



GATE CITY SANITATION AUTHORITY MINUTES
JULY 13, 2011
156 E. JACKSON ST.
6:00 PM

I. CALL TO ORDER

Jim Craft, Chairman called the meeting to order at 6:00 P.M.

II. ROLL CALL – Deputy Town Clerk Judy Guinn

PRESENT: Chairman, Jim Craft
Vice-Chair, Dewey Breeding
Council Member, Roger Cassell (Came in at 6:02 P.M.)
Board Member, Daris Hartsock
Board Member, Rodney Baker
Town Attorney, Michele B. Brooks
Acting Town Manager, Mark Jenkins

ABSENT: Town Manager, Steve Templeton

Others present: Amy Lee Quillen, Jessie McClellan, Robert Q. Barker

III. CONSENT ADGENDA

• **Approval of Bills**

Motion made to approve payment of bills for April, 2011.

Motion by: Vice Chair, D. Breeding 2nd by: Board Member, D. Hartsock

VOTE: Yeas, 4
Nays, 0
Absent 1

Motion made to approve payment of bills for May, 2011.

Motion by: Vice Chair, D. Breeding 2nd by: Board Member, D. Hartsock

VOTE: Yeas, 4
Nays, 0
Absent 1

Council Member, Roger Cassell entered the meeting at 6:02 P.M.

Motion made to approve payment of bills for June, 2011.

Motion by: Vice Chair, D. Breeding 2nd by: Board Member, D. Hartsock

VOTE: Yeas, 5
Nays, 0
Absent 0

- **Approval of Sanitation Minutes**

Motion made to approve Minutes for April 13, 2011.

Motion by: Vice Chair, D. Breeding 2nd by: Board Member, D. Hartsock,

VOTE: Yeas, 4
Nays, 0
Absent 0
Abstain 1 – Board Member R. Baker not present

- **There are no Sanitation Minutes for May 11, 2011 due to not having a quorum**
- **There are no Sanitation Minutes for June 8, 2011 due to not having required five members.**

Motion made to approve Minutes for June 15, 2011 Public Hearing regarding 2011-2012 proposed Sanitation Authority budget.

Motion by: Board Member, R. Baker 2nd by: Vice Chair, D. Breeding

VOTE: Yeas, 5
Nays, 0
Absent 0

Motion made to approve Minutes for June 22, 2011 Special Called Meeting regarding approval of the 2011-2012 Sanitation Authority budget.

Motion by: Vice Chair, D. Breeding 2nd by: Board Member, D. Hartsock

VOTE: Yeas, 4
Nays, 0
Absent 0
Abstain 1 – Board Member R. Baker not present

IV. PUBLIC COMMENT

Robert Q. Barker – Mr. Barker stated that he had received a letter concerning the reimbursement of Quillen Heights for sewer. This letter requested that he produce a contract. He came in and went through the minutes for 1992 and found the contract. He read part of the contract to the Board members. He also stated that when the payments first started, the Town Treasurer made deposits directly to their account. When Mr. Edwards took over, he actually wrote checks to Barkers and then to Quillen Heights. He stated that there used to be a monthly statement with the amount still owed to the development, but they had not had that for a while.

Town Attorney M. Brooks – Do you have a record of the payments and how much is owed?

Robert Q. Barker – No. The first payment would have been 1993. I have the records since 2001. Another question I have is – Has Hunter’s Crossing been tied in. You could go to Ravine Street and look in the manhole and see if there are two pipes. If there are two, it is not tied in. If

one, it has been. In 2009, the monthly checks were running 137.30, 116.00, 137.00, etc. Recently, they have gone up to 274.45, 264.30, etc. I just want to make sure that is correct and we are not getting paid too much.

Chairman, J. Craft, closed the public comment session at 6:12 P.M. and opened the consent agenda session.

V. UNFINISHED BUSINESS

- **Amy Quillen, 300 Sharon Drive, regarding sewer bill**

Amy Quillen – Stated that she had come to see if she could get a refund or credit for the sewer bill that she had paid in the past. As per a request from Town Attorney M. Brooks, Amy updated the new board members on the facts of her request to the sewer authority. The Board had approved in a past meeting not to charge her a sewer fee since she was not hooked up to sewer and it was not cost effective for the Town to pump her sewer to our system. She is now asking to be refunded the past sewer bill paid to the Town, with a payment or credit to the account.

Council Member R. Cassell – Stated that the real estate agent was required to inform the purchaser that there was no sewer.

Amy Quillen – Stated that the home belonged to her parents and that she was renting the house. She stated that when she signed up for water, she was just put on whatever the person who lived in the house before her paid.

VI. CLOSED SESSION

Chairman, Jim Craft, opened the closed session at 6:20 P.M.

Motion for Sanitation Authority to enter into closed session to discuss Amy Quillen refund issue.

Motion by: Vice Chair, D. Breeding 2nd by: Board Member, D. Hartsock

VOTE:	Yeas,	5
	Nays,	0
	Absent	0

VII RETURN FROM CLOSED SESSION

Sanitation Authority returned from closed session at 6:35 P.M.

Motion for Sanitation Authority to return from closed session.

Motion by: Vice Chair, D. Breeding 2nd by: Board Member, D. Hartsock

VOTE:	Yeas,	5
	Nays,	0
	Absent	0

CERTIFICATION OF CLOSED MEETING

WHEREAS, the Gate City Town Sanitation Authority has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-7312 of the Code of Virginia requires a certification by the Town Sanitation Authority that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED, that the Gate City Town Sanitation Authority hereby certifies that to the best of each member’s knowledge, (1) only public business matters lawfully exempted from open meeting requirement by Virginia law were discussed in closed meeting to which this certification applies and (2) only such business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Gate City Town Sanitation Authority.

Roll Call VOTE:	Yeas,	5
	Nays,	0
	Absent	0

VIII. MOTIONS FROM CLOSED SESSION:

Motion that the request for the sewer reimbursement for Amy Quillen is denied.

Motion by: Council Member, R. Cassell, 2nd by: Vice Chairman, D. Breeding

VOTE:	Yeas,	5
	Nays,	0
	Absent	0

Amy Quillen – Can I ask why?

Vice Chairman D. Breeding – That has not been done before and we do not want to set a precedent.

Acting Town Manager, M. Jenkins – There are others in Town – some that we know about and some that we don’t. They just found out about a couple when they were looking for a leak in the sewer off of Manville Road the other day. The person purchasing the property should have known.

Amy Quillen – Steve Templeton knew there was no sewer and said he would adjust this. I will be back next month.

IX. NEW BUSINESS

- **Charge minimum amount to users not connected to sewer.**

Acting Town Manager, M. Jenkins – This is about setting up a minimum charge for customers not connected to the sewer when they know they are not connected to the sewer. Instead of them paying what the water charge is, they would pay a minimum amount.

Member, R. Baker – Maybe we should be an ordinance or policy to charge the ones that are not connected. This will be unpopular, but we can make the case that it adds to the value of your property. Everyone is paying for availability and the next owner might want it. This comes up when you are extending water lines. It affects the ability to get grants.

Acting Town Manager M. Jenkins – This was the situation with Manville and Red Hill.

Vice Chairman D. Breeding – Do we need to make a motion that in the future if we exempt someone from paying due to inaccessibility that we not reimburse.

Member, R. Baker – Can I suggest that we make a policy document instead of just a motion?

Member, D. Hartsock – Water and Sewer are different. Water is easier to get to a customer. Sewer sometimes has to be pumped. It is harder to get it to work.

Member R. Baker – I have another idea, since we are just talking. To develop public record, when we have a motion and/or second, we need to open that to discussion to get that into record in case we are challenged. That will get the reasons into record. Do we need a motion to send this to Town Council to ask for a minimum amount for the sewer when you don't have it?

Acting Town Manager M. Jenkins – You can make a decision without Town Council.

Town Attorney M. Brooks – I will prepare an ordinance for next time.

Member D. Hartsock – Do you think we should combine it with water and sewer to make it less confusing. We have rules for both. And we need a disclaimer – agreeing to as your best knowledge, you have sewer.

X. OTHER BUSINESS

Town Attorney M. Brooks – I contacted Danko and had a brief conversation with the County Attorney who told me to go ahead and speak to Danko. I spoke to him about the percentages and everything going up. I understand about the percent of the loan to build the extra capacity and flow. But the phone bills, etc. The administrative costs are the biggest problem. Some can be based on the flow. Chris took some things off. I will talk to him and encourage him to come to a meeting.

XI. ADJOURN

Motion for Board to adjourn to next regularly scheduled Sanitation Meeting on August 10, 2011 at 6:00 p.m.

Motion by: Vice Chairman, D. Breeding, 2nd by: Member R. Baker

VOTE:	Yeas,	5
	Nays,	0
	Absent	0

Chairman, Jim Craft, adjourned the meeting at 7:10 P.M.

Jim Craft – Chairman

Judy Quinn – Deputy Town Clerk