

September 10, 2024

**MINUTES  
REGULAR MEETING  
SEPTEMBER 10, 2024**

The Council for the Town of Clifton Forge held a regular meeting on Tuesday, September 10, 2024, at 7:00 p.m. in the Council Chambers of Clifton Forge Town Hall, 547 Main Street, Clifton Forge, Virginia.

The invocation was given by Pastor Carl (Shorty) Wolfe, followed by the Pledge of Allegiance.

Mayor Jeff Irvine called the meeting to order with the following members present: Mayor Irvine; Vice Mayor Dale Burdette; Councilman Carl (Shorty) Wolfe; Councilwoman Lauder milk; and Councilman Nicely. Also present were Town Manager Charles (Chuck) Unroe and Town Attorney, Mike Lockaby.

Mayor Irvine motioned to add the following two items to the agenda:

- 1) Action Item # 8-To consider approval of road closures from Ridgeway Street to Jefferson Street, to Church Street for the Alleghany High School Homecoming Parade.
- 2) Action Item # 9-To consider approval of road closure of the lower section of Rose Street between Church and Main Street from 2 p.m. – 10 p.m. for the annual Halloween celebration of Loving Life Fellowship Church on October 31, 2024.

The motion was seconded by Councilman Wolfe.

Councilman Nicely: Yes  
Councilman Wolfe: Yes  
Councilwoman Lauder milk: Yes  
Vice Mayor Burdette: Yes  
Mayor Irvine: Yes

**Consent Agenda**

Mayor Irvine motioned to approve the minutes for the meeting held on August 13, 2024, seconded by Councilman Wolfe.

Councilman Nicely: Yes  
Councilman Wolfe: Yes  
Councilwoman Lauder milk: Yes  
Vice Mayor Burdette: Yes  
Mayor Irvine: Yes

**Presentation from Alleghany Highlands Public Schools**

Kim Halterman, Superintendent of Alleghany Highlands Public Schools, presented the state of the school system to Council, citing improved attendance at the elementary and middle schools and

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scores in math, reading, and English improving. Mayor Irvine thanked Corey Bowles, Kim, and the school staff for their work with the Homecoming event and everything else that they do.

Ronald Goings stated that he had received an email from Endowment Project Foundation claiming to be a 501 (C) (3) requesting donations for the Alleghany Highlands school system. He asked who they are, what they are doing, and is the school system aware of this. He commented on the attendance issue at the high school and the school's failure to meet criteria in four of nine conditions. He said that 95 percent of kids were graduating, while only 67 percent were passing their SOLs.

Ms. Halterman responded to Mr. Goings' questions, and said she would check into the Endowment Foundation Project. She thanked Mr. Goings for bringing it to her attention.

### **Presentation from William Atherholt (The Wall that Heals)**

Mr. William (Bill) Atherholt, Quartermaster for VFW Post 1033, presented information on The Wall that Heals that is coming to Covington on October 1<sup>st</sup>, 2024. There will be a parade at around 1:20 p.m. starting in Clifton Forge and ending at the Jackson River Sports Complex in Covington, Virginia. The wall will be constructed on October 2<sup>nd</sup>. The opening ceremony will be held at 10:00 a.m. on October 3<sup>rd</sup>, and there will be an Agent Orange Awareness Program on October 5<sup>th</sup>. There are t-shirts available that include all cities who will have the Wall that Heals at their locations.

### **Action Items**

- 1) Department Reports
  - Code Enforcement
  - Police Department
  - Public Works
  - Library
  - Water Plant
  - Fire Department

Councilman Wolfe motioned to approve the department reports, seconded by Councilwoman Laudermilk.

Councilman Nicely: Yes

Councilman Wolfe: Yes

Councilwoman Laudermilk: Yes

Vice Mayor Burdette: Yes

Mayor Irvine: Yes

- 2) To consider an appeal from Kristen McConnell of the Architectural Review Board's decision to deny a mural at the building at 510 Main Street on the fountain side of the building.

Kristen McConnell stated that the mural was a business decision by Ron (her husband) and herself. It is a marketing tool to attract people to the area. She gave Council examples of inappropriate murals, such as a big red truck. This mural is a representation of public art showcasing our beautiful mountains and can make a positive contribution to the community.

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## Architectural Review Board

Gayle McIntosh read a letter explaining the responsibilities and reason for the existence of the Architectural Review Board. She said she appreciates everything the McConnells have done. Ms. McIntosh stated that the mural needs to fit in with the historic atmosphere with muted and not bright colors. The building is in the historic district of Clifton Forge, on the National Registry of Historic Places, and the Virginia Landmark Registry. The Architectural Review Board was developed to ensure that the historical nature of this section of town is preserved. The ARB is trying to ensure that architectural changes are compatible with the historic features of that section of town. The color, material, and size need to fit into the historical nature of the town. The ARB has guidelines, and paint colors have been an issue in the past.

Sandra McHenry read a statement outlining the specifics of the reason for the ARB's denial of the mural.

Mr. Unroe read two emails to Council that were in favor of the mural.

Michael Foster commended the ARB for their commitment to the town. He stated that Clifton Forge is an arts friendly community, and that Council's broader vision is at the heart of this decision. He is in favor of the mural.

Jed Cohen, four-year Clifton Forge resident, said that, as a young resident, approval of the mural was a very important topic to him. He likes the small-town vibe and would like for the town to move forward. He stated that the decision made by Council would set a precedent for other businesses in the area. He said that colorful murals and paintings would help continue to build on the great town we share.

Councilman Nicely inquired as to whether there were any guidelines on size. Gayle stated that the mural was too powerful looking and too much for the historic district.

Councilwoman Laudermilk stated that natural history was here before the history of Clifton Forge. She said that the mural is a perfect gateway into the town, and that she is in favor of the mural.

Councilman Wolfe said that he loved the sign, but there were rules and guidelines to follow, and he is concerned about safety issues (distractions). He said that Council appointed the ARB for a reason.

Councilwoman Laudermilk stated that the building was not a historical building.

Vice Mayor Burdette asked if they could go back and find something more appropriate.

Mrs. McConnell commented that Council had taken away her due process, and they had a time limit, stating that painting had to be started on October 1<sup>st</sup>.

Mr. McConnell advised Council that they could make the decision if they wanted to pay for the mural.

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Vice Mayor Burdette suggested reverting the decision back to the ARB.

Mr. Unroe advised that the proper procedure for the appeal process has been followed.

Mr. McConnell inquired about the rules and regulations for murals and asked Council if they were making up rules as they go.

Ms. McIntosh said that the appearance of the town would be altered.

Mayor Irvine asked if he would be overturning guidelines or opinions.

Town Attorney Mike Lockaby advised that Council had a broad range to work with regarding their decision on the mural. He stated that they had a lot of power in this situation and that it was a difficult situation, but that's what happens when you are on Council.

Vice Mayor Burdette motioned to revert the decision back to the ARB, seconded by Mayor Irvine.

Councilman Nicely: No

Councilman Wolfe: Yes

Councilwoman Laudermilk: No

Vice Mayor Burdette: Yes

Mayor Irvine: Yes

3) Resolution

- To consider approval of a resolution to appropriate funds submitted by Columbia Gas for 50 percent of the cost of paving on Vulcan Street.

Councilman Wolfe motioned to approve, seconded by Vice Mayor Burdette.

Councilman Nicely: Yes

Councilman Wolfe: Yes

Councilwoman Laudermilk: Yes

Vice Mayor Burdette: Yes

Mayor Irvine: Yes

4) Resolution

- To consider approval of a resolution from Glenn R. Perry requesting the Town of Clifton Forge grant the Clifton Forge Shrine Club a resolution to conduct the annual Fall Foliage Festival to be held October 18<sup>th</sup>, 19<sup>th</sup>, and 20<sup>th</sup>, 2024, with town setup on Thursday, October 17<sup>th</sup>, 2024, after 5:00 p.m.

Councilman Ben Nicely made a motion to approve, seconded by Councilwoman Laudermilk.

Councilman Nicely: Yes

Councilman Wolfe: Yes

Councilwoman Laudermilk: Yes

Vice Mayor Burdette: Yes

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Mayor Irvine: Yes

5) Letter of Request

- To consider a letter of request from Michael Foster for the closure of Ridgeway Street between Ridgeway Street between Roxbury Street and Commercial Avenue for Jack Mason's Tavern to host the Clifton Forge Craft Beer Fest, scheduled to be held October 5, 2024. The time of closure requested is from 10:00 a.m. until approximately 9:00 p.m. Mr. Foster would also very much appreciate it if they could use the town's stage.

Councilman Wolfe motioned to approve, seconded by Councilman Nicely.

Councilman Nicely: Yes

Councilman Wolfe: Yes

Councilwoman Lauder milk: Yes

Vice Mayor Burdette: Yes

Mayor Irvine: Yes

- 6) Mr. Unroe read a letter from Lisa Schink expressing appreciation to the Town of Clifton Forge for hosting the VML/VRSA (Marijuana in the Workplace) event at the Historic Masonic Theatre.
- 7) Mr. Unroe read a letter from a Clifton Forge citizen expressing appreciation to the Public Works Department for the town for their work with bulk pickup.
- 8) Council unanimously approved road closures for the upcoming Homecoming Parade.
- 9) Council unanimously approved road closure for the Halloween event to be held by Loving Life Ministries on October 31<sup>st</sup>.

### **Update From Parks and Trails Committee**

David Elwood said that the Parks and Trails Committee is entirely volunteer, and the group has started mandatory volunteering recently. There is a cleanup soon for Smith Creek. He thanked Mr. Unroe for the pergolas and the work done to mulch the parks. He said he would work with Mr. Unroe to see what the town is responsible for and what Parks and Trails could be responsible for. Mr. Elwood said that milkweed seed sales are the group's primary fundraiser at the time. There are several small items that need to be addressed at Washington Park. A suggestion was made to have more people in the park to help with the security issue. Mr. Elwood suggested outdoor Wi-Fi to draw more people to the park. He said he had contacted Lumos, and they were thinking of an offer for the town. A location for the donated picnic tables has been identified. He suggested play areas on Smith Creek. He discussed Mike Scales and his group, AH Trail Lines. The next Parks and Trails meeting will be held at Linden Park on September 17<sup>th</sup> at 6:30 p.m.

### **Manager's Comments**

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Smith Creek-Mr. Unroe advised that the project had been started with supplies, equipment survey work. The line should be completed by early fall of 2025, depending on the weather. This is a 3.9-million-dollar project, paid for completely with grant money.

West End Waterline-Bids for the West End Waterline will be going out shortly and should be awarded by the end of November, first week in December.

Ridgeway Street Project-Mr. Unroe stated that he signed the final papers this past Friday for the Ridgeway Street paving project, which will probably be done in early spring. This will give them enough time to get the waterline in on the west end of Ridgeway Street if we wait until spring.

Columbia Gas-Columbia Gas is back in Clifton Forge, as it was the only project with funding to complete. They are working on Commercial Avenue (digging the area between the sidewalk and the curb so as not to mess up the pavement). They are also working on Lafayette and Brussels. They will be working throughout Clifton Forge through the first part of January 2025. There are now VDOT standards in place for Columbia Gas to follow when making road repairs. Mr. Unroe said that he needs to discuss things with Mr. Lockaby on imposing restrictions and guidelines.

### **Public Comments**

There were no public comments

### **Council Comments**

#### Debbie Lauder milk

Councilwoman Lauder milk thanked everyone for being there, although it's a shame it takes a controversy to bring everyone out. She likes the concept of having WIFI in the parks. Regarding the mural, she stated, if you always do what you've always done, you'll always get what you've got. She commended the McConnells and the Fosters, who have big plans for the Town of Clifton Forge. She said that we want to move forward and look to the future of Clifton Forge. She said that the mural is not a billboard, it is a piece of art. She went on to say that the Beerfest also brings people to the town. She said that we want Clifton Forge to thrive and hopes that we will all work together to make Clifton Forge a better place to live, work, and play.

#### Ben Nicely

Councilman Nicely thanked everyone who came out to speak. He said that he personally feels that Council let the ARB and the McConnells down tonight. He wished the McConnells the best of luck and apologized.

#### Carl Wolfe

Councilman Wolfe said that his wife loves the mural, and he is not against it. He made the decision to vote to reverse the decision back to the ARB in hopes that a compromise could be reached. He is concerned of the precedent that may be set. He said he loves what the McConells have done so far, and that he hopes they can work something out.

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Dale Burdette

Vice Mayor Burdette thanked everyone for coming out. He said that there were a lot of volunteers here tonight. He recognized the passing of Keisel Wallace, who was a volunteer of the rescue squad.

Jeff Irvine

Mayor Irvine thanked everyone for being there. He thanked Kim Halterman and the school system, the Shriners, Parks and Trails.

**New Business**

Councilwoman Laudermilk motioned to hold a called meeting on September 24, 2024, seconded by Councilman Wolfe.

Councilman Nicely: Yes

Councilman Wolfe: Yes

Councilwoman Laudermilk: Yes

Vice Mayor Burdette: Yes

Mayor Irvine: Yes

**Closed Session**

1. Council for the Town of Clifton Forge will enter into closed session pursuant to subsection A.6 of Section 2.2-3711 of the Code of Virginia of 1950, as amended, for the purpose of discussion of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the town would be affected, relating to potential investments of the town in Town Economic Development Authority development projects, and
2. Pursuant to subsection A.3 of the same section of the Code of Virginia, for the purpose of discussion or consideration of the acquisition of real property for public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the town, specifically relating to three projects on Main Street in Clifton Forge.

Councilwoman Laudermilk motioned to go into closed session for the above stated reasons, seconded by Councilman Nicely.

Councilman Nicely: Yes

Councilman Wolfe: Yes

Councilwoman Laudermilk: Yes

Vice Mayor Burdette: Yes

Mayor Irvine: Yes

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**Motion to Reconvene Open Session**

Councilman Nicely motioned to reconvene the open session, seconded by Councilwoman Laudermilk.

Councilman Nicely: Yes  
Councilman Wolfe: Yes  
Councilwoman Laudermilk: Yes  
Vice Mayor Burdette: Yes  
Mayor Irvine: Yes

**Certification Following Closed Session**

Councilwoman Laudermilk moved pursuant to Virginia Code Section 2.2-3712(D) that the Town Council certifies that, to the best of each member’s knowledge, only public business matters lawfully exempted from open meeting requirements of the Virginia Freedom of Information Act and only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered during the closed meeting.

This motion was carried by Councilman Nicely.

Councilman Nicely: Yes  
Councilman Wolfe: Yes  
Councilwoman Laudermilk: Yes  
Vice Mayor Burdette: Yes  
Mayor Irvine: Yes

**Adjournment**

Councilman Nicely motioned to adjourn the meeting, seconded by Vice Mayor Burdette.

Councilman Nicely: Yes  
Councilman Wolfe: Yes  
Councilwoman Laudermilk: Yes  
Vice Mayor Burdette: Yes  
Mayor Irvine: Yes

The meeting was adjourned at 9:40 p.m.