

MINUTES

TOWN COUNCIL

TOWN OF SHENANDOAH

REGULAR MEETING

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FEBRUARY 23, 2010

CALL TO ORDER: The Shenandoah Town Council held its regular meeting on Tuesday, February 23, 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; and Keith Sampson.

Council Members absent were: □ Councilwoman Constance Switzer.

Other Town Officials present were: Larry E. Dovel, Town Manager; Paul Davis, Police Lt.; and Juanita F. Roudabush, Assistant Town Manager/CMC.

Citizens present were: William G. Foltz and Scott Beatson.

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Media Representatives: None.

RECEIVING OF VISITORS

There were no visitors signed up to speak during this period.

JANUARY 26, 2010, REGULAR MEETING MNUTES:

A ***Motion*** was made by Vice Mayor Kite, ***seconded*** by Councilman Sampson, to approve the ***Regular Meeting Minutes*** held on January 26, 2010, as presented.

Members Vote was as follows:

YEA: Vice Mayor Kite

NAY: None.

Councilman Comer

Councilman Jenkins

Councilman Pierce

Councilman Sampson

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ABSTAIN: Mayor Lucas.

ABSENT: Councilwoman Switzer.

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

APPROVAL OF BILLS:

There being no questions or comments, a ***Motion*** was made by Vice Mayor Kite, ***seconded*** by Councilman Pierce, to approve the bills, dated **February 23, 2010**, in the

Combined Accounts Disbursements Warrants #28189 - #28264
in the amount of
\$134,915.61.

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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

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ABSTAIN: Mayor Lucas.

ABSENT: Councilwoman Switzer.

VOTE: Unanimous in favor of motion.

TREASURER'S REPORT: Mayor Lucas read the Treasurer's report, submitted by Treasurer Cindy Breeden, for February 23, 2010.

Councilman Pierce stated the Town was able to begin the Capital Improvements savings again.

There being no further comments, a **Motion** was made by Councilman Sampson, **seconded** by Councilman Comer, to approve the February 23, 2010, Treasurer's report in the amount of \$1,270,311.93, as read.

Members Vote was as follows:

YEA: Vice Mayor Kite

NAY: None.

Councilman Comer

Councilman Jenkins

Councilman Pierce

Councilman Sampson

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ABSTAIN: Mayor Lucas.

ABSENT: Councilwoman Switzer.

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

CORRESPONDENCE

Item # 1 – Mayor Lucas stated the Town received the draft agreement with Philips Electronics North America Corporation (PENAC) for a new water line to serve residents on Shenandoah River Road.

Scott Beatson noted he was present to answer any questions the Council may have regarding this proposed agreement.

Council Members briefly discussed this matter and noted the agreement states PENAC will be responsible for all costs involved with this project, which includes the legal fees incurred by the Town in drawing up the agreement, etc.

Mr. Beatson assured Council PENAC will pay the Town's legal fees once the signed agreement is received by them.

Council stated the Town Treasurer will forward an invoice for legal fees to PENAC with the terms for payment, including penalty and interest.

A **Motion** was made by Councilman Jenkins, **seconded** by Councilman Sampson, to authorize Mayor Lucas to sign the agreement, dated February 9, 2010, between the Town and Philips Electronics North America Corporation for a new water line to serve residents on Shenandoah River Road, with all expenses to be paid by Philips Electronics North America Corporation.

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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

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ABSTAIN: Mayor Lucas.

ABSENT: Councilwoman Switzer.

VOTE: Unanimous in favor of motion.

A **Motion** was made by Councilman Pierce, **seconded** by Vice Mayor Kite, to authorize payment (if it has not already been paid along with the Town's regular legal expenses) of legal invoices to the Town Attorney in the amount of \$3,674.79 for legal work on the PENAC agreements and project, with this amount to be reimbursed to the Town by Philips Electronics North America Corporation.

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Members Roll Call Vote was as follows:

YEA: Vice Mayor Kite

NAY: None.

Councilman Comer

Councilman Jenkins

Councilman Pierce

Councilman Sampson

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ABSTAIN: Mayor Lucas.

ABSENT: Councilwoman Switzer.

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

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Item # 2 – Mayor Lucas read the following resolution:

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RESOLUTION IN RECOGNITION OF THE 100th BIRTHDAY OF SHENANDOAH RESIDENT DOROTHY BANKARD

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WHEREAS, Dorothy Bankard was born February 21, 1910, in Shenandoah, Virginia, to Maggie Judd Hoak Grooms and Charles Booten Hoak and has lived in Shenandoah for 90 years; and

WHEREAS, She attended Shenandoah High School; and

WHEREAS, She is a dedicated and loving mother of three children, Gearry and Charles Bankard and Dottie Ann Humphrey. Her family now includes nine grandchildren, twenty-three great grandchildren, and three great-great grandchildren; and

WHEREAS, She was a Town business owner of the Shenandoah Restaurant for several years and was also employed at the Heath Clothing Store; Blue Bell; Knitting Mill; and finally retiring from the Sleepwear; and

WHEREAS, She found time in her busy life to enjoy her hobbies of gardening, reading, and sewing; and

WHEREAS, She is a faithful member of Fields United Methodist Church, beginning her membership in 1918. She was a dedicated member of the Rebecca Lodge and the AARP and we as a community have a better life today due to her commitment and caring in all her work and service; and

WHEREAS, We, the Town Council, in the regular Town Council Meeting on February 9, 2010, voted in a unanimous way, now,

BE IT RESOLVED, That the Mayor and Town Council of the Town of Shenandoah recognize the positive impact Dorothy Bankard has had on our community of Shenandoah Virginia and congratulate her on her 100th Birthday, February 21, 2010.

Mayor Lucas requested Council to vote to adopt this resolution, retroactive to February 9, 2010.

He noted the February 9th

Council meeting was cancelled due to inclement weather, and he presented a framed version of the resolution to Mrs. Bankard at the party held in her honor at Fields United Methodist Church over the weekend.

A **Motion** was made by Councilman Comer, **seconded** by Vice Mayor Kite, to adopt the Resolution in Recognition of the 100th

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Birthday of Shenandoah resident Dorothy Bankard, retroactive to February 9, 2010.

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Members Vote was as follows:

YEA: Vice Mayor Kite

NAY: None.

Councilman Comer

Councilman Jenkins

Councilman Pierce

Councilman Sampson

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ABSTAIN: Mayor Lucas.

ABSENT: Councilwoman Switzer.

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

Councilman Comer stated he had to the opportunity to visit Mrs. Bankard's home and she was extremely proud of the resolution from the Town, which she had displayed in her living room.

Item # 3 – Mayor Lucas and Council Members received a special event application for a Relay for Life walk in Shenandoah on April 23, 2010 from 7 p.m. until 10 p.m. They expect up to 350 people to participate in this event, which will begin at the Shenandoah Elementary School cross over several Town blocks and return to the school.

Vickie Shifflett and Janet Good are the contacts for the event.

A **Motion** was made by Councilman Pierce, **seconded** by Vice Mayor Kite, to approve the special event application for Relay for Life walk on April 23, 2010, as presented.

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Members Vote was as follows:

YEA: Vice Mayor Kite

NAY: None.

Councilman Comer

Councilman Jenkins

Councilman Pierce

Councilman Sampson

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ABSTAIN: Mayor Lucas.

ABSENT: Councilwoman Switzer.

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

Item # 4 – Mayor and Council received an invoice from the Virginia Department of Transportation in relation to the Big Gem Recreational Access Road.

Council Members discussed this matter briefly and agreed an itemized invoice would be needed prior to authorization of payment for this bill.

Item # 5 – Mayor and Council Members received information regarding an extension for waste removal services.

Following questions, Town Manager Dovel stated the price being offered for the contract extension is very good and most people are satisfied with the refuse removal company the Town has been using. He noted their prices are lower than what nearby communities are paying now and some localities are not as happy with the service they are receiving from some of the other companies.

Councilman Comer inquired about refuse removal for citizens living in the area brought into the Town by the boundary line adjustment and whether they could drop the service once they had asked for it?

Assistant Town Manager Roudabush explained the previously set policy was the new citizens would get the choice of whether or not to have and pay for refuse removal services. She reported this policy also stated once the resident chooses to have the refuse removal service, they are then treated equal to residents who have always lived in Town and they cannot remove the service from their bills.

She noted this policy is explained to new residents when they ask for the service to be added to their monthly utility bill.

Following a review of the contract extension and brief discussion, a **Motion** was made by Councilman Comer,

seconded

by Councilman Sampson, to authorize the contract extension for refuse removal with Waste Movers from July 1, 2010 through June 30, 2013, with the payments of \$74,760 for 2010/2011; \$77,430 for 2011/2012; and \$80,100 for 2012/2013.

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Members Roll Call Vote was as follows:

YEA: Vice Mayor Kite

NAY: None.

Councilman Comer

Councilman Jenkins

Councilman Pierce

Councilman Sampson

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ABSTAIN: Mayor Lucas.

ABSENT: Councilwoman Switzer.

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

Item # 6 – Mayor and Council received a notice from the Department of Environmental Quality regarding review of an air permit being requested by a facility in Warren County. The permit is for the construction and operation of a combined-cycle combustion turbine electric generating facility and there are strict requirements to be met prior to any approval being granted.

Item # 7 – Mayor and Council Members received a memorandum from Chief Monteleone regarding the purchase of a second police vehicle.

Mayor Lucas and Council Members noted revenue is now being received from the Town's contract with Rural Broadband Network Services, and this will be used to pay for the new police vehicles.

Following questions, Lieutenant Davis explained the new Dodge Charger is outfitted with a console and wiring with lots of options fitted for police use and they are very pleased with it thus far. He explained they plan to make some repairs to the Jeep and keep it for emergency use in snow storms. He noted the Jeep was used very little during the last snow storm, as the streets were cleared quickly enough a four-wheel drive was not necessary for long.

A **Motion** was made by Councilman Comer, **seconded** by Councilman Pierce, to authorize the purchase of a second Dodge Charger to be used by the police department, in the amount of \$22,399, with financing through Page Valley Bank.

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Members Roll Call Vote was as follows:

YEA: Vice Mayor Kite

NAY: None.

Councilman Comer

Councilman Jenkins

Councilman Pierce

Councilman Sampson

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ABSTAIN: Mayor Lucas.

ABSENT: Councilwoman Switzer.

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

Item # 8 - The January 2010 Town vehicle gasoline log was received for Council's review.

Item # 9 – Mayor and Council received information from the Shenandoah Merchants Association regarding their meeting slated for March 3, 2010 at 7 p.m. at Town Hall.

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he elected officers are:

Wayne Showalter, President; Mike Lowe, Vice President; Amber Wampler, Secretary/Treasurer; Board of Directors: Brenda Haggett; Romeo Pugliese; Annie Schupner; Vickie Dovel; Wayne Showalter; Mike Lowe; and Amber Wampler.

Item # 10 – Mayor and Council received information regarding the Town’s website being down due to hackers breaking into it.

Councilman Jenkins explained the issues with the website and noted if the Council decides to redo the site, there will be costs involved. He noted all types of websites have security flaws, but with updates it will be more secure.

Following a brief discussion, Council requested at least two (2) price quotes be obtained for setting up a new website or repairing the old one.

Item # 11 – Mayor Lucas and Council Members received 2009 report for the Computer Center.

They had revenue of \$6,848.17 in 2009 and operate 50 hours a week with staff cleaning, painting and maintaining the center.

The center hosted 16 different computer classes in 2009 presented by two (2) volunteer instructors Gary Patterson and Bruce Arnold.

Mr. Patterson began volunteering in June of 2009 and Mr. Arnold is entering his fifth year of volunteering and also donates supplies to the center as well.

Item # 12 - The 2009 police report was received for Council's review.

Councilman Jenkins inquired about the reasons for the large number of vandalism cases on the report for 2009 offenses?

Lieutenant Davis explained most of the vandalism cases occurred over a period of 24 hours. He noted it was one small group of teenagers and once they caught them, there have been very few problems since.

He also explained previously the Town police department did not have 24 hour coverage and the County worked some calls then.

Now the Town police department handles all calls in Town, which makes it appear there have been increases in some areas of the reports, but in actuality they are the same.

The offenses now all show up on the Town reports rather than being split between Town and County.

COMMITTEE REPORTS

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WATER & SEWER

(Chairman Kite and Councilpersons Jenkins and Sampson)

Town Manager Dovel reported the Town has several water and sewer issues to be repaired as soon as the weather clears.

Council discussed several water issues on Massanutten Avenue, Tenth Street, and Maryland Avenue. It was noted some house drains are pumped to the street and it caused icy conditions when the temperature fell recently. There is the possibility of a water leak in this area as well. This matter will be reviewed and corrected if possible.

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STREETS & PUBLIC PROPERTY

(Chairman Kite and Councilpersons Comer and Sampson)

Councilman Pierce noted some Town fire hydrants have been marked with flags to indicate their locations in deep snow. He stated hydrants without flags were not visible. He inquired if the Town could begin to flag the remaining hydrants.

Town Manager Dovel reported the flags were purchased with grant funds and the Town could begin to purchase other flags.

Councilman Sampson noted the Town could have residents adopt a hydrant and in periods of deep snows, the resident would shovel out the hydrant. He noted even with the flags the fire company would still have to dig out the hydrant in an emergency situation.

He stated this program could be advertised on the Town water bills and in the newsletter.

Councilman Comer noted the person who cut the trees left the branches and stumps at the corner of Third Street and Pennsylvania Avenue. He stated the person taking the firewood should take all the large stumps too. He inquired when the branches and stumps would be cleaned up?

Town Manager Dovel explained the Town was getting help with VDOT's chipper, but then we received three (3) snow storms, which has delayed the process. He stated they would be moved away as soon as the weather clears up.

Due to the recent snow storms, Councilman Jenkins stated the public works department should survey the streets and sidewalks for needed repairs and let VDOT know of problem areas.

Councilman Sampson stated VDOT could possibly rent Massanutten's golf cart paver and repair the areas in the arch on 602 (Maryland Avenue.)

Councilman Jenkins noted the one-way street sign was knocked down on Coverstone Lane. He requested a work order for the sign to be replaced.

Mayor Lucas stated he helped the Elkton Pharmacy deliver medicine to an elderly Town resident during a recent snow storm. He noted the resident lives on Coverstone Lane, but the entrance to the home is near the corner of Denver Avenue and Tenth Street, which made it very confusing to find her residence.

Council Members discussed the Town experienced several issues during recent snow storms, which caused delays. One snow plow was stuck for over 10 hours and required specialized equipment to remove it costing over \$2,000, other equipment broke down, and the Town's contract with VDOT requires snow removal on roads outside of the Town limits.

This all delayed some snow removal efforts on a few Town streets during the heavy snow.

It was noted the Council may consider putting money in the budget to allow for extra clearing of Town streets above what VDOT reimburses in the contract.

Councilman Sampson noted he has experience driving the snow plows and knows first hand they will still slide down hills and get stuck, even with chains on them.

Council Members requested work orders to have public works employees pick up trash along streets as soon as snow melts; get sweeper for sidewalks and streets as soon as weather clears.

POLICE, SAFETY, & JUDICIAL

(Chairman Kite and Councilpersons Comer and Switzer)

There was nothing further to report during this period.

TAXATION & FINANCE

(Chairman Pierce and Councilpersons Kite and Switzer)

Committee Chairman Pierce stated the Town budget reports through January 2010 were received for Council's review. He also noted he has requested Treasurer Breeden to prepare a report on how the adoption of a cigarette tax may assist with the budget process.

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.

Thanks to Jenkins Computer Services, Auto Dealz, and Shenandoah Machine Shop for donating money to purchase event supplies.; JMU Crew Club has attached the ramp to the dock they built at the river park; Big Gem Park bike trail work will continue in the spring and the pump track is nearing completion.; Romantic Get-Away raffle ticket sales has been extended and the drawing will be April 3

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at the river park.

Tickets are available at Town Hall, Computer Center, Shenandoah General Store, and Hammer Insurance Agency.; Money was donated by Tim and Becky Williams to purchase a heater for the batting cage room in the Parks and Recreation building.

Councilman Sampson expressed appreciation to Alice Pence for volunteering many hours toward parks and recreation programs.

Councilman Jenkins stated the Ruritan Members have about 20 people willing to assist with the bike trail at Big Gem Park as soon as the work begins again.

INDUSTRIAL, ECONOMIC DEVELOPMENT & PROCUREMENT

(Chairman Comer and Councilpersons Jenkins and Pierce)

Committee Chairman Comer stated the sewer camera, mentioned previously by Councilman Sampson, may be added to the Town's Capital Improvement Plan, if Council agrees.

It was the consensus of the Council the purchase of a sewer camera would be a very good investment for the Town.

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)

Committee Chairman Pierce noted he did not have anything to report at this time.

POLICE REPORT

Councilman Comer requested the police to inquire if the driver could park the school bus away from the intersection of Virginia Avenue and Third Street, as it is interfering with drivers being able to see when pulling out in the intersection.

Lieutenant Davis stated he would take care of this matter.

Members thanked Lieutenant Davis for being at the meeting in place of Chief Monteleone.

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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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Town Manager Dovel reported DEQ is mandating a drought ordinance and he has attended several meetings in this regard. He noted a draft ordinance should be ready by summer of 2010 for review.

MAYOR'S REPORT

Mayor Lucas reported apparently many Town and County residents have been expressing their concerns over the proposed Fibrowatt plant, which is considering locating in Page County. He explained a group of citizens are planning a bus trip to Richmond where they will be speaking to the legislators about the proposed Fibrowatt plant.

The citizens have requested the Mayor to attend this meeting with them.

He inquired how Council felt this request should be handled at this time?

Following a brief discussion, Council Members determined they do not currently have enough information to have an opinion on this matter yet.

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FOR THE GOOD OF THE TOWN □

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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 Vice Mayor Kite, ***seconded*** by Councilman Pierce, to adjourn the meeting at 9:40 p.m.

Members Vote was as follows:

☐ **YEA:** Vice Mayor Kite

NAY: None.

Councilman Comer

Councilman Jenkins

Councilman Pierce

Councilman Sampson

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ABSTAIN: Mayor Lucas.

ABSENT: Councilwoman Switzer.

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

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APPROVED:

ATTESTED:

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