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

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Council Members absent were: □ None.

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Other Town Officials present were: □ Larry E. Dovel, Town Manager; and Juanita F. Roudabush, Assistant Town Manager/MMC.

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Citizens present were: □ Guy Monger, Jr.; Barbara Comer; Debra Comer; and Carol Lee Strickler. □ □ □ □

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Media Representatives: □ None.

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RECEIVING OF VISITORS □

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1 – Barbara Comer addressed Council as a concerned member of the Shenandoah Volunteer Rescue Squad. □ She stated she was speaking as a member and not on behalf of the squad. □ She noted after reading the minutes of the last Town Council meeting, she felt the need to try and correct some false statements being made by others at meetings and in the community.

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She stated the Volunteers have already met with Page County Board of Supervisors Chairman Johnny Woodward and provided him with documented proof of the Shenandoah Volunteer Rescue Squad statements and other facts to help clear false statements.

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She then reported the following:

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a) The Shenandoah Volunteer Rescue Squad is in full compliance with the State of Virginia.

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In fact, on March 31, 2010, they won the award from the State for Rescue Squads.

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However, the County will not allow them to run calls due to disagreements with the County produced franchise agreement between the County and the Shenandoah Volunteer Rescue Squad.

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b) As of today, the Shenandoah Volunteer Rescue Squad's financial documents have been in the hands of the County auditors for approximately two (2) weeks, as the Shenandoah volunteers felt the need to rush through and get their paperwork to the County early.

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However, the Captains of the Stanley and Luray Volunteer Rescue Squads confirmed to her as of June 22, 2010, they have

not

turned in their financial documents to the County auditors yet.

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This can be confirmed by talking with the County's auditors.

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The Shenandoah Volunteers have tried to work through the issues with the County and the volunteer's attorney has contacted the County several times throughout the process,

but repeatedly no one from the County returned the calls.

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This fact is documented by their attorney's telephone records. c) The County does the billings for the revenue recovery money for all the volunteer rescue squads in Page County, and then they are supposed to turn the money over to the volunteer agencies.

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Shenandoah Volunteers originally objected to how the monies from the insurance billings were to be distributed based on percentages, as it seemed unfair to the agencies based on the personnel rather than the amount of time spent on calls.

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Examples used were Luray's average call times may be 20 minutes due to many short run calls from Montvue Nursing Home to Page Memorial Hospital (PMH), while Shenandoah's average call times are 1 hour and 45 minutes due to the transport time to Rockingham Memorial Hospital (RMH) and back.

□

Longer time spent on the calls requires more expense to the volunteer agencies.

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The Shenandoah Volunteer Rescue Squad also objected to the fact the franchise agreement the County developed indicated the percentage numbers could be changed by the County at any time, which also seemed unfair to the volunteers.

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Through discussion, now the volunteers have agreed to go along with the County's method of distribution based on the personnel rather than time of calls. d) The majority of calls for squad services in Shenandoah are transported to Rockingham Memorial Hospital.

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The agreement requires them to transport the patient to the closest facility that best suits the incident.

□

They also take the patient request for which facility to transport them to, either RMH or PMH. When the County decided to start billing for services and developed the franchise agreements, the Shenandoah Volunteer Rescue Squad Members took a stand to keep their Operating Medical Director (OMD) from Rockingham Memorial Hospital, due to the fact this doctor actually comes to the Shenandoah station once a month to conduct the same training that the County's OMD requires them to travel to obtain.

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Since they are volunteers, taking time away from their families for the training, they decided the best thing for the Shenandoah Volunteers was to keep the OMD who provides them with on-site training.

□

Their training is regulated by the state and the region we are located in.

□

It is uniform training, no matter which OMD provides it to each of the rescue agencies.

□

There seems to be a resolution to this issue now as the County's OMD and Shenandoah's OMD have agreed to work together and allow the Shenandoah Volunteers

to keep using the RMH OMD, who will continue to provide them on-site training.

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e) The Shenandoah Volunteer Rescue Squad has not received any funds from the County (donations or revenue recovery money) since June of 2008.

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This left the volunteers with no choice but to cash in one of their certificate of deposits to continue operations.

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Wesley Shifflett asked for receipts from the volunteer squad members for money the County gave them, but there were not any receipts to turn over since no money has been received since June of 2008 and the County is aware of this fact.

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The County normally gives the volunteer rescue squads a \$45,000 donation each year.

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However, the Shenandoah Volunteer Rescue Squad did not receive this donation either.

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The volunteers believe the \$45,000 donation the County normally gives the Shenandoah Volunteer Rescue Squad is now being used to pay the personnel the County hired to run calls in Shenandoah now, since the County shut down the volunteer squad.

□

The Shenandoah Volunteer Rescue Squad has not received any of the revenue recovery money the County billed patients for transportation by the volunteer agency since June of 2008.

□

County representatives told the volunteers the money was being withheld until the issues were resolved.

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f) The volunteers want to continue to serve the community for rescue services because they care.

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She stated none of the volunteers are paid for this community service. The Shenandoah Volunteer Squad has been in operation for over 40 years and members have always been there in time of need for the community of Shenandoah and surrounding areas.

□

They are a group of dedicated volunteers, who use their own gas, wear and tear on their personal vehicles to get to the station, use some of their own money to purchase uniforms, and make small purchases needed to help support the Shenandoah Volunteer Rescue Squad.

□

Each member serving the Shenandoah Volunteer Rescue Squad is there because they care and all serve as unpaid volunteers, giving countless hours to the their community.

□

Each member, including the Captain, has one vote and like all other organizations, the majority rules.

□

The volunteer rescue squad members, like all other organizations, have members who

do not always agree 100 percent, but they do give 100 percent to the community and they are an outstanding squad.

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In the recent past a question was asked at a Shenandoah Volunteer Rescue Squad meeting for another volunteer to take over the position of Captain, but no one else would come forward to accept the position of Captain of the Volunteer Rescue Squad.

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No one would take the Captain position due to the number of hours it takes to fulfill the duties of the position, except for David Huffman who has always been a dedicated squad member.

□

The volunteers spend their own time in many hours of training, which is required to maintain their licenses and certifications.

□

She reiterated their training is regulated by the state and the region we are located in.

□

It is uniform training, no matter which OMD provides it to each of the rescue agencies. g) Regarding the racetrack, the Shenandoah Volunteer Rescue Squad Members voted to discontinue having a unit on-site during events.

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Therefore, whichever rescue squad unit that is paid by the racetrack to be on-site “packages” the patient and then brings them to US Hwy 340.

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At this point, the Shenandoah Volunteer Rescue Squad transports the patient to a hospital.

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Therefore, the Shenandoah Volunteer Rescue Squad still serves the racetrack, just the volunteer members voted to discontinue having a unit on-site during the events. The volunteers also assist the fire company if a patient injured at the racetrack requires airlifting.

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In closing, she stated the volunteers hope all remaining franchise issues can be resolved quickly and the County Board of Supervisors will vote to allow them to run calls again soon as they really want to serve the community.□ She stated anyone with questions may contact her at any time.

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2 - Debra Comer addressed Council as a member of the Shenandoah Volunteer Rescue Squad, but not on behalf of the agency. □ She noted anyone can visit the Shenandoah Volunteer Rescue Squad at any time. □ If they contact her, she will take them there.

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She stated although she does not agree with the Volunteer Squad Captain David Huffman 100 percent of the time on personal issues, but she does stand behind him 100 percent in the decisions he makes for the volunteer rescue squad, which are always in the best interest of the agency.

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She noted some of his decisions involved not allowing younger members to tear up squad owned property, and then those young members would get mad at him.

□

She felt anyone not volunteering because they dislike one person are probably not volunteering for the right reasons anyway.

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She noted volunteers can sign up for duty to basically work with whoever they want.

□

She explained each member of the volunteer squad has their own job within the agency and she is in charge of membership applications.

□

She explained it is hurtful to her that the volunteers who have been dedicated and served this community for over 40 years are not being allowed to operate the Shenandoah Volunteer Rescue Squad due to franchise disagreements with the County, but she is very hopeful they will be allowed to operate soon.

□

Mayor Lucas and Council Members noted it is always good to hear both sides of an issue and felt the comments helped clear up some of the misconceptions on the stand points of the volunteers. □ Several Council Members noted the Town Attorney has advised the Town cannot become involved in the issues between the County and the Volunteer Rescue Squad. □ However, all noted they hope the issues will be

resolved soon. □

□

Additionally, several Council Members noted some fire company members have publicly chastised the Council for not becoming involved in the issues between the volunteer rescue squad and the County. However, again they noted the Town Attorney has advised the Council the Town cannot become involved in this matter due to possible legal ramifications. Mayor Lucas and Council Members thanked both Barbara Comer and Debra Comer for their comments and service to the community.

JUNE 8, 2010, PUBLIC HEARING AND REGULAR MEETING MNUTES:

A Motion was made by Councilman Pierce, seconded by Vice Mayor Kite, to approve the Public Hearing Minutes held on June 8, 2010, as presented.

Members Vote was as follows:

YEA: Vice Mayor Kite NAY: None.

████████████████████Councilman Comer

████████████████████Councilman Jenkins

████████████████████Councilman Pierce

████████████████████Councilman Sampson

████████████████████Councilwoman Switzer

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ABSTAIN:█ Mayor Lucas.

ABSENT:████ None.

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

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**A *Motion* was made by Vice Mayor Kite, *seconded* by Councilman Sampson, to approve the
une 8
, 2010, as presented.**
Regular Meeting Minutes held on J

Members Vote was as follows:

YEA: Vice Mayor Kite **NAY:** **None.**

Councilman Comer

Councilman Jenkins

Councilman Pierce

Councilman Sampson

Councilwoman Switzer

ABSTAIN: **Mayor Lucas.**

ABSENT: **None.**

VOTE: Unanimous in favor of motion.

APPROVAL OF BILLS:

There being no questions, a *Motion* was made by Vice Mayor Kite, *seconded* by Councilwoman Switzer, to approve the bills, dated June 22, 2010, in the Combined Accounts Disbursements Warrants #28587 - #28650 in the amount of \$77,893.13.

Members Roll Call Vote was as follows:

YEA: Vice Mayor Kite NAY: None.

Councilman Comer

Councilman Jenkins

████████████████████Councilman Pierce

████████████████████Councilman Sampson

████████████████████Councilwoman Switzer

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ABSTAIN:█ Mayor Lucas.

ABSENT: ███None.

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

█

TREASURER'S REPORT:█ Mayor Lucas read the Treasurer's report, submitted by Treasurer Cindy Breeden, for June 22, 2010.

█

A *Motion* was made by Councilman Sampson, *seconded* by Councilman Comer, to approve the June 22, 2010, Treasurer's report in the amount of \$1,379,861.20, as read.

Members Vote was as follows:

YEA: Vice Mayor Kite **NAY:** **None.**

Councilman Comer

Councilman Jenkins

Councilman Pierce

Councilman Sampson

Councilwoman Switzer

ABSTAIN: **Mayor Lucas.**

ABSENT: None.

VOTE: Unanimous in favor of motion.

Councilman Pierce inquired if \$15 was enough to keep the one checking account open?

Mayor Lucas stated he thought it was, but would check with Treasurer Breeden to determine for sure.

CORRESPONDENCE

Item # 1 – Mayor Lucas read a memorandum from Treasurer Breeden indicating the Shenandoah Volunteer Rescue Squad submitted the proper documentation to receive their annual donation from the Town, which was approved in the Fiscal Year 2009/2010 Budget.

Members Vote was as follows:

[illegible]

1

ABSTAIN: Mayor Lucas.

ABSENT: None.

VOTE: Unanimous in favor of motion.

Mayor Lucas explained he did not ask for a roll call vote, as this was the same amount approved in the budget for Fiscal Year 2009/2010.

Item # 2 – Mayor Lucas and Council Members received a memorandum from Treasurer Breeden requesting permission to close Town Hall to the public on July 7 through July 9, 2010, to allow office staff time to close out the books for the previous fiscal year and set up the books for the new fiscal year.

It was noted water bills not paid by the third of each month are late and citizens could still use the night deposit for bill payments if the offices are closed.

Members Vote was as follows:

[illegible]

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17 / 25

ABSTAIN: Mayor Lucas.

ABSENT: None.

VOTE: Unanimous in favor of motion.

Item # 3 – Mayor Lucas read the following: The Virginia General Assembly, in its 2010 session passed legislation creating a separate retirement plan for employees hired on or after July 1, 2010 (hereafter referred to as “Plan 2” employees). The legislation amended VA Code § 51.1-144 to provide that Plan 2 employees will pay their 5 percent member contribution and that, absent other action by the employer, such contribution will be paid through salary reduction according to Internal Revenue Code § 414 (h).

Internal Revenue Code § 414 (h) provides that a governmental employer may “pick-up” mandatory employee contributions and thereby cause the contributions to be made on a pre-tax basis.

The formal written action required by Internal Revenue Code § 414 (h) to effect the pick-up has been taken by the General Assembly with the Governor’s signature.

The legislation also permits each county, city, town, local public school board or other local employer to pick-up, in whole or in part (in 1 percent increments), the 5 percent member contribution as an additional benefit not paid as salary. The employer’s optional payment of the 5 percent member contribution may be phased in over a period approved by the VRS Board not to exceed 6 years and may only be made on a uniform basis for all its Plan 2 employees.

The formal written action required by Internal Revenue Code § 414 (h) to effect the pick-up using the alternatives permitted by the legislation must be taken by the

governing body of the specific employing entity and must be effective only on a prospective basis.

☐

Please indicate, by selecting one option below, how member contributions will be paid:

☐

q ☐ This is to acknowledge that _____ ☐ (Employer Name) will have the employees pay the 5 percent member contribution according to the terms of the legislation. This action does not require action by your governing body

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☐

_____(Authorized Signature)_____(Date)

☐

XX ☐ This is to acknowledge that the Town of Shenandoah elects to pick-up some or all of the 5 percent member contributions as detailed in the following duly approved resolution.

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☐

RESOLUTION

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Authorization to Pick-up the Employee's Contribution to VRS

Under § 414(h) of the Internal Revenue Code For Plan 2 Employees

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WHEREAS, the Virginia General Assembly, in its 2010 session passed legislation creating a separate retirement plan for employees hired on or after July 1, 2010 (hereafter referred to as "Plan 2 Employees"). The legislation stipulates that Plan 2 Employees will pay their 5 percent member contribution and that, absent other action by the employer, such contribution will be paid through salary reduction according to Internal Revenue Code § 414 (h) on a pre-tax basis ; and

□

WHEREAS, the legislation allows certain employers, including the Town of Shenandoah to pick-up and pay all or a portion of the member contributions on behalf of its Plan 2 Employees as an additional benefit not paid as salary; and

□

WHEREAS, the election to pick-up and pay all or a portion of the member contributions on behalf of its Plan 2 Employees as an additional benefit not paid as salary shall, once made, remain in effect for the applicable fiscal year (July 1 - June 30) and shall continue in effect beyond the end of such fiscal year absent a subsequent resolution changing the way the 5 percent member contribution is paid ; and

□

WHEREAS, employee contributions that are picked-up as an additional benefit not paid as salary are not considered wages for purposes of VA Code § 51.1-700 et seq. nor shall they be considered salary for purposes of VA Code § 51.1-100 et seq.; and

□

WHEREAS, the Town of Shenandoah desires to pick-up and pay its Plan 2 Employees' member contributions to VRS as an additional benefit not paid as salary in an amount equal to 5% of creditable compensation; and

WHEREAS, VRS tracks such picked-up member contributions and is prepared to treat such contributions as employee contributions for all purposes of VRS.

NOW, THEREFORE, IT IS HEREBY RESOLVED that effective the first day of July 2010, the Town of Shenandoah shall pick-up member contributions of its Plan 2 Employees to VRS as an additional benefit not paid as salary in an amount equal to 5% of creditable compensation subject to the terms and conditions described above; and it is further RESOLVED that such contributions, although designated as member contributions, are to be made by the Town of Shenandoah in lieu of member contributions; and it is further RESOLVED that nothing herein shall be construed so as to permit or extend an option to VRS members to receive the picked-up contributions made by the Town of Shenandoah directly instead of having them paid to VRS.

□

A *Motion* was made by Vice Mayor Kite, *seconded* by Councilman Sampson, to adopt the Resolution to authorize paying the contribution to VRS under Section 414 (h) of the Internal Revenue Code for Plan 2 Employees, as presented.

Members Roll Call Vote was as follows:

YEA: Vice Mayor Kite **NAY:** **None.**

Councilman Comer

Councilman Jenkins

Councilman Pierce

Councilman Sampson

Councilwoman Switzer

ABSTAIN: **Mayor Lucas.**

ABSENT: None.

VOTE: Unanimous in favor of motion.

Item # 4 – Mayor Lucas and Council Members received a thank you letter from the Shenandoah Library for the Town’s donation to support the library.

Item # 5 – Mayor Lucas read a memorandum from Town Manager Dovel indicating Alice Pence has obtained her Wastewater III Operator License and requested a five percent salary increase effective July 1, 2010.

A *Motion* was made by Councilman Pierce, *seconded* by Councilman Jenkins, to authorize a five (5) percent salary increase for Alice Pence for obtaining the Wastewater Operator III License, effective July 1, 2010.

Members Roll Call Vote was as follows:

YEA: Vice Mayor Kite **NAY:** None.

 Councilman Comer

 Councilman Jenkins

 Councilman Pierce

 Councilman Sampson

 Councilwoman Switzer

ABSTAIN: Mayor Lucas.

ABSENT: None.

VOTE: Unanimous in favor of motion.

Item # 6 – Mayor Lucas read a letter from the Town Planning Commission