



**GATE CITY SANITATION AUTHORITY MINUTES**  
**MARCH 14, 2012**  
**156 E. JACKSON ST.**  
**6:00 PM**

**I. CALL TO ORDER**

Roger Cassell, Chairman/Vice Mayor called the meeting to order at 6:00 P.M.

**II. ROLL CALL –Town Clerk Kathy Riley**

PRESENT: Chairman/Vice Mayor, Roger Cassell  
Vice-Chair, Dewey Breeding  
Board Member, Jim Craft  
Board Member, Daris Hartsock  
Board Member, Rodney Baker  
Town Manager, Jeremy Keller

Others present: Town Attorney, Michele B. Brooks, Dan Danko, Melinda Earwood, Pat Elliott

**III. PROCLAMATIONS, CONGRATULATORY RESOLUTIONS, AWARDS, APPOINTMENTS, RESIGNATIONS AND CONFIRMATIONS, ADMINISTRATIONS OF OATHS ON INTRODUCTION OF GUESTS.**

None

**IV. CONSENT ADGENDA**

• **Approval of Bills.**

**Chairman/Vice Mayor, R. Cassell – Discusses:**

- Receipt of PSA bill on March 13, which show actual breakdown of all the bills.
- Percentage down to 42.8%
- Offers to pass bill to Board Members who wish to review PSA bill.

**Motion made to approve payment of bills for February, 2012.**

Motion by: Board Member, D. Breeding 2<sup>nd</sup> by: Board Member, J. Craft

VOTE: Yeas, 4  
Nays, 0

Absent 0

- **Approval of Sanitation Minutes**

- **Motion made to approve Minutes for February 8, 2012.**

Motion by: Board Member, J. Craft 2<sup>nd</sup> by: Board Member, D. Breeding

VOTE: Yeas, 4  
Nays, 0  
Absent 0

## V. COMMUNICATIONS

- **Pat Elliott – Sewer Tap Fee - Representing Community Fellowship Church Discusses:**

- Their picnic shelter that services the Upwards Soccer Program
- Between June through October every Saturday from 9 am -12 pm we have about 600-700 people coming on the grounds
- Building a concession stand with restrooms to be more convenient to them
- Hired Charlie Stone who works for Scott Co. PSA to do the excavating
- \$900 tap fee
- Has all necessary equipment and skills to perform work to tap into manhole and asks fee to be waived or lowered
- Will perform all labor with the inspection of a Town employee having to lay 300' of pipe

**Chairman/Vice Mayor, R. Cassell** – Explains tap fee policy of \$900.00, with not having the opportunity of someone doing the labor, with only involvement being Stoney's wages to inspect work. Recommends lowering it to have enough to cover salary and use of town truck versus totally waiving fee.

**Town Attorney, M. Brooks** – Questions time for Stoney to do his part, with Mr. Elliott stating it is just inspection guessing two hours.

**Chairman/Vice Mayor, R. Cassell** – Asks Mr. Danko if Charlie knows what he is doing with Mr. Danko responding if he doesn't he'll let you know and that he is a good operator. Asks Jim Craft if this has ever happened before where the customer requests to do all the work with him responding yes but doesn't remember the outcome.

**Board Member, R. Baker** – States his concerns regarding setting precedence.

**Chairman/Vice Mayor, R. Cassell** – States policy is all under water, understands concerns, consider as case by case.

**Town Attorney, M. Brooks** – States if we did it, her suggestion is a waiver that you would sign recognizing the Town in normal circumstance, the Town is the one that provides the service and you would waive any liability because you have having a third party do that and we are not setting a precedent to do that all the time.

**Chairman/Vice Mayor, R. Cassell** – Suggests a small fee to cover for fuel and use of Town employee if in case someone comes back we can say we charged them a fee.

**Board Member, R. Baker** – Asks if Town employee will inspect the whole 300' of line or just the connection.

**Patrick Elliott** – States using a laser transit to determine correct slope.

**Chairman/Vice Mayor, R. Cassell** – Suggests Charlie get with Stoney regarding inspection leaving no questions. Ask Board Members what they think is reasonable?

**Vice Chair, D. Breeding** – Suggests \$100.00.

**Town Attorney, M. Brooks** – Suggests \$100.00 plus they would execute document waiving the Town from liability with Mr. Elliott asking Town Attorney if she would print that document saying he will sign it if she'll prepare it.

**Motion made to reduce the sewer tap fee to \$100.00 for Community Fellowship, a signed waiver of liability with inspection of work to be performed by Stoney Falin to ensure required specifications have been met.**

Motion by: Board Member, D. Breeding 2<sup>nd</sup> by: Board Member, D. Hartsock

VOTE:	Yeas,	4
	Nays,	0
	Absent,	0
	Abstain,	0

- **Andy Miles, Engineer with Vaughn & Melton**

**Chairman/Vice Mayor, R. Cassell** – Discusses the poor condition of the interceptor lines  
**Andy Miles – Discusses:**

- Report done by another firm that was approved by all powers to be in 2005 which listed two priorities was the replacement of the Little Moccasin interceptor and the vocational school trunk line.
- The original Town's sewer construction
- Explains the meaning of inflow infiltration
- Reviews and explains individual hand-out sheets provided to Sanitation Authority
- Chris Edwards provided him information going back over the bills from PSA showing difference of the reported flow and the flow at the sewer plant going back to June of 2011
- Estimation of about 30-50% of flow is due to creek water getting in
- High rank of indentified need to replace these two segments of line that has been approved by DEQ and technically Rural Development has approved it
- Town can complete an application and provide and up-date of costs
- States it is around a two million dollar project
- States significant infiltration with some inflow on those two lines
- Replacement could lower overall sewage to process
- Explains options with one being pipe bursting, cured in place and the other was complete replacement
- DEQ and Rural Development option was to replace parallel versus doing the pipe bursting, slip lining with preference of doing work out of the creek
- Explains other options of location and performance with possible pump station

**Chairman/Vice Mayor, R. Cassell** – Asks if this is adding a pump station or the one that pumps it to PSA.

**Andy Miles** – Adding a pump station. If you keep same line where it is, you'll have environmental issues and agencies to deal with, best to run route of road and not in creek and explains route going around businesses.

**Chairman/Vice Mayor, R. Cassell** – Explains reason for Andy to explain this, with rates and refinancing and if board chooses to do this we should see some savings.

**Board Member, R. Baker** – Asks questions regarding flow chart presented with Andy Miles providing appropriate answers.

**Dan Danko** – States looking at Daniel Boone with possibility of working together with R. Cassell stating this could be a hindrance.

**Chairman/Vice Mayor, R. Cassell** – Questions if we could do this joint with D. Danko stating there are no laws stating we can't, it's just in the way the agreement is written.

**Chairman/Vice Mayor, R. Cassell** – States this is something that will need to be addressed. Asks Andy where he is at in looking at possible grant with Andy Miles replying Rural Development accepts applications year round with getting everything approved and ready by first of the fiscal year which is Sept/Oct. You can apply, doesn't mean you have to take the money to see what they offer. He explains different organizations and their lending procedures

**Dan Danko** – Explains the requirements of Rural Development for funding with R. Cassell stating we are working with Davenport & Co. regarding potential refinancing with possibly Sun Trust.

**Town Attorney, M. Brooks** – Asks Andy Miles to pursue this, does he need authorization from the Authority?

**Andy Miles** – To actually apply for a Rural Development application, he would need authorization. In closing, what you have is a two million project explaining you don't have to do the whole project, but concentrate on the worst sections to lower project costs.

**Chairman/Vice Mayor, R. Cassell** – Discusses alternatives regarding repair/replace of line in conjunction with costs with Andy providing options.

**Chairman/Vice Mayor, R. Cassell and Board Member, R. Baker** – Discusses current deficit and contacting Davenport & Co. to have them provide different loan scenarios regarding amounts, rates, time periods to pay loan.

**Motion made to authorize Andy Miles, Vaughn and Melton, to prepare a Rural Development funding application and allow the Sanitation Authority discuss further options with Davenport & Co. on financing.**

Motion by: Board Member, R. Baker 2<sup>nd</sup> by: Board Member, J. Craft

VOTE: Yeas, 4  
Nays, 0  
Absent, 0  
Abstain, 0

• **Dan Danko, Public Service Authority (PSA) – Representing Scott County PSA**

**Chairman/Vice Mayor, R. Cassell** – Provides introduction to Sanitation Authority with what he covered at the meeting, i.e., meter calibration and billing issues.

**Dan Danko – Discusses:**

- States they had problems with meter at the plant, but it is now working correctly and on schedule for calibration with R. Cassell informing D. Danko we put our own master meter to compare flow. Informs Authority of current schedule to ensure calibration of meter is performed annually.
- Explains construction, parts, engineering of the lines, grants and other problems of the plant

**Chairman/Vice Mayor, R. Cassell** – Asks if the meter skata or physically read at the plant with D. Danko replying not skated putting it in now and when complete will provide website so you can pull it up and read it yourself. Currently, Loretta Cruby can download to the computer and she reads yours and compares readings each week.

- States they are to read the master meter everyday and currently have more reliable employees

**Chairman/Vice Mayor, R. Cassell** – States no communication with PSA for years and it should never have got to that far.

- He and Jim Fern, Accountant, looked at the PSA Agreement with Town to ensure billing is done correctly with their conclusion the billing is being done right which is based on flow. Regardless of what PSA does with their rates, it will not affect Town because it is based on % of flow and reinforces the importance of getting the I&I out. Feels they may be able to reduce their operation costs with reducing their operation hours six hours a day.
- Take advantage of radio read meters, other technology to help with labor costs and stay with guidelines of permit
- Will meet with Authority whenever they would like to

**Chairman/Vice Mayor, R. Cassell** – Suggests once a quarter with D. Danko stating he wants to keep the Town involved. He informs the Authority the Town Manager, Jeremy Keller plans on attending the monthly PSA meetings.

- Reserve money required by County

**Chairman/Vice Mayor, R. Cassell** – States in same position with having to raise rates with **D. Danko** stating informed by VRA you will raise rates or you won't get any more money. Asks about their Public Hearing, if they raise their rates, we are strictly on flow and it won't affect us. **D. Danko** replies, it will not affect you, only on what we pay to operate the plant. **R. Cassell** states he is on the Town's Finance Committee and when they were preparing the budget there was roughly a \$70,000 increase in operating, for some reason your budget went up \$70,000.

- **D. Danko** explains what happened stating the agreement said or says the debt on the plant is 50/50. The Gate City pump station is and the force main is total Gate City flow. Doesn't know why PSA owns that or why they have the pump station because we don't have any flows in that system. That changed that ratio from 50/50 and shifted it to 100% to Gate City because that is 100% benefit to the Town of Gate City as far as that project was concerned. Then we had the existing debt on the plant having to go through R/D and get all that stuff because we had to refinance, with texts from him. To help you, I'll this and put into a folder for you and let you look through it. Feels he's doing the right things, but if not will change them. Knows they did pay for at least two, maybe three years we paid 50% of debt for the force man and the pump station that I never came back to Gate City thinking that was pretty stupid of him to overlook that it might be easier to let it go then try to explain. You can look at it, if you have questions I'll come back or meet with somebody.

**Chairman/Vice Mayor, R. Cassell** – States the contract is vague than what it should have been, with **D. Danko** agreeing stating there are a couple changes that need to be amended especially with the point of discharge it's not at the pump city (?) originally they wanted to flow by gravity from your plant, from the Gate City plant to our Moccasin Creek pump station not Moccasin Creek behind Weber City elementary school, we have a pump station there. Explains they couldn't hook that line in the creek due to environmental, decided to pump it, then decided to up-grade it (\$500,000), decided not to pump it twice, pump it once with delivery of waste water to Church Street and continues discussing this item.

**Chairman/Vice Mayor, R. Cassell** – Asks about the Town's old pump station with a generator, back-up generator, is it still being used as a pump and what is still at the old

Gate City plant with **D. Danko** stating the generator uses an unbelievable amount of gallons of diesel in an hour.

**Chairman/Vice Mayor, R. Cassell** – Is there a pump there is that why **D. Danko** states there are three pumps there. It flows by gravity into that wet well then pumps from there to Church Street.

**Chairman/Vice Mayor, R. Cassell** – Thought you had to put a pump somewhere on 23 to get it up there **D. Danko** states that's what they wanted with us saying no it was too much money.

**Chairman/Vice Mayor, R. Cassell** – Who owns the old Gate City pump station, did you take it over or does the Town still own that? It's been so long I can't remember with **D. Danko** replying we have a deed for the pump station site and for the ingress and egress, but we don't own the property around it. Just the one little pump station site. I sure I have those records somewhere and if I find them, I'll give those to you. The dry beds are still yours. We kind of left them because and goes into an explanation.

**Chairman/Vice Mayor, R. Cassell** – Asks do you see an increase, we're getting ready to do budget here, do you see any increase on our part that you know of with **D. Danko** replying and providing a handout with a year's worth of information, averaging flows, with the operation costs in Gate City adding a 10% anticipated increase, with operating costs at \$164,755.32 and the 10% brought it up to \$181,000. Discusses debts breaking it down either 50/50 with items that you don't participate in and ones we don't participate in and explains the breakdown with the 10% increase the total of \$331,820.00, but will go back and take another look at this, kind of rushed through this.

**Board Member, R. Baker** – Asks for clarification with the agreement that we are only paying for ½ of certain things and if you refinance that debt, will it affect us with **D. Danko** stating it will affect you but doesn't know if we refinanced that part, but will double check that to make sure. Discusses other areas they will be providing water too with little increases resulting from that.

**Chairman/Vice Mayor, R. Cassell** – When this was entered into to, Gate City and Weber City was the only sewer coming in at the time, if you add sewer elsewhere of course your chemical expenses and all that stuff will go up, how will that affect us? If we are on flow, how do we with because you're going to get the bill whether it's for flow or just operation of the plant with **D. Danko** stating isn't that why we have engineers and accountants?

**Chairman/Vice Mayor, R. Cassell** – Because the more sewer that goes in of course the operations will cost more with **D. Danko** explaining we can control the percentages because we gather flows from other areas and subtract Gate City flow that comes through the pump station so that will bring the flows down. But he hasn't put a lot of thought in what it will do to the percentage and the cost of operating the plant and how will that with percentages would apply to that and it just may work out. I don't know, but that's something that we'll just have to work through. Discusses other projects with PSA.

**Chairman/Vice Mayor, R. Cassell** – Questions on the bills the operating costs of the plant with two sticking points of the fuel and telephone that is based on flow. With the fuel, we maintain our own line is there really that much fuel consumed to take care of our part of it or is it because it's the best way to do it on percent with **D. Danko** stating he doesn't know and will have to check and see.

**Chairman/Vice Mayor, R. Cassell** – With telephone this time it was \$42 on us and \$57 on you, sometimes it flip flops, I guess it all comes out in the wash. It doesn't cost PSA anymore to use the phone if we flow 100% or 50% with **D. Danko** stating this (handout) cost \$800 and explains cost of gallon of ink of \$5,000.

**Chairman/Vice Mayor, R. Cassell** – These are just the things I caught there may not be any other way to do. There was a tire bought for a truck and we paid a percentage of that with D. Danko replying “thank you”.

**Chairman/Vice Mayor, R. Cassell** – In the past we have been billed for chairs and calendars and I guess that might be reasonable office expenses with **D. Danko** stating we do have some office expenses.

**Chairman/Vice Mayor, R. Cassell** – There some things like this time the total fuels was \$248 we had \$106 this time, you had \$142 with Melinda saying the only way she had to do it was she knew what trucks were used and what areas with D. Danko replying it is gas it might be diesel. We have a generator and they eat up the fuel with the diesel. I'll take a look at that. I was assuming it was the diesel cost more than

**Chairman/Vice Mayor, R. Cassell** – It's gas and all was factored in on the ones I looked at because there was some, you're right, they filled a tank with several hundred dollars one month. But there was some gas on there too that showed mid-grade and regular grade it was all split. She does an excellent job on breaking it down with her explaining to me that is the only way she knows to do it with **D. Danko** explaining we can do something about that gas because they meet at the shop, every morning, they always meet at the shop and it is right there at the pump station so they're going to read that, go over there to do anything unless our maintenance crew has something to do over there, whatever with **M. Earwood** stating she doesn't charge the maintenance crew gas.

**Chairman/Vice Mayor, R. Cassell** – I've asked Michele and this is vague but it says, operating cost for the operation of the plant, but what goes with the plant? How far does that go beyond with **D. Danko** explaining he thinks maybe the phone and the fuel both could be a thin line, we deal with DEQ and suppliers all the time.

**Chairman/Vice Mayor, R. Cassell** – States he didn't really understand it all because Chris (Edwards) was supplying just the total figure but after I received Melinda's breakdown it made sense and have requested a copy of this breakdown each month.

**Town Attorney, M. Brooks** – Cost is defined in the Statute and have provided them all a copy of the definition of cost that is in the statute that is referenced in the contract with **R. Cassell** stating he doesn't remember seeing it.

**Town Attorney, M. Brooks** – §62.1-224 of VA Statute and we can discuss that next meeting. Informs D. Danko from my perspective as a legal representative it does a lot for you to explain these things and I think the communication is invaluable and appreciates him being here and Melinda as well.

**Chairman/Vice Mayor, R. Cassell** – Discusses time with Authority and still learning, a lot is interpretation. Questioned Melinda about bills going to Quill Run and a bill regarding a flow meter for \$2,000.00 going to Duffield and did we pay for a piece of equipment that went to Duffield and she provided me a copy of that and it was for the Weber City plant with **M. Earwood** saying employees get a PO #, codes it and signs it and she knows where it should be billed to.

**Chairman/Vice Mayor, R. Cassell** – Thanks Mr. Danko for coming.

**VII. UNFINISHED BUSINESS**

- **Approve and adopt Sanitation Authority By-Laws amendments**

**Chairman/Vice Mayor, R. Cassell** – Advises Sanitation Authority Council approved the changes and reads the two amendment changes to the By-Laws.

**Town Attorney, M. Brooks** – Requests the adopted date be corrected from March 13, 2012 to reflect March 14, 2012.

**Motion made to approve and adopt the amendments to the Sanitation Authority By-Laws as written.**

Motion by: Board Member, R. Baker 2<sup>nd</sup> by: Board Member, D. Hartsock

VOTE:	Yeas,	4
	Nays,	0
	Absent,	0
	Abstain,	0

**VIII. NEW BUSINESS**

- **School Board Trash Fees**

**Town Manager, J. Keller – Discusses:**

- Mr. Sallee, Property Maintenance Manager, came to the office to see me
- Requesting to waive trash fee for Gate City High School, Middle School, School Board Office and Shoemaker Elementary of a total of about \$100 a month
- Advised him if you are using sewer and paying sewer garbage is tacked on and explained Town Crew is coming by picking up cardboard to recycle so it probably won't be waived

**Chairman/Vice Mayor, R. Cassell** – Council's feeling was the way we do sewer, if it runs by your property you paid minimum on sewer. The garbage is available so you pay it.

**Board Member, R. Baker** – Asks why they want to waive it with **J. Keller** replying they didn't use it for trash pick up

**Chairman/Vice Mayor, R. Cassell** – States there has been occasions with Shoemaker when I was PTO President I asked them to come pick stuff up with **J. Keller** stating we do pick up cardboard once a week at all three schools.

**Chairman/Vice Mayor, R. Cassell** – States Council felt same as sewer, it's available whether they hook on or not, a garbage truck runs past every day. Just need a decision from Board to tell them.

**Motion made to deny the School Board's request to waive the garbage fees at those facilities.**

Motion by: Board Member, R. Baker 2<sup>nd</sup> by: Board Member, D. Breeding

VOTE:	Yeas,	4
	Nays,	0
	Absent,	0
	Abstain,	0



**Town Manager, J. Keller – Discusses:**

- Mr. Sallee also requested a reduction in the sewer rates at the field house. His reasoning is during the summer of June, July and August a lot of that water is going to water the field and being charged 100% to sewer. I told him there is really no way we can judge how much water is going to water that field. During those summer months and especially August when practice really starts there's showers at least five days a week in there, they're running laundry every night, bathrooms in August when school starts because they have some classes in the field house. There would be no way to determine how much water they are using to water that field to give you a good estimate. Advised him would take it to the Board. He mentioned in the past he thought they had a separate meter just for watering the field.

**Chairman/Vice Mayor, R. Cassell** – States only way would be to have a separate facet or yard hydrant to place a meter its physical of where it's coming from.

**Board Member, R. Baker** – Agrees if there was separate meter and be able to administratively be able to do it.

**Chairman/Vice Mayor, R. Cassell** – They would just have to have a separate tap with a meter dedicated for the water for the field. Don't know if they want to go through all that trouble. If they put in a separate meter they are paying two basic fees.

**Town Attorney, M. Brooks** – You would be voting on something that may or may not happen in the future. If they did that you would consider it.

**Chairman/Vice Mayor, R. Cassell** – Council feel on it sewer's 100%, like you say if you wash your car you still pay it. That is the only alternative unless you separate meter it.

**Board Member, R. Baker** – States his concern about setting a precedent.

**Chairman/Vice Mayor, R. Cassell** – States other business's in town that water their lawn, i.e. Pal's, Hardees with times setting up a pump in the creek.

**Board Member, R. Baker and Chairman/Vice Mayor, R. Cassell** – Discuss different scenario's that could create precedent situations in the future.

**Board Member, R. Baker** – States they would have to pay the \$900 tap fee

**Town Clerk, K. Riley** – Advises board of customers within town who have separate meters for their yard and also for their pool and provided names of those customers.

**Chairman/Vice Mayor, R. Cassell** – Asks if we need to deny request to lower it as is.

**Town Attorney, M. Brooks** – Feels you do if a request has be made to the Board than I think you should.

Motion made to deny the request for a percentage reduction

**Town Attorney, M. Brooks** – States we will need to modify the agenda under other business. Just wants to get this procedurally correct.

**IX. OTHER BUSINESS**

**Motion made to deny the waiving or lowering the sewer fee for the field house and offer them the option of running a separate meter.**

Motion by: Board Member, R. Baker 2<sup>nd</sup> by: Board Member, J. Craft

VOTE:   Yeahs,     4  
          Nays,       0

Absent, 0  
Abstain, 0

**X. ADJOURN**

**Motion made for Board to adjourn to next regularly scheduled Sanitation Meeting on April 11, 2011 at 6:00 p.m.**

Motion by: Board Member, R. Baker 2<sup>nd</sup> by: Board Member, J. Craft

VOTE: Yeas, 4  
Nays, 0  
Absent 0

Chairman/Vice Mayor, Roger Cassell, adjourned the meeting at 8:12 P.M.

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Roger Cassell – Chairman/Vice Mayor

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Kathy Riley – Town Clerk

**BY-LAWS  
OF THE  
GATE CITY SANITATION AUTHORITY**

**ARTICLE I – AUTHORIZATION**

- 1.1. This sewer authority is established in conformance with a resolution adopted by the Gate City Town Council, of Gate City, Virginia on the 15<sup>th</sup> day of October, 1962; and in accord with the provisions of Section 15.1-1239 to 15.1-1270, inclusive, of the Code of Virginia (1950), as amended.
- 1.2. The official title of this sewer authority is “Gate City Sanitation Authority”, and is hereinafter referred to as the “Authority”.

**ARTILCE II – PURPOSE**

- 2.1 The purpose of the Authority is to facilitate the acquisition, construction, financing, operation, and maintenance of a sanitary sewer system for the Town of Gate City for the primary purpose of providing sanitary sewer services to the residents and places of business of Gate City, Virginia.

**ARTICLE III – MEMBERSHIP**

- 3.1 ~~The Authority shall consist of five members appointed by the Town Council of Gate City. All members shall be residents of the Town of Gate City and qualified by knowledge and experience to serve on the Board of Directors of the Authority. At least three/fifths of the members shall be freeholders. Two or more members may be members of the Town Council.~~
- 3.1 The Authority shall consist of five members appointed by the Town Council of Gate City, but shall have a minimum of four members at all times. All members shall be residents of the Town of gate City and qualified by knowledge and experience to serve on the Board of Directors of the Authority. At least three/fifths of the members shall be freeholders. Two or more members may be members of the Town Council. (Amended 1-10-12, Council Approved 2-14-12, Adopted 3-14-12)
- 3.2. The terms of office for the member(s) of the Town Council shall be co-extensive with their terms of office, or until the Town Council appoints others to replace them. The terms of the other members shall be for four years. Resignations from the Authority shall be made in writing to the Chairman or Mayor of Gate City and accepted by vote of the Authority. The Authority may recommend an appointment of a vacant Board position to the Town Council.

- 3.3. Any vacancy in membership shall be filled by appointment of the Town council and shall be for the unexpired portion of the term only.
- 3.4. Any member of the Authority shall be eligible for reappointment.
- 3.5. Any member of the Authority shall be removed by the Town Council for inefficiency, neglect of duty, or malfeasance in office.
- 3.6. The term of an Authority member shall expire immediately prior to the beginning of the regular monthly meeting at which meeting his successor's term of office shall begin.
- 3.7. No oath of office shall be required. Authority members shall be subject to the provisions of the State and Local Government Conflict of Interest Act (Chapter 40.1 of the Code of Virginia (1960) as amended).

#### **ARTICLE IV – SELECTION OF OFFICES**

- 4.1. Officers of the Authority shall consist of a Chairman, Vice-Chairman, and Secretary. The Chairman and Vice-Chairman shall be elected by the membership. The Secretary shall be appointed, non-voting member of the Authority and may be an employee of the Town government or a citizen volunteer.
- 4.2. Nomination of officers shall be made from the floor at the regular July meeting. Election of officers shall follow immediately. A candidate receiving a majority vote of the entire membership shall be declared elected.
- 4.3. The term of office shall be for two (2) years or until a successor takes office.
- 4.4. Any vacancies in office shall be filled for the unexpired portion of the term in the same manner as the officers are originally chosen.

#### **ARTICLE V – DUTIES OF OFFICERS**

- 5.1. The Chairman shall be a member of the Authority and shall:
  - 5.1.1. Preside at all meeting.
  - 5.1.2. Appoint all committees deemed appropriate by the Authority and serve as an ex-officio member of such committee.
  - 5.1.3. Rule on all procedural questions (subject to a reversal by a two-thirds (2/3) majority vote by the members present).

- 5.1.4. Be informed immediately of any official communication, and report same at the next regular Authority meeting.
- 5.1.5. Certify all official documents involving the actions of the Authority.
- 5.1.6. Certify all minutes are true and correct copies.
- 5.1.7. Carry out other duties as assigned by the Authority.
- 5.2 The Vice-Chairman shall be a member of the Authority and shall:
  - 5.2.1. Act in the absence or inability of the Chairman to act, with the full powers of the Chairman.
- 5.3. The Secretary shall:
  - 5.3.1. Record attendance at all meetings.
  - 5.3.2. Record the minutes of the Authority meetings.
  - 5.3.3. Notify all members of all meetings.
  - 5.3.4. Maintain a file of all official Authority records and reports.
  - 5.3.5. Certify all maps, records and reports of the Authority.
  - 5.3.6. Give notice and be responsible for publishing public notices of all authority public hearings and public meetings.
  - 5.3.7. Attend to the correspondence necessary for the execution of the duties and functions of the Authority.

**ARTICLE VI – EMPLOYEES OF THE AUTHORITY**

- 6.1. The Authority is empowered to retain persons for employment. Employees of the Authority as well as those persons receiving partial compensation from the Authority shall be governed by the various policies and procedures established by the Town Council.
- 6.2. The Authority shall retain the Town Treasurer of Gate City as the Treasurer of the Authority, subject to the provisions of 6.1.
- 6.3. The Town Manager of Gate City shall be the Authority manager of the Authority. In the absence of the Town Manager, the Town Public Works Director shall act in this capacity. The Authority Manager shall:

- 6.3.1. Prepare and submit to the Authority an annual budget showing anticipated revenues and proposed expenditures for each fiscal year beginning July 1 and ending June 30.
- 6.3.2. Make regular reports to the Authority concerning its operations and needs.
- 6.3.3. Gather such information as the Authority deems necessary for its decisions.
- 6.3.4. Supervise the work of the Authority's employees, subject to the provisions of 6.1.
- 6.3.5. Be authorized to the Authority to enter into various agreements and other arrangements on its behalf, and represent the interest of the Authority in relations with other parties.
- 6.3.6. Attend the various committee functions of the Authority and advise the committees on matters under consideration.

#### ARTICLE VIII – MEETINGS

- 7.1. ~~Regular meetings of the Authority shall be held on the first Monday at each month at 7:30 p.m. Special meetings shall be called as need. When a meeting date falls on a legal holiday, the meeting shall be held on the day following unless otherwise designated by the Authority.~~
- 7.1. Regular meetings of the Authority shall be held on the second Wednesday at each month at 6:00 p.m. Special meetings shall be called as need. When a meeting date falls on a legal holiday, the meeting shall be held on the day following unless otherwise designated by the Authority. (Amended 1-10-12, Council Approved 2-14-12, Adopted 3-14-12)
- 7.2. Special meetings may be called by the Authority Manager, Chairman or by two (2) members upon written request to the Secretary. The Secretary shall mail to all members, at least five (5) days before a special meeting, a special meeting, a written notice giving the time, place and purpose of the meeting.
- 7.3. All meetings of the Authority shall be open to the public.

#### ARTICLE VIII – VOTING:

- 8.1. A majority of the members shall constitute a quorum.
- 8.2. No action of the Authority shall be valid unless authorized by a majority vote of those present and voting.

**ARTICLE IX – ORDER OF BUSINESS**

9.1. The order of the business for regular meeting shall be:

9.1.1. Call to order by Chairman.

9.1.2. Roll call.

9.1.3. Determination of a quorum.

9.1.4. Reading of minutes.

9.1.5. Public expression.

9.1.6. Old business.

9.1.7. New Business.

9.1.8. Other business.

9.1.9. Payment of bills.

9.1.10. Adjournment.

9.2. Parliamentary procedure in Authority meeting shall be governed by Robert's Rule of Order.

9.3. The Authority shall keep a set of minutes of each meeting, and these minutes shall become a public record.

The Secretary and Chairman shall sign all minutes and, at the end of the year, shall certify that the minutes of the preceding year are a true and correct copy.

**ARTICLE X – PUBLIC HEARING**

10.1. In addition to those required by law, the Authority may hold public hearings on any matter which deems to be in the public interest.

10.2. Notice of a public hearing shall be published once a week for two successive weeks, in a newspaper of general circulation in the area, at least five (5) days before the day of the public hearing.

10.3. The Chairman or Authority Manager shall summarize the matter before the Authority, allow interested parties to address the Authority, and accept written

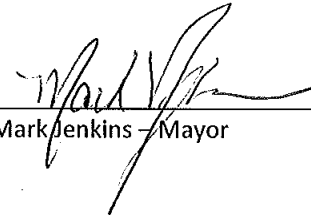
statements and other documentation pertinent to the matter before the Authority.

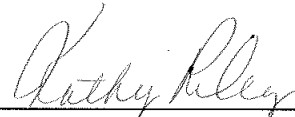
- 10.4. An accurate, written record shall be made of the proceedings of the public hearing and maintained as a part of the Authority's files.

**ARTICLE XI – AMENDMENTS**


- 11.1. These By-laws may be amended by a majority vote of the entire Authority and are subject to approval by the Town Council.

**APPROVED** with revision, this the 14<sup>th</sup> day of February, 2012 by the Town Council of Gate City, Virginia.

BY:   
Mark Jenkins – Mayor

ATTEST:   
Kathy Riley – Town Clerk

**APPROVED AND ADOPTED** as revised this 14<sup>th</sup> day of March, 2012 by the Board of Directors of the Gate City Sanitation Authority.

BY:   
Roger Cassell – Chairman/Council Member

ATTEST:   
Kathy Riley – Town Clerk



**WAIVER OF LIABILITY**

The Sanitation Authority for the Town of Gate City has duly voted to allow Community Fellowship Church to perform excavation and lay pipe for a new sewer line for its sports facility. Community Fellowship Church agrees that all work will be done by a licensed and competent individual. Further, the Church agrees that the line will be inspected by an employee of the Town to ensure that all required specifications have been met.

Community Fellowship Church does hereby release the Town of Gate City from any and all liability for the sewer line to the sports facility. In the event that the line fails in some capacity, the Church agrees that it will solely be responsible to repair the line.

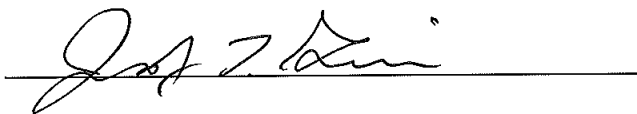


Pat Elliott  
Community Fellowship Church

COMMONWEALTH OF VIRGINIA;

COUNTY OF SCOTT, to-wit;

The foregoing instrument was acknowledged before me this 3rd day of April, 2012 by Pat Elliott.



NOTARY PUBLIC

My Commission Expires: 7/31/2013

Registration Number: 7307544

