

## MINUTES

### TOWN COUNCIL

### TOWN OF SHENANDOAH

### REGULAR MEETING

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### SEPTEMBER 22, 2009

**CALL TO ORDER:** The Shenandoah Town Council held its regular meeting on Tuesday, September 22, 2009, 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 L. Kite ; Russell Comer, Jr.; Charles Jenkins; Richard Pierce; Keith Sampson; and Constance Switzer.

**Council Members absent were:** □ None.

**Other Town Officials present were:** Peter J. Monteleone, Chief of Police; and Juanita F. Roudabush, Assistant Town Manager/CMC.

**Citizens present were:** Delores Lackovitch; Dorothy Pendley; and Tom Reiss.

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**Media Representatives:** The Page News & Courier.

**RECEIVING OF VISITORS**

Tom Reiss addressed Council regarding an alley that is being blocked by a citizen. He noted the alley was accessed off of Second Street.

He read several letters his attorney wrote to the citizen blocking the alleyway, which informed her it was a public alley and they would continue to use it.

He also read a portion of the deed to the property, which indicates there is a 10 foot alley between the properties.

He noted the citizen has planted trees and put up a fence in this alley, which has blocked access to the rear of his property.

He noted they cannot remove remodeling debris from the rear of their lots now since she has blocked the access.

Additionally, he noted they can no longer unload the lawn mower onto this property to mow in the rear of the lots, due to the trees and fence blocking the alley.

Mayor Lucas and Council Members briefly discussed this matter and noted they would review it to determine if the alley is still a public access and if there is anything the Town can do to allow all property owners access to the rear of their properties in this area.

**SEPTEMBER 22, 2009, REGULAR MEETING MNUTES:**

A **Motion** was made by Councilwoman Switzer, **seconded** by Councilman Sampson, to approve the **Regular Meeting Minutes** held on September 22, 2009, as presented.

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 Councilman Pierce, to approve the bills, dated  
**September 22, 2009**  
, in the  
**Combined Accounts Disbursements Warrants #27753 - #27793**  
in the amount of  
**\$63,660.85.**

□

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

Councilwoman Switzer

□

**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 September 22, 2009.

A **Motion** was made by Councilman Sampson, **seconded** by Councilwoman Switzer, to approve the September 22, 2009, Treasurer's report in the amount of \$1,291,289.57, as read.

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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

Councilwoman Switzer

□

**ABSTAIN:** Mayor Lucas.

**ABSENT:** None.

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

## **CORRESPONDENCE**

**Item # 1** – Mayor Lucas stated the Board of Zoning Appeals terms have expired and they need to be reappointed.

A **Motion** was made by Vice Mayor Kite, **seconded** by Councilman Pierce, to reappoint Board of Zoning Appeals Members Edward Enterline; Ray E. Pence; Doug Rudolph; Richard Strickler; and John Warren.



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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

Councilwoman Switzer

□

**ABSTAIN:** Mayor Lucas.

**ABSENT:** None.

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

**Item # 2** – Mayor Lucas noted Page County Zoning Office is trying to set up a workshop for Board of Zoning Appeals Members. The Town Board of Zoning Appeals has only held about one (1) meeting in the last 10 years, but the members may want to attend the workshop if the training is offered free of charge and is in the County.

**Item # 3** – Mayor Lucas and Council Members received information regarding business advertisements in the Page News and Courier.

**Item # 4** – Mayor Lucas and Council Members received a newsletter from the Northern Shenandoah Valley Regional Commission.

**Item # 5** – Mayor Lucas and Council Members received information from the Virginia Department of Emergency Management and Virginia Department of Health with the following recommendations to guard against the flu viruses: vaccinate children and adults for seasonal flu early and the H1N1 vaccination as soon as it is available; wash hands frequently; cover coughs and sneezes with a sleeve, elbow, or tissue; use alcohol-based hand sanitizers; stay home from work or school if you have flu symptoms such as fever, cough, or sore throat and

do not return until you have been without a fever for at least 24-hours without the use of fever reducing medicine. Visit the

Virginia Department of Health website at

[www.vdh.virginia.gov](http://www.vdh.virginia.gov)

or call 1-877-275-8343 for more information.

**Item # 6** – Mayor Lucas and Council Members received the August 2009 Town vehicle gasoline log for review.

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**Item # 7** – Mayor Lucas and Council Members received notice that Brian Plum resigned from the Town Planning Commission, as he will be moving outside of the Town limits. It was noted anyone interested in serving should contact the Town Hall.

Planning Commission by-laws require members to become certified through the Virginia Citizens Planning Association.

This requires conference attendance, which is paid for by the Town.

**Item # 8** – The Town received information regarding pipeline safety emergency response conference. This information will be given to the fire company.

**Item # 9** – Mayor Lucas and Council Members heard a Skywarn Spotter training basics class

will be held September 24, 2009, at 7 p.m., at the Rileyville Baptist Church. Attendees will help the National Weather Service predict severe weather.

Pre-register by calling 540-843-3357 or email Gene Stewart at [gstewart@pagecounty.virginia.gov](mailto:gstewart@pagecounty.virginia.gov)

**Item # 10** – Mayor Lucas and Council Members received a report indicating the classic car cruises were a huge success. 258 vehicle owners registered for the prizes and thousands of people attended the events that stretched over four (4) Fridays.

Vehicle owners from Richmond, Barboursville, Charlottesville, Edinburg, Bridgewater, and the surrounding localities attended the events.

Organizations raised over \$1,000 in food sales, the Memorial Day car show raised over \$1,000 with 50/50 ticket sales, and local businesses reported an increase in sales during each event.

Mayor Lucas and Council Members thanked Donnie Campbell for organizing the events; Christ United Methodist Church for use of their picnic tables; and the anonymous donor of \$1,500 who paid for the events.

**Item # 11** – Mayor Lucas noted \$35 remains in the cruise fund from the anonymous donation. A suggestion was made to purchase a gift card from Mamma Mia's and present to Donnie Campbell for all the hours he volunteered at the cruises.

A **Motion** was made by Councilman Comer, **seconded** by Councilwoman Switzer, to authorize using the remaining cruz in funds and purchase a \$35 Mamma Mia gift card for Donald Campbell for volunteering his time at the Town cruz ins.

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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

Councilwoman Switzer

□

**ABSTAIN:** Mayor Lucas.

**ABSENT:** None.

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

**Item # 12** - Mayor Lucas reported the attendance was down for the Art and Music Festival, but the Committee will meet soon to go over options for next year. There were many other events in the County and in nearby areas on this same day and it could have affected attendance as well.

Other events may be added to this festival next year to help increase attendance.

## **COMMITTEE REPORTS**

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## **WATER & SEWER**

(Chairman Kite and Councilpersons Jenkins and Sampson)

Councilman Sampson reported there may be a water leak behind St. Peters Lutheran Church near the sidewalk. He noted it may be coming from the water meter in this area.

Mayor Lucas noted there also may be a leak at the intersection of Fifth Street and Virginia Avenue.

Councilwoman Switzer requested the public works department pave the area on Quincy Avenue where a water leak was repaired recently.

## **STREETS & PUBLIC PROPERTY**

(Chairman Kite and Councilpersons Comer and Sampson)

Following a brief discussion, Council noted a letter could be forwarded to the legislators regarding how expensive it is for the Town to meet paving regulations enforced upon the Town by the Virginia Department of Transportation.

Councilman Jenkins stated he hopes any letters to the legislators would not affect the Town being paid by VDOT for snow removal services.

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

(Chairman Kite and Councilpersons Comer and Switzer)

Councilman Pierce complimented Chief Monteleone and his department on doing a good job of law enforcement in Town.

Vice Mayor Kite inquired how the new officer is working out.



Chief Monteleone stated he is doing a good job thus far.

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## **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: Town Parks and Recreation Director Lori Mongold is doing a great job of overseeing the basketball programs.

They have 76 girls signed up in First through Seventh grades.; Kindergarten basketball clinics will be held and the deadline to sign up is September 29<sup>th</sup>

; Big Ball leagues play on Monday nights and the Town has made \$200 from that program thus far with another \$400 expected from the Big Ball tournament to be held this weekend.; a gate for the skate park was found for \$425 including installation and the skate park committee raised enough extra money through food sales at the cruz in to pay the extra expense.; Page Valley Cycling would like to use grant funds to install a pump track at Big Gem Park and they are reviewing an appropriate location for this track; the Shenandoah Indians and Shenandoah Recreation League are enlisting the County's assistance with finding grants to install lights at the Veterans Memorial ball field; work is continuing on an area to install volleyball courts at the river park; Norfolk Southern denied the Town's request for a walking trail over a portion of their property, but the Town will pursue this matter with the Norfolk Southern representative to make sure he knows the tracks in this area are no longer in use.

The Town will review the Governor's Stewardship program to see if any of the parks and recreation projects will qualify.

Councilman Sampson reported the excavation work for the crop planting area has been completed. He noted the Town owes an additional \$4,475 for this project and if the invoice could be paid immediately, the contractor will dig out a parking lot area at Big Gem Park without charge to the Town since he still has his equipment on this property.

A **Motion** was made by Councilman Pierce, **seconded** by Councilwoman Switzer, to authorize immediate payment of \$4,475 to Real Deal Excavation for work preformed at Big Gem Park, subject to Real Deal Excavation preparing the parking lot area at Big Gem Park without further charge to the Town.

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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

Councilwoman Switzer

□

**ABSTAIN:** Mayor Lucas.

**ABSENT:** None.

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

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

(Chairman Comer and Councilpersons Jenkins and Pierce)

Committee Chairman Comer reported:

Page County Building Official Kenneth Fox has issued a stop work order for construction work without permits at 501 Third Street.

Mr. Fox is also ensuring the property owner at Denver and US Hwy 340 complies with building code regulations.

Mr. Fox is working with the fire marshal on ensuring the old lodge building, located on Pennsylvania Avenue, is brought into compliance with the regulations.

The Town may be able to adopt portions of the property maintenance code, but will need either the Page County Inspector to assist with the program or hire an outside inspector.

Councilman Comer noted he is working with the Richmond office of DHCD to determine what options the Town has in this matter. He will report other findings at an upcoming Council meeting.

Mayor Lucas and Council Members held a brief discussion regarding Grace House and their intentions to operate in Town. They also discussed a facility planning to locate in New Market for the mentally ill and how state law allows this use in a single-family home neighborhood.

Several Council Members noted they do not object to Grace House for recovering addicts, but its location directly behind the Shenandoah Elementary School. It was noted the Town will have spent several thousand dollars in legal fees researching and writing letters on the proposed Grace House.

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e Council Members felt the state or federal law may over-ride Town Code on this issue and it may still be allowed to operate in this residential neighborhood without any special permits.

Following the discussion, a ***Motion*** was made by Councilman Comer, ***seconded*** by Councilman Jenkins, to ask Town Attorney Blatt to suspend all legal work on the Grace House issue, until further notice.

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Members Roll Call Vote was as follows:

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**YEA:** Vice Mayor Kite

**NAY:** Councilman Pierce.

Councilman Comer

Councilman Sampson

Councilman Jenkins

Councilwoman Switzer

□

**ABSTAIN:** Mayor Lucas.

**ABSENT:** None.

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

Mayor Lucas and Council Members held a brief discussion regarding the issue of the Town's broadband equipment in relation to the issues with Rural Broadband Network Services.

(CLERK'S NOTE: Mayor Lucas departed the meeting at 8:48 p.m. for another meeting.)

Following the brief discussion, Council agreed to contact Town Attorney Blatt with several options for resolving the issue of the Town's broadband equipment.

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**COMMUNITY SERVICE**

(Chairman Kite and Councilpersons Jenkins and Pierce)

There was nothing to report during this period.

## **PERSONNEL**

(Chairman Pierce and Councilpersons Sampson and Switzer)

There was nothing to report during this period.

## **POLICE REPORT**

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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 report during this period.

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## **NEW BUSINESS**

There was no new business to report during this period.

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## **TOWN MANAGER'S REPORT**

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There was nothing to report during this period.

## **MAYOR'S REPORT**

Vice Mayor Kite noted the Town cannot obtain shuttle service for the train excursion passengers without incurring expenses.

Assistant Town Manager Roudabush explained the City of Harrisonburg now charges the same rate as tour bus companies for use of the city buses and church buses and vans will not be available on Sunday, November 8, 2009, during the time the train will be in Town. She noted with Council's permission, she could request the Roanoke Chapter of the Historical Railway Society to pay any costs involved with transportation.

Council agreed the Town does not have funds available to support transportation of the passengers to the different venues while they are in Town and the railway society should be asked to pay for any transportation expenses.

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**FOR THE GOOD OF THE TOWN**

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1. Delores Lackovitch reported the Shenandoah Crafters will hold their annual craft show on November 7 and November 8, 2009. They will be at the Shenandoah Elementary School. She noted a few of the crafters may set up on First Street during the time the excursion train will be in Shenandoah on November 8, 2009, which should add to their sales this day

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**ADJOURN**

There being no further discussions, a ***Motion*** was made by Councilman Sampson, ***seconded*** by Councilwoman Switzer, to adjourn the meeting at 9:01 p.m.

Members Vote was as follows:

**YEA:** Councilman Comer

**NAY:** None.

Councilman Jenkins

Councilman Pierce

Councilman Sampson

Councilwoman Switzer

**ABSTAIN:** Vice Mayor Kite.

**ABSENT:** Mayor Lucas (left meeting at 8:48 p.m.)

**VOTE: 5 5 5 5 5 Unanimous in favor of motion.**

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APPROVED:

ATTESTED:

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<b>Clinton O. Lucas, Jr., Mayor</b>	
	<b>Juanita Roudabush, MMC</b>