towing and repair business on the property as well. Mrs. Smith explained that there was some confusion in the beginning, but that had been straightened out and the auto sales business would be the only business at that location.

Mayor Irvine then called upon Jonathan Batton, representative of B & D Trucking, the applicant, to allow him to provide additional information and answer any questions the Council may have. Mr. Batton explained that they do plan to do some renovations and improvements to the landscaping if the permit is approved. He stated that the 10-car limit is a standard requirement of the DMV for them to transfer the dealer's license and that they will not provide the license for fewer than 10 vehicles. He stated that while the license states 10, he doubts that there will be that many vehicles consistently on the lot.

Mayor Irvine stated that he had attended the Planning Commission's public hearing and it had been stated there that there were no planned renovations to the house on the property. Mr. Batton stated that the house looks like a garage on the inside as it has been gutted by previous owners and that they do plan to tar and gravel the lot to aid with appearance and the landscaping, but admitted that the property does need work.

Councilman Oeltjen asked Mr. Batton to clarify what he meant by tar and gravel and the difference between that and regular paving. Mr. Batton stated that they had used the tar and gravel method at other locations and that once completed it looks very similar to pavement and is durable.

Vice Mayor Marshall asked to clarify that they will only be selling vehicles at the location and not doing any repairs. Mr. Batton stated that to be true.

Councilman Goings asked where the vehicles on the lot would be parked and stated that there wasn't much room to allow for many vehicles. Mr. Batton stated that the plan is to park the vehicles in the front and to the side and reiterated that they have to state 10 for licensing regulations, but there probably won't be 10 vehicles sitting on the lot.

Councilman Umstead asked if it would not be better for them to make some improvements to the property and then bring the issue back to Council for approval.



Mr. Batton stated that they will not spend any money on the property unless the permit is approved.

Mrs. Smith asked to make a final statement and advised that the Planning Commission had requested more detail and that some of the information she was hearing is completely new and had not been stated at their meeting.

Councilman Goings asked what year range the vehicles being offered for sale would be. Mr. Batton advised most likely 2005 and newer.

Wendy Hudler stated that she was concerned with parking for their customers if they used the entire space up front and to the side of the property for the vehicles being offered for sale as it only leaves parking on the street.

With no further questions or comments, Mayor Irvine closed the public hearing at 7:17 PM. The ordinance will appear for second reading and adoption at the November 12, 2019 meeting.

**PRESENTATIONS:**

***Lewis Gale Alleghany Regional Hospital Update—Will Windham, CEO***

Mr. Windham stated that he has been visiting other localities and organizations to share updates and thanked Council for giving him the time. He mentioned the new general surgeon, Dr. Barnes, at the hospital and recent case where he had diagnosed a rare form of breast cancer after a patient had presented with a strange skin rash and stated that Dr. Barnes uses a new approach that goes beyond what most do and that he is excited to have him on board. Mr. Windham also stated that there is a new ENT Physician as well, Dr. Justin Douglas. He stated that Dr. Douglas comes from Greenbrier County and has cancer care abilities. Mr. Windham mentioned that they are having cardiac clinics and are in the process of working to open a clinic in Covington which is scheduled to open in January of 2021. He stated that the hospital is currently undergoing a renovation to the fourth floor which is the primary housing for the medical surgical team.

Vice Mayor Marshall asked Mr. Windham if there are any plans for OB services. Mr. Windham stated that there are currently Dr's Harding and Healey located at the hospital and that they are looking at other options.

Susan Goings asked Mr. Windham why physicians that come to the area to work at the hospital do not live in the area. Mr. Windham stated that Dr. Barnes does in fact live in this area and Dr. Douglas is from WV where his wife also has a busy practice and



chooses to make the commute to keep his family together and to make it easier on his wife, but that they do try to recruit to move to this area.

Councilman Goings introduced himself and explained his medical practice background and asked Mr. Windham how easy he is finding it to recruit doctors for the area and what he is finding to be the needs of the community. Mr. Windham stated that there is a national shortage of doctors and it's important to find the right fit and that it just depends. He stated that they do also use a third party who performs an annual assessment and what has been found most needed in the area are primary care physicians, orthopedics, and cardiology. He stated that some areas are currently being addressed while others are being looked at. Councilman Goings stated that five doctors have left the area in the last 5-6 years and we no longer have a Urologist. He stated that he does not see OB services coming back to the hospital because it has been at least 15 years since a baby was born at the hospital.

Vice Mayor Marshall stated that everyone wants to grow the community and the only way to grow the community is for babies to be born.

Councilman Goings asked how committed Lewis Gale is to making this a better hospital for the community and that all of the recruiting and building up of services should have been done a long time, actually years ago and that he feels the waiting list at this point is too long. Mr. Windham stated that Lewis Gale is committed more than ever and that they will continue to do the best they can for the community in order to provide healthcare that is needed.

***Community Heart and Soul Project—Josh Taylor, Special Projects and Marketing Coordination, Alleghany Highlands Chamber of Commerce***

Josh Taylor represented the Chamber of Commerce and explained that the Heart and Soul Project is designed to help small communities and the focus is on characteristics that bring positive change in order to provide long-term success. He stated that it is a four-step process which is expected to take 18 months – 2 years and will involve all areas of the community to make sure every voice is heard. He stated that Teresa had met with the Covington Council and they had offered their support by approval of the Resolution, as has Alleghany County which he had visited to present the program to them.

Councilman Oeltjen asked if this program would include visits to the area schools. Mr. Taylor stated that it will and that it is the hope to include more area civic groups and get young students involved.

Vice Mayor Marshall asked Mr. Taylor if he was aware of the “What’s Your Story” program which he was, and she then asked if he thought the two groups could work together. Mr. Taylor stated that he felt they could and thanked her.

Mayor Irvine asked if Alleghany County and Covington are doing the same thing as far as the terms of the Resolution and providing meeting space. Mr. Taylor advised that they were.

Martha Edwards asked how much the program will cost the Town. Mr. Taylor advised that there is no expected Town funding.

With no further questions or comments, Mayor Irvine asked for a motion to adopt the Resolution.

**Motion to adopt resolution**

**Motion made by:** Councilman Umstead

**Seconded by:** Councilman Goings

**ROLL CALL VOTE**

<b>Councilman Umstead</b>	Aye
<b>Councilman Oeltjen</b>	Aye
<b>Councilman Goings</b>	Aye
<b>Vice Mayor Marshall</b>	Aye
<b>Mayor Jeff Irvine</b>	Aye

**Motion passed:** 5-0

**CONSENT AGENDA**

- 1. MINUTES**                      **Council Meeting**                      **September 10, 2019**  
**Work Sessions**                      **September 17 and September 24, 2019**

**RECOMMENDATION:** Approve minutes of Sept. 10, 17, & 24, 2019

**Motion to approve minutes**

**Motion made by:** Councilman Oeltjen

**Seconded by:** Councilman Umstead



**ROLL CALL VOTE**

**Councilman Umstead**           Aye  
**Councilman Oeltjen**        Aye  
**Councilman Goings**         Aye  
**Vice Mayor Marshall**       Aye  
**Mayor Jeff Irvine**          Aye

**Motion passed:**             5-0

**ACTION ITEMS**

**2. ORDINANCE TO AMEND SECTION 2-49**

The Town Council has decided to amend Section 2-49 to have one meeting per month on the 2<sup>nd</sup> Tuesday of each month with more work sessions or special called meetings when necessary.

**RECOMMENDATION:** Waive second reading and adopt ordinance

Karen Swoope of 414 Olive stated that she is afraid limiting the meetings to only one per month would take time away from important information getting out to the public. She stated that often the first people hear things is when they are mentioned at the Council meeting. She also stated concern over the delay in getting things approved such as this item that requires two readings as it would delay matters a month on average.

**Motion to waive second reading**

**Motion made by:**        Councilman Umstead

**Seconded by:**         Councilman Goings

**ROLL CALL VOTE**

**Councilman Umstead**        Aye  
**Councilman Oeltjen**        No  
**Councilman Goings**         Aye  
**Vice Mayor Marshall**       Aye  
**Mayor Jeff Irvine**          Aye

**Motion passed:**             4-1

**Motion to adopt resolution and ordinance**

**Motion made by:** Councilman Umstead

**Seconded by:** Councilman Goings

**ROLL CALL VOTE**

<b>Councilman Umstead</b>	Aye
<b>Councilman Oeltjen</b>	No
<b>Councilman Goings</b>	Aye
<b>Vice Mayor Marshall</b>	Aye
<b>Mayor Jeff Irvine</b>	No

**Motion passed:** 3-2

**3. ORDINANCE TO DELETE EXISTING SECTION 74-41 AND ENACT AND ADOPT SECTION 74-41**

To make property numbers more consistent within the Town and to make it easier for First Responders to locate properties during emergency situations, the Town should enact a new Section 74-41 requiring building numbers.

**RECOMMENDATION:** Waive second reading and adopt ordinance

Councilman Umstead stated that he was against the ordinance because there is an existing one that isn't being enforced and he doesn't understand.

Town Attorney, David Davis, explained that the new ordinance is to bring the Town into compliance with the State code and to make the ordinance clearer with the specifications which would allow for more consistent enforcement. Mr. Davis reminded everyone that the ordinance update was requested by First Responders who have experienced issues with locating homes during emergency situations. He stated that the ordinance allows six months for people to comply and enforcement will only kick in if the person doesn't comply after 30 days of being notified of a violation which would result in a Class 4 misdemeanor and a \$20 fine.

Councilman Goings asked to clarify that the previous version of the ordinance was not exact and the purpose of updating the ordinance is to expand and refine the definitions and terms and improve it to more equal the State's code. Mr. Davis advised that is correct.



Vice Mayor Marshall stated that it is also her understanding that a person would not be charged with a violation unless there is a complaint received from an issue with locating their property. She thanked Angela Carper, Clerk, for sharing an article that had recently been shared by area first responders regarding the issue in another location. She stated that it was a nice read and made her understand that this is a problem that exists in other locations and not just within the Town and will directly benefit the resident by having the numbers visible.

Councilman Oeltjen stated that it is important to have the ordinance updated to match the state code within which we must comply.

**Motion to waive second reading**

**Motion made by:** Councilman Oeltjen

**Seconded by:** Councilman Goings

**ROLL CALL VOTE**

<b>Councilman Umstead</b>	Aye
<b>Councilman Oeltjen</b>	Aye
<b>Councilman Goings</b>	Aye
<b>Vice Mayor Marshall</b>	Aye
<b>Mayor Jeff Irvine</b>	Aye

**Motion passed:** 5-0

**Motion to adopt resolution and ordinance**

**Motion made by:** Councilman Oeltjen

**Seconded by:** Councilman Goings

**ROLL CALL VOTE**

<b>Councilman Umstead</b>	No
<b>Councilman Oeltjen</b>	Aye
<b>Councilman Goings</b>	Aye
<b>Vice Mayor Marshall</b>	Aye
<b>Mayor Jeff Irvine</b>	Aye

**Motion passed:** 4-1

**4. DEPARTMENT REPORTS**

- Police Department
- Public Library
- Public Works Department
- Water Treatment Plant
- Fire Department

**RECOMMENDATION:** Accept reports as written

**Motion to accept reports as written**

**Motion made by:** Councilman Umstead

**Seconded by:** Councilman Oeltjen

**ROLL CALL VOTE**

- Councilman Umstead** Aye
- Councilman Oeltjen** Aye
- Councilman Goings** Aye
- Vice Mayor Marshall** Aye
- Mayor Jeff Irvine** Aye

**Motion passed:** 5-0

**5. REGIONAL HAZARD MITIGATION PLAN**

The Disaster Mitigation Act of 2000 requires that local governments, as a condition of receiving federal disaster mitigation funds, have a mitigation plan that describes the process for identifying hazards, risks and vulnerabilities, identifies and prioritizes mitigation actions, encourages the development of local mitigation and provide technical support for these efforts.

In accordance with Federal and State requirements, the governing bodies of each participating jurisdiction should review and approve that portion of the plan that affects their jurisdiction. Each locality should adopt those sections relevant to their locality, as well as any regional sections, which is attached to the plan.

**RECOMMENDATION:** Adopt resolution



**Motion to adopt resolution**

**Motion made by:** Councilman Umstead

**Seconded by:** Councilman Oeltjen

**ROLL CALL VOTE**

<b>Councilman Umstead</b>	Aye
<b>Councilman Oeltjen</b>	Aye
<b>Councilman Goings</b>	Aye
<b>Vice Mayor Marshall</b>	Aye
<b>Mayor Jeff Irvine</b>	Aye

**Motion passed:** 5-0

**6. RESOLUTION FOR 2019 PERSONAL PROPERTY TAX RELIEF ALLOCATION**

Each year, since 2005, the Town receives a lump sum of funds from the Commonwealth for personal property tax relief. This year, as in the preceding years, the Town received \$316,643.68. According to code, the tax relief must be allocated to eliminate personal property tax for qualifying personal use vehicles valued at \$1,000 or less. The tax relief can only be applied to the first \$20,000 of value of a vehicle. Vehicles which do not meet the definition of qualifying are for example, including but not limited to, business use vehicles, farm use vehicles, motor homes, etc.

The tax relief must be at a sufficient percentage to fully utilize all the funds received from the Commonwealth. For 2019 taxes, the tax relief amount is 66% on qualified vehicles.

**RECOMMENDATION:** Adopt resolution

Councilman Umstead wanted to make sure everyone understands that this money is provided by the State and not being paid out by the Town.

**Motion to adopt resolution**

**Motion made by:** Councilman Oeltjen

**Seconded by:** Councilman Goings

## **ROLL CALL VOTE**

<b>Councilman Umstead</b>	Aye
<b>Councilman Oeltjen</b>	Aye
<b>Councilman Goings</b>	Aye
<b>Vice Mayor Marshall</b>	Aye
<b>Mayor Jeff Irvine</b>	Aye

**Motion passed:** 5-0

## **INFORMATION**

Town offices will be closed on Monday, November 11, 2019 in honor of Veteran's Day and again on Thursday and Friday, November 28 & 29, 2019 for the Thanksgiving holiday.

## **MANAGER'S COMMENTS**

LeeAnna Tyler, Finance Director provided manager's comments. She stated that the bids for the dam project have been received and that the representative for USDA was present during the bid opening. All three companies who bid were over on the cost of the projected budget. She stated that it is anticipated the Town will receive additional funding from USDA to compensate for the difference, but unsure at this time if that additional funding will be provided by grant or loan funds. She stated that the information will be sent back to the USDA next week and there will be follow up talks once a decision is made.

Mrs. Tyler announced that the painting on the Jefferson Tank is underway and has been a challenge. She stated it is estimated to take about two weeks to complete the work and that the Town is aware of the water issues that were created as a result of the project.

Mrs. Tyler stated that Columbia Gas is in the area replacing old service lines and that they have promised to return all roads and sidewalks back to their previous condition once complete.

Mrs. Tyler announced that the new street signs for A, B and C Streets are up and the Town is receiving favorable comments on the new signs.

Mrs. Tyler stated that the move for the Police Department is getting closer and that they are currently awaiting on the arrival and installation of the new generator. She



stated that the Inmate work crew has been helping with clean up and remodeling inside the building.

Mrs. Tyler mentioned that the Annual Fall Clean-up event will take place this Saturday and anyone wishing to volunteer should arrive at Town Hall at 8 AM.

Lastly, Mrs. Tyler mentioned the demolition of the home on Roxbury Street and that a contract has been awarded for the extermination and pest removal for the site, but due to scheduling the contractor will not be able to perform the job until the end of October. Once that is complete, the demolition process will begin.

### UPCOMING EVENTS

#### **CLIFTON FORGE PUBLIC LIBRARY**

**CHILDREN'S HARVEST HALLOWEEN PARTY—MONDAY, OCTOBER 14, 2019, 4-5:30 PM**

**“VERY GOOD FOR A RAILROAD TOWN: CLIFTON FORGE BASEBALL AND THE NEW SOUTH” BY JOSH HOWARD—THURSDAY, OCTOBER 17, 2019, 6 PM**

**MISS SPIDER'S TEA PARTY—SATURDAY, NOVEMBER 2, 2019, 11 AM - NOON**

**TODDLER TIME—WEDNESDAY, NOVEMBER 6, 2019, 11 – 11:45 AM**

**LEGO CLUB—TUESDAY, NOVEMBER 12, 2019, 4:30 – 5 PM**

**PRE-SCHOOL STORY TIME—WEDNESDAY, NOVEMBER 20, 2019 11 AM – NOON**

#### **CLIFTON FORGE SCHOOL OF THE ARTS**

**JAMMIN AT THE MILL—FRIDAY, OCTOBER 18, 2019, 7 PM**

#### **CLIFTON FORGE SHRINER'S CLUB**

**FALL FESTIVAL—FRIDAY, OCTOBER 18 – SUNDAY, OCTOBER 20, 2019**

## **MASONIC THEATRE**

**TONY COLEMAN BAND AND FRIENDS—FRIDAY, OCTOBER 18, 2019,  
7:30 PM**

**FALL FESTIVAL GOSPEL CONCERT—SATURDAY, OCTOBER 19, 2019, 7  
PM**

**ALEXA ROSE BAND—MEDICINE FOR A LIVING—FRIDAY, OCTOBER 25,  
2019, 7:30 PM**

**COMMUNITY DINNER AND DANCE WITH WOODY AND MARCIA  
MCKENZIE—SATURDAY, NOVEMBER 2, 2019, 6 PM**

**“NANNIE MCPHEE” FILM—SUNDAY, NOVEMBER 3, 2019, 2 PM**

**THE SUPREME PARTY IN THE UNDERGROUND—FRIDAY, NOVEMBER  
8, 2019, 6 PM**

**MASTERS OF SOUL—FRIDAY, NOVEMBER 8, 2019, 7:30 PM**

**RICHMOND SYMPHANY PRESENTED BY THE ARTS COUNCIL—  
SATURDAY, NOVEMBER 9, 2019, 3 PM**

**JOHN HILLERT’S SOUP-ER SUNDAY—SUNDAY, NOVEMBER 10, 2019,  
12:30 PM**

**“SENSE AND SENSIBILITY” FILM—TUESDAY, NOVEMBER 12, 2019, 7 PM**

**“BOHEMIAN RHAPSODY” FILM—SUNDAY, NOVEMBER 17, 2019, 7 PM**

**BARTER THEATRE—“FROSTY THE SNOWMAN”—SATURDAY,  
NOVEMBER 30, 2019, 4 PM**

## **PUBLIC COMMENTS**

Raymond Austin of 1721 Forest Hills complained of pipes popping during the recent draining of the Jefferson Tank. He stated that he and his family lost sleep and he had cut his water off, but a neighbor, Ms. Crowder, had her water filter burst inside her basement which caused flooding and Chief Wickline had helped them make the repair



to get the leak stopped. He asked that this be considered if her water bill should run high.

Tammy Scruggs-Duncan came to say thank you to Council on behalf of the Arts Council for funding given to them for a special project. She discussed the Lighthouse Project, formerly known as the Loneliness Project and mentioned events relating to the project. Mrs. Duncan mentioned upcoming events, including one of PBS and promised to return with future updates.

Wendy Hudler thanked Council and provided the following statements:

**THIS ARE  
INTENTIONALLY  
LEFT BLANK,  
COMMENTS FROM  
CITIZEN ARE  
COPIED BELOW**

I think and hope you want more people at these meetings? I think these meetings can become much more informative to draw more of a crowd. I also feel social media, things like face book etc are the way to get more people here. On social media prior to every monthly meeting topics of discussion should be listed...such as Darlene's Contract, the dam, the direction the Town is headed, taxes, the water bill.

As a heavily invested business owner in Clifton Forge I am very concerned about the future direction of this town. That is why After the last meeting I decided to educate myself on information regarding the town.

1<sup>st</sup>. The Dam repair- Jack Mason's Tavern employs 17 Clifton Forge residents. When the vote for the \$1 increase in the water bill was taken two of you voted no. It is a mandatory repair and you still voted no. USDA requires you to project out what your plan is for payback of the loan conditions and the \$1 increase was the plan. When your "no" votes came up it really didn't matter what you voted because it had already passed. But it made you look good to your constituents. Based on the research 650 residential units and 1400 people or 1/3 of the town population is within this inundation zone and I bet not even 40 people know all of this. Knowing that the Dam was confirmed as High Hazard classification which means we would experience significant impacts from its failure such as probable loss of life and significant economic impacts, including no water for the residents or businesses of the town. if you were first to vote instead of last would your vote still be no?

Please remember you were elected by all of the residents of this town.



## 2nd. The Position of Town Manager

Over the past few days I have asked people what they thought of Darlene as Town Manager. Some thought she was too picky about some things, others didn't know anything, some thought she was paid too much but when asked why they thought too much, they didn't have an answer and others think she has done great things in the town. Nobody knew her term was up. Most faces turned to concern when informed of this.

We began visiting the area in 2004. There was nothing happening and nothing even about to happen and yet from 2003-2007 you had a Town Manager that was paid almost \$73,000. Grant total 0

Then you had a town manager for two years paid \$62,000 grant total 0. During these times town officials were asked not to write grant proposals because it was too much work for the town manager.

The current town manager of Covington is paid \$95,000 and has no experience.

This town has been given a gift to have a Town manager as experienced as Darlene. But experience comes at a price. Darlene started in 2010 paid 99,500. In her first weeks on the job she changed the phone system and saved the town \$17,000. She has applied for and received Grants for our town in excess of over 9 million dollars. She has enforced Town codes and made some mad by doing so. She honors her job to run the Town, make it better at the expense of many a bad word said about her. She has the back bone to do what is right. You can always find a body for \$60,000 but you can't buy experience or a person with a

strong moral compass. Without question there is no one that will do as much as Darlene has done.

Mr. Mayor, Vice Mayor and Council, the town is at a critical point and I think the public who elected you needs to know your plans. As you go forward remember you all represent all the people of this town and should be acting in ways for the betterment of the town. As representatives of the people you should only speak truths and not spread false information for your betterment.

Regarding voting in the future, maybe at the beginning of each meeting there should be a blind draw of who votes first through fifth. That way every body gets the hot seat, not just the first few.

Delores Quarles of 701 Wrightstown Road, Covington stated that she is a long-time resident of Alleghany County and she had returned to live here full time in 2007. She stated that in June of 2017, the County had applied for a grant through DHCD for rehabilitation of the Wrightsville community such as the Town had and that they had just received notice not too long ago that the grant was being awarded, in the amount of \$1.4 million. She stated that she was there in front of Council to let them know how much they thank Darlene, the Town Manager, for all her help and how much she is appreciated. She said that Darlene attended meetings on her own time, helped them with questions on the paperwork and even helped them with the grant itself. She stated that they could not have done it without her help because they honestly didn't have a clue how to even begin. She stated that she only hears negative things and wanted to make sure they heard the positive.

### **COUNCIL COMMENTS**

Councilman Umstead thanked everyone for attending and thanked Mr. Windham for providing the update. He then mentioned his own health scare and the care he received from the hospital and how pleased he was with the care. He thanked the Chamber and stated that he thinks the program is wonderful. He stated that he appreciates everyone coming out to the meetings and discussing the issues they bring.



Councilman Oeltjen thanked everyone for attending. He thanked Diana and the Planning Commission and Jonathon Batton for appearing and providing the information they did. He thanked Mr. Windham for providing the update and stated that he knows it is difficult to get talent into small markets and appreciates all they are doing to try. He thanked Josh and the Chamber and stated he had attending the recent meeting for the program and very much agrees with their agenda. He stated that he is glad to be hearing all the opinions being presented at the meetings and to see more involvement as well. Mr. Oeltjen stated that he is glad the bids came in and is distressed over the pricing but is glad that there seems to be something that will be done to help with those costs. He stated that the project is already an expensive one, but not nearly as expensive as not doing anything and continuing to prolong it. He thanked Wendy Hudler and Delores Quarles and stated that he is all too familiar with his business background how important it is to appreciate and give attention to deserving associates. He stated that what you don't value, you lose and once it's lost it cannot be gotten back and that it is very important that we value what we have. He stated that Council has a lot they need to be continuing to consider.

Councilman Goings answered Mrs. Swoope by stating that Council members attend other meetings and not always on the same dates and that it is sometimes hard and feels like meetings every day. He thanked everyone for coming and stated that there are many ways in which information is shared to keep people in the know. Mr. Goings mentioned attending the recent VML conference in Roanoke and some of the topics covered there to include recycling and outdoor art. He mentioned a suggested bill for Delegates to pass regarding a bottle tax to encourage recycling. He stated that he does see problems and would hope to see Clifton Forge moving towards the right direction and getting there correctly.

Vice Mayor Marshall thanked everyone for coming and mentioned that October is Breast Cancer Awareness Month and her loss of three sisters to the disease. She stated she is very passionate about the cause. She mentioned the discussion regarding the swinging bridge at a previous meeting and stated that Matt Fisher of Alleghany Outdoors is forming a group to research all possibilities and wanted to make sure people knew that the Town nor Council are involved. She congratulated Jack Mason's and the Masonic on being finalists in the Virginia Lodging Associations awards in Richmond. She mentioned a meeting of a group being held that is discussing the need for an NAACP group in the Town which will be held at Main Street Baptist Church. Mrs. Marshall mentioned that someone has purchased the old 7-11 and is planning to reopen it and that the C & O Historical Society is taking pre-orders for a special interest license plate and that 350 orders are required for the plates to be created. She also mentioned recently attending the Mayors Institute and stated that she and Mayor Irvine had made some great contacts and some very interesting training. She thanked each department for their reports stating that she is happy to receive them. She

thanked Chief Wickline and stated that she likes the new traffic pattern at Chestnut and Oak Hill, thanked Public Works for the new street signs, the work on the sidewalks, all of the fall banners, and thanked them for watering the flowers to keep them so pretty. She stated she had attended the Fire Department Open House the previous Sunday and that it was a nice event. She encouraged people to visit the Library and stated that they do so much with so little. Lastly, she thanked Wendy and stated that Council does care.

Mayor Irvine thanked everyone for coming. He asked everyone to keep Richard Erskine and Richard Shull in their prayers as they have both had recent illness. He thanked Mr. Windham and the Chamber. Lastly, he stated that he had voted first for 7 years during previous years in Council and that he guesses that he would still vote the same regardless.

**Motion to adjourn**

**Time:** 8:35 PM

**Motion made by:** Vice Mayor Marshall

**Seconded by:** Councilman Goings

**ROLL CALL VOTE**

<b>Councilman Umstead</b>	Aye
<b>Councilman Oeltjen</b>	Aye
<b>Councilman Goings</b>	Aye
<b>Vice Mayor Marshall</b>	Aye
<b>Mayor Jeff Irvine</b>	Aye

**Motion passed:** 5-0



**TOWN COUNCIL WORKSESSION**  
**Tuesday, October 29, 2019**  
**Clifton Forge Council Chambers, Town Hall**  
**547 Main Street**

Mayor Jeff Irvine called the meeting to order at 6:00 PM.

Present: Mayor Jeff Irvine, Councilman Robert Umstead, Councilman David Oeltjen, Vice Mayor Pamela Marshall, and Councilman Ronald Goings

Also present: Darlene Burcham, Town Manager, and LeeAnna Tyler, Finance Director, and David Davis, Town Attorney

LeeAnna Tyler, Finance Director introduced the first subject, replacement of water meters in the future, by giving the history of the current meter installation and funding. She then shared our replacement strategy since the current vendor will no longer produce our meters after January 1. The immediate plan is to replace the transceiver and hand-held reader (\$8,000), purchase a number of new meters, depending on the budget, to have some surplus inventory with a 10-year warranty. Staff will then budget for replacement of all out of warranty meters over the next five years, locking in the price, with no impact on customer rates (each unit \$235, roughly \$60,000/year).

LeeAnna and the Town Manager next provided an update on the Dam project big overrun. USDA is willing to lend the additional \$404,000 but needs assurance that the water fund budget can absorb the additional debt service of \$1,400/month. LeeAnna passed out a copy of the revised budget submitted to USDA reflecting an adjustment to water sales to the County based on receipts from last fiscal year. The Town Manager indicated that USDA is aware of the time limitation on the low bid and has assured us that we will have USDA approval in advance of the deadline.

The Town Manager shared Shorty Wolfe's request to move his Halloween event from Thursday to Friday due to the bad weather forecasted.

The Town Manager distributed a copy of the MOU which the County and Town will sign to recruit a joint Public Works Director. This matter will appear on the Board of Supervisors agenda next week. The Town Attorney has concurred that no Council action is needed. The Vice Mayor asked how a difference of opinion about the incumbent's performance would be handled and was referred to the termination language.

**CLOSED SESSION PURSUANT TO SECTION 2.2-3711 A1 PERSONNEL:  
APPOINTMENT TO BOARDS AND COMMISSIONS**

**Motion made by:** Vice Mayor Marshall **Time: 7:00 PM**

**Seconded by:** Councilman Umstead

**ROLL CALL VOTE**

Councilman Umstead Aye  
Councilman Oeltjen Aye  
Councilman Goings Aye  
Vice Mayor Marshall Aye  
Mayor Irvine Aye

**Motion Passed:** 5-0

**Motion to return to open session** **Time: 8:11 PM**

**Motion made by:** Vice Mayor Marshall

**Seconded by:** Councilman Oeltjen

**ROLL CALL VOTE**

**Councilman Umstead** Aye  
**Councilman Oeltjen** Aye  
**Councilman Goings** Aye  
**Vice Mayor Marshall** Aye  
**Mayor Jeff Irvine** Aye

**Motion passed:** 5-0

**Motion to certify only indicated items were discussed during closed session**

**Motion made by:** Councilman Umstead

**Seconded by:** Vice Mayor Marshall



**ROLL CALL VOTE**

<b>Councilman Umstead</b>	Aye
<b>Councilman Oeltjen</b>	Aye
<b>Councilman Goings</b>	Aye
<b>Vice Mayor Marshall</b>	Aye
<b>Mayor Jeff Irvine</b>	Aye

**Motion passed:** 5-0

**Motion to adjourn**

**TIME: 8:13 PM**

**Motion made by:** Councilman Oeltjen

**Seconded by:** Vice Mayor Marshall

**ROLL CALL VOTE**

<b>Councilman Umstead</b>	Aye
<b>Councilman Oeltjen</b>	Aye
<b>Councilman Goings</b>	Aye
<b>Vice Mayor Marshall</b>	Aye
<b>Mayor Jeff Irvine</b>	Aye

**Motion passed:** 5-0

**RESOLUTION TO APPROVE A  
CONDITIONAL USE PERMIT**

**BE IT RESOLVED** by Clifton Forge Town Council that a conditional use permit to allow an Automobile Dealership use for the property located at 1426 Main St. Clifton Forge, VA and being described by Tax Map No. C0250-06-001-0090 is hereby approved subject to the following conditions:

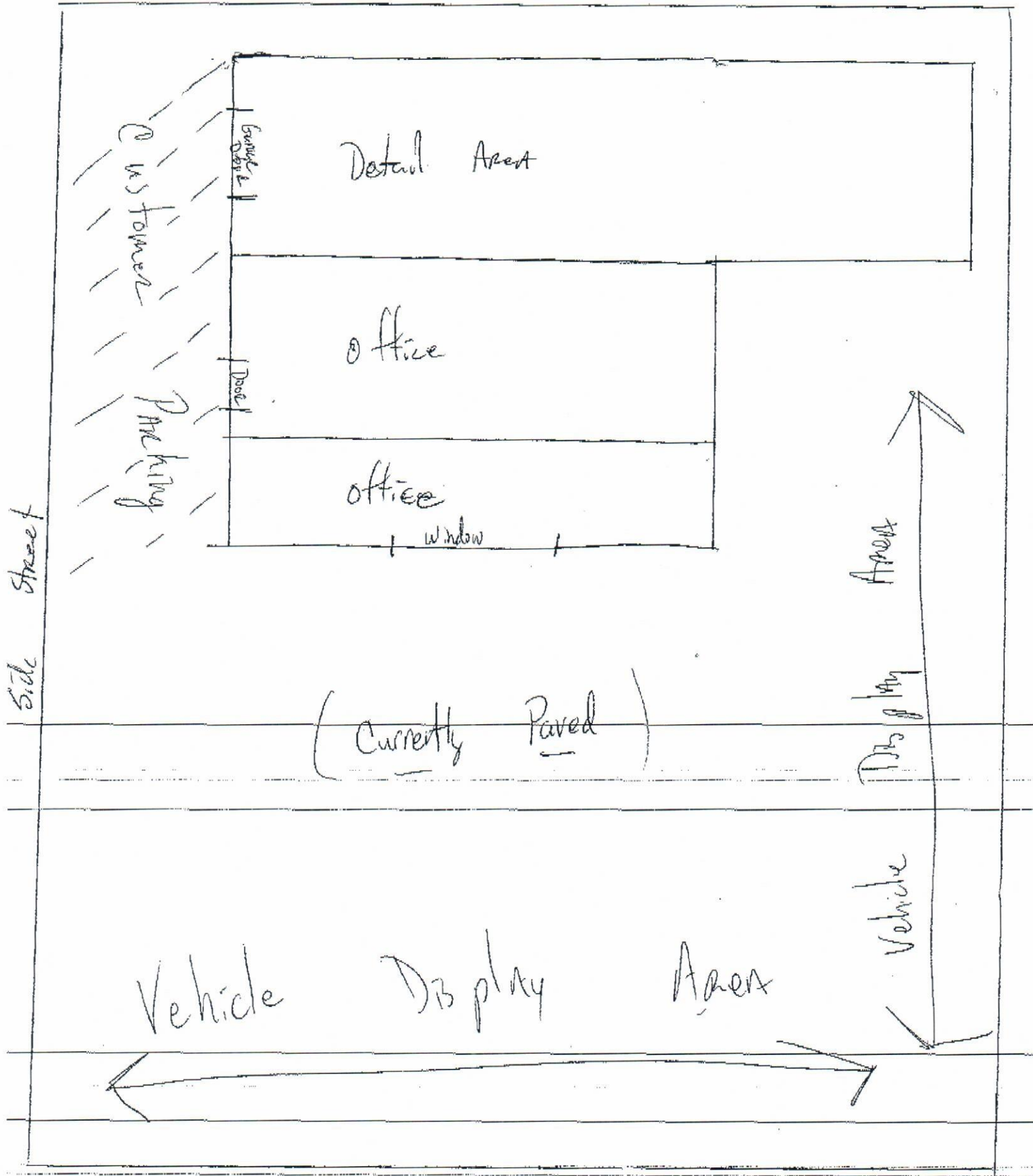
1. No more than 10 vehicles shall be offered for sale at any time;
2. Owner agrees to perform the following work at 1426 Main Street:
  - A. Attach metal on sides of existing structure;
  - B. Install a metal roof;
  - C. Install a commercial entry door;
  - D. Install garage door for a detail area;
  - E. Install HVAC unit in the upstairs storage area;
  - F. Asphalt pave a display area in front of existing structure for car parking and side area;
  - G. Landscape grass area on the sloped section toward Main Street.
  - H. Hang dry wall and new interior doors;
  - I. Remodel restroom;
  - J. Install new light fixtures;
  - K. Paint interior of structure;
  - L. Remove front and side awnings, steps in the back area, remove dead tree and old step out at curb.
  - M. Utilize property as shown by attached property diagram provided by owner.

**BE IT FURTHER RESOLVED** that said conditional use permit shall not be issued until the foregoing conditions have been met.

Second Reading:      November 12, 2019



# \* Not to Scale



Main St

B & D TRUCKING LLC  
P.O. BOX 113  
COVINGTON, VIRGINIA 24426  
(540) 620-0032

October 21, 2019

To: All Clifton Forge Counsel Members


Re: Planned Improvement Proposal

Below you find my planned improvements that I intend to complete at Main Street, Clifton Forge, upon approval of the counsel.

- Metal on Sides of Structure
- Metal on Roof
- Commercial Entrance Door
- Remove Front & Side Awnings
- Remove Steps in the Back Area
- Install HVAC unit in the Upstairs storage area
- Install Garage Door for a Detail Area
- Remove Dead Tree
- Asphalt Pave a Display Area in the Front of the Structure for Car Parking and side area (In Progress)
- Landscape Grass Area on the Sloped Section Toward Main Street
- Remove Old Steps out at Curb
- Hang Dry Wall & New Interior Doors
- Remodel Restroom
- Install New Light Fixtures
- Paint Interior

If you should have any questions or concerns please feel free to contact me at any time. Thank you for your time and attention in this matter.

Sincerely,



Justin Batten



## A Resolution to Appropriate Funds

BE IT RESOLVED by the Council of the Town of Clifton Forge, Virginia as follows:

1. That the sum of \$72,741 be and the same hereby is, appropriated into the Town's operating budget.
2. Said appropriation shall be reflected in the budget as the sum of \$ 72,741 appropriated to the following revenue and expenditure line items.

### Surplus/Salvage

Revenue	3 100 18990 6 Salvage	\$ 28,000
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Expenditure	4 100 41200 6050 Equipment	\$ 28,000
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### Police Department Grant

Revenue	3 100 18990 0099 Grants	\$ 5,081
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Expenditure	4 100 33100 6010 Police Equipment	\$ 5,081
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### VML Insurance Proceeds

Revenue	3 100 19020 0099 Recovered Cost	\$ 3,660
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Expenditure	4 100 91700 5840 Vehicle Repair	\$ 3,660
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### Houff Corporation and CSX, Inc. Property Transaction

Revenue	3 100 18990 0099 Miscellaneous	\$ 36,000
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Expenditure	4 100 91700 5840 Pass thru funds	\$ 36,000
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This resolution shall be in effect on and after its adoption.

First Reading: November 12, 2019

Second Reading: December 10, 2019



OCT 29 2019

AC 2:06pm

Darlene Burcham  
Town Manager  
PO Box 69  
Clifton Forge VA 24422

October 29, 2019

Dear Ms. Burcham,

Clifton Forge Main Street is requesting permission to hold our annual Town Tree Lighting Ceremony on Saturday, November 23<sup>rd</sup> at 6pm on the steps of Town Hall. We ask that Main Street be closed down in front of town hall to allow Garlynda's Fancy Feet and Patsy's Dance Studio cloggers to perform as in past years. The entire event should last 30 minutes or less. CFMS will have a table set up and be giving out cider and cookies.

Thank you for considering our request. We are certainly looking forward to this year's tree lighting and hope to see you there!

Thanks so much,

Lisa Jonas  
Clifton Forge Main Street, Office Manager



## LEGAL COUNSEL SERVICES AGREEMENT

**THIS AGREEMENT**, dated November \_\_\_\_\_, 2019, (“Agreement”), by and between The Town of Clifton Forge, Virginia (the “Town”), a Virginia Municipal Corporation, and the **MANN LEGAL GROUP (“MLG”)**, a Professional Limited Liability Company existing under the laws of Virginia, is for MLG to provide legal services to the Town in accordance with the terms set forth herein.

**NOW, THEREFORE**, in consideration of the following, the parties agree as follows:

### **SECTION 1.** *Retention of MLG to Provide Legal Services as the Town Attorney.*

1. The Town hereby retains MLG, specifically Jared R. Jenkins, as Town Attorney, to provide legal services to the Town during the terms of this Agreement and, in consideration of the fees and expenses to be paid by the Town to MLG as set forth in Section 4, MLG hereby agrees to serve as the Town Attorney.
2. It is agreed that in this engagement, the Mayor and Town Council are MLG’s primary clients. The Town Manager and other levels of town officials are also clients of MLG to the extent the attorney/client relationship of these other individuals and officials can be undertaken in conjunction with representation of the Mayor and Town Council in accordance with the Virginia Rules of Professional Conduct.

### **SECTION 2.** *Scope of Services.*

1. The services to be provided by MLG to the Town during the term of this Agreement shall include but not be limited to the following:
  - a. General legal services typically required by municipalities, including legal advice on maintaining the Town’s general course of business;
  - b. Represent the Town in all legal proceedings, or monitor legal proceedings, or monitor legal services where such services are provided by an outside firm retained by the Town’s insurance carrier or where the Town hires outside counsel in an area of particular expertise, such as bond counsel;
  - c. Provide legal support to the Town Police Department and other staff in prosecution of violations of Town ordinances, including actual prosecution in court, where necessary;
  - d. Attend all Town Council meetings and, when requested, any other board or commission meetings;
  - e. Review, revise and/or draft all ordinances, resolutions and contracts to be acted

upon by the Town Council, staff or boards and commissions;

- f. Perform such other legal work as required by the Commonwealth of Virginia, Town Charter, Town ordinance, or Town Council;
  - g. Keep the Town advised of changes in law relevant to the Town's legal position and periodically at mutually convenient times provide general information on law relevant to the Town's operations to the Mayor and Town Council, Town Manager and other staff, as applicable;
  - h. MLG shall periodically confer with the Mayor and Town Manager in order to ensure that there is a mutual understanding of the work expected to be performed by MLG; and
  - i. Such other services as may be further agreed upon between the Parties in writing.
2. The foregoing are intended to include the routine legal affairs of the Town of Clifton Forge, and does not include representation for extraordinary services such as appeal, re-trial, extensive litigation, or negotiation and advice concerning unusual or unique cases beyond the normal scope of municipal business. Such work shall be the subject of Additional Compensation. Both Parties agree to assess such exempted work on a case-by-case basis.
  3. MLG shall perform its work under this contract in accordance with the standards set forth in this Agreement and its attachments, and in accordance with professional standards established by the Virginia State Bar. Whenever differing standards apply to the same service, the strictest standard shall apply.
  4. Jared R. Jenkins shall be designated as the "Town Attorney" and shall perform in that role. He will serve the Town through MLG as Town Attorney throughout the term of this Agreement, unless the Town otherwise agrees in writing.

### **SECTION 3. *Personnel.***

1. MLG shall provide a team of attorneys and legal support staff to perform the work set forth in this Agreement.
2. MLG shall receive assignments for work from the Mayor, Town Council or Town Manager, and shall coordinate all work through the Town Manager's Office, except as otherwise directed by the Mayor or Town Council.
3. MLG shall cooperate with such other Town officials as may be necessary for MLG in the rendering of competent legal services to the Town, and the Mayor and Town Manager shall be responsible for making those Town officials identified by MLG as being necessary to MLG's work available to the extent their assistance is needed by MLG. MLG shall keep the Mayor and Town Council and the Town Manager advised



of the nature and progress of the work being performed in accordance with the Virginia Rules of Professional Conduct.

**SECTION 4. *Payment for Services and Expenses.***

1. In consideration for the provision by MLG of legal services under this Agreement, and subject to the Termination for Non-Appropriation provision of this Agreement, the Town agrees to pay MLG a monthly fee of ONE THOUSAND TWO HUNDRED SIXTY-SIX DOLLARS (\$1266.00) from January 1, 2020-June 30, 2020.
2. Beginning on July 1, 2020, the Town agrees to pay MLG a monthly fee of ONE THOUSAND FOUR HUNDRED FIFTY-EIGHT DOLLARS (\$1458.00).
3. The Town will make all efforts to have payment issued and delivered at the regular meeting of Town Council. If, for any reason, payment cannot be delivered at the regular meeting, the Town agrees to mail, within ten (10) days of that regularly scheduled meeting, all payments due to:

Mann Legal Group, PLLC  
15 East Nelson Street  
Lexington, Virginia 24450

**SECTION 5. *Professional Liability and Other Insurance.*** MLG shall maintain at all times during the term of this Agreement a policy of professional liability insurance and other insurance and shall provide the Town with certificate(s) that such policy or policies is/are in full force and effect at the Town's request. MLG shall notify the Town in the event such policy of professional liability insurance or any other required policy is changed or terminated.

**SECTION 6. *Term of this Agreement.***

1. The base term for this Agreement shall be for two (2) years from the date of full execution of this Agreement by the parties and may be renewed for ten (10) additional one-year periods.
2. This Agreement may be extended or changed by order or amendment. The Town shall give MLG reasonable written notice of intent to renew prior to the expiration date of the base and succeeding terms. In the absence of any notification to renew, the Agreement shall automatically terminate on the expiration date specified for the current term. Agreement to extend this Agreement shall not be final until MLG provides written acknowledgment of the extension. The option to renew shall be exercised at the sole discretion of the Town.
3. The Town may extend the term of this Agreement to allow for completion of any work undertaken but not completed during the original term of the Agreement.

**SECTION 7. *Notices.*** Any notices under this Agreement shall be in writing and shall be delivered in person or by certified or registered mail, return receipt requested, and addressed to

the addresses set forth below:

If to the Town, to:

Town of Clifton Forge  
Town Manager  
547 Main Street  
Clifton Forge, Virginia 24422

If to MLG, to:

Jared R. Jenkins  
Mann Legal Group, PLLC  
15 East Nelson Street  
Lexington, Virginia 24450

Any notice given by mail shall be deemed to have been given upon the deposit thereof with the United States Postal Service with sufficient postage affixed.

**SECTION 8. *Governing Law; Venue.*** The terms, provisions and conditions of this Agreement shall be governed by, and construed and enforced in accordance with, the laws of the Commonwealth of Virginia, without regard to any conflicts-of-law provisions contained therein. The venue for any legal proceedings instituted hereunder shall be in the Circuit Court of Alleghany County, Virginia.

**SECTION 9. *Counterparts.*** This Agreement may be executed in counterparts each of which shall be deemed to be an original of this Agreement.

**SECTION 10. *Termination.***

1. The parties agree that the Town may terminate this Agreement, or any work or delivery required hereunder, from time to time either in whole or in part, whenever the Mayor and Town Council shall determine that such termination is in the best interests of the Town or for failure of MLG to perform its contractual obligations by giving written notice to MLG.
2. The parties agree that MLG may terminate this Agreement, or any work or delivery required hereunder, at any time either in whole or in part, for any just reason as permitted or required under the Virginia Rules of Professional Responsibility upon notification to the Mayor and Town Council.
3. Following such termination, any otherwise non-public information the Town has supplied to MLG which is retained by MLG will be kept confidential in accordance with the applicable laws of Virginia pertaining to the confidentiality of documents provided to localities and with applicable rules of professional responsibility. The Town will notify MLG as to which documents should be returned to the Town, and such documents should be delivered to the Town within 30 days of the termination date of this Agreement.



**SECTION 11. *Examination of Records.***

1. MLG agrees that the Town, or any duly authorized representative, shall, until the expiration of three (3) years after final payment hereunder, have access to and the right to examine and copy any directly pertinent books, documents, papers and records of MLG involving transactions related to this Agreement.
2. The period of access provided herein for records, books, documents and papers which may relate to any arbitration, litigation, or the settlement of claims arising out of the performance of this Agreement or any sub-agreement shall continue until any appeals, arbitration, litigation or claims shall have been finally disposed of.
3. There is no intent that MLG will subcontract legal services to be provided under this Agreement, but in the event that that should occur, MLG shall include a similar access, examination, and copying requirement to that aforementioned in any subcontract which is for more than \$10,000.

**SECTION 12. *Ethics in Public Contracting.*** MLG hereby certifies that it has familiarized itself with Article 6 of Title 2.2 of the Virginia Public Procurement Act, §§ 2.2-4367 through 2.2-4377, *Code of Virginia*, as amended, and that all amounts received by it, pursuant to this procurement, are proposed and in accordance therewith.

**SECTION 13. *Conflicts of Interest.*** The Town acknowledges that MLG is a private law firm with a substantial practice, and has represented clients from the Town as well as the greater Alleghany County area. If an adverse relationship develops between the Town and an entity or individual represented by MLG, and MLG has not performed legal services for the Town in the matter, it is not anticipated that MLG will be called upon to provide legal services to the Town in connection with the matter, and the matter in question is not substantially related to MLG's representation of the Town under the terms of this Legal Services Agreement, the Town agrees that after proper notice to the Town, MLG may represent the client. However, the Town reserves the right to terminate this Agreement at any time pursuant to the terms in Section 12 of this Agreement if the Town determines that MLG's representation of another client requires termination for the best interest of the Town.

**SECTION 14. *Faith-Based Organizations.*** The Town, in accordance with the law of Virginia, includes this statement that it will not discriminate against a faith-based organization on the basis of the organization's religious character or impose conditions that restrict the religious character of a faith-based organization. However, the Town notes that funds provided pursuant to contracts with public bodies cannot, under the law, be spent on religious worship, instruction, or proselytizing, nor can they be used to impair, diminish, or discourage the exercise of religious freedom by the recipients of goods, services, or public disbursements.

**SECTION 15. *Legal Compliance.*** MLG agrees that it does not, and shall not during the performance of the Contract knowingly employ unauthorized alien or aliens as defined in the Federal Immigration Reform and Control Act of 1986.

**SECTION 16. *Payment Clauses.***

1. There is no intent that MLG subcontract legal services to be provided under this Agreement, but to comply with § 2.2-4354, *Code of Virginia*, as amended, the following provision is included in this Agreement.
2. Within seven days after receipt of amounts paid to MLG by the Town for satisfactorily completed performance, MLG agrees to:
  - a. Pay the subcontractor for the proportionate share of the total payment received from the Town attributable to the work performed by the subcontractor under that contract; or
  - b. Notify the Town and subcontractor, in writing, of its intention to withhold all or a part of the subcontractor's payment with the reason for nonpayment.
3. If MLG, after having received payment from the Town, fails to pay each subcontractor its proportionate share of the total payment, MLG shall be obligated to pay interest to each subcontractor on all amounts that remain unpaid after the seven days following receipt by MLG of payment from the Town.
4. Unless otherwise provided under the terms of this Contract or by statute, interest shall accrue at a rate of one percent per month against MLG on any unpaid amounts owed to each subcontractor.
5. MLG shall include in each of its subcontracts a provision requiring each subcontractor to include or otherwise be subject to the same payment and interest requirements with respect to each lower-tier subcontractor.

**SECTION 17. *Foreign and Domestic Businesses Authorized to Transact Business in the Commonwealth.***

1. MLG is organized as a stock or non-stock corporation, limited liability company, business trust, or limited partnership, or registered as a registered limited liability partnership, and shall not allow its existence to lapse or its certificate of authority or registration to transact business in the Commonwealth, if so required under Title 13.1 or Title 50, to be revoked or cancelled at any time during the term of this contract. The Town may void any contract with a business entity if the business entity fails to remain in compliance with this provision.

**SECTION 18. *Termination for Non-Appropriation.***

1. If funds are not appropriated for purposes of paying for services under this Agreement for any succeeding fiscal year subsequent to the one in which this Agreement is first entered, then the Town may terminate this Agreement upon thirty (30) days written notice to MLG. The notice shall set forth the grounds for



termination and its effective date.

2. If the Town terminates for non-appropriation, the Town shall be liable only for payments for services rendered through the effective date of termination.
3. Until the effective date of termination, MLG shall continue to perform its duties under this Agreement and is not excused from any portion of this Agreement.

**IN WITNESS WHEREOF**, the undersigned have executed this Agreement as of the date first above written.

**TOWN OF CLIFTON FORGE,  
a Virginia municipal corporation**

**MANN LEGAL GROUP, PLLC**

\_\_\_\_\_  
Jeff Irvine, Mayor

\_\_\_\_\_  
Jared R. Jenkins, Member/Manager



RECEIVED  
OCT 22 2019  
BY: AC 8:31 Am

Darlene Burcham  
Town Manager  
PO Box 69  
Clifton Forge VA 24422

October 22, 2019

Dear Ms. Burcham,

Clifton Forge Main Street is requesting permission to hold a Christmas parade on Friday, December 6th at 6pm from the 400 Block of E. Ridgeway Street to the Clifton Forge Fire Department on D Street. The parade will line up at 5:15pm and begin at 6pm. The parade will include floats, bands and walking groups. We are letting participants know that they need to hand out candy rather than throw it due to safety concerns. Our theme this year is Winter Wonderland.

Thank you for considering our request. We are certainly looking forward to this year's parade and hope to see you there!

Thanks so much,

Lisa Jonas  
Clifton Forge Main Street, Office Manager



**LOAN RESOLUTION**  
(Public Bodies)

A RESOLUTION OF THE Town Council

OF THE Clifton Forge, Town of

AUTHORIZING AND PROVIDING FOR THE INCURRENCE OF INDEBTEDNESS FOR THE PURPOSE OF PROVIDING A PORTION OF THE COST OF ACQUIRING, CONSTRUCTING, ENLARGING, IMPROVING, AND/OR EXTENDING ITS

Water System

FACILITY TO SERVE AN AREA LAWFULLY WITHIN ITS JURISDICTION TO SERVE.

WHEREAS, it is necessary for the Clifton Forge, Town of  
(Public Body)

(herein after called Association) to raise a portion of the cost of such undertaking by issuance of its bonds in the principal amount of

Four Hundred Four Thousand & 00/100

pursuant to the provisions of Code of Virginia; and

WHEREAS, the Association intends to obtain assistance from the United States Department of Agriculture, (herein called the Government) acting under the provisions of the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) in the planning, financing, and supervision of such undertaking and the purchasing of bonds lawfully issued, in the event that no other acceptable purchaser for such bonds is found by the Association:

NOW THEREFORE, in consideration of the premises the Association hereby resolves:

1. To have prepared on its behalf and to adopt an ordinance or resolution for the issuance of its bonds containing such items and in such forms as are required by State statutes and as are agreeable and acceptable to the Government.
2. To refinance the unpaid balance, in whole or in part, of its bonds upon the request of the Government if at any time it shall appear to the Government that the Association is able to refinance its bonds by obtaining a loan for such purposes from responsible cooperative or private sources at reasonable rates and terms for loans for similar purposes and periods of time as required by section 333(c) of said Consolidated Farm and Rural Development Act (7 U.S.C. 1983(c)).
3. To provide for, execute, and comply with Form RD 400-4, "Assurance Agreement," and Form RD 400-1, "Equal Opportunity Agreement," including an "Equal Opportunity Clause," which clause is to be incorporated in, or attached as a rider to, each construction contract and subcontract involving in excess of \$10,000.
4. To indemnify the Government for any payments made or losses suffered by the Government on behalf of the Association. Such indemnification shall be payable from the same source of funds pledged to pay the bonds or any other legal ly permissible source.
5. That upon default in the payments of any principal and accrued interest on the bonds or in the performance of any covenant or agreement contained herein or in the instruments incident to making or insuring the loan, the Government at its option may (a) declare the entire principal amount then outstanding and accrued interest immediately due and payable, (b) for the account of the Association (payable from the source of funds pledged to pay the bonds or any other legally permissible source), incur and pay reasonable expenses for repair, maintenance, and operation of the facility and such other reasonable expenses as may be necessary to cure the cause of default, and/or (c) take possession of the facility, repair, maintain, and operate or rent it. Default under the provisions of this resolution or any instrument incident to the making or insuring of the loan may be construed by the Government to constitute default under any other instrument held by the Government and executed or assumed by the Association, and default under any such instrument may be construed by the Government to constitute default hereunder.
6. Not to sell, transfer, lease, or otherwise encumber the facility or any portion thereof, or interest therein, or permit others to do so, without the prior written consent of the Government.
7. Not to defease the bonds, or to borrow money, enter into any contractor agreement, or otherwise incur any liabilities for any purpose in connection with the facility (exclusive of normal maintenance) without the prior written consent of the Government if such undertaking would involve the source of funds pledged to pay the bonds.
8. To place the proceeds of the bonds on deposit in an account and in a manner approved by the Government. Funds may be deposited in institutions insured by the State or Federal Government or invested in readily marketable securities backed by the full faith and credit of the United States. Any income from these accounts will be considered as revenues of the system.
9. To comply with all applicable State and Federal laws and regulations and to continually operate and maintain the facility in good condition.
10. To provide for the receipt of adequate revenues to meet the requirements of debt service, operation and maintenance, and the establishment of adequate reserves. Revenue accumulated over and above that needed to pay operating and maintenance, debt service and reserves may only be retained or used to make prepayments on the loan. Revenue cannot be used to pay any expenses which are not directly incurred for the facility financed by USDA. No free service or use of the facility will be permitted.

*According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0572-0121. The time required to complete this information collection is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.*



- 11. To acquire and maintain such insurance and fidelity bond coverage as may be required by the Government.
- 12. To establish and maintain such books and records relating to the operation of the facility and its financial affairs and to provide for required audit thereof as required by the Government, to provide the Government a copy of each such audit without its request, and to forward to the Government such additional information and reports as it may from time to time require.
- 13. To provide the Government at all reasonable times access to all books and records relating to the facility and access to the property of the system so that the Government may ascertain that the Association is complying with the provisions hereof and of the instruments incident to the making or insuring of the loan.
- 14. That if the Government requires that a reserve account be established, disbursements from that account(s) may be used when necessary for payments due on the bond if sufficient funds are not otherwise available and prior approval of the Government is obtained. Also, with the prior written approval of the Government, funds may be withdrawn and used for such things as emergency maintenance, extensions to facilities and replacement of short lived assets.
- 15. To provide adequate service to all persons within the service area who can feasibly and legally be served and to obtain USDA's concurrence prior to refusing new or adequate services to such persons. Upon failure to provide services which are feasible and legal, such person shall have a direct right of action against the Association or public body.
- 16. To comply with the measures identified in the Government's environmental impact analysis for this facility for the purpose of avoiding or reducing the adverse environmental impacts of the facility's construction or operation.
- 17. To accept a grant in an amount not to exceed \$ 0

under the terms offered by the Government; that the Town Manager

and \_\_\_\_\_ of the Association are hereby authorized and empowered to take all action necessary or appropriate in the execution of all written instruments as may be required in regard to or as evidence of such grant; and to operate the facility under the terms offered in said grant agreement(s).

The provisions hereof and the provisions of all instruments incident to the making or the insuring of the loan, unless otherwise specifically provided by the terms of such instrument, shall be binding upon the Association as long as the bonds are held or insured by the Government or assignee. The provisions of sections 6 through 17 hereof may be provided for in more specific detail in the bond resolution or ordinance; to the extent that the provisions contained in such bond resolution or ordinance should be found to be inconsistent with the provisions hereof, these provisions shall be construed as controlling between the Association and the Government or assignee.

The vote was:                                      Yeas \_\_\_\_\_                                      Nays \_\_\_\_\_                                      Absent \_\_\_\_\_

IN WITNESS WHEREOF, the Town Council \_\_\_\_\_ of the

Clifton Forge, Town of \_\_\_\_\_ has duly adopted this resolution and caused it

to be executed by the officers below in duplicate on this \_\_\_\_\_, \_\_\_\_\_ day of \_\_\_\_\_

(SEAL)

By Darlene Burcham  
 Title Town Manager

Attest:

\_\_\_\_\_  
 Title \_\_\_\_\_



**CERTIFICATION TO BE EXECUTED AT LOAN CLOSING**

I, the undersigned, as \_\_\_\_\_ of the Clifton Forge, Town of \_\_\_\_\_  
hereby certify that the **Town Council** \_\_\_\_\_ of such Association is composed of  
\_\_\_\_\_ members, of whom , \_\_\_\_\_ constituting a quorum, were present at a meeting thereof duly called and  
held on the \_\_\_\_\_ day of \_\_\_\_\_ ; and that the foregoing resolution was adopted at such meeting  
by the vote shown above, I further certify that as of \_\_\_\_\_ ,  
the date of closing of the loan from the United States Department of Agriculture, said resolution remains in effect and has not been  
rescinded or amended in any way.

Dated, this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_

Title \_\_\_\_\_

**RESOLUTION AMENDING RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF WATER FACILITY REVENUE BOND (CLIFTON FORGE DAM REHABILITATION PROJECT), SERIES 2020, OF THE TOWN OF CLIFTON FORGE, VIRGINIA INCREASING THE PRINCIPAL AMOUNT OF THE BOND \$3,251,000 AND RATIFYING AND CONFIRMING THE PREVIOUS RESOLUTION**

**WHEREAS**, pursuant to Title 15.2, Chapter 51 of the Code of Virginia of 1950, as amended (the “Act”), the Town of Clifton Forge, Virginia (the “Issuer”) on January 22, 2019 adopted its resolution (the “Bond Resolution”) authorizing the issuance and sale of a water facility revenue bond (the “Bond”) to finance the acquisition and construction of improvements to its dam located on Smith’s Creek in Alleghany County, Virginia (the “Project”); and

**WHEREAS**, the Issuer expected that the proceeds of the Bond, and other funds available to the Issuer, would be sufficient to pay or provide for the cost of the Project; and

**WHEREAS**, the Issuer has learned through the Invitation to Bid Process under the Virginia Public Procurement Act, that the cost of the Project will be approximately \$404,000 higher than had been anticipated.

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Clifton Forge, Virginia

1. It is hereby determined to be necessary and expedient for the Issuer to borrow an amount not to exceed \$3,251,000 to provide permanent financing for the acquisition and construction of the Project.

2. Pursuant to the Act, there is hereby authorized to be issued and sold a Water Facility Revenue Bond (Clifton Forge Dam Rehabilitation Project), Series 2020, of the Issuer in the increased principal amount of \$3,251,000 (the “Bond”).

3. The Bond Resolution, as amended by increasing the principal amount of the Bond, is hereby ratified and confirmed and the form of the Bond as set out in the Bond Resolution shall be revised to reflect an increased principal amount of \$3,251,000 and to declare that the 6<sup>th</sup> word in the third line of the first paragraph beginning with “**WHEREAS**” is “water” and not “sewer” and that the reference in the form of Bond to the Act is a reference to Chapter 26 (and not Chapter 51) of Title 15.2 of the Code of Virginia as amended.

4. This Resolution shall take effect immediately by the following recorded vote

	Yea	Nay	Absent
Jeff Irvine, Mayor	_____	_____	_____
Pam Marshall, Vice Mayor	_____	_____	_____
Dr. Ronald S. Goings, Councilman	_____	_____	_____
Dave Oeltjen, Councilman	_____	_____	_____



Robert Umstead, Councilman

\_\_\_\_\_

Approved: November 11, 2019

\_\_\_\_\_  
Mayor, Town Council,  
Town of Clifton Forge, Virginia

The undersigned Clerk of the Town Council of Town of Clifton Forge, Virginia (the "Town Council") hereby certifies that the foregoing constitutes a true and correct extract from the minutes of a meeting of the Town Council held on the 11th day of November, 2019 and of the whole thereof so far as applicable to the matters referred to in such extract.

**WITNESS** my signature and seal of the Town Council, this \_\_\_ day of November, 2019.

\_\_\_\_\_  
Clerk, Town of Clifton Forge, Virginia

(SEAL)

**CLIFTON FORGE  
POLICE DEPARTMENT**

**\*\* MONTHLY REPORT \*\***

**SEPTEMBER 2019**



**ADULT ARRESTS**

**CRIMINAL ARRESTS- FELONY**

3 CAPIAS SERVED  
4 POSS. SCHEDULE I OR II NARCOTICS  
1 STRANGLE ANOTHER

**CRIMINAL ARRESTS- MISDEMEANOR**

3	ASSAULT & BATTERY		
3	DIP (Drunk in Public)	3	ECO (Emergency Custody Order)
2	EPO (Emergency Protective Order)	1	FAIL TO APPEAR
4	TDO (Temporary Detention Order)	1	PPO (Preliminary Protective Order)
3	POSSESSION OF MARIJUANA	1	SUBPOENA FOR WITNESS
3	OPEN STORAGE		

**TRAFFIC ENFORCEMENT**

1	PASSENGER NOT REPORT, PROP. DAMAGE <\$250	1	DEFECTIVE EQUIPMENT
		1	DRIVE SUSPENDED
5	EXPIRED INSPECTION	3	EXPIRED STATE TAG
1	FAIL TO MAINTAIN CONTROL	5	FAIL TO STOP AT STOP SIGN
1	FAIL TO WEAR SEATBELT	1	IMPROPER BACKING
3	NO OPERATOR LICENSE	1	NO OPERATOR LICENSE IN POSSESSION
1	NO REGISTRATION IN POSSESSION	9	SPEEDING
1	PUBLIC INTOXICATION	1	USE OF CELL WHILE DRIVING
1	WINDOW TINT		

**CRIMINAL ARRESTS – FELONY (JUVENILE)**

**CRIMINAL ARRESTS – MISDEMEANOR (JUVENILE)**

	Sept, '18	18 YTD	Sept. '19	19 YTD
<b>ADULT CRIMINAL ARRESTS</b>	****	****	*****	*****
FELONY	3	38	8	47
MISDEMEANOR	31	199	24	266
<b>JUVENILE CRIMINAL ARRESTS</b>	****	*****	*****	*****
FELONY	0	0	0	0
MISDEMEANOR	0	6	0	11
TRAFFIC SUMMONS ISSUED	18	279	39	540
PARKING VIOLATIONS	7	319	9	113
COMPLAINTS RESPONDED TO	364	3,230	372	3,611
PUBLIC WORKS COMPLAINTS	9	77	1	48
CITIZENS/BUSINES REQUEST-CHECKLIST	322	4,292	1,227	9,812
BURGULAR ALARMS PROCESSED	5	66	8	70
ACCIDENT INVESTIGATED	2	31	5	36
REQUEST TO UNLOCKED MOTOR VEHICLES	6	109	15	113
REQUEST TO UNLOCK HOMES/BUSINESSES	0	3	0	1
ESCORTS PROVIDED	12	104	4	57
COURT DOCUMENTS PROCESSED	55	423	45	380
UNSECURED PROPERTY	17	88	6	78
MILES TRAVELED BY DEPARTMENT	6,985	47,616	5,554	56,632
<b>TRANSPORTS</b>	****	*****	*****	*****
<b>TO REGIONAL JAIL</b>	****	*****	*****	*****
NUMBER OF TRANSPORTS	6	43	6	56
TOTAL MILEAGE	136	989	138	1,245
MAN-HOURS	5 HRS 9 MINS	40 HRS 17 MIN	4 HRS 37 MINS	46 HRS 42 MINS
<b>TO MENTAL FACILITY</b>	****	*****	*****	*****
NUMBER OF TRANSPORTS	9	56	3	43
TOTAL MILEAGE	728	3,493	395	5,632
MAN-HOURS	31 HRS 48 MINS	136 HRS 15 MINS	9 HRS 8 MINS	160 HRS 33 MIN
<b>ANIMAL CONTROL</b>	****	*****	*****	*****
COMPLAINTS RESPONDED TO	50	403	31	314
ANIMALS PLACED IN SHELTER	11	74	0	33
DOGS	2	28	0	16
CATS	9	46	0	17
SUMMONS ISSUED	8	39	0	23
ANIMAL BITES INVESTIGATED	0	9	0	13
<b>ANIMALS RETURNED TO OWNER</b>	1	2	2	8
DOGS	1	2	2	8
CATS	0	0	0	2
OTHER	0	0	0	1
<b>ANIMALS RETURNED TO THE WILD</b>	2	38	0	13



## **Investigation Report**

This report represents criminal investigations conducted by the Clifton Forge Police Department. To date for the month of September the Police department has initiated twenty-six (26) criminal investigations. One (1) case was carried over from the previous month. This brings it to a total of twenty-seven (27) criminal investigations that have been active between September 1, 2019 and September 30, 2019.

### **Criminal cases initiated in September:**

Destruction of property-2	Forgery-1
Domestic assault & battery-6	Traffic accident investigation-2
Public intoxication-3	Sexual assault-1
Possession of controlled substance-4	Petit larceny-3
Possession of marijuana-4	

### **Criminal cases cleared in September:**

Sexual assault-1	Forgery-1
Domestic assault & battery- 6	Possession of controlled substance-4
Possession of marijuana-4	Public intoxication-3
Traffic accident investigation- 2	

These numbers represent the investigations opened. Some investigations may generate multiple charges against multiple defendants. Other cases may not result in any arrest due to the prosecution being declined by the Commonwealth Attorney and/or the victim. For an accurate count of arrests, please see page 2 of the monthly report.

The clearance rate for criminal investigations during the month of September was 77.7%. Some of these cases, while being cleared, have not generated an arrest yet due to the Commonwealth Attorney holding the charges for Grand Jury Indictment.

**Cases of interest:**

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On September 13, 2019 Officer S.D. Urban was on routine patrol when he noticed suspicious activity at the East Coast gas station. Upon approaching the scene, he located a male subject looking into the windows of the establishment after closing time. When attempting to make contact with the individual, he witnessed him drop a black, cylindrical object into a trash receptacle in front of the store. After collecting the discarded item and checking its contents, he located a



sizable amount of methamphetamine within the discarded item. At that time the suspect was taken into custody and transported to CFPD for further processing without incident.

\*\*\*

On September 12, 2019 Officer S.B. Sayers conducted a traffic stop on the 800 block of West Ridgeway St. for an equipment violation. During the course of the stop, an Alleghany County Sheriff's Department K-9 was utilized for an open-air search of the vehicle. After an alert was given for the presence of narcotics, a thorough search of the vehicle was conducted. During the search multiple articles of methamphetamine, marijuana, and smoking devices were found in possession of the vehicle's operator. At that time the suspect was taken into custody and transported to CFPD for further processing without incident.

\*\*\*

On September 17, 2019 Officer S.D. Urban was off duty and attempting to do some recreational fishing at a location on Loop St. when he witnessed multiple individuals who appeared to be involved in the sale or trade of narcotics. After contacting on duty units, he identified himself to the subjects and detained all parties involved. During the course of the investigation he located a small bag of marijuana that had

been discarded by one of the suspects. After locating the marijuana, consent was given to search another suspects vehicle. During the search methamphetamine, marijuana, and prescription drugs were found in the vehicle. At that time a summons was issued to the first suspect and the owner of the vehicle was taken into custody and transported to CFPD for further processing.

\*\*\*

#### Chief's Comments:

This month work was continued for preparation in moving to the new Police Department, a grant was obtained for the procurement of new ballistic vests for all officers and preparations were made for the upcoming Fall Foliage Festival and Trunk or Treat for the coming month.



## Clifton Forge Public Library

### Director's Report

September 2019

The month of September was a busy time as most groups and organizations returned to regular schedules after summer breaks. The Armstrong Community Meeting room had 194 people attending various meetings. The Library Quilters and Threadbenders met on their regular schedules. The Library Board of Trustees met after their summer break. The Friends of the Library held their annual business meeting and voted to retain the current slate of officers. Appalfolks held their monthly board meeting. The Writers Workshop led by Ray Allen met twice. The Brown Bag Book Club met and discussed the book "The Brief Wondrous Life of Oscar Wao" by Junot Diaz. The Foreign Films Club met twice. Congressman Morgan Griffith's representative came on regular schedule. Senator Tim Kaine's representative also met with local constituents. Joan Vannorsdall (Clifton Forge Representative) from the Alleghany County Board of Supervisors met with constituents. In addition, Pam Marshall (the vice mayor) of the Clifton Forge Town Council met with constituents. GED classes did not meet as they continued to search for a new instructor. The Rainbow Rock Genealogical Club held a single meeting. Town Manager Darlene Burcham held a single Curb Appeal meeting. Joleen Feazell from Alleghany County Public Schools held her second Lego Club for children event. Staff member Iris Gilbert with assistance from volunteers Travis Hart and Lisa Deeds checked out 265 books to patrons at Scott Hill.

<b>FY 2020</b>	<b>ilms</b>	<b>August</b>	<b>September</b>	<b>October</b>	<b>November</b>	<b>December</b>	<b>January</b>	<b>February</b>	<b>March</b>	<b>April</b>	<b>May</b>	<b>June</b>	<b>Cum FY 2020</b>
Donations	\$0.00	\$0.00	\$0.00										\$0.00
Book Sales	\$20.00	\$29.00	\$0.00										\$49.00
Fax Charges	\$155.00	\$169.00	\$135.00										\$459.00
Fines	\$160.80	\$132.10	\$199.20										\$492.10
Replace book	\$15.55	\$0.00	\$0.00										\$15.55
Replace cart	\$2.00	\$16.00	\$10.00										\$28.00
Non-Reside	\$0.00	\$0.00	\$0.00										\$0.00
Print-outs	\$93.50	\$102.50	\$91.00										\$287.00
Total	\$446.85	\$448.60	\$435.20										\$1,330.65
<b>FY 2019</b>	<b>July</b>	<b>August</b>	<b>September</b>	<b>October</b>	<b>November</b>	<b>December</b>	<b>January</b>	<b>February</b>	<b>March</b>	<b>April</b>	<b>May</b>	<b>June</b>	<b>Cum FY-19</b>
Donations	\$0.00	\$0.00	\$525.00	\$0.00	\$200.00	\$1,400.00	\$100.00	\$0.00	\$100.00	\$0.00	\$100.00	\$0.00	\$2,425.00
Book Sales	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Fax Charges	\$142.50	\$150.00	\$140.00	\$145.00	\$140.00	\$135.00	\$140.50	\$148.00	\$145.00	\$141.50	\$146.00	\$138.50	\$1,712.00
Fines	\$201.05	\$206.10	\$202.10	\$175.50	\$175.72	\$116.45	\$183.50	\$201.20	\$185.50	\$187.00	\$177.00	\$157.50	\$2,168.62
Replace Car	\$26.00	\$14.00	\$16.00	\$12.00	\$12.00	\$6.00	\$12.00	\$16.00	\$12.00	\$8.00	\$10.00	\$14.00	\$158.00
Lost Books	\$47.91	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$17.00	\$64.91
Non-Reside	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Print-outs	\$91.00	\$105.00	\$90.00	\$92.50	\$96.00	\$85.00	\$97.25	\$101.25	\$98.50	\$96.50	\$92.00	\$95.00	\$1,140.00
Total	\$508.46	\$475.10	\$973.10	\$425.00	\$623.72	\$1,742.45	\$533.25	\$466.45	\$541.00	\$433.00	\$525.00	\$422.00	\$7,668.53

Library ITEMS checked out & categorized by Patron Code (Geographic area & patron type)



FY 2020	July	August	Sept.	October	November	December	January	February	March	April	May	June	Cum FY 20
CF Adult	1427	1426	1438										1427
CF Juvenile	338	281	254										873
Allegh. Adu	950	999	968										2917
Allegh. Juv.	72	78	85										235
NR Adult	73	91	101										265
NR Juvenile	3	15	13										31
# ITEMS O	2863	2890	2859										8612
FY 2019	July	August	Sept.	October	November	December	January	February	March	April	May	June	Cum FY 19
CF Adult	1464	1426	1418	1554	1357	1302	1349	1318	1333	1340	1363	1362	16386
CF Child	398	323	270	273	206	242	275	233	236	267	221	388	3332
Allegh. Adu	877	890	1249	818	702	876	834	955	1018	865	884	917	10885
Allegh. Juv.	65	69	49	103	164	47	75	75	80	54	67	87	935
NR Adult	149	188	138	221	148	174	143	138	140	98	109	86	1732
NR Juv.	17	13	20	46	47	11	55	37	28	36	13	22	345
# Items Out	2970	2909	3144	3015	2624	2652	2731	2756	2801	2660	2657	2862	33781

**Number of PATRONS checking out library materials; categorized by geographic area & patron type**

FY 2020	July	August	Sept.	October	November	December	January	February	March	April	May	June	Cum FY 20
CF Adult	183	179	182										544
CF Juvenile	41	37	34										112
Allegh. Adu	104	117	102										323
Allegh. Juv	9	16	7										32
NR Adult	18	25	24										67
NR Juvenile	1	3	2										6
Total Patron	355	376	351										1082
FY 2019	July	August	September	October	November	December	January	February	March	April	May	June	Cum FY 19
CF Adult	181	201	183	175	161	172	173	169	178	181	185	182	2141
CF Juvenile	40	40	35	30	31	46	33	37	37	27	25	38	419
Allegh. Adu	101	117	100	108	96	110	110	107	102	93	91	110	1245
Allegh. Juv	6	6	9	11	12	11	14	9	12	9	14	18	131
NR Adult	20	23	19	25	17	24	22	21	16	18	20	17	242
NR Juv.	4	3	4	4	7	6	5	5	4	3	3	5	53
Total Patron	352	389	350	350	324	369	356	348	338	330	338	369	4213

**Borrower counts, circulation trans.**

FY 2020	July	August	September	October	November	December	January	February	March	April	May	June	Cum FY 20
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	355	376	351	351																			1082
<b>Borrowers</b>	15	26	16	16																			57
<b>New Regist</b>	5127	5149	5115	5115																			15391
<b>Transaction</b>	61	57	50	50																			168
<b>Wifi</b>	6	9	18	18																			33
<b>W/drawn b</b>	47	57	50	50																			154
<b>PAC Login</b>	20	18	5	5																			43
<b>W/D Patrol</b>	427	409	401	401																			1237
<b>Computer</b>	161	158	163	163																			482
<b>E-book Cir</b>																							
<b>FY 2019</b>	July	August	September	October	November	December	January	February	March	April	May	June	Cum FY 19										
<b>Borrowers</b>	352	389	350	350	324	369	356	348	338	330	338	369	4213										
<b>New Regist</b>	33	29	29	35	27	26	21	9	22	22	32	18	303										
<b>Transaction</b>	5921	5893	5470	6065	5166	5231	5146	4855	4862	4627	4532	4854	62622										
<b>WiFi</b>	56	54	51	61	45	53	55	61	60	57	59	72	684										
<b>Withdrawn</b>	3	277	19	63	112	87	216	179	6	6	2	13	983										
<b>PAC Login</b>	25	41	20	51	44	33	56	74	51	48	43	60	546										
<b>W/D Patrol</b>	6	2	5	2	4	2	6	6	9	5	13	7	67										
<b>Computer</b>	531	560	534	505	502	487	523	450	464	403	394	385	5738										
<b>E-book Cir</b>	148	141	142	183	165	151	171	148	178	190	129	163	1909										

**NEW TITLES ADDED**

	July	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	Cum 20
<b>FY 2020</b>	199	156	164										
<b>FY 2019</b>	205	164	213	188	172	126	168	120	196	126	180	163	2021

**MICHAEL ARMSTRONG COMMUNITY MEETING ROOM ATTENDANCE**

	July	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	Cum 20
<b>FY 2020</b>	325	223	194										
<b>FY 2019</b>	232	190	157	233	219	204	136	176	296	335	222	340	2740



## October Monthly Report

2019

### Public Works Department

Finally we received some much needed rain! The flowers held up until after the fall festival. The Public Works crew worked hard over the Fall Festival weekend making sure all trash was collected.

Crews took the flowers down and we are gearing up for the holiday season.

Crews replaced several of sections of sidewalk on McCormick Blvd, and we also opened up several storm drains that have been blocked for several years.

Crown Hill Cemetery received a much needed face lift, crews worked cutting out old brush around the edges and monuments.

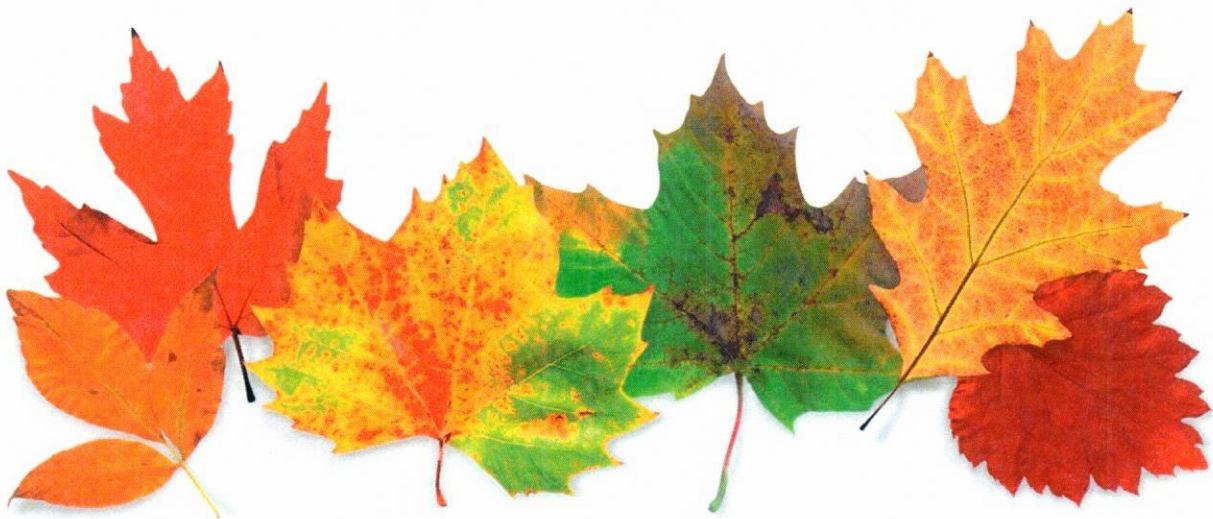
Bulk & Brush pickup has been suspended as of October 31<sup>st</sup> with preparation of leaf pickup, we will continue Bulk & Brush after the first of the year.

Water & Sewer crews have been busy with several water breaks & leaks around town.

For the month of October we rented the dump truck three (3) times.

There were two (2) burials for the month.

Happy Fall Ya'll !!



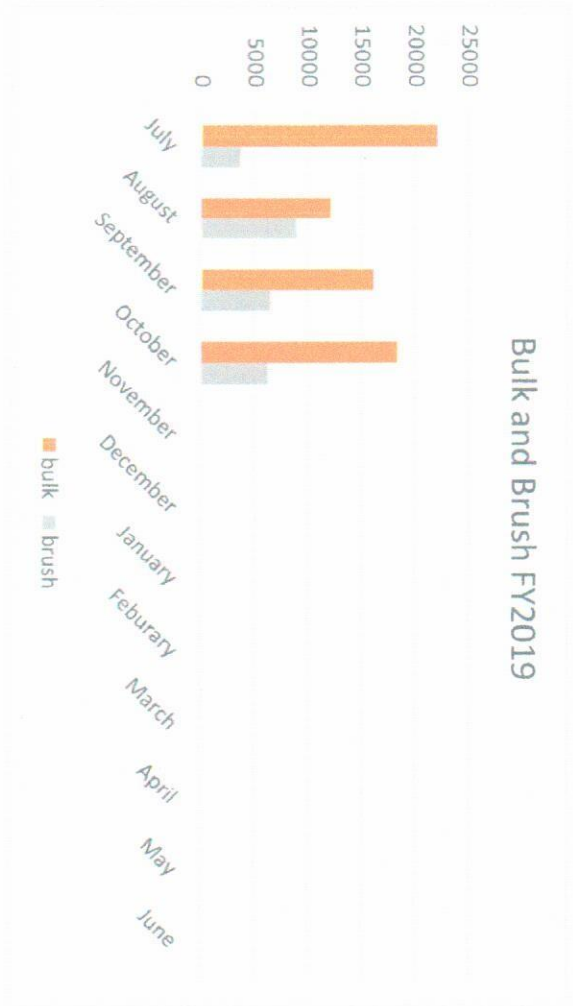
MONTHLY REPORT  
Oct-19

DEPARTMENT	WEEK	OT HOURS	MEN	COMMENTS
CEMETERY	10/1/2019	0	0	Cover grave (2men@1hr)
	10/7/2019	1	2	Cover grave(1man @1.5 hrs)
	10/14/2019	1.5	1	
	10/21/2019	0	0	
	10/28/2019			
	<b>Total</b>	<b>2.5</b>	<b>3</b>	
SEWER I & I	10/1/2019	0	0	
	10/7/2019	0	0	
	10/14/2019	0	0	
	10/21/2019	0	0	
	10/28/2019			
	<b>Total</b>	<b>0</b>	<b>0</b>	
WATER	10/1/2019	23	12	Water break @ 1008 Commercial(5men@3.5hrs)
	10/7/2019	2	1	water on at 908 Rose(1man@2hrs) Jefferson Tank(1man@2hrs)
	10/14/2019	8	5	water leak Jefferson, Linden, Forest Hills(6men@14.5hrs)
	10/21/2019	2	3	water leak @ 426 B(1man@2hrs)Water cut off leak 603 Main
	10/28/2019	2	1	(1man@2hrs) Water main Break 947 Ingalls(4men@6hrs)
	<b>Total</b>	<b>37</b>	<b>22</b>	water break w pine(3men@2hrs) water leak 712 Pine(1man@2hrs)
BLDGS/GRDS	10/1/2019	0	0	
	10/7/2019	0	0	
	10/14/2019	0	0	
	10/21/2019	0	0	
	10/28/2019			
	<b>Total</b>	<b>0</b>	<b>0</b>	
STREETS	10/1/2019	4	2	week 1 water flowers(2men@4hrs)
	10/7/2019	6	7	Road blocked by contractors(1man@2hr)
	10/14/2019	22.5	5	Week 2 water flowers(2men@4hrs)
	10/21/2019	0	0	Tree limb down W ridgeway(1man@2hrs)
	10/28/2019	2	1	fall festival(5men@22.5hrs) Remove Tree from road (2hrs@1man)
	<b>Total</b>	<b>34.5</b>	<b>0</b>	
	<b>Grand Total</b>	<b>74</b>	<b>25</b>	

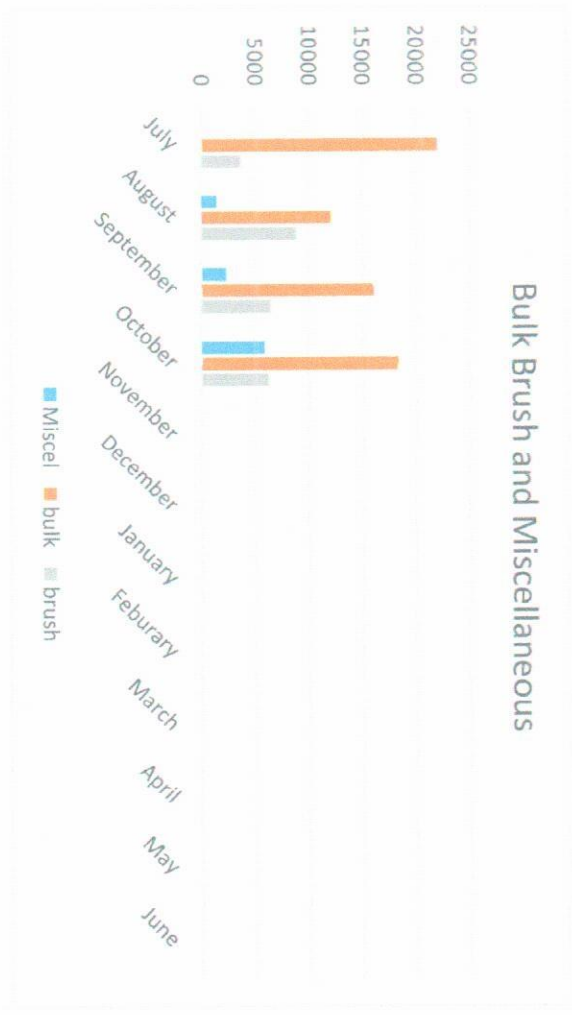
Total of OT hours for the month



### Bulk and Brush FY2019



	July	August	September	October	November	December	January	February	March	April	May	June
Miscel	0	1520	2320	5960								
bulk	21985	12120	16060	18328								
brush	3720	8860	6500	6260								





Oct-19	Date	Trip	Weight	Type	Comments
	4-Oct	1	280	MISC	Rental
	14-Oct	1	1080	MISC	Rental
	18-Oct	1	2300	MISC	roxbury house
	21-Oct	2	1080	MISC	fall festival
	28-Oct	1	1220	MISC	Rental
<b>Subtotal</b>		<b>6</b>	<b>5960</b>		
	1-Oct	3	3600	BULK	
	8-Oct	4	4980	BULK	
	15-Oct	3	3220	BULK	
	22-Oct	2	2140	BULK	
	29-Oct	4	4388	BULK	
<b>Subtotal</b>		<b>16</b>	<b>18328</b>		
	3-Oct	2	2240	BRUSH	
	10-Oct	1	540	BRUSH	
	17-Oct	1	1040	BRUSH	
	24-Oct	1	520	BRUSH	
	31-Oct	1	1920	BRUSH	
<b>Subtotal</b>		<b>6</b>	<b>6260</b>		

**Clifton Forge WTP**

**11/6/19**

**Bobby Irvine, Plant Manager**

Last month I mentioned pressure testing in our high-service water zone as we prepared to paint the Jefferson Street water tank. This month I can report that the pressure testing went extremely well and that the tank project is now complete. The painters did an excellent job and the tank looks great. As an added bonus, variable frequency drives were installed to reduce water hammer, which is a primary cause of water breaks. It should also be mentioned that the residents impacted by the project were very supportive and understanding throughout the process.

The Lead and Copper testing is now complete and once again the Town is within the regulatory guidelines set by the EPA. I would like to thank all those folks who took the time to collect samples and complete the paperwork which was required. The good news is that the next mandated testing cycle will not be until 2022 well after my retirement.

Our new discharge permit, issued by the Department of Environmental Quality became effective in October. This permit, which must be renewed every 5 years, allows the Water Plant to discharge clarified water into Smith Creek, our source stream.

The dam project continues to move forward and the actual groundbreaking will take place in the very near future. It is possible that work will begin early next year.

Finally all regulatory testing yielded satisfactory results.



Clifton Forge Fire Department  
701 Church Street  
Clifton Forge Virginia  
24422

The Clifton Forge Fire Department answered a total of 50 calls in the month of September. Of these 50 calls, 04 were fire calls and 46 were EMS calls, with 48 being within the town limits and 02 in the county. The department averaged 10.2 firefighters per fire call. The department logged 173.5 miles on our apparatus which includes all service vehicles. EMS calls are listed by type of call and frequency of calls. The department ran 6 cardiac calls, general illness calls was 13, overdose calls was 01, public assist calls was 04, falls was 15, shortness of breath was 03, trauma injury calls was 04. Fire calls are listed in order they were received.

09/03/2019 – 432 E. Ridgeway St. Alarm activation responded with 09 firefighters and 1 apparatus  
Town Call

09/16/2019 – 1000 Fairview Ave. Alarm activation responded with 11 firefighters and 1 apparatus  
Town Call

09/18/2019 – 100 Griffith Rd. structure fire responded with 10 firefighters and 3 apparatus  
County Call

09/26/2019 – Verge St. & 220 tree fell on a car responded with 11 firefighters and 1 apparatus  
County Call

## Finance Department Monthly Report

The real estate and personal property tax tickets were mailed October 11<sup>th</sup>. The personal property and real estate tickets will again be two different colors this year and will also be different colors than Allegheny County. This helps to lessen the confusion between all the tickets. We have already processed several abatements sent by the County.

We have processed applications for Elderly and Disabled Tax Relief for Real Estate Taxes as well as the Veterans Real Estate Tax Exemptions. 57 elderly and disabled households qualified for 50-100% tax relief along with 4 veteran's tax exemptions for a total relief of \$7,140.

The delinquent tax sale process is still ongoing. 17 taxpayers have signed promissory notes for a payment plan to get to a current payment status within 36 months or less. Our tax sale attorney will begin title searches on the remaining properties leading up to the sale.

Water cut off for nonpayment was on Monday, October 21<sup>st</sup>. 16 accounts were cut off for nonpayment. 5 meters were pulled that remained off from the September cut off. Upcoming meter read dates will be November 20<sup>th</sup> and December 19<sup>th</sup>. The reads are earlier than normal due to the holiday schedule.