

## MINUTES

### TOWN COUNCIL

### TOWN OF SHENANDOAH

### REGULAR MEETING

□

**JULY 27, 2010**

**CALL TO ORDER:** The Shenandoah Town Council held its regular meeting on Tuesday, July 27, 2010, at 7:00 p.m., with Mayor Clinton O. Lucas, Jr., presiding.

**The meeting began with the Pledge of Allegiance.** □ Mayor Lucas noted he just had returned from Elkton's Field Day and they had a four (4) year old girl sing the National Anthem.

He noted she did a very good job.

**ATTENDANCE:** □ **Council Members present were:** Mayor Clinton O. Lucas, Jr.; Russell Comer, Jr.; Charles Jenkins; I. Michael Lowe; Richard Pierce; and Keith Sampson.

**Council Members absent were:** □ Vice Mayor William L. Kite.

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

**Citizens present were:** Planning Commission Member Guy Monger and Carol Lee Strickler.

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**Media Representatives:** None.

## RECEIVING OF VISITORS

Mayor Lucas reported Gary Patterson was not able to attend the meeting tonight, but emailed updates regarding the previous technology seminar and information on the Town's website.

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## JULY 13, 2010, PUBLIC HEARING AND REGULAR MEETING MNUTES:

A ***Motion*** was made by Councilman Lowe, ***seconded*** by Councilman Sampson, to approve the ***Public Hearing Minutes*** held on July 13, 2010, as presented.

Members Vote was as follows:

**YEA:** Councilman Comer

**NAY:** None.

Councilman Jenkins

Councilman Lowe

Councilman Pierce

Councilman Sampson

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**ABSTAIN:** Mayor Lucas.

**ABSENT:** Vice Mayor Kite.

**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 July 13, 2010, as presented.

Members Vote was as follows:

**YEA:** Councilman Comer

**NAY:** None.

Councilman Jenkins

Councilman Lowe

Councilman Pierce

Councilman Sampson

□

**ABSTAIN:** Mayor Lucas.

**ABSENT:** Vice Mayor Kite.

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

**APPROVAL OF BILLS:**

Councilman Lowe inquired about why the Town had to pay for a permit for the walking trail?

Councilman Sampson stated it was for erosion and sediment control permits. He noted it was a one time fee for this project.

Councilman Comer explained the Board of Supervisors agreed they will no longer waive permit fees for any project, including those of the school board or use of the sheriff's department tent.

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

**July 27, 2010**

, in the

**Combined Accounts Disbursements Warrants #28744 - #28795**

in the amount of

**\$84,833.98.**

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Members Roll Call Vote was as follows:

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**YEA:** Councilman Comer

**NAY:** None.

Councilman Jenkins

Councilman Lowe

Councilman Pierce

Councilman Sampson

**ABSTAIN:** Mayor Lucas.

**ABSENT:** Vice Mayor Kite.

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

**TREASURER'S REPORT:** Mayor Lucas read the Treasurer's report, submitted by Treasurer Cindy Breeden, for July 27, 2010.

A **Motion** was made by Councilman Sampson, **seconded** by Councilman Comer, to approve the July 27, 2010, Treasurer's report in the amount of \$1,258,762.61, as read.

□ Members Vote was as follows:

□ **YEA:** Councilman Comer

**NAY:** None.

Councilman Jenkins

Councilman Lowe

Councilman Pierce

Councilman Sampson

□ **ABSTAIN:** Mayor Lucas.

**ABSENT:** Vice Mayor Kite.

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



## CORRESPONDENCE

**Item # 1** – Mayor Lucas and Council Members received a special event application from Fields United Methodist Church. The church plans to hold a yard sale and a lawn party on August 7, 2010. The yard sale will begin at 8 a.m. until 1 p.m. and the lawn party will begin at 5 p.m. to 9 p.m., at the church located on Third Street in Shenandoah.

A **Motion** was made by Councilman Pierce, **seconded** by Councilman Lowe, to approve the special event application for Fields United Methodist Church, as presented.

□ Members Vote was as follows:

□ **YEA:** Councilman Comer

**NAY:** None.

Councilman Jenkins

Councilman Lowe

Councilman Pierce

Councilman Sampson

□ **ABSTAIN:** Mayor Lucas.

**ABSENT:** Vice Mayor Kite.

**VOTE:** Unanimous in favor of motion

**Item # 2** – Mayor Lucas and Council Members received an invitation to Merck’s annual meeting to update the community on the progress of their environmental project to clean up soil and groundwater at their Elkton plant site. The meeting will be held on August 12, 2010, at 6 p.m. at the Elkton Elementary School.

**Item # 3** – Mayor Lucas and Council Members received a certificate of appreciation from the Department of Veteran’s Affairs for the Town’s support of their programs, including the van that takes veterans to medical appointments at the VA Hospital. □

**Item # 4** – Mayor Lucas and Council Members received an invitation from the Virginia Regional Transit to attend their ground breaking ceremony for their new multi modal transit facility at Ivy Ridge Lane, Fishersville, on August 11, 2010, at 10 a.m.

**Item # 5** – Mayor Lucas and Council Members received a copy of the Summer 2010 Town Newsletter, which includes lots of great information. Thanks went to Judy Jewell for writing, copying, and mailing this newsletter to approximately 1,000 water customers.

**Item # 6** – Mayor Lucas read a report from Jenkins Computer Service on the computer upgrades needed at Town Hall. Council Members previously requested this information and would like to begin a regular computer replacement schedule to the office computers.

Following a brief discussion, a **Motion** was made by Councilman Pierce, **seconded** by Councilman Comer, to authorize replacing Town Hall’s station two computer and upgrading station one computer for up to \$1,000 total.

□ Members Roll Call Vote was as follows:

**YEA:** Councilman Comer

**NAY:** None.

Councilman Lowe

Councilman Pierce

Councilman Sampson

**ABSTAIN:** Mayor Lucas and Councilman Jenkins.

**ABSENT:** Vice Mayor Kite.

**VOTE:** Unanimous in favor of motion

Councilman Jenkins stated he would have Town staff check with Citipak to ensure the recommended computer will be compatible with the Town's software and will work with the upgrades the programmers are planning in the near future.

## COMMITTEE REPORTS

## **WATER & SEWER**

(Chairman Kite and Councilpersons Jenkins and Sampson)

Town Manager Dovel reported the Town's wells seem to be holding up great with recent drought conditions. The Town does not over pump the wells and switches the well usage regularly.

He also reported the public works department has been repairing a few water leaks and has a couple more to repair soon.

## **STREETS & PUBLIC PROPERTY**

(Chairman Kite and Councilpersons Comer and Sampson)

Work Orders were requested for the following: weed eat and spray weeds in front of and

beside the Shenandoah Elementary School; drill holes in stumps and pack with salt to kill trees then complete final grading, apply fabric and either mulch or rock the bank for the proposed Veteran's Memorial Park – (Council thanked public works for the excellent job done thus far.); straighten flag pole at cannon and determine a way to get a light on the flag.

Following a brief discussion, Chief Monteleone volunteered to paint a mural on the wall at the Veteran's Memorial Park. Council agreed a contest will be held with local school students to design the mural with the Veteran's Memorial theme, a winner will be chosen, and then Chief Monteleone will paint it.

Councilman Pierce reported he and Councilman Comer met with Town Attorney Blatt regarding several issues recently. He explained the Town Attorney reported the state code requires people riding horses after sunset to wear reflective clothing and have lights and the Town already has a code against horses being ridden on the sidewalks in Town.

He also noted the Town Attorney is reviewing possible ordinances for horse droppings on the streets in Town.

Any ordinances would be presented in draft form to Council for authorization to advertise the appropriate public hearings to make them a part of the Town Code.

Councilman Jenkins inquired how much was the Town Attorney authorized to spend on the research needed for these issues?

Councilman Comer noted a specific amount was not set, just that the research was needed to address the problems.

Councilman Sampson inquired about the work that was done near the Sheretz residence in Eppard Subdivision?

Town Manager Dovel explained a water leak was repaired and the driveway was repaired. He noted there is nothing more that can be done about this situation as everything possible was done to try to satisfy the citizen originally. He explained the new concrete will never match the old color, but it was repaired completely.

Following a brief discussion, Council requested Chief Monteleone prepare a report on where additional street lights may be needed for Council's next meeting. Due to their costs, the current policy is to install street lights at intersections only.

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

(Chairman Kite and Councilpersons Comer and Switzer)

Chief Monteleone reported the police department received a \$1300 grant, which will be used to replace some of their office computers.

He also reported an officer will have one of the new police cars on display at the August 13<sup>th</sup> cruise in.

Following questions, he noted citizens experienced a couple of incidents with items being stolen, but he felt they were isolated incidents and some had explanations he could not say publicly.

Regarding the rescue squad situation, Councilman Pierce reported the Town Attorney has advised the Town should not become involved in the disagreements between the Shenandoah Volunteer Rescue Squad and the County of Page, other than to encourage all matters be resolved quickly. Also, if the Town were to take the volunteer squad under the Town Charter, the County would still have the power to regulate it.

Councilman Comer noted the Fifth District Board of Supervisors Member Jeff Vaughan has stated the volunteer squad's audit came back okay and the Board of Supervisors has the matter on their next agenda. He noted it is hoped it will all be resolved following the next Board of Supervisors meeting.

## **TAXATION & FINANCE**

(Chairman Pierce and Councilpersons Kite and Switzer)

Committee Chairman Pierce reported June 2010 budget reports were received for review. He noted the Town received \$3,000 in revenue from the sale of cigarette stamps during the 2009/2010 fiscal year due to wholesalers purchasing the stamps early to prepare for the sale of stamped cigarettes.

Mayor Lucas explained the Shenandoah VFW also had to purchase cigarette stamps for their sales as well. Otherwise, he noted everyone in Town would have went to the VFW to purchase cigarettes if no tax was charged there.

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## **PARKS & RECREATION**



(Chairman Sampson and Councilpersons Pierce and Switzer)

Committee Chairman Sampson then reported the following Parks and Recreation News: **River Park**

- clean fill dirt is needed for the volleyball courts; bids are being obtained for the small bridge to extend the walking trail; have applied for a \$2,500 Kodak grant; joined a state natural resources group to obtain notices on possible grant funding available for projects in parks and recreation;

**Big Gem Park**

– work continues on the bicycle trails and some phases are complete now.

**Cannon**

– work will begin soon on removal of the wheels to have them repaired.

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

(Chairman Comer and Councilpersons Jenkins and Pierce)

Committee Chairman Comer stated the Town Attorney has advised the Town can adopt the property maintenance code, if the County Board of Supervisors will agree to allow it to be added to the existing agreement between the Town and County for building inspections. He noted the Town would also need to ask the County if the Town could use their board of appeals too.

He explained public hearings would be required prior to adoption of a property maintenance

code and a qualified inspector would be hired to inspect the hazardous properties in Town.

He further explained some parts of the property maintenance code are fairly restrictive, but he felt it would be the only way the Town could ever force owners to comply with maintaining their properties in Town. He noted once the property maintenance code is adopted, the inspector can take the matter straight to the Commonwealth's Attorney for action on hazardous properties in Town.

If the property maintenance code is adopted, Councilman Pierce noted the Town could hire its own inspector for action on hazardous properties. He noted this person would not have to be a permanent employee and could be hired on a case by case basis.

Following a brief discussion, Council authorized its Members to attend the next Board of Supervisors meeting on August 3, 2010, at 7 p.m. in the Board of Supervisors Room in Luray to request the County add Part III of the Uniform Statewide Building Code for Property Maintenance to their agreement with the Town under Building Inspections and request the Town be allowed to use their board of appeals. If approved, the Town would then hold public hearings, decide upon an inspector and begin taking action against hazardous properties in Town.

Committee Chairman Comer then noted it would be costly to have the Town Charter changed to allow Council to hold just one meeting per month. Therefore, he recommended Council consider using the money towards adoption of the property maintenance code rather than ask for a charter change at this point.

Mayor Lucas and Council Members agreed, and noted most of the time two meetings a month are needed to conduct Town business.

Councilman Jenkins reported there are more vacancies in the old mill building and the vacant office spaces should be advertised by the Town as much as possible.

Following questions, Councilman Comer explained the Planning Commission is currently reviewing the Town's draft Capital Improvement Plan and will recommend the priority of the items within the coming months.

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## COMMUNITY SERVICE

(Chairman Kite and Councilpersons Jenkins and Pierce)

A **Motion** was made by Councilman Jenkins, **seconded** by Councilman Lowe, to authorize a Community Enhancement Award for Kevin Shifflett's property on Third Street for recent renovations.

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Members Vote was as follows:

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**YEA:** Councilman Comer

**NAY:** None.

Councilman Jenkins

Councilman Lowe

Councilman Pierce

Councilman Sampson

□

**ABSTAIN:** Mayor Lucas.

**ABSENT:** Vice Mayor Kite.

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

## **PERSONNEL**

(Chairman Pierce and Councilpersons Sampson and Switzer)

Councilman Sampson reported the employees at the sewer treatment plant are working together on all projects. He noted employee relations are running very smoothly for the first time in over 30 years.

## **POLICE REPORT**

There was nothing further to report during this period.

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## **UNFINISHED BUSINESS**

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

## **NEW BUSINESS**

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

#### **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**

Following a brief discussion, Council agreed when water is shut off for non-payment, it will not be turned back on until the following business day after appropriate payments are made at the office. It was explained some citizens have been contacting Mayor Lucas and/or other Town Officials requesting their water be turned back on after 5 p.m. However, due to liability reasons, Council agreed the water service will not be restored to customers shut off for non-payment until the following business day after the customer makes the appropriate payment in the office.

It was further explained water customers receive their first bill, for water used the previous month, with several weeks to make the payments by the third of each month. Late accounts are sent a final notice on the fourth of each month and the customer then has several more weeks to make payment to avoid shut off.

Council agreed this is adequate time for customers to make payments prior to shut off.

**FOR THE GOOD OF THE** □

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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 Councilman Pierce, to adjourn the meeting at 8:26 p.m.

Members Vote was as follows:



**YEA:** Councilman Comer

**NAY:** None.

Councilman Jenkins

Councilman Lowe

Councilman Pierce

Councilman Sampson

**ABSTAIN:** Mayor Lucas.

**ABSENT:** Vice Mayor Kite.

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

APPROVED:

ATTESTED:

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Clinton O. Lucas, Jr., Mayor

Juanita Roudabush, MMC