



Minutes of Combined Called Council Meeting and Work Session
Buchanan, VA

October 6, 2022

Present: Mayor Craig Bryant
Vice Mayor Chris Witt
Councilmember Manspile
Councilmember Marlon Rickman
Councilmember Chris Petty

Attending: Town Attorney Puvak

Mayor Craig Bryant called the October 6, 2022 Combined Called Council meeting and Work Session to order at 6:30 p.m. This meeting was held in the Council Room. Mayor Bryant asked Town Manager McCulloch to take roll call. With five councilmembers present, a quorum was established. A moment of silence was held, and all that were present stated the Pledge of Allegiance.

The first action item was the Town Manager Resignation. Mayor Bryant asked if there were any questions about the resignation. Mayor Bryant made a motion to accept the resignation that was tendered September 29, 2022 with the effective date of October 14, 2022. This is Resolution R22-1006-1. Mayor Bryant stated that he made a motion to accept the resignation and institute the resolution with a second from Councilmember Rickman. Mayor Bryant asked for further discussion. With no further discussion, the motion carried with a vote of 5 – 0. Mayor Bryant stated that the next action item was to post the Town Manager Position as soon as possible. Councilmember Manspile seconded the motion. Mayor Bryant asked for further discussion. With no further discussion, the motion carried with a vote of 5 – 0. The last action item is based on discussion. Mayor Bryant stated that Council had been given a copy of the proposed job description. There was a recommendation to change some of the verbiage to reflect something related to Town services such as special events and public works. So, in the skills or knowledge area, bring back to Council at the next meeting to add that verbiage. Council agreed. Mayor Bryant thanked Council for their feedback.

Mayor Bryant made a motion to adjourn the Called Council meeting with a second from Councilmember Manspile. Mayor Bryant asked for further discussion. With no further discussion, the motion was carried with a vote of 5 – 0.

The Called Council meeting was adjourned at 6:35 pm.

Mayor Bryant stated that no one had left the meeting, so he made a motion to go into the work session with a second from Councilmember Manspile. Mayor Bryant asked for further discussion. With no further discussion, the motion was carried with a vote of 5 – 0.

The Work Session started at 6:35 pm.

Mayor Bryant stated that there are items that need to be struck from the work session agenda due to lack of information. Those items were the banner discussion, and the public/private partnership.

The first item for discussion was the waiver regarding the release of liability at Charlie's place. Town Manager McCulloch stated that there was a question about what to do with the boulder in the work session. Town Attorney Puvak stated that the release of liability covers it. Nothing else needs to be added. Town Manager McCulloch stated if Council agrees, it is ready to take to Ms. Waldron. Mayor Bryant asked for any concerns or issues. Mayor Bryant stated that Council has decided to move forward with that. Mayor Bryant thanked Town Manager McCulloch for working on the waiver. He suggested keeping drafts of these items for possible future use. Town Manager McCulloch agreed.

The next item for discussion was the draft parking lot lease for the Carson Memorial Parking Lot Lease. Town Manager McCulloch stated that Town Attorney Puvak had questions for item #3 when you like to begin it, item #4 to agree on the dollar amount, and who will maintain it? Will Town be responsible for maintaining and leasing the parking lot? Mayor Bryant asked if Town has discussed any of this with the rescue squad group. Town Manager McCulloch stated they have not been contacted. This is the first draft of the lease that Town Attorney Puvak developed. These are questions that need to be hashed out by Council. Then move forward to present it to the Carson Memorial Board of Directors.

Councilmember Rickman stated that Richard mows it. Mayor Bryant asked that since we are essentially family in this town, do we have to present legalities to the board right from the beginning, or can we have a conversation with the board? Can we make sure that the Town is not putting them in a bind? Other entities use the parking lot. Town should not assume that it will take over. In his opinion, a conversation between Town and the Board of Directors should be the starting point. Councilmember Manspile stated that he is on the Board of Directors. He does not know why the Fire Department or the Post Office are using the parking lot. The trash dumpster and the oil tank would have to stay there. The Town leasing the parking lot would be public parking. There is an easement through the parking lot to give access to the houses. Vice Mayor Witt stated that it sounds like there is stuff going on there now. The question is do we lease it year-round, or work it with the special events calendar? Knowing what dates, we will have large crowds; we could rent it per day or week. We could work it with our insurance to cover the lot at those times. That way, the board can do what it needs to do and we are covering ourselves and them during times of special events. Because whether Town rents or leases that lot, people will park there anyway during special events. Vice Mayor Witt stated that Town needs to have its ducks in a row legally when we go to the board to have a conversation. We need to cover ourselves as a Town. Councilmember Manspile stated that there are only about 2 ½ months that there is not something going on Town-wise. The only down months are January, February, and part of March. Vice Mayor Witt stated that with the Factory Flats development, that is the staging area for the parades. That will not be available anymore. Councilmember Manspile stated that the street in front of Factory Flats will be available. Vice Mayor Witt stated that is a given, but if you go to that parking lot, it is full. We will have to find a different staging area. Councilmember Manspile stated that we can ask the Buchanan Flea Market as long as it is not wet and muddy. Mayor Bryant stated that Council needs to

get the legalities in order. We need to make sure we are not putting anyone in a bind. Mayor Bryant asked Councilmember Manspile if the Board of Directors has a meeting. Councilmember Manspile stated that when they need to meet, they call and set up a meeting. Mayor Bryant stated that it seems to be a conversation that needs to happen about Town events. Vice Mayor Witt stated that should be our focus. Financially, it may be the same price point. But, from an insurance standpoint, do we want to be held liable the entire year or solely during Town events when we are renting that space. Councilmember Manspile stated that the issue for the board is that something will happen when Town promotes the parking. When the signs are pointing to parking in the lot. As a board member, he would like to see Town lease the lot year-round. If not, close the parking lot when there are no Town events. Mayor Bryant asked if Town needs to talk to our insurance carrier for their thoughts on this. Town Manager McCulloch stated that Town could. She has worked at other municipalities that leased parking lots before. Basically, it is covered under the Town's umbrella liability policy. It is claimed every year on the insurance forms as part of the Town inventory. There would be some different paperwork for leases for the accountant. Councilmember Manspile stated that #10 states like any insurance policy, if Town added it to their insurance policy, the squad would have to be listed as the additional insured. The state changed it 3 years ago, he has to have insurance on his trucks for the state's equipment when he plows snow. Vice Mayor Witt stated that there is grant money available to purchase properties like that if that were up for discussion. That was something that came up in Planning and Zoning. Town Manager McCulloch stated that there are recreation grants if something is purchased for recreational use like the parking lot. The building could be used as a community facility. There are grant programs for these things. Vice Mayor Witt stated that is just another possibility to take to the Board. Councilmember Manspile stated that he is 47 years old and he will be drawing social security before the opportunity to purchase that property would come up for sale. Mayor Bryant stated the action item on this is to check with insurance, and continue to hash out what we want to do beyond having it on our insurance. Town Manager McCulloch stated that would be the next step.

The next item for discussion was the Bridge Street leak report. Town Manager McCulloch was asked to provide a report to Council about the Bridge Street leak that was discovered right after Carnival. These are the costs for the Bridge Street leak. There were other costs for the Lowe Street repair. Town had to get a land use permit from VDOT that has to be obtained every time we disturb the road. We had 2 days of technical support for this particular leak, Boxley Ready-Mix provided the flow-fill, and Core and Main provided the parts for the repair. The total cost to repair the leak was \$2,047.26. Town received technical support from Virginia Rural Water Authority. The 3 technicians were here July 6 thru the 8, and July 11 and 12. Town Manager McCulloch stated they were here listening for leaks. They found the Lowe Street leak and some other places that have heavy flow. They also found that something wasn't right on Bridge Street but the maps were different than what is actually underground. That was a \$20,000.00 value. That was in kind help valued at \$20,000.00. So, the process for discovering, investigating, and repairing the Bridge Street leak started with Virginia Rural Water Authority (VRWA) looking for the leak. They searched Mr. Stull's house, Route 43, and Bridge Street. It was found on July 12 where the sink hole developed. They saw water flowing down the hill behind Stop-In. It started across from the house on the corner of Boyd and Bridge right on the side of the street. It flowed down the hill underground ending at the railroad tracks. Public works evaluated the leak and ways to fix it. Town Manager McCulloch called VDOT. They came on site and determined it was a Town water leak. VDOT stated the railroad crossing paint on the road would have to be fixed if the road was cut up to be repaired. It would have to be replaced exactly as it was before the road was fixed. Town Manager

McCulloch called dispatch to inform them the road would be closed from Bridge Street to Boyd Street to Main Street indefinitely. Public Works cut the water off at the valve. They found which parts needed replacement. VRWA tested the water and found chlorine in it showing it was treated water and not run-off. Town Manager McCulloch stated there was a question of whether this was storm water run-off. VRWA's engineer stated it was not storm water run-off because the leak has been happening for years. The leak was slowly getting larger. Run-off is a surface issue. This leak was underground. Dominion Power came on site on July 13 to assess the situation. They were going to come back to stabilize the power line. On Thursday, July 14, Public works realized they could fix the affected area rather than cut the road and repair it. They ordered the parts that were needed. The old valve was a faulty part that had failed. The parts were ordered in brass due to the recommendations of Public Works and Core and Main. The parts were picked up July 14. Public Works contacted VDOT to find out what VDOT approved fill to use instead of digging up the street. The leak was repaired. The flow-fill was ordered from Boxley by our clerk. Boxley pushed the Town to the front of their waiting list due to the nature of the emergency. Boxley delivered the fill on Monday, July 18. Boxley used 7 ½ cubic yards of flow-fill to fill the space under the street. The hole stretched all the way to the railroad tracks. Public works added the VDOT approved soil and stone to fill the holes on the side of the street on July 25. Then added seed and straw. After the flow-fill had time to set per the instructions by Boxley, Public Works opened the road on Wednesday, July 21, 2022. Town Manager McCulloch stated it has rained several times and public works has been checking the spot. The repair is holding. There are no sink holes or ruts and looks good. Town Manager McCulloch stated a summary of her decisions: we decided not to cut up the road but to fill it, we didn't have to pave it later; we didn't have to replace the railroad paint; we didn't have to replace the utilities, it saved the staff time and money for supplies. Town Manager McCulloch stated that she utilized the experts around her at the time from Inboden, VRWA, and public works experience. We saved the Town a lot of time and money. Councilmember Manspile stated the membership fee for VRWA pays for itself. Councilmember Manspile asked if the leak was in the valve box? Town Manager McCulloch stated that the valve box was filling up and flowing down the street. Thanks to the sink hole and 3 citizens calling the leak was found. Councilmember Manspile stated that the water was getting in the ditch line just like at Southview. Councilmember Manspile stated that Town Manager McCulloch had done a good job taking care of the leak. The problem is that we have had problems with brass parts. There have been issues in several other areas with the brass parts. Town Manager McCulloch stated that in going with the brass parts, Town went with Core & Main's recommendation.

Next item for discussion was the bill board update. Town Manager McCulloch stated that she had contacted Lemar. They will not be able to make a billboard for our use. They gave Town Manager McCulloch contact information for another company. They will price out manufacturing a billboard for the Town.

The Next item for discussion was the Southview lift station access discussion. Town Manager McCulloch stated that the Town has an easement to check the Southview lift station. There was an issue with a dog being allowed out of the house and coming toward the people checking the meter. The second problem was a gentleman wearing a weapon on his shoulder. That was off putting to the point that the operators don't feel safe checking the meter. Town Attorney Puvak sent a letter reminding the landowner of the easement. Our staff are accompanying the operator to the lift station on Tuesdays and Thursdays at 7:45 am. The dogs do not go out until around 9:00 am. Town Manager McCulloch stated the property owner came in and his request is that the operator read the meter before 9:00 am.

The dogs are let out between 9 and 10 am for about an hour. The property owner did give Town Manager McCulloch his phone number in case we need to call. Town Manager McCulloch stated she is not sure Inboden is satisfied with that answer. They have mentioned fencing the Town easement so that the dog issue is eliminated. Town Manager McCulloch stated she is not sure Inboden is happy with reading the meter earlier. One technician will not read the meters anymore. Councilmember Rickman stated that we may need to get a deputy to go with the technicians. Town Manager McCulloch stated that the Sheriff's office was called. They did not even do a police report because the gun was holstered on his shoulder. The man was gone before the deputy got there. Vice Mayor Witt stated that Virginia is an open carry state. Unless it is brandished or eminent danger, there is nothing you can do. Mayor Bryant asked going forward, we have discussed easements and access to Town assets, should this be the catalyst to start fencing some of these assets? Councilmember Manspile stated that complacency gets you in a bind. The Town should have said something when they fenced the property before. The Town has had problems before getting the pump trucks to the lift station. There will have to be something worked out with an attorney. The Town going forward needs to have an attorney and engineering group finalize the easements. Town never finalizes the easements. Councilmember Manspile stated that is a predecessor easement to the property. Town needs to have unrestricted and unmolested access to that pump station. Mayor Bryant asked what Council thinks about this. Town needs to have unrestricted access to the Town assets. Town Manager McCulloch stated that the easement states Town has free access. Vice Mayor Witt stated that without touching on the 2nd amendment stuff, Town has an ordinance in place for that. The dog has to be fenced or in a kennel. We as a Town don't need to fence in our infrastructure to gain access. The owner of the dog has to restrain the dog in some manner. That is a Town zoning ordinance. Mayor Bryant stated that the technician is having to go in the fenced area with the dog to get to our infrastructure. For the Town's protecting our infrastructure, we may need to start fencing in our infrastructure. Councilmember Manspile stated that the fence could be moved to allow unrestricted access. Mayor Bryant asked what Council wants to do with this? Mayor Bryant asked Town Manager McCulloch to ask Town Attorney Puvak to draft a letter for the homeowner stating what Town wants to do. Councilmember Manspile stated that we need to talk to the property owner about moving their fence to give Town unrestricted access. Vice Mayor Witt stated that the property owners need to be reminded that Town has a legal right to that easement. If we are being restricted, Town has legal avenue with our attorney.

Next on the agenda was the discussion of Southview Street. Mayor Bryant stated that what keeps being presented to Council is that it has to be paved. That puts Council in a difficult position of making it different than what it was originally set up for. As a Council, have we really set down with all the citizens that live on that road and discussed options. Mayor Bryant stated that he feels that there should be a facilitator to discuss options between the Town and the property owners on Southview. Do we start this now? Or, do we table it until we have found a new Town Manager and elections are over? Vice Mayor Witt stated that he thought per the last conversation, it was left at gravel and grade. Maintain it but don't improve it at the Town budget expense. Councilmember Rickman stated that putting millet on it would be good. Vice Mayor Witt stated that would be a conversation to have with VDOT. Mayor Bryant stated that there is a little bit of a push to do something. Everyone knows that paving is the ultimate fix. Mr. Hudgins of CHA stated paving is the way to fix it. But, as Council knows, paving it is really changing it. Mayor Bryant stated that we need to sit down with the homeowners on Southview and discuss what the Town is willing to do and what the options are. Vice Mayor Witt stated that you run into the issue of having to potentially pave all the roadways with infrastructure in them.

Councilmember Manspile stated that there will have to be a lot of work done to get Southview back to the shape it was in before the water line was put down there. Not the material, but the elevation. Mayor Bryant stated that he would not support a resolution that doesn't do something. Vice Mayor Witt asked if we need a resolution, or do we get some quotes? Our focus isn't improving the road, it is protection and access to our infrastructure. Councilmember Manspile stated that Mr. Hudgins of CHA may be able to find a way to add the cost in with an upcoming project to protect a utility. First, we need to get a meeting set up with all the property owners on Southview. Councilmember Manspile stated that Town should not start the discussion with stammering and hollering about it being a private road. There are property owners there that will say if it is a private road, then stay off of it. The property owners will probably get together in the next couple weeks to have a discussion. Town Manager McCulloch asked when Councilmember Manspile mentioned stuttering and stammering about it being a private road, were you alluding to anything that happened when the gentleman from CHA came to the Southview site? Councilmember Manspile stated no, there are 3 council members who have said it is a private road. Don't throw that up in property owner's faces. That will hurt you. Just go out there and listen to these property owners. Town Manager McCulloch thanked Councilmember Manspile for clarifying. Mayor Bryant asked what would be the resolution. Council wants to help do something, but the only thing that has been discussed is paving. Mayor Bryant stated that we can do something for the short term. Vice Mayor Witt stated that whatever we do, the rainwater is going to come off route 11. If there is not a good foundation, the water is going to undercut it, and we will be back in the same situation. Councilmember Manspile stated that there will be more to the prep work than whatever surface you decide on. Mayor Bryant stated that whoever facilitates this, the audience has to understand there is going to be some give and take on this. Like Councilmember Manspile, I get the impression that you are inflexible and don't want to have anything done on your side of it. Councilmember Manspile stated that nothing done on Southview doesn't affect him on his side of the street. It has to do with the neighbors. If I have to, I can have another driveway put in on my property. Vice Mayor Witt stated that is a yes and no. Because if we opt to pave it, that is improving property values and you are right there with it. I do not think that is your mind set, but ultimately the perception directed at this table would be that is the first one we decided to work on. Councilmember Manspile stated that would not be the perception when you are open with it in a public meeting. Councilmember Petty stated that some citizens who have been at the meetings are already asking if Town is going to pave a Councilmember's driveway. So that is already out there. Vice Mayor Witt stated that we all know what happens around Town. Councilmember Manspile stated that it is no different than when Ms. Tucker's sewer line had to be fixed because Vice Mayor Witt cut it off. The rumor was that Town was in the sewer business for Vice Mayor Witt when that is not the case. Vice Mayor Witt asked with CHA, do they have the engineers for quoting what needs to be done for the base layers, and everything else including options for gravel, millings, concrete or asphalt. Town Manager McCulloch stated that they can, but Mr. Hudgins wasn't sure how far Town wanted them to go into it. We do not know how much it costs to get the quote. Mayor Bryant asked if CHA is getting paid to give us a quote. Town Manager McCulloch stated that Town was not charged for the initial visit because they were giving a recommendation. Anything further like engineering the street we would be charged for that. Vice Mayor Witt asked if CHA's findings open up any existing grants out there or that we already have to be able to use those funds for engineering quotes or the work that needs to be done so that it does not come straight from the Town funds. Town Manager McCulloch stated that the grant we rely on heavily for any infrastructure is SERCAP. We are using them for the Factory Flats / Groendyk analysis for the

sewer to Groendyk. That could possibly be used. We will have to ask Mr. Hudgins of CHA. Town Manager McCulloch stated that is the only grant she knows of for engineering money. There are a lot of pots of money out there. They are highly competitive. They are more about lift station improvements, the wastewater treatment plant, and those kinds of things. For those grants, you have to show the need. Paving the road may be considered more infrastructure than water and sewer. Vice Mayor Witt asked if it can be classified in a different category, are there grants available to us to use? Town Manager McCulloch stated that for engineering, SERCAP is the only one available. Councilmember Manspile stated that he has a question that may put us toward a resolution. Everything that Town Council and Town Manager has said is about Southview, but in the Council Report, we are taking care of things at Sissy Austin's house, Mr. Petty's, and the Hair Affair. What did the engineer look at in those locations because that was on the engineer's list. Town Manager McCulloch stated that was not on his list. Councilmember Manspile stated that Town Manager McCulloch put that in the notes. Town Manager McCulloch asked Councilmember Manspile to show her the notes. Councilmember Manspile stated that it was repeatedly in the Council report. Town Manager McCulloch stated that he was only looking at Southview. That was what Council had directed her to do and that was what was done. Councilmember Manspile stated that was in multiple Council reports. That would work you towards a resolution. If the engineer looked at other things in that report, it would help get a resolution to further the engineering study. Councilmember Manspile stated that there isn't a need to have a resolution at this time. Council needs an agreed action to have a meeting. Mayor Bryant stated that he thinks it is an easy fix. There are 3 options: do nothing, which will come back to haunt us; get a quote for paving; get the grading done and use millets. Vice Mayor Witt stated that we may need to get a quote for a quote. The base and prep work, the engineering studies, and what needs to be done before we even figure out what we use to surface the road. Can we use the engineers we are already using to get a quote like that? Or, do we reach out to a civil engineering company for it to be done properly? The prep work will essentially be the same, but the finishes can be different. Mayor Bryant stated that we don't need to go through all those layers. I think it could be as simple as having a contractor give a quote on a proposal to grade the road properly and put some sort of surface on it and see what they come back with, but also engage the citizens there. We all know we have to do something. Councilmember Manspile stated that the biggest issue is managing the water run-off. The water is going to have to be directed somewhere. Mayor Bryant asked how do we do that. Vice Mayor Witt stated that should be the resolution. Look for a contractor to assume looking for quotes and getting some options. Mayor Bryant stated that he doesn't think Council needs a resolution. Vice Mayor Witt stated that by having a resolution you show the residents on that road that we are doing something. Mayor Bryant stated that this meeting shows we are doing something. A Council member can handle discussing this with the property owners, but beforehand we need to get some quotes. Vice Mayor Witt stated that with the elections coming up, terms are coming up, having to hire a new Town Manager, putting something in a resolution would be better for Council. Mayor Bryant asked if it would be a resolution to continue to engage in discussion of solutions for Southview. Vice Mayor Witt stated that Council has been trying to get this done for weeks now. Mayor Bryant stated Council can resolute it all day long, but someone has to do what needs to be done. Councilmember Manspile stated that it is not just this Council. Town Council has been notorious for making resolutions and not following through with them. Mayor Bryant stated that Council is in agreement that Town needs to get some quotes on doing something. Vice Mayor Witt agreed. Councilmember Manspile stated that most contractors will not do anything without an engineer's recommendation. If you have to spend money, working with the in-house engineering

group right now helps us. Mayor Bryant stated that we have had the engineering study done. Mr. Hudgins stated something needs to be done. Ultimately it is paving. Council is saying no, we are not doing that. Vice Mayor Witt stated that the engineer was looking at does something need to be done on Southview? The engineer said yes, and I recommend paving. The engineering study that needs to be done now is to find what needs to be done to the ground in order to correct the road. Councilmember Petty stated that the engineer study that was done was more focused on protecting the infrastructure. Vice Mayor Witt stated that if we go to a civil engineering company to do any work to that road, they will have their engineer come out to put their seal of approval on it. Councilmember Manspile stated you aren't going to be able to do but so much with the soil because there is a utility running under it. Mayor Bryant stated that this is the advantage of it being a private road. This is not to throw it in someone's face or cause offense that it is a private road. This helps with some of the rules and regulations you have with a public road. Councilmember Manspile stated no offense taken. This is uncharted territory for Council. Mayor Bryant asked can we ask a contractor what are some options to address the problem? Councilmember Petty asked if someone like Ben Marshall or Gary Dudley to look at it? Town Manager McCulloch asked if Gary Dudley works for Coffee? Councilmember Manspile stated he has his own company. Town Manager McCulloch stated that she has had this on her to-do list for months but was waiting to find out what would be done with Southview. The contractors will be looking at the run-off at the alley in front of the Hair Affair. That is Town owned. The Town work that was done in front of Mr. Petty's house, Sissy Austin's house, and Willie Hampton's house. That is all Town work that was done that is incomplete. Town Manager McCulloch stated that she has had Mr. Coffey and SC Rossi in a holding pattern to see what would happen with Southview. Councilmember Manspile stated that the ones in front of the houses would have to be separated because they are in the state right-of-way. The one in front of the Hair Affair is in a Town owned alley. Mayor Bryant asked from a Council stand point, get quotes? Councilmember Rickman stated quotes and advice. Mayor Bryant stated that the goal still is to be cautious and understand that we want to protect the infrastructure, but we also have to be careful about the image that is created. We also have to be cautious about the futuristic things we put the Town in by improving a road's conditions beyond what it was intended for. Councilmember Manspile stated that if we are protecting infrastructure on Southview, you have to protect the infrastructure in the other roads and alleyways. Mayor Bryant stated that Council is in a consensus to get quotes. Town Manger McCulloch stated she would. SC Rossi has stated that they cannot pave with asphalt because their equipment is inoperable. Mayor Bryant stated we want options, not just paving. Councilmember Manspile stated a recommendation for a remedy. Town Manager McCulloch stated that she does not know if it will be done by Council Meeting. Mayor Bryant stated that Council has given her direction.

Town Manger McCulloch stated that the James River High School Homecoming parade will be held tomorrow, October 7, 2022 at 4:30 on Main Street.

Vice Mayor Witt stated that with the number of water and sewer projects we have, we do not have the staff to be able to do them all. We are pinching pennies trying to find grants to pay for all of it. Vice Mayor Witt stated Council needs to have a work session discussion about what to do with water and sewer. It is not getting better. It is getting worse. We have touched on it, we have let it go, we have had a third party come in and give us feedback, but we have not had a conversation about it. I think we are due for it. Especially with the projects like Groendyk, Southview, all these other side streets. We are like the Dutch boy with a finger in the dam. Trying to find certified capable maintenance employees that

we can keep. There needs to be a conversation about it. Councilmember Rickman stated our 2 maintenance guys have been on the mowers all summer long. Vice Mayor Witt stated that he doesn't feel that he would be doing his Council seat justice if we don't at least have this conversation. With the amount of issues we have discussed in Council meetings and work sessions, roughly 90% are water and sewage and issues that we have with it. We need to have that conversation. Councilmember Manspile stated that he would put a list together of things that have not been done for the last year. Stuff that when we had the committee was getting done. We have stuff that is about to bite us in the tail that are violations. I have pictures of it. We need to have a conversation. Please do.

Councilmember Manspile made a motion to adjourn with a second from Vice Mayor Witt. Mayor Bryant asked for further discussion. With no further discussion, the motion was carried with a vote of 5 – 0.

Adjournment was at 7:41 pm.

Respectfully submitted,



Claudine Stump, Clerk



Craig Bryant, Mayor



At a special meeting of the Town Council of the Town of Buchanan held at the Buchanan Town Hall on the 6th day of October 2022 beginning at 6:30 p.m.:

MEMBERS:

Craig Bryant, Mayor
Chris Witt, Vice-Mayor
James Manspile
Chris Petty
Marlon Rickman

VOTE:

Yes
Yes
Yes
Yes
Yes
5 - 0

On motion of Councilmember Craig Bryant which carried by a vote of # - #, the following was adopted:

A Resolution Accepting the Voluntary Resignation of Susan McCulloch as the Town Manager

Whereas, Susan McCulloch was previously appointed by the Town Council as the Town Manager of the Town of Buchanan;

Whereas, Ms. McCulloch and the Town of Buchanan are parties to an Employment Agreement dated March 26, 2021;

Whereas, Ms. McCulloch provided her written notice of voluntary resignation to the Town Council on September 29, 2022;

Whereas, the Town Council desires to accept Ms. McCulloch's notice of voluntary resignation pursuant to Section 4 (B) of the Employment Agreement dated March 26, 2021; and

Whereas, the Employment Agreement requires that the Town Manager may voluntarily resign upon 120 days prior notice to the Town Council, however, the Town Council is willing to shorten the notice period and allow Ms. McCulloch's voluntary resignation to be effective as of October 14, 2022.

Now, therefore, be it resolved that the Town Council of the Town of Buchanan hereby accepts Ms. McCulloch's voluntary resignation pursuant to Section 4(B) of the Employment Agreement dated March 26, 2021;

Further resolved, the Town Council agrees to shorten the required 120 days prior notice required under Section 4(B) of the Employment Agreement dated March 26, 2021, so that Ms. McCulloch's last day of employment will be October 14, 2022 and her resignation will be effective as of October 14, 2022;

Further resolved, Ms. McCulloch is not entitled to any severance payments upon a voluntary resignation and all other rights and obligations under the Employment Agreement shall be terminated and only the obligations that are expressly intended to survive Ms. McCulloch's resignation and the termination of the Employment Agreement dated March 26, 2021 will survive; and

Further resolved, the Town Council acknowledges and expresses its gratitude of Ms. McCulloch for her contributions to the Town of Buchanan during her tenure as Town Manager.

AYES:

5

NAYS:

0

ABSENT:

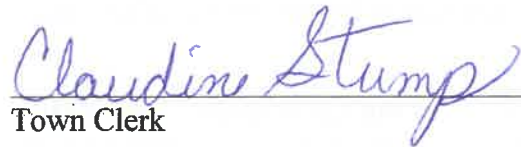
0

APPROVED:



Mayor

ATTEST:



Town Clerk