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## **MINUTES**

### **TOWN COUNCIL**

### **TOWN OF SHENANDOAH**

### **REGULAR MEETING**

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### **JUNE 8, 2010**

**CALL TO ORDER:** The Shenandoah Town Council held its regular meeting on Tuesday, May 25, 2010, at 7:07 p.m., with Mayor Clinton O. Lucas, Jr., presiding.

**The Pledge of Allegiance was held at the public hearing prior to the regular meeting.**

**ATTENDANCE:** ☐ **Council Members present were:** Mayor Clinton O. Lucas, Jr.; Vice Mayor William L. Kite; Russell Comer, Jr.; Charles Jenkins; Richard Pierce; and Keith Sampson.

**Council Members absent were:** ☐ Constance Switzer.

**Other Town Officials present were:** Larry E. Dovel, Town Manager; Pete Monteleone, Chief of Police; and Juanita F. Roudabush, Assistant Town Manager/CMC.

**Citizens present were:** Wesley Shifflett, Page County Fire and EMS Coordinator; Carol Lee Strickler; and Gary Patterson.

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**Media Representatives:** None.

## RECEIVING OF VISITORS

# 1 – Gary Patterson presented Council with updates on the recent technology seminar for local business. He thanked the Council for their support of the seminar which was held at the Shenandoah Community Center and was free for attendees to learn more about marketing, websites, and computer programs available for small businesses. He noted seven (7) volunteers made presentations to the eight (8) business owners who attended and suggested Council may consider supporting this type of seminar two (2) times a year.

Council thanked Mr. Patterson for volunteering to assist the Town with this technology seminar and for agreeing to conduct others in the future. They also thanked Bruce Arnold, Amos Thomas, Kirk Comer, Jackie Staples, Kris Galvin, and Joyce Fluharty for volunteering their time at this seminar. Thanks also went to the Shenandoah Valley Small Business Development Center who provided some of the materials for the event.

# 2 - Received an update on the rescue squad situation in Shenandoah from Wesley Shifflett. He answered questions and reported the following:

County representatives met with the Shenandoah Volunteer Rescue Squad members on May 7, 2010 and the meeting concluded with an agreement on the Shenandoah Volunteer Rescue Squad using the County supplied medical director (free to the agencies) and allowing the County's auditing firm to audit the books of the Shenandoah Volunteer Rescue Squad for 2008 and 2009, both of which is required in the franchise agreement the volunteer members signed previously.

However, the County has now waited 32 days for the volunteer squad members to turn over their financial records in order for an audit of the books to be completed by the County's

auditing firm.

Following repeated reminders by the County, they still have not received the financial documents from the Shenandoah Volunteer Rescue Squad to conduct an audit.

The Luray and Stanley Volunteer Rescue Squad have both turned in their financial documents and the County's auditing firm is in the process of auditing those books.

The checks and balances are needed since public money is used to run the volunteer squads and the Luray Squad has taken in \$115,000 and the Stanley Squad has taken in \$96,000 from the revenue recovery money (insurance billed) but there has been no accounting for what the Shenandoah Volunteer Rescue Squad has taken in on this program.

The revenue recovery money is split 31 percent for the agency; 31 percent for the driver; and 31 percent for the attendant; and 7 percent to the billing company.

(Those without insurance are not required to pay anything.) The number of calls and the distance driven is the reason some agencies make more money than others from the program.

The current programs are in place since the County Board of Supervisors adopted existing state laws into their ordinance.

Therefore, it is now the County's responsibility to oversee the programs, the career personnel, and the County created franchise agreement to comply with the law.

Since the Shenandoah Volunteer Rescue Squad is currently in violation of the franchise agreement they signed with the County, the Page County Board of Supervisors voted to terminate the agreement if a conclusion cannot be reached within 90 days.

The County hopes a resolution to the issues can soon be solved, but there is the possibility a group of community citizens may organize a new volunteer rescue squad to serve the Shenandoah area.

Volunteer Rescue Squad Members are currently running calls and they can fully man the temporary station set up by the County and use County owned equipment.

They just need to contact the County to get paperwork approved and get on the schedule.

Following other questions, Mr. Shifflett stated the equipment and building is owned by the

Shenandoah Volunteer Rescue Squad and they could chose to sell it or give it away. He noted the only stipulation is the proceeds go to another 501, 3, (c) group.

Several Council Members felt the career personnel and the revenue recovery system were the reason there have been problems with the volunteers, as the squad has run for more than 40 years previously. They noted the original issues seemed to occur when it was determined how the revenue recovery funds were going to be broken down.

Other Council Members felt the main problems stem from one administrative person who has taken control of the volunteer squad in Shenandoah.

Mr. Shifflett reported there are definitely issues with the one person running the squad through dictatorship. He noted people have applied to be members of the Shenandoah Volunteer Squad but their applications were never acted on and they ended up volunteering for the Elkton squad. He reminded Council of the time when Members of Town Council were asked to leave the Shenandoah Volunteer Squad building. He also noted since October 2006, there have been issues due to the one person in charge and several letters have been passed on to Town Manager Dovel regarding these issues over the years.

He noted the problems did not just happen over night as they have been happening for years.

Several Council Members were concerned they were not asked about setting a camper up for use by the temporary squad members. They also noted there will be charges for electric and water usage by the paid personnel operating from Town property.

This is being done in fairness to the volunteer fire and rescue who have always paid for water and electric.

Mr. Shifflett stated he understood and the County would pay for electric and water used by the paid personnel.

Following other questions, Mr. Shifflett stated even if the Town were to take the volunteer squad in under their charter, it would still be regulated by the County due to Dillion's Rule laws. He noted Shenandoah County also holds franchise agreements with the volunteer agencies in their County. He explained the Shenandoah Volunteer Squad are required, under the franchise agreement, to have Dr. Pullman as the primary medical director. He is the doctor with the overall say in the medical decisions and his services are free to the agencies.

They can then use Dr. Kramer (from Rockingham Memorial Hospital) as their backup, but are required to pay \$6,000 a year for using him.

In closing, he noted they hope there will be a change in the administration of the volunteer squad, the issues will be worked out, and the agency can be up and running calls again in the near future.

Although there were differences of opinion on some matters, it was the consensus of the Council the volunteer rescue squad should not have any problems turning over their financial records to be audited.

Mayor Lucas and the Council Members also noted their hope for the issues to be resolved as quickly as possible. They thanked Mr. Shifflettt for attending the meeting and answering questions and giving updates on the rescue squad issues.

Mr. Shifflettt thanked the Council for their time and noted his door and records are open for public inspection. He noted if anyone ever had questions, they should contact him.

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#### **MAY 25, 2010, PUBLIC HEARING AND REGULAR MEETING MNUTES:**

A **Motion** was made by Councilman Pierce, **seconded** by Councilman Sampson, to approve the **Public Hearing Minutes** held on May 25, 2010, as presented.

Members Vote was as follows:

**YEA:** Vice Mayor Kite

**NAY:** None.

Councilman Comer

Councilman Jenkins

Councilman Pierce

Councilman Sampson

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**ABSTAIN:** Mayor Lucas.

**ABSENT:** Councilwoman Switzer.

**VOTE:**□□□□□□□ **Unanimous in favor of motion.**



A **Motion** was made by Councilman Pierce, **seconded** by Councilman Sampson, to approve the **Regular Meeting Minutes** held on May 25, 2010, as presented.

Members Vote was as follows:

**YEA:** Vice Mayor Kite

**NAY:** None.

Councilman Comer

Councilman Jenkins

Councilman Pierce

Councilman Sampson

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**ABSTAIN:** Mayor Lucas.

**ABSENT:** Councilwoman Switzer.

**VOTE:** Unanimous in favor of motion.

**APPROVAL OF BILLS:**

Vice Mayor Kite inquired about the invoice for parts for the connections of James Shifflett?

Town Manager Dovel explained the invoice included some parts for the Shifflett connections, but it mainly included parts for water leaks, meter pots, and other miscellaneous items.

There being no further questions, a ***Motion*** was made by Vice Mayor Kite, ***seconded*** by Councilman Sampson, to approve the bills, dated

**June 8, 2010**

, in the

**Combined Accounts Disbursements Warrants #28556 - #28586**

in the amount of

**\$102,614.44.**

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Members Roll Call Vote was as follows:

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**YEA:** Vice Mayor Kite

**NAY:** None.

Councilman Comer

Councilman Jenkins

Councilman Pierce

Councilman Sampson

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**ABSTAIN:** Mayor Lucas.

**ABSENT:** Councilwoman Switzer.

**VOTE:**□□□□□□□ **Unanimous in favor of motion.**

**TREASURER'S REPORT:** Mayor Lucas read the Treasurer's report, submitted by Treasurer Cindy Breeden, for June 8, 2010.

A **Motion** was made by Councilman Sampson, **seconded** by Councilman Comer, to approve the June 8, 2010, Treasurer's report in the amount of \$1,423,924.78, as read.

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Members Vote was as follows:

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**YEA:** Vice Mayor Kite

**NAY:** None.

Councilman Comer

Councilman Jenkins

Councilman Pierce

Councilman Sampson

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**ABSTAIN:** Mayor Lucas.

**ABSENT:** Councilwoman Switzer.

**VOTE:**□□□□□□ **Unanimous in favor of motion.**

For clarification, Councilman Pierce inquired what fund the interest earned from the bond retirement certificate of deposits goes to?

Town Manager Dovel stated it goes into the Utility fund account, but noted the interest earned is very little now.

**CORRESPONDENCE**

**Item # 1** – Mayor Lucas and Council Members received a letter of resignation from Police Officer Nathan Fadeley, effective June 26, 2010.

Chief Monteleone explained Mr. Fadeley accepted a position with the Town of Stanley, where he will work straight daylight hours. The vacant position was advertised with an application deadline of June 16, 2010 at 4 p.m.

**Item # 2** – Mayor Lucas and Council Members received an invitation to the Stanley Homecoming Parade and Reception on July 3, 2010.

The reception begins at 4 p.m. at the Stanley Fire Hall and the Parade begins at 6 p.m.

Mayor Lucas and Councilman Sampson noted they plan to attend the event.

**Item # 3** – Mayor Lucas and Council Members received the May 2010 Police Report for review.

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**Item # 4** – Mayor Lucas and Council Members received information about a ditch excavation machine that could be used for water leaks and at the sewer plant to clean the grit chambers. It was noted the machine will be stored under the carport at the maintenance shed.

A **Motion** was made by Councilman Sampson, **seconded** by Councilman Comer, to authorize the purchase of a ditch excavation machine from S. L. Lawson Logging and Excavating in the amount of \$27,000, and to move \$13,000 from the Utility Capital Improvement Checking

Account and transferring it to the Utility Fund to partially pay for the ditch excavation machine with the balance of the money to come from the Capital Outlay Water and Sewer Equipment and Reserved for Contingency Line items in the Utility Budget.

Members Roll Call Vote was as follows:

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**YEA:** Vice Mayor Kite

**NAY:** None.

Councilman Comer

Councilman Jenkins

Councilman Pierce

Councilman Sampson

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**ABSTAIN:** Mayor Lucas.

**ABSENT:** Councilwoman Switzer.

**VOTE:**□□□□□□□ **Unanimous in favor of motion.**

**Item # 5** – Mayor Lucas read a memorandum from Treasurer Breeden requesting Council adopt the FY 2010-2011 Budget in the amount of \$1,901,182. The public hearing was held on May 25, 2010.

Councilman Comer stated he thought the amount advertised was different than the amount in the memorandum. He inquired how Council could adopt something other than was advertised?



Councilman Sampson noted he thought the amount was different as well.

Following discussion, Mayor Lucas called a brief recess to allow the Clerk to check the advertised records.

The certificate of publication and copy of the ad from the Daily News Record indicated the advertised amount was in fact \$1,901,182. The advertisement also indicated last year's budget was \$1,858,226, which may have been where the confusion came from.

Therefore, a **Motion** was made by Councilman Pierce, **seconded** by Councilman Sampson, to adopt the Fiscal Year 2010-2011 Budget in the amount of \$1,901,182, as advertised and the public hearing was held on May 25, 2010.

Members Roll Call Vote was as follows:

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**YEA:** Vice Mayor Kite

**NAY:** None.

Councilman Comer

Councilman Jenkins

Councilman Pierce

Councilman Sampson

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**ABSTAIN:** Mayor Lucas.

**ABSENT:** Councilwoman Switzer.

**VOTE:**□□□□□□□ **Unanimous in favor of motion.**

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## COMMITTEE REPORTS

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## **WATER & SEWER**

(Chairman Kite and Councilpersons Jenkins and Sampson)

Committee Chairman Kite stated there is a water leak on Fifth Street, near the Beebe residence that needs to be repaired.

Town Manager Dovel stated they plan to repair this leak using the new ditch excavation machine.

Following discussion, Town Manager Dovel stated he will ensure James Shifflettt complies with the regulations for installing the sewer pumps and pipes from the homes to the sewer main on Tenth Street, including not laying the lines side by side in the ditch and the appropriate alarms.

Councilman Jenkins noted the Council may want to consider increasing water and sewer tap fees in the future. He explained it is costing the Town a lot of money to comply with the Virginia Department of Transportation regulations for repaving the streets when they are cut to install new connections.

## **STREETS & PUBLIC PROPERTY**

(Chairman Kite and Councilpersons Comer and Sampson)

Councilman Sampson requested the Virginia Department of Transportation be asked to install height restriction signs on Routes 33 and 602 to alert drivers of the bridge and arch coming into Shenandoah.

Councilman Sampson also noted he has marked off some areas at the ball fields that are unsuitable for parking. He noted the vehicles have been causing the area to be muddy.

He then requested work orders for the following: put dirt on 11<sup>th</sup> Street on ball field side across from the Good house; cut trees back across from Stevens Cottage on Second Street; and fill in area at River Park for volleyball courts – this area is marked with white flags.

Committee Chairman Kite requested a work order for the inmates to weed eat tall grass on Kenesaw Avenue.

Councilman Pierce noted there is at least one tractor trailer driver delivering to the Dollar General Store who is backing in off of 340, which is causing traffic delays.

Following other questions, Town Manager Dovel reported the section of Pocahontas Avenue leading to Autumn Ridge Apartments is a private road as it was never brought up to state specifications. He noted the street was installed when this property was in the County and the Town is not responsible for pushing snow or repairing the pot holes in this area.

## **POLICE, SAFETY, & JUDICIAL**

(Chairman Kite and Councilpersons Comer and Switzer)

Following questions, Chief Monteleone stated his department warns and then charges people for underage smoking of cigarettes.

Following other questions, he noted although it is inconsiderate for others to use foul language in public places, it is impossible to have a court uphold the charge. He noted judges have even told police officers they just need to let this language slide.

He stated the only time they can get a charge to hold is if it escalates into disorderly conduct.

## **TAXATION & FINANCE**

(Chairman Pierce and Councilpersons Kite and Switzer)

There was nothing to report during this period.

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## **PARKS & RECREATION**

(Chairman Sampson and Councilpersons Pierce and Switzer)

Committee Chairman Sampson reported the following Parks and Recreation News:

**Big Gem Park** – More plantings were completed at the park along the bank. **River Park** – Volunteers picked up 410 lbs of trash along the river bank during the Save the Bay Clean Up Day on June 5, 2010; walking trail work will begin immediately to ensure the money budgeted in FY 2009/2010 is not lost.

**First Street**

– flowers and grasses were planted along the bank at the old mill, which will help disguise some of the old silo ruins.

Committee Chairman Sampson reported the Town received four (4) bids for paving the walking trail at the River Park. He noted Ran Mar was the low bidder and other bids were received from Hensil Good Paving, Inc.; Edward and Sons, Inc.; and Smith Paving, Inc.

He noted if this trail is not started this fiscal year, they would lose \$3,200 in the current fiscal year budget (which is the Wrangler donation) and there is \$3,200 in the next year's fiscal budget.

He noted flooding is not supposed to undermine the pavement and should not wash it away.

Therefore, he recommended the Council accept the low bid at this time.

Following a brief discussion, a **Motion** was made by Councilman Sampson, **seconded** by Councilman Pierce, to approve the bid from Ran Mar to pave the walking trail at the River Park in the amount of \$13,897.50, and authorize the Treasurer to transfer approximately \$4,100 from General Capital Improvement Checking Account to pay the balance after using Parks and Recreation budget line items.

Members Roll Call Vote was as follows:

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**YEA:** Vice Mayor Kite

**NAY:** None.

Councilman Comer

Councilman Jenkins

Councilman Pierce

Councilman Sampson

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**ABSTAIN:** Mayor Lucas.

**ABSENT:** Councilwoman Switzer.

**VOTE:** Unanimous in favor of motion.

## **INDUSTRIAL, ECONOMIC DEVELOPMENT & PROCUREMENT**

(Chairman Comer and Councilpersons Jenkins and Pierce)

Committee Chairman Comer noted the Genie Company orders have picked up and they are able to run more shifts, which is a huge improvement over last year.

Councilman Jenkins inquired about an alarm they have heard going off recently and he wondered which plant it was coming from?

It was concluded the alarm was probably from the electric substation rather than an industrial plant.

## **COMMUNITY SERVICE**

(Chairman Kite and Councilpersons Jenkins and Pierce)

There was nothing to report during this period.

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## **PERSONNEL**

(Chairman Pierce and Councilpersons Sampson and Switzer)

Committee Chairman Pierce reported the new full-time employee at the sewer plant seems to be working out well thus far.

## **POLICE REPORT**

Mayor Lucas requested the police department make extra patrols in the area of the ball fields during their tournament on June 30 through July 4<sup>th</sup>. Also, asked they put the speed trailer in this area during this time period as well, due to the increased amount of pedestrian traffic between the two fields.

Chief Monteleone stated their boat just needs a fuel pump and will be available for search and rescue missions on the river. He also noted they will patrol the river from time to time, just to show a police presence in this area as well.

Councilman Jenkins and Councilman Sampson noted new trailer laws go into affect July 1, 2010 and other regulations for jet ski drivers to be certified by 2012.

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## **UNFINISHED BUSINESS**

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There was no unfinished business to come before Council during this period.

## **NEW BUSINESS**

Following a brief discussion, Council agreed to request the motorcycle show be relocated to the Shenandoah Machine Shop lot for next year's Memorial Day Festival to allow those participants to be able to walk to the car show and tractor show.

## **TOWN MANAGER'S REPORT**

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Town Manager Dovel stated he did not have anything further to report.

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## MAYOR'S REPORT

Mayor Lucas stated he did not have anything further to report.

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There was no one present to speak during this period.

## ADJOURN

There being no further discussions, a ***Motion*** was made by Councilman Sampson, ***seconded*** by Vice Mayor Kite, to adjourn the meeting at 9:31 p.m.

Members Vote was as follows:

☐ **YEA:** Vice Mayor Kite

**NAY:** None.

Councilman Comer

Councilman Jenkins

Councilman Pierce

Councilman Sampson

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**ABSTAIN:** Mayor Lucas.

**ABSENT:** Councilwoman Switzer.

**VOTE:**☐☐☐☐☐☐ **Unanimous in favor of motion.**

APPROVED:

ATTESTED:

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**Clinton O. Lucas, Jr., Mayor**      **Juanita Roudabush, MMC**