

#### TOWN OF ABINGDON, VIRGINIA TOWN COUNCIL MID-MONTH MEETING WEDNESDAY, MARCH 16, 2022 – 2:30 pm ARTHUR CAMPBELL ROOM – TOWN HALL

#### **DRAFT AGENDA**

Please note there will be an opportunity during the meeting for citizens to address the Town Council when the Mayor declares public comments open. We request that anyone addressing the Council, sign up, approach the podium when called, state your first and last name, and provide your complete mailing address.

- A. WELCOME Mayor Webb
- B. ROLL CALL Kim Kingsley, Clerk
- C. PLEDGE OF ALLEGIANCE Councilman Mike Owens
- D. APPROVAL OF AGENDA Mayor Webb
- **E. PUBLIC COMMENTS -** Please place your name on the sign-up sheet provided and comments are limited to three (3) minutes per person.
- F. NEW BUSINESS
  - 1. Presentation by Sinking Spring Cemetery Committee *Chair Donnamarie Emmert and Co-Chair Richard Morgan*
  - 2. Discussion regarding current permit fees *Mayana Rice, Director of Community Development*

#### G. CONSIDERATION OF BIDS-

- 1. Professional services to perform structural engineering and costs analysis for rehabilitation of Trestles 1–15 of the Virginia Creeper Trail- *Michael Surrett, Interim Director of Public Works*
- 2. Hutton Street/Rugby Terrace sidewalk improvements project *Michael Surrett*, *Interim Director of Public Works*
- H. UNFINISHED BUSINESS
- I. MISCELLANEOUS BUSINESS AND COMMUNICATIONS FROM TOWN MANAGER
- J. COUNCIL MEMBER REPORTS
- K. CLOSED SESSION
  - 1. Closed session pursuant to Code of Virginia, 1950, as amended, Section 2.2-3711(A)(29) concerning discussion of the terms or scope of a contract, because public discussion would adversely affect the bargaining position or negotiating strategy.
- L. ADJOURN

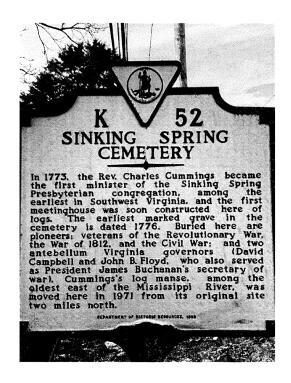
# Sinking Spring Cemetery Revitalization Project 2022-2025

## It's Our History

- The most historical and sacred space in Abingdon
- Burials here since 1776
- Property conveyed from church to Town in 2006
- -Sinking Spring celebrates its 250th anniversary in 2022
- From Tourism draw in town

## **Current Needs**

- Improved training protocol for cemetery maintenance
- -using DHR practices
- All gates locked at night
- -Groundhog control
- -Repair East Cemetery fencing
- Remove bamboo from East Cemetery
- Start research for uprighting fallen stones protocol



# **SS Cemetery Committee:**

Donnamarie Emmert, Rick Morgan, Kim Farris Luke, Chris Menerick, John Legard, Sigrid Phillips, Councilman Mike Owens

# Requests of Town Council

- Assess feasibility of reopening old Dale Street pedestrian gate to East Cemetery Assess improved parking for above
- Allow public outreach to civic clubs, churches, scouts, etc. to create interest & volunteer base
- -Allow public workshop(s) on graveyard upkeep/conservation
- Allow public cleanup & decoration events to clean plots & stones
- Seek available CLG grants and fund matching 30% for 2023 restoration work and start research for grants from DHR
   Use Committee members to help

## **Funding Request:**

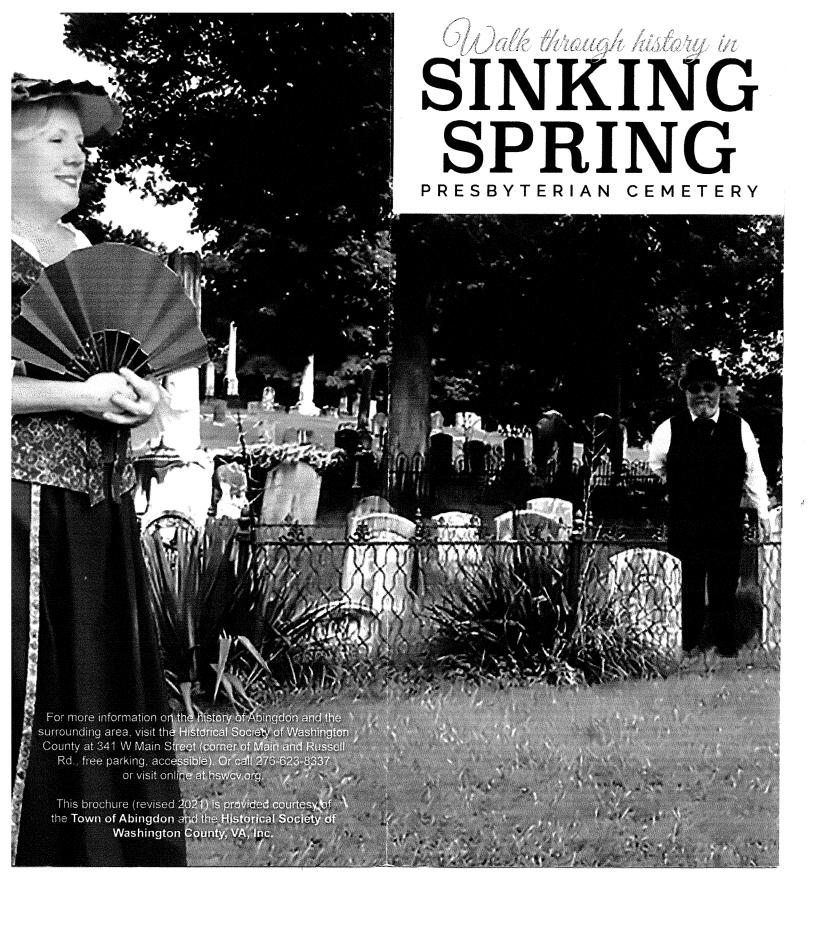
- \$3,000 in 2022 to initiate projects:
- (\$1000 for monument cleaning supplies, \$1000 for monument repair supplies, \$500 promotion, \$200 cemetery map, \$300 workshop expenses)
- Town water totes @ cleaning events

2021 Annual Report
Of the
Sinking Spring Cemetery Committee
Presented To
Abingdon Town Council
March 16, 2022

# **Cemetery Committee Members**

Donnamarie Emmert – Chair
Richard Morgan – Vice Chair; Historical Society Rep
John Legard – Presbyterian Church Rep
Kim Farris-Luke - Funeral Home Rep
Chris Menerick – Member
Sigrid Phillips – Member

Martha Keys – Immediate Past Chair



# **Sinking Spring Cemetery Report**

To: Abingdon Town Council

From: Sinking Spring Cemetery Committee

**Duties and Responsibilities of the committee, Section 62-107(d)** "Duties and Responsibilities of the Committee, Section 62-107(d) "the committee shall within three months after the end of each calendar year report in writing to the Town **Council** about the condition of the cemetery and submit such recommendations about the operation and maintenance of the cemetery".

During this past year members of the committee have observed the quality of maintenance of the cemetery grounds by the Town employees and have been appalled at the amount of and continual damage to the monuments; both headstones and footstones. It is felt the damage is the direct result of the grass mowing policy and procedures of the town. Apparently, the damage is due to large riding mower equipment being used by employees who seem to be on a time deadline- too fast, with little respect that they are operating in a sacred historical space that is a difficult obstacle course.

These concerns have also been reported by individuals doing genealogical research in the cemetery, members of the Historical Society of Washington County, and visitors to the cemetery. The situation prompted the Town's Sinking Spring Cemetery Committee Chair to call a meeting at the cemetery in July 2021 to present these concerns to the town manager and maintenance staff.

These problems were discussed at the July 26, 2021 meeting of the committee at the Cemetery with the Town Manager. The concern expressed by committee members and the Historical Society are reported in the modified minutes of this July meeting as approved by the committee at its January 20, 2022 meeting. The minutes of the January meeting reflects the fact that it was felt corrective action by the Town was not taken. Damage to monuments continued the rest of the 2021 summer mowing season.

Following the July meeting three monuments were hit by mowers and thanks to members of the Historical Society were repaired. Within a short period all three of these monuments were again hit by mowers resulting in re-damage to the same stones. In another instance damage at the family plot of Lilburn Trigg was noted by a member of the Historical Society who was conducting a program at the grave site during the Virginia Highlands Festival. In this specific case a mower tried to cut grass in limited space(too narrow) between the head stone and the footstones with the result that the headstone was shifted on its base and two footstones were chipped by the mower blade. The equipment operators are using bad judgement in navigating around monuments and apparently are in a hurry to complete mowing. It is recognized by committee members that a 250 year old cemetery with many old monuments of varying sizes and shapes does present an obstacle course to mowers thus the need for proper equipment and special training of equipment operators.

Another concern expressed to the Town Manager was, "Who is responsible for repair of damage to monuments by Town employees?" This issue was raised at the July Cemetery Committee meeting and has been presented to the Town Council during public comments. To date there has been no response to the issue of who pays for the repair of monuments damaged by Town employees. The town needs to determine how individual claims will be handled. There are heirs of people buried at Sinking Spring Cemetery who are aware of damage to family plots and are asking this question and expect an answer by the town. It is noted in the January meeting minutes that the town council needs to respond.

Most observers would agree that the maintenance problem at Sinking Spring Cemetery is simply careless use of improper equipment- the Town uses heavy riding mowers that are too large for confined spaces and operated too fast to avoid damage to monuments.

This situation is confirmed by a report that is on the web site of the Virginia Department of Historic Resources. (Copy attached) It confirms that large riding mowers are not designed for small narrow spaces that have frequent obstacles in tight family cemetery plots. In addition, the mowers frequently hit and run over foot markers for headstones as they are low to ground and may not be visible to someone sitting in a large mower; thus, footstones are frequently run over, chipped, and broken- sometimes several times. Again, wrong equipment going

too fast in a tight space operated by employees who do not share a reverence for the cemetery. During the January 2022 meeting this was noted to Matt Henderson who is the new superintendent of these mowing operation for the town reported that the town may be acquiring some new and smaller equipment for use in the cemetery. He assured the Committee he would work to reduce the damage and have staff be more careful in their operations. The committee noted they would be glad to meet with him at the cemetery to discuss improvements.

If the Town is to continue its responsibility for mowing the cemetery, it needs to purchase smaller riding mowers, hand push mowers, and appropriate weed eater equipment as recommended by the Virginia Department of Historic Resources . Also, there needs to be a change in attitude by employees as they are caretakers of sacred ground that the heirs of those buried there would expect them to respect.

A private citizen attending the January Committee meeting to express his concern about the cemetery- specifically, the gates between the cemetery and the ball field are being frequently left open(even in winter); thus increasing opportunity for vandalism. He also noted that people are walking their dogs frequently at the cemetery and are not cleaning up their dog messes. It appears that there are two sets of gates on the west side of the cemetery that are being left open. There are two notices at the main gates about cleaning up after your dogs and a dispenser for plastic disposal bags. Since the cemetery is so large perhaps another notice and bag dispenser is needed elsewhere in the cemetery. Perhaps a public notice asking public cooperation.

Duties and responsibilities of the Committee: Section 62-107(e) "The Committee may make recommendations to the town council which members of the committee deem appropriate to maintain, protect and preserve the historical nature of the cemetery."

Conclusion: the Town maintenance program has **Failed** to "protect and preserve" our Historic Sinking Spring Cemetery.

#### Recommendations:

- \*More positive and prompt resources by Town to meet the needs of this most historic and sacred ground within the town.
- \*Procure or rent appropriate maintenance equipment as recommended by the Virginia Department of Historic Resources for mowing old historic cemeteries.
- \*Detailed instruction to mowing crews regarding sensitivity of monuments
- \*Training in regard to respectfulness required during maintenance of a Historic Cemetery.
- \*Improved and appropriate supervision of cemetery mowing operations.
- \*Development of a Cemetery Quality Control Protocol(QC Manual) including work procedures, training documentation, and daily service documentation.
- \*Police Department should close and lock all gates to cemetery at night.
- \*Post new notices throughout cemetery regarding cleaning up after dogs, plus installation of additional dispensers for plastic disposal bags inside cemetery.

# Sinking Spring Cemetery – Rules and Regulations

#### Section IV. C.

"The town will use reasonable care in engaging competent and experienced workmen and in seeing that they do their work with customary carefulness."

Response: The town has failed to use reasonable care, workers have not performed with competence, and work has not been done with carefulness

#### Section V. A.

"No person shall injure or deface any part of the cemetery enclosure or grounds or any burial lot or grave or any monument or marker."

Response: "No person" should include employees of the town. The town is guilty of disregarding all these rules.

#### Section VI. A.

"the town will take all reasonable precautions to protect lot owners and the property rights of lot owners from loss or damage..."

This section recognizes that the cemetery lots and monuments are owned by individuals and families; thus the town may "own" the cemetery, but the monuments are private property.

Response: The Town has failed to protect owners lots and property rights from damage. The town is responsible for the damage to private property of owners of lots and monuments and should be liable for the cost to repair, restoration, or replacement of monuments.

lawage 640



"the town will take all reasonable precautions to protect lot owners and the property rights of lot owners from loss or damage" Sinking Spring Cemetery Town Rules & Regulations. Section VI(A)



# **FYI about Historic Cemeteries**

1 message

Martha Keys <martha.keys@comcast.net>
To: Rick Morgan <rm3231@gmail.com>, Kevin Worley <kworley@abingdon-va.gov>

Mon, Dec 20, 2021 at 11:37 PM

# **Virginia Department of Historic Resources**

Regarding lawn care, historic cemeteries were not designed for today's large riding lawnmowers, yet this is the mower of choice for many cemeteries, as mowing is one of the most time-consuming and costly maintenance tasks generally undertaken. Mowing between tight spots with a large riding mower deck is destined to cause damage. Best practices include using a smaller push mower between particularly sensitive features and outfitting riding mower decks with protective bumpers. Low-cost options include using fire hose padding or a foam swimming noodle. Additional damage is caused by riding over low stones or coping, especially when the blade height is set low. If rolling over these features is unavoidable, many riding mowers have a hand-control adjustment to temporarily raise and lower the blade height.

Improper use of a string-trimmer is also potentially destructive, especially when it comes into contact with soft materials such as marble, limestone, and wood. Using the lightest trim line and angling the trimmer head towards the ground will help reduce damage if the trimmer hits unintended targets. Hand trimming should be considered around the most significant, fragile features.

As a time-saving measure, herbicides are sometimes used around the base of features to remove unwanted grass and weeds. In most cases, use of herbicides for this purpose is not recommended, as salts within the herbicide can wick into the stone (especially soft stones) and cause spalling and deterioration. The removal of vegetation also exposes soil around the base of the grave marker, which, in a heavy rain, can cause soil splashing that may result in staining. If fertilizer is applied, choosing a natural organic fertilizer to minimize salt content for the reasons stated above is a best practice. For any chemical application, rinsing away residue from grave markers, etc., with water using a low-pressure hose or spray bottle to minimize continued contact is important.

CONCLUSION: The Town maintenance program has failed to "protect and Preserve" our Historic Sinking Spring Cemetery.

## **RECOMMENDATION:**

- \*More positive and prompt resources by town representatives to meet the needs of this most historic and sacred ground within the Town.
- \*Procure or rent appropriate maintenance equipment as recommended by the Department of Historic Resources for mowing a 250 year old cemetery.
- \*Detailed instruction to mowing crews regarding sensitivity of monuments
- \*Training in regard to respectfulness required during maintenance of a Historic Cemetery.
- \*Improved and appropriate supervision of cemetery mowing operations.
- \*Development of a Cemetery Quality Control Protocol(QC Manual) including work procedures, training documentation, and daily service documentation.
- \*Police Department should close and lock ALL gates to cemetery at night.
- \*Post new notices throughout cemetery regarding cleaning up after dogs, plus installation of additional dispensers for plastic disposal bags.



#### **MEMO**

TO: ABINGDON TOWN COUNCIL

FROM: MAYANA RICE, DIRECTOR COMMUNITY DEVELOPMENT

SUBJECT: FEE SCHEDULE (PLANNING / BUILDING / ENGINEERING)

**PUBLICATION** 

**DATE:** MARCH 9, 2021

**MEETING** 

**DATE:** MARCH 16, 2021

LOCATION: COUNCIL CHAMBERS, TOWN HALL

133 WEST MAIN STREET, ABINGDON, VA

As we are looking to ensure the services we provide to the community are recaptured, there are only a few fees outside of taxes that contribute to the general fund. Development is one of those areas. While many Town services are required to maintain health and safety, development of property is choice by an applicant who may or may not reside within the Town's municipal boundaries. Development occurring within the Town's boundaries is meant to be paid for or at a minimum subsidized by the developer. Developer is a loose word used for anyone who wishes to add development to any piece of property for residential, commercial or industrial purposes.

Staff has been tasked with finding ways in which the budget can be reduced. Unfortunately, in a department whose primary asset is staff – that's a very difficult task to accomplish.

Instead we are looking for ways to add to the general fund. One of these ways is through a complete review of our services provided, the fees that we obtain for those services and a comparison to the surrounding communities.

That summary is on the following pages.

#### Planning 2021.

- **HPRB Certificate of Appropriateness** 48 cases no fees charged for HPRB applications
- **HPRB special meetings called by applicants** 4 meetings no fees charged for special meetings
- **HPRB Waivers to the OH district** 18 requests no fees charged for waivers
- Planning Commission 5 certificate of appropriateness \$50 a piece
- **Planning Commission** 5 special use permit \$75 a piece
- **Sign Permits** 41 permits \$2,048 collected
- **Subdivision** -10+ a year no fees taken
- Site plan review -10+ a year no fees taken
- **Sidewalk usage permit** new permitting process

#### Engineering 2021.

- **Driveway permits** 7 case no fees charged
- Encroachment permits 22 cases no fees charged
- Land Disturbance 5 cases \$5,880 fees collected

# Building 2021.

```
    Plumbing - 35 permits - $1226 fees collected
    Mechanical - 56 permits - $2406 fees collected
    Fire - 9 permits - $190 fees collected
    Electrical - 87 permits - $2962 fees collected
    Demolition - 12 permits - $220 fees collected
    Building - 106 permits - $8980 fees collected
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One of the primary questions... what does a project look like and how do we compare to the surrounding communities.

We are less expensive than most of our surrounding communities.

Averages take from Abingdon Applications and surrounding communities shows we are charging approximately 50% less for Planning Applications.

Virginia communities: \$100
Virginia communities: \$200
Virginia communities: \$75
Virginia communities: \$200
Virginia communities: \$500
Virginia communities: \$1000
Virginia communities: \$500
Virginia communities: \$300
Virginia communities: \$500
Virginia communities: \$1000

Looking at other communities in regards to Engineering Applications looks like there are a number of fees that we are currently not charging that we could collect a fee for.

• Driveway:

o Abingdon \$0.00 application fee Virginia communities: \$50

• Encroachment Permits:

o Abingdon \$0.00 application fee Virginia communities: \$50

Example for a Buildin Residential	-	artment ONLY le Project:	Y project  2000  ft^2  \$200,000	200 AMP \$8,000	10 FIXTURES \$8,000	1 AIR SOURCE HP \$8,000
Locality - Permit Type						
Abingdon	\$	314.00				
Washington	\$	581.63				
County						
Pulaski	\$	460.60				
Bristol (City)	\$	1,348.95				
Town of	\$	499.80				
Blacksburg						
City of Norton	\$	228.48				
Wise County	\$	270.30				
Lee County	\$	301.08				
<b>Russell County</b>	\$	357.00				
<b>Smyth County</b>	\$	479.40				
<u>Commercial</u>	Samp	le Project:	2000 ft^2 \$200,000	200 AMP \$8,000	10 FIXTURES \$8,000	1 AIR SOURCE HP \$8,000
Locality - Permit Type						
<b>3 F</b>						
	\$	374.00				
Abingdon Washington	\$ \$	374.00 581.63				
Abingdon						
Abingdon Washington	\$ \$					
Abingdon Washington County Pulaski Bristol (City)	\$ \$ \$	581.63				
Abingdon Washington County Pulaski Bristol (City) Town of	\$ \$	581.63 850.00				
Abingdon Washington County Pulaski Bristol (City) Town of Blacksburg	\$ \$ \$ \$	581.63 850.00 1,348.95 799.68				
Abingdon Washington County Pulaski Bristol (City) Town of Blacksburg City of Norton	\$ \$ \$ \$	581.63 850.00 1,348.95 799.68 228.48				
Abingdon Washington County Pulaski Bristol (City) Town of Blacksburg City of Norton Wise County	\$ \$ \$ \$	581.63 850.00 1,348.95 799.68 228.48 372.30				
Abingdon Washington County Pulaski Bristol (City) Town of Blacksburg City of Norton Wise County Lee County	\$ \$ \$ \$ \$	581.63 850.00 1,348.95 799.68 228.48 372.30 455.23				
Abingdon Washington County Pulaski Bristol (City) Town of Blacksburg City of Norton Wise County	\$ \$ \$ \$	581.63 850.00 1,348.95 799.68 228.48 372.30				

Staff is asking the Town Council if they would like us to draft a new proposed fee schedule for adoption.



#### MINUTES OF BID OPENING

To: Attendees

From: Matthew R. Lane, P.E., Project Manager

Date: March 8, 2022

**RE:** Town of Abingdon

HUTTON STREET / RUGBY TERRACE SIDEWALK IMPROVEMENTS PROJECT

Bids for the referenced project were received by the Town of Abingdon, Virginia at the Street Department located at 299 Kings Mountain Drive and publicly opened and read aloud at 2:00 P.M. on March 8, 2022. The sign-in sheet, bid tabulation sheet, and unit price bid tabulation sheet are attached to these minutes. The announced apparent low bidder is Boring Contractors, Inc. with a low bid of \$175,550.00.

If there are any corrections or additions to these minutes, please contact Matthew Lane.

attachments:
Sign-In Sheet
Bid Tabulation Sheet
Unit Project Bid Tabulation Sheet

# Town of Abingdon Hutton Street / Rugby Terrace Sidewalk Improvements Project Bid Opening – Sign in Sheet March 8, 2022

			KEVIN WORLEY	MATTHEN LAVE	(Teast Pennings	VANN HOUSE	Name
			Town or ABINGDON	THE LAJE 6200P	Bosina Contractors, Inc.	King GRENGIA CONTINCTO (276)644-1555	Representing
			(276) 492-2144	(276) 393 - 1292	(276) 623-3223	(276)64-1555	Phone #
			Kwarley@abingdon-va.qov	MLANEQTHELANE CAMPEN, COM	Spening Sers jones, b; z	whaten then C. King company is	email



# **BID TABULATION SHEET**

Sheet # 1 of 1

ROJECT																7	/
Agency:	Town of Abingdon		Bid Rece	ipt:		Mar	ch 8, 20	22	Bid Ope	ning O	fficer:	Signatur	e:		1/4	<u>,                                    </u>	
Project Title:	Hutton Street Sidewalk Project				Time:		2:00 F	PM				Name:		M	TTHEW	P. L	ANE
Project Code:			Bid Open	ning:		Mare	h 8, 20	22	Bid Rec	ording	Officer:	Signatur	e:				
Bid Opening Location:	Town of Abingdon Office				Time:		2:00 F	PM_				Name:					
DDER:																	
Name:	King General Contactors, Inc	BORING CONTRACTORS										*		_	T		
Address:	P.O. Box 16278	17380 LEE HUY				-				_		<del>-</del>				_	
	Bristol, VA 24209	ABTUGDON, VA 24210															
VA License Number:	Z705-098919A	2705-101002															
D DATA:	2.03 0101114	2103 10100-	<del>                                     </del>	*								+			<del> </del>		
Proposal Signed:	Yes No n/a	Yes No n/a	Yes	No n/a		Yes	No	n/a	Yes	No	n/o	V	NI.	-1-			
Bid Bond or Cert. Check:	Yes No n/a (Yes No n/a	Yes No n/a	Yes	No n/a		Yes	No	n/a	Yes		n/a	Yes	No	n/a	Yes	No	n/a
Addenda Received: 0	Yes No n/a	Yes No (1/2)	Yes	No n/a		Yes		n/a		No No	n/a	Yes	No	n/a	Yes	No	n/a
	1.00 1.10 (1,10)	100 100 11/43	163	140 1//a			140	11/a	Yes	No ———	n/a	Yes	No	n/a	Yes	No	n/a
SE BID:	Amount	<u>Amount</u>		<u>Amount</u>		Amo	<u>ount</u>		Amo	ount		<u>Am</u>	<u>ount</u>	800	Am	ount	
Total Base Bid	#179,784.93	\$175,550.00															

#### Town of Abingdon Hutton Street / Rugby Terrace Sidewalk Improvements Project Unit Price Bid Tabulation Sheet March 8, 2022

				Boringn Con	tractors, Inc.	King General C	Contractors, Inc.
Item	Description	Unit	Estimated Quantity	Unit Cost	Total Cost	Unit Cost	Total Cost
1A	Mobilization/Bonds/Insurance	LS	1	\$8,500.00	\$8,500.00	\$32,000.00	\$32,000.00
2A	Erosion and Sediment Control	LS	1	\$12,000.00	\$12,000.00	\$1,015.82	\$1,015.82
3A	Demolition	LS	1	\$18,000.00	\$18,000.00	\$44,027.14	\$44,027.14
4A	Traffic Control	LS	1	\$21,000.00	\$21,000.00	\$33,490.04	\$33,490.04
5A	Saw Cut	LF	434	\$20.00	\$8,680.00	\$5.72	\$2,482.48
6A	5' Reinf. Conc. Sidewalk	LF	260	\$110.00	\$28,600.00	\$55.06	\$14,315.60
7A	Standard Combination 6" Concrete Curb & Gutter, VDOT CG-6	LF	253	\$90.00	\$22,770.00	\$41.88	\$10,595.64
8A	Concrete Valley Gutter, 3' Width	LF	110	\$90.00	\$9,900.00	\$20.38	\$2,241.80
9A	4" Solid Yellow Line	LF	20	\$80.00	\$1,600.00	\$29.33	\$586.60
10A	24" Stop Bar	LF	32	\$100.00	\$3,200.00	\$33.11	\$1,059.52
11A	Sidewalk Curb Ramp w/ VDOT CG-12 Detectable Warning Surface	EA	4	\$4,200.00	\$16,800.00	\$2,337.28	\$9,349.12
12A	Raise/Adjust Sanitary Manhole and Cover	EA	1	\$3,000.00	\$3,000.00	\$967.73	\$967.73
13A	Relocate Fire Hydrant	EA	1	\$4,000.00	\$4,000.00	\$3,020.48	\$3,020.48
14A	Relocate Water Meter	EA	1	\$3,500.00	\$3,500.00	\$835.76	\$835.76
15A	Pavement Repair	SY	140	\$100.00	\$14,000.00	\$169.98	\$23,797.20
		Total Bid Price					\$179,784.93