

MINUTES

TOWN COUNCIL

TOWN OF SHENANDOAH

REGULAR MEETING

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MARCH 9, 2010

CALL TO ORDER: The Shenandoah Town Council held its regular meeting on Tuesday, March 9, 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 L. Kite; Russell Comer, Jr.; Charles Jenkins; Richard Pierce; Keith Sampson; and Constance Switzer.

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/CMC.

Citizens present were: Ann and Ron Schupner; Richard Rinaca; Randy Meadows; James Williams; Guy Monger; and Gary Patterson.

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Media Representatives: None.

RECEIVING OF VISITORS

1 – Randy Meadows addressed Council regarding several issues in his elderly parent's neighborhood, which is located at the intersection of Tenth Street and Pocahontas Avenue. He provided Council with photographs of the problem areas he will be speaking about tonight.

He requested Council check into the legality of a heavy equipment/construction business operating next to his parent's home.

He noted this business is supposedly grandfathered in, but would like for Council to review the matter to ensure all requirements are being met for its operation.

Mr. Meadows then expressed concern the neighbors newly constructed garage is supposed to be for private use only, but it appears commercial work is being done at this unlicensed facility. He requested Council review this matter for compliance as well.

Another concern Mr. Meadows expressed was they feel the neighbor has relocated the Town boundary marker and is using the Town's property for storage of his vehicles, equipment, and supplies. He explained the Town's property had been defaced and looked horrible, due to the neighbor's use. He noted previously his father had maintained this Town owned property in immaculate condition for over 60 years. He stated this property is owned by the Town and sits between his parent's and the neighbor's property.

He requested the Council review this matter, set the boundary marker in its correct location, require the neighbor to remove his equipment from Town property, and then erect a fence to keep the neighbor from using and abusing Town property.

Mr. Meadows then expressed concerns regarding the water hauling station the Town installed on Pocahontas Avenue, which is located behind his parent's home. He noted he felt this is a business being operated by the Town and the area has been a muddy mess since December.

He pointed out his mother has to wade through mud and running water to check her mail and they felt Council has an obligation to take care of this area on behalf

of Town residents.

He stated the area is dusty from the road leading to the water hauling station and is so bad in the warm weather his parents cannot use their yard.

He also noted the water haulers use this property all hours of the day or night without respect to the neighbors living in this community.

He requested Council ensure this street is better maintained throughout the year, ensure water does not run down onto his parent's property, and set guidelines for hours of operation.

He also requested they receive a written response with the timetable for corrections regarding these issues.

Town Council Members noted water leaks were repaired in this area and the harsh winter weather has delayed repairs to streets in this area.

Following questions, Town Manager Dovel reported the Town engineer designed the set up and noted this was the best location for the water hauling station. He stated the only other location would be the Twelfth Street tank, which would be a steep hill to get up or down to gain access to this area.

Following a brief discussion, Town Council Members agreed to:

- * make some more improvements to the streets in the areas of Pocahontas and Tenth Streets where water leaks were repaired and ensure regular maintenance

- * set some stricter guidelines for the water hauling station, including restricting access during very late night or early morning hours

- * reset the Town's marker in its proper location

- * erect a fence on the Town's property, which is between the Weaver and Meadows properties in the Tenth Street area

2 - Ron Schupner addressed Council regarding snow removal issues on his street. He noted his property was brought into the Town with the boundary line adjustment in 2007.

He reported his property does not have water or sewer and his street is not maintained on a regular basis.

He does not feel the Town does anything for him with his tax money.

He explained during the recent snow storms, there were three (3) family members very ill at his house and he had requested the Town assist with snow removal to make it easier for emergency services personnel to gain access to his driveway.

He noted his brother passed away on February 14, 2010, and it was very difficult for the rescue squad to get to his house.

He noted prior to the boundary line adjustment, he had to maintain the road, but now he pays taxes in Town.

He stated the Town has not provided street lights, water or sewer to the residents in this area.

He requested the Town maintain Wahnona Avenue for the tax paying citizens living in this area.

Following a brief discussion, Council Members noted there are water drainage issues coming from a neighboring house, which need to be corrected prior to a lot of money being put into street improvements in this area. Council Members noted improving this section of Wahnona Avenue is different than paying to open an undeveloped street.

Wahnona Avenue is already developed with existing homes. Therefore, Council Members authorized improvements be made to this portion of Wahnona Avenue as soon as possible.

FEBRUARY 23, 2010, REGULAR MEETING MNUTES:

A **Motion** was made by Vice Mayor Kite, **seconded** by Councilman Pierce, to approve the **Regular Meeting Minutes** held on February 23, 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.**

APPROVAL OF BILLS:

Councilman Comer inquired about warrant number 28277 in the amount of \$1,500?

Chief Monteleone explained this is for a grant where they have to spend the money first and then are reimbursed to the general fund.

Vice Mayor Kite inquired about the bill for basketball ribbons in the amount of \$180?

Councilman Sampson stated this was for the award ribbons. He noted Parks and Recreation Director Lori Mongold actually made extra money off the basketball programs.

He noted she was able to purchase all the items needed at the Parks and Recreation building with these extra funds.

There being no further questions or comments, a ***Motion*** was made by Vice Mayor Kite, ***seconded*** by Councilman Sampson, to approve the bills, dated **March 9, 2010**, in the **Combined Accounts Disbursements Warrants #28265 - #28302** in the amount of **\$73,454.98.**

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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

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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 March 9, 2010.

There being no further comments, a ***Motion*** was made by Councilman Sampson, ***seconded*** by Councilwoman Switzer, to approve the March 9, 2010, Treasurer's report in the amount of \$1,306,048.25, 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

Councilwoman Switzer

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WHEREAS, a sound natural environment is the foundation of a healthy society and a robust economy; and

WHEREAS, human activities around the globe are causing severe environmental damage that threatens human health and our planet's ability to sustain a diverse community of life; and

WHEREAS, the knowledge of ways to live in harmony with our environment and methods and technologies to accomplish this end already exist; and

WHEREAS, local communities can do much to reverse environmental degradation and contribute to building a healthy society by addressing issues such as energy use, transportation, waste prevention, and sprawl; and

WHEREAS, there are sound economic, environmental, and social reasons for local governments to initiate energy efficiency and renewable energy practices; and

WHEREAS, Earth Day 2010 offers an unprecedented opportunity to commit to building a healthy planet, flourishing communities and empowered citizens;

THEREFORE, let it be known that the Town of Shenandoah, Virginia recognizes April 22, 2010 as the 40th anniversary of Earth Day and commits itself to undertaking programs and projects that enhance the community's natural environment; and

FURTHERMORE, let it be known that the Town of Shenandoah, Virginia hereby encourages its residents, businesses and institutions to use Earth Day to celebrate the Earth and commit to building a sustainable society.

A **Motion** was made by Vice Chairman Kite, **seconded** by Councilman Sampson, to adopt the resolution for Earth Day 2010, 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

Councilwoman Switzer

ABSTAIN: Mayor Lucas.

ABSENT: None.

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

Item # 2 – Mayor Lucas and Council Members received information regarding the Census for 2010 and noting the questionnaire will ask for the citizen’s name, race, address and birth date, but will not ask for your society security number.

Item # 3 – Mayor Lucas and Council Members received a request from a citizen in Salem Oregon asking for low-sodium recipes for a fundraising cookbook to assist a critically ill family member.

Mayor Lucas noted recipes will be collected and returned to the family.

Item # 4 – Mayor and Council received the Annual Progress Report for Merck's Project XL, which provides information on their performance under their permit and other pertinent environmental topics.

Item # 5 – Mayor and Council received a memorandum from Councilman Pierce regarding the need to set up a budget workshop.

Council agreed to set a Budget Workshop for March 23, 2010 at 6 p.m. at Town Hall.

Item # 6 – Mayor and Council Members received a memorandum from Chief Monteleone indicating Officer Nathan Fadeley successfully surpassed his six-month probation period with the police department.

A **Motion** was made by Councilman Pierce, **seconded** by Councilwoman Switzer, to authorize a 5% (five-percent) salary increase for Police Officer Nathan Fadeley, retroactive to March 8, 2010, due to successfully surpassing his 6 month probationary period.

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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

ABSENT: None.

Item # 7 – Council authorized the Town Spring Clean Up for Residents on April 12 - 23, 2010. Residents must call Town Hall to be placed on the list for pick up of items too large for regular refuse pick up.

The Town **cannot** accept batteries, tires, brush, or remodeling debris.

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Item # 9 – Mayor and Council received information regarding the importance of local Commissioner of the Revenue and Treasurer Offices.

Council authorized writing a letter requesting legislators continue funding the local Commissioner of the Revenue and Treasurer Offices as they do provide essential functions for our Town.

Item # 10 – Mayor Lucas and Council Members received notice of the Shenandoah Valley Technology Council Awards Gala to be held March 31, 2010 at 5:30 p.m., at the JMU Festival Conference & Student Center.

Item # 11 – Mayor Lucas and Council Members received the February 2010 Police Report for review.

Item # 12 – Mayor Lucas and Town Council Members briefly discussed the Town website.

Councilman Jenkins noted hackers were able to corrupt the current website and it had to be taken down until the problems can be resolved. He noted the Town received several price quotes for a new website, which will take quite a few hours to repair or replace it.

Gary Patterson, who owns a technology company in Town, stated he is willing to assist the Town with the website and will match any price quotes from other vendors.

Mayor Lucas and Council Members briefly discussed this matter and determined a meeting of Industrial, Economic Development, and Procurement Committee would be necessary to review the options for the Town website. The Committee will then present a recommendation to the full Council.

Mr. Patterson noted after the Town determines what the needs and wants are for a new website, he would be able to provide a figure on potential costs for the Town's budget process.

Item # 13 – Mayor Lucas noted the Town received the 2009 annual report from the Page County Planning Department. He noted this document will be at Town Hall for everyone's review.

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COMMITTEE REPORTS

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WATER & SEWER

(Chairman Kite and Councilpersons Jenkins and Sampson)

Committee Chairman Kite stated the public works department did a good job with the clearing of the record amounts of snow our area experienced since December. He noted there are now areas needing to be cleaned up as soon as possible.

Town Manager Dovel stated the employees have been busy working on the many clogged sewer lines. He noted most of them have had roots growing in the lines.

Committee Chairman Kite pointed out foaming the lines for roots is a temporary treatment, unless all the roots are cut from the trees. He noted even if the tree is cut down the roots continue to grow.

Councilman Sampson stated a sewer camera would be very helpful to employees in locating and removing tree roots from the sewer line and determining the location of clogs in the sewer lines. He estimated the cost of these cameras at \$10,000 and suggested grant funding may be available for this type of purchase.

Council agreed to try using the Police Department's thermal image unit to determine if it could detect water leaks above ground.

STREETS & PUBLIC PROPERTY

(Chairman Kite and Councilpersons Comer and Sampson)

Regarding the tree trunks and branches on Pennsylvania Avenue and Third Streets, Town Manager Dovel reported they researched renting a chipper and received a couple of bids to do the work. He noted Richard Rinaca was the lowest quote, as he agreed to remove all the debris for \$275. He stated VDOT's chipper was broke down and it is unavailable for the Town to use.

Mr. Rinaca stated his price was actually \$375 to remove all the debris from this location.

Following questions, Councilmen Sampson and Jenkins noted the Council had previously authorized a volunteer to take down the trees, take the firewood and the Town would clean up the remaining brush. They noted the large pieces of tree trunk left behind were unexpected, but everything now needs to be cleaned up.

Following a brief discussion, a **Motion** was made by Councilman Pierce, **seconded** by Councilman Jenkins, to authorize payment of up to \$375 to Richard Rinaca to remove tree limbs, and debris at Third Street and Pennsylvania Avenue.

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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.

Mayor and Council briefly discussed the drainage issues in the area between Maryland Avenue and Ramona Avenue. Following the discussion, Council requested Town Manager Dovel to ask VDOT to take the appropriate corrective action to help control water runoff in this area.

Following questions, Town Manager Dovel reported the public works department will borrow VDOT's sweeper to clean the sidewalks and streets of loose gravel and debris as soon as possible.

Mayor and Council Members noted Allegheny Power hired a subcontractor to trim trees in Town, and the contractor has left limbs and debris behind on citizen's property.

POLICE, SAFETY, & JUDICIAL

(Chairman Kite and Councilpersons Comer and Switzer)

Chief Monteleone submitted a written report for Council's review.

TAXATION & FINANCE

(Chairman Pierce and Councilpersons Kite and Switzer)

Committee Chairman Pierce stated he did not have anything further to report.

PARKS & RECREATION

(Chairman Sampson and Councilpersons Pierce and Switzer)

Committee Chairman Sampson reported the following Parks and Recreation News:

Easter Egg Hunt will be at the *river park* on April 3, 2010 at 10 a.m. for children PreK-5th grade.; Romantic Get-Away raffle ticket sales have been extended and the drawing will be April 3rd at the river park.

Tickets are available at Town Hall, Computer Center, Shenandoah General Store, and Hammer Insurance Agency.; The Shenandoah Recreation League is renting the Town's batting cage a couple of times a week until the weather clears enough for them to use their fields.

INDUSTRIAL, ECONOMIC DEVELOPMENT & PROCUREMENT

(Chairman Comer and Councilpersons Jenkins and Pierce)

Committee Chairman Comer stated Councilman Sampson turned in his list of items for the Capital Improvement Plan. He noted it would be helpful if other Council Members could be thinking about items needed and turn their lists into him at the next meeting.

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

There was nothing further to report.

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UNFINISHED BUSINESS

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

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NEW BUSINESS

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

TOWN MANAGER'S REPORT

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There was nothing further to report.

MAYOR'S REPORT

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

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FOR THE GOOD OF THE TOWN □

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There was no one present to speak during this period.

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ADJOURN

There being no further discussions, a ***Motion*** was made by Vice Mayor Kite, ***seconded*** by Councilman Sampson, to adjourn the meeting at 9:08 p.m.

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.

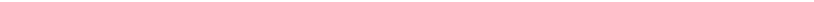
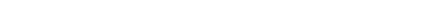
ABSENT: None.

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

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APPROVED:

ATTESTED:

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