

MINUTES  
TOWN COUNCIL  
TOWN OF SHENANDOAH  
REGULAR MEETING

DECEMBER 14, 2010

CALL TO ORDER: The Shenandoah Town Council held its regular meeting on Tuesday, December 14, 2010, at 7:00 p.m., with Mayor Clinton O. Lucas, Jr., presiding.

The meeting began with the Pledge of Allegiance.

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

Council Members absent were: None.

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: Briana Campbell, Luray-Page County Chamber of Commerce; Guy Monger, Jr., Town Planning Commission Member; and Gary Patterson.

Media Representatives: None.

RECEIVING OF VISITORS

# 1 – Gary Patterson reported the business technology seminar was successful and with the Council's support, he would like to hold more seminars in the future. This was a free seminar, led by Mr. Patterson and volunteers Joyce Fluharty, Chris Galvin and Jackie Staples. It was designed for business owners where experts walked them through setting up a website, Face book page, and business logo.

Mayor Lucas and Council Members thanked all the volunteers for their efforts with these seminars. They also thanked Mr. Patterson for volunteering his time for these seminars and for helping to gain positive publicity for the Town in the local news. They agreed to offer support for future technology seminars.

# 2 – Briana Campbell reported updates for the Luray-Page County Chamber of Commerce as follows for August through November: 2,034 calls from tourists, 9,414 walk-in tourists, 3,892 local calls, and 1,386 local walk-ins. She noted the 2011 Virginia Travel Guide has a 2 page ad for the County. Also, the new Visitors Guide has a list of seasonal events for all the Towns as well. Also, a 2011 Calendar of Local Events is being developed, which will cover the entire County, including the Towns.

Mayor Lucas and Council Members thanked Ms. Campbell for everything she does to help promote the Town and the County.

#### NOVEMBER 9, 2010, REGULAR MEETING MINUTES:

A Motion was made by Councilman Lowe, seconded by Councilman Sampson, to approve the Regular Meeting Minutes held on November 9, 2010, as presented.

Members Vote was as follows:

YEA: Vice Mayor Kite    NAY: None.  
      Councilman Comer  
      Councilman Jenkins  
      Councilman Lowe  
      Councilman Pierce  
      Councilman Sampson

ABSTAIN: Mayor Lucas.

ABSENT: None.

VOTE: Unanimous in favor of motion.

#### APPROVAL OF BILLS:

Councilman Pierce stated the new electric company invoices are very confusing and noted it must be difficult to keep them all organized for payment.

Town Manager Dovel stated yes, and Treasurer Breeden has spent a lot of time on the phone with the new company trying to get the bills corrected. He noted some of the meter readings are not matching what is on the actual meter.

Council discussed the new company is subcontracting out the reading of the meters and it seems to be difficult for them to get everything right.

There being no further questions or comments, a Motion was made by Vice Mayor Kite, seconded by Councilman Sampson, to approve the bills, dated December 14, 2010, in the Combined Accounts Disbursements Warrants #29105 - #29202 in the amount of \$160,424.03.

Members Roll Call Vote was as follows:

YEA: Vice Mayor Kite NAY: None.

Councilman Comer

Councilman Jenkins

Councilman Lowe

Councilman Pierce

Councilman Sampson

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 December 14, 2010.

A Motion was made by Councilman Sampson, seconded by Councilman Pierce, to approve the December 14, 2010, Treasurer's report in the amount of \$1,391,081.62, as read.

Members Vote was as follows:

YEA: Vice Mayor Kite    NAY: None.

Councilman Comer

Councilman Jenkins

Councilman Lowe

Councilman Pierce

Councilman Sampson

ABSTAIN: Mayor Lucas.

ABSENT: None.

VOTE: Unanimous in favor of motion.

## CORRESPONDENCE

Item # 1 – Mayor Lucas and Council Members received a subdivision of lot request from Joyce Whiteside for a parcel of property located at the intersection of Denver Avenue and Wahnona Avenue. This division will allow for one lot with 12,796 square feet and a second lot with 9,623 square feet.

A Motion was made by Councilman Lowe, seconded by Councilman Comer, to approve the subdivision of lot request from Joyce Whiteside to divide one (1) lot into two (2) lots, on a parcel of property identified by tax map number 102A4-(A)-6, as presented.

Members Vote was as follows:

YEA: Vice Mayor Kite NAY: None.

Councilman Comer

Councilman Jenkins

Councilman Lowe

Councilman Pierce

Councilman Sampson

ABSTAIN: Mayor Lucas.

ABSENT: None.

VOTE: Unanimous in favor of motion.

Item # 2 – Mayor Lucas and Council Members discussed Town employee Christmas bonuses. He pointed out all Town employees work very hard to keep necessary services up and running.

It was noted public works employees encounter many difficult working conditions when temperatures fall and water leaks have to be repaired. Many times employees get soaking wet, but have to continue to work in the cold to restore water services.

Councilman Jenkins inquired the total amount if each full-time employee were to receive \$100 and each part-time employee were to receive \$50 each?

It was noted the Mayor or Town Council do not receive Christmas bonuses.

Councilman Pierce noted the amount was in the budget and it is the same as last year.

A Motion was made by Councilman Pierce, seconded by Councilman Sampson, to authorize

Christmas bonuses in the amount of \$100 for each full-time employee and \$50 for each part-time employee.

Members Roll Call Vote was as follows:

YEA: Vice Mayor Kite    NAY: None.  
Councilman Comer  
Councilman Jenkins  
Councilman Lowe  
Councilman Pierce  
Councilman Sampson

ABSTAIN: Mayor Lucas.

ABSENT: None.

VOTE: Unanimous in favor of motion.

Item # 3 – Mayor Lucas and Council Members received an Ordinance and Resolution, which would authorize the modification of certain existing indebtedness for the Town. It was noted this would refinance two (2) of the Town's Suntrust loans for a savings of \$3,910.08, a year for the remaining length of the loans.

It was noted the loan terms are through 2018 and 2019, which equates to a sizeable savings for the Town, after the initial investment of bank and Bond Counsel fees.

A Motion was made by Councilman Pierce, seconded by Councilman Sampson, to adopt the ordinance and resolution to authorize refinancing the Town's Suntrust 2003 loan interest rate from 3.75 % to 2.66 % and the Town's Suntrust 2004 loan interest rate from 4.44 % to 2.86 %, and to authorize Mayor Lucas, Town Manager Dovel, Town Clerk Juanita Roudabush, and Town Treasurer Cindy Breeden to sign the authorizing documents as needed, and to approve the \$1,500 bank fees from Suntrust and to pay the Bond Counsel fees for preparation of the necessary documents and legal work involved.

Members Roll Call Vote was as follows:

YEA: Vice Mayor Kite NAY: None.

Councilman Comer

Councilman Jenkins

Councilman Lowe

Councilman Pierce

Councilman Sampson

ABSTAIN: Mayor Lucas.

ABSENT: None.

VOTE: Unanimous in favor of motion.

Item # 4 – Mayor Lucas read a memorandum regarding possibly canceling the December 28, 2010, Town Council meeting, due to the busy holiday season.

A Motion was made by Councilman Comer, seconded by Vice Mayor Kite, to authorize canceling the December 28, 2010, Town Council meeting.

Members Roll Call Vote was as follows:

YEA: Vice Mayor Kite NAY: None.

Councilman Comer

Councilman Jenkins

Councilman Lowe

Councilman Pierce

Councilman Sampson

ABSTAIN: Mayor Lucas.

ABSENT: None.

VOTE: Unanimous in favor of motion.

Item # 5 – Mayor Lucas and Council Members received the November 2010 Town Vehicle Gasoline Log for review.

Item # 6 – Mayor Lucas and Council Members received the November 2010 Town Police Report for review.

Item # 7 - Received a letter from VDOT regarding a meeting with state and local leaders to identify improvements needed to Interstate 81. The meeting will be held on December 15, 2010, from 9 a.m. until 11:30 a.m., at the Augusta County Government Center in Verona.

Item # 8 - Received an invitation to attend the Virginia Regional Transit Annual Awards Luncheon on January 6, 2011, at 11 a.m., at the Belmont Country Club in Ashburn, VA.

Item # 9 – Council discussed the water line to serve residents along River Road. This project is being paid for by North American Phillips Company, due to several wells along this road being contaminated with TCE, which was likely attributed to chemicals used years ago at the company's plant when it operated in Town.

Mayor Lucas and Town Council Members received information regarding a gap in the property lines in this area, which apparently is not owned by the Virginia Department of Transportation for the roadway. This gap was discovered when the properties were surveyed for the new water line to be installed and apparently the property lines do not join with each other, leaving a small gap of property in the area where the easements are needed. As an alternative to condemnation of the area where the gap exists, Town Attorney Blatt suggested Council could accept a boundary line agreement, insured by a title insurance company, to secure the necessary easements to install this new water line.

However, Councilman Comer expressed concern the matter may cause future issues for the Town, if there were to ever be a problem at this location. He noted concerns about whether or not the title company would insure a liability that has already been discovered. He also noted the title insurance company could go out of business in the future leaving the Town with a liability. He suggested condemnation, at North American Phillips Company's expense, would



be the safest alternative to prevent future liabilities for the Town.

Following questions, Town Manager Dovel stated condemnation would cause a delay in the project, but North American Phillips Company would have to cover all the expenses involved. He noted once the water line is constructed it would be given to the Town and then the Town would be responsible for it and any maintenance needed in the future.

Mayor Lucas and other Council Members agreed they would prefer condemnation, with all expenses paid by North American Phillips Company, rather than accept a boundary line agreement. They felt this would protect the Town when this water line is turned over to the Town for maintenance.

A Motion was made by Councilman Jenkins, seconded by Councilman Comer, to request Town Attorney Blatt begin condemnation, at no cost to the Town, on the property "gap" needed to secure easements to allow for the installation of a new water line to serve residents along Shenandoah River Road, with all expenses to be paid by North American Phillips Company.

Members Vote was as follows:

YEA: Vice Mayor Kite    NAY: None.

Councilman Comer

Councilman Jenkins

Councilman Lowe

Councilman Pierce

Councilman Sampson

ABSTAIN: Mayor Lucas.

ABSENT: None.

VOTE: Unanimous in favor of motion.

(CLERK'S NOTE: This motion was reversed at a special meeting held January 6, 2011. The Council agreed to accept the boundary line agreement along with a title insurance company, as recommended by Town Attorney Blatt. See the January 6, 2011 minutes for a full explanation.)

## COMMITTEE REPORTS

### WATER & SEWER

(Chairman Kite and Councilpersons Jenkins and Sampson)

Committee Chairman Kite stated public works employees have been busy repairing water leaks recently.

Town Manager Dovel explained some of the leaks occurred when valves were opened slightly more again to try to increase water pressure for residents along Seventh Street between Denver Avenue and Pennsylvania Avenue. This caused several main water line leaks throughout Town. He noted the homeowner may have to install a booster pump, at his own expense, as the current pressure exceeds the requirements by the state health department.

Councilman Lowe and Councilman Sampson reported a water leak on Senior Avenue that appears to be getting worse.

Councilman Pierce noted there is a large water leak on Sixth Street near the Shenk residence.

Councilman Pierce also noted a water leak occurred during the demolition of the old Casey Jones building. He noted their insurance should pay expenses incurred due to this leak, including the replacement of the pavement that had to be dug up.

Town Manager Dovel stated the contractor dug up an old sprinkler system under the building and the Town had to plug it up.

Councilman Jenkins stated the property owner needs to repair the sidewalk in this area too.

## STREETS & PUBLIC PROPERTY

(Chairman Kite and Councilpersons Comer and Sampson)

Committee Chairman Kite stated a private property owner has constructed a two-story utility shed in his neighborhood. He noted several neighbors are very upset at the size and look of this building.

Town Manager Dovel explained the structure meets zoning regulations as it is at least 10 feet off the property line and it is not as high as the house. He noted the building inspector's office staff reported the homeowner has a permit for a single-story building and they would have to take necessary action to have the structure comply with their requirements.

Committee Chairman Kite stated he would speak to the building inspector about this matter to inquire what needs to be done to correct the problem.

Councilman Jenkins requested a work order to clean out all storm drains and gutters in the Town. He noted many are clogged with leaves and debris now.

Councilman Jenkins also requested a work order to sweep gravel from the roadway at the intersection of Tenth Street and Pocahontas Avenue, near the entrance to the water hauling station.

## POLICE, SAFETY, & JUDICIAL

(Chairman Kite and Councilpersons Comer and Lowe)

Following questions, Chief Monteleone reported the new police officer is doing an excellent job. He noted he is constantly patrolling and writes tickets as appropriate for those violating the speed limits in Town.

Councilman Pierce reported someone was burning leaves in the area behind Columns

Apartment building the other day. He noted, although the Town does not have an ordinance against burning leaves, it appeared an unsafe location due to the many trees in this area.

#### TAXATION & FINANCE

(Chairman Pierce and Councilpersons Kite and Lowe)

Committee Chairman Pierce reported the Town real estate and personal property tax revenue is being received and the cigarette tax is exceeding expected revenues.

#### PARKS & RECREATION

(Chairman Sampson and Councilpersons Pierce and Lowe)

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

BIG GEM PARK - Christmas tree lighting ceremony was held on December 10th and it will be advertised more next year to try and gain more participants to enjoy the free hotdogs, marshmallows, cookies, and hot chocolate that was served. Thanks to the Public Works Department for their assistance with ensuring proper lighting to allow for the event to go on after a transformer went out.; BASEBALL FIELDS – The Shenandoah Indians and the Shenandoah Recreation League are working out an agreement for use of the fields if the stadium is rebuilt. There is an entire checklist of items needed and items that have been completed thus far.

#### INDUSTRIAL, ECONOMIC DEVELOPMENT & PROCUREMENT

(Chairman Comer and Councilpersons Jenkins and Pierce)

Committee Chairman Comer reported Fifth District Supervisor Jeff Vaughan is still waiting on a response from the County Attorney before any decision can be made on the property maintenance code.

He noted appreciation to the contractor and property owner of the old Casey Jones building for the excellent clean up efforts following the demolition of this building.

Mayor Lucas and Council Members agreed they have done a great job of cleaning up the property and even plan to gravel the lot after final grading is completed.

Committee Chairman Comer noted there is a large pile of debris near the alley behind the house at 321 Third Street. He stated apparently a renter moved out and all the leftover items were dumped behind the house in a pile.

Town Manager Dovel stated the property owner would be contacted to remove the items and debris as soon as possible.

Vice Mayor Kite stated the news reported the Page County Transit is no longer operating.

Committee Chairman Comer stated it was due to the Board of Supervisors not funding their portion of the transit any longer.

#### COMMUNITY SERVICE

(Chairman Kite and Councilpersons Jenkins and Pierce)

There was nothing to report during this period.

#### PERSONNEL

(Chairman Pierce and Councilpersons Sampson and Lowe)

Committee Chairman Pierce reminded everyone the employee Christmas dinner is at Noon on Friday, December 17th. Employees are requested to bring a covered dish.

#### POLICE REPORT

There was nothing further to report during this period.

#### UNFINISHED BUSINESS

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

There was no report during this period.

#### MAYOR'S REPORT

Mayor Lucas reminded everyone a Christmas Decorating Contest is being sponsored by the Shenandoah Merchant's Association with cash and prizes totaling over \$1,100. He explained Shenandoah residents and businesses may register for the contest by December 15, 2010, by emailing [shenandoahmerchants@yahoo.com](mailto:shenandoahmerchants@yahoo.com) or by calling Enchanting Florals and Gifts at 540-652-2261.

A person from out of Town will judge the event to determine the winners on Friday, December 17, 2010.

FOR THE GOOD OF THE TOWN

There were no comments during this period.

ADJOURN

There being no further discussions, a Motion was made by Vice Mayor Kite, seconded by Councilman Sampson, to adjourn the meeting at 8:23 p.m.

Members Vote was as follows:

YEA: Vice Mayor Kite   NAY: None.  
Councilman Comer  
Councilman Jenkins  
Councilman Lowe  
Councilman Pierce  
Councilman Sampson

ABSTAIN: Mayor Lucas.

ABSENT: None.

VOTE: Unanimous in favor of motion.

APPROVED:     ATTESTED:

---

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