

REGULAR COUNCIL MEETING JANUARY 12, 2010

The Edinburg Town Council met in regular session on January 12, 2010. Mayor Harshman called the meeting to order at 7:30 p.m. All Council Members were present with the exception of Councilman Hite. Town Attorney, Kevin Black, Town Police Chief, Michael Clem and Town Police Officer, Josh Wilberger were also present. Visitors included: William and Vickie Mumaw.

Mayor Harshman reported that the agenda needed to be amended to add an item of new business. The new business item added to the agenda was an Ordinance and Resolution Authorizing the Borrowing of \$100,000 by the Town of Edinburg, Virginia for a Period of Twelve (12) Months from Farmers and Merchants Bank, Timberville, Virginia. A motion was made by Councilman Beachy and seconded by Councilman Dellinger to add this item to the agenda. Motion carried.

Mayor Harshman asked Mr. and Mrs. Mumaw to share their comments on any non-agenda items. Mrs. Mumaw stated that they recently hooked up to the Town sewer, which cost them \$6,000 and then paid G.B. Foltz \$4,500 to install new sewer lines and to re-do their sidewalk and plant new grass. Mrs. Mumaw stated that the geese in Town have destroyed their new sidewalk and new grass. The geese have left excessive waste on their sidewalk and grass and have laid eggs in their yard. Mrs. Mumaw would like to know what the Town is going to do about this issue. She also wanted to know whether or not the geese could be shot.

Mayor Harshman stated that shooting the geese is not permitted. He also stated that he recently spoke to the Town of Strasburg. The Town of Strasburg had a similar issue with ducks and appointed a committee and then hired someone to trap the ducks who then took them to a pond in Mt. Jackson. The Mayor stated that he would put something about creating a committee in the upcoming newsletter. The committee would consist of Town residents, but could also have Council representation.

A motion was made by Councilman Beachy and seconded by Councilman Wood to approve the minutes of December 8, 2009. Motion carried.

The Treasurer's report was reviewed. A motion was made by Councilman Dellinger and seconded by Councilman Beachy to approve the Treasurer's Report and to pay all the bills as presented. Motion carried.

The Water and Sewer Committee had no report. Mayor Harshman reported that Aqua Virginia is requiring a dedicated cross connection device to be installed on the water hydrant at the Massanutten View Pump Station. The Mayor reported that this is Mr. Racey's responsibility to install; however, it will be the Town's responsibility to maintain and test the device going forward. This particular type of backflow prevention device will need to be tested annually by a certified individual and must be installed above ground, but would need to be removed in the winter so it does not freeze. These devices are usually located indoors. It would be impractical to build a climate controlled enclosure, making removal of the device necessary during the winter months. The Mayor requested the opinion of the Engineer on the need for the hydrant, but is inclined to forget the requirement for a water hydrant. The sewer jet machine can be used for wash down and routine maintenance at the Pump Station. This will eliminate the monthly charge for

water service with Aqua Virginia and the expense of testing and upkeep for the backflow device. Council agreed that this would be ok.

Mayor Harshman also reported that Mr. Racey's attorney supplied a draft of the necessary easements to allow the Town to take over the Pump Station, force main and gravity lines. In reviewing these easements with Town Attorney, Kevin Black, it was discovered that the Town owns the lot in Edinburg Manor subdivision where the Town's only other pump station is located. They decided that it would be appropriate for the Town to be consistent in how pump station ownership is handled and have requested that Mr. Racey deed the pump station lot to the Town. This will require a survey and subdivision from the larger lot that the station is now located on. The Mayor spoke to Mr. Racey today and Mr. Racey feels that this is a new request and that the Town should bear some of the cost. Mr. Racey wants the Town to pay for the survey and associated costs to create the new lot. There will be substantial savings in equipment, installation and a tap fee if the Town does not require a water hydrant on the site. The Mayor would like to suggest this savings as a source of funding for Mr. Racey to pay any additional cost involved in the subdivision of the lot. Council agreed that this would be ok.

Mayor Harshman also reported that the Town is still having problems getting the proper bench top turbidity meter required by the Health Department. The second unit that was ordered did not have the required four decimal points needed and had to be returned. Hach Company has given us another model number for a meter that is supposed to be what we need. The cost of this turbidity meter is around \$2,000.

The Street Committee had no report. Councilman Beachy did want to tell the Town maintenance crew "job well done" on the recent snow removal. Mayor Harshman reported that he has heard many positive comments about the snow removal. The Mayor also reported that the snow season has taken its toll on some of the Town equipment and some unexpected repairs have been needed. Thankfully, the Town will be seeing more reimbursement from VDOT this year, which will help pay for these repairs.

The Ordinance Committee had no report. Mayor Harshman reported that the new dog waste signs are finished. The Mayor ordered one hundred of the signs. He was able to get one hundred signs for the same price as fifty signs with a fifteen percent discount. The Mayor stated that there should be a sign on every street in Town. Mayor Harshman also reported that he will be attending a DEQ meeting on February 2nd to learn about the State mandated drought plan and enforcement ordinances. The Town is required to have something adopted by May 31, 2010.

The Personnel Committee had no report. Mayor Harshman reported that he, Police Chief Clem and Maintenance Supervisor, Ron Ross will be attending VML training on OSHA requirements in February.

The Finance Committee had no report. Mayor Harshman reported that the State is proposing another cut in 599 funds. This cut will reduce our payment \$532 for each of the quarters in this fiscal year. This is a total cut of \$1,596. The Mayor also stated that when the discussion first came up about doing repairs at the pool, he mentioned using the remaining funds in the LGIP account for the repairs. The remaining balance in the LGIP account is \$7,042.44 and these funds came from monies that were given to the Town from the Mullin's estate for the Park and Cemetery. The work at the pool was already

paid for out of the general fund and the Mayor would like to have Council's approval to have the Town Treasurer transfer the total balance to the general fund and close the LGIP account. A motion was made by Councilman Wood and seconded by Councilman Beachy to approve of using the LGIP funds to reimburse the general fund for the pool repairs, and then have the Town Treasurer close the LGIP account. Motion carried.

Health & Safety Committee Chairman Wood reported that the next Neighborhood Watch meeting would be on Thursday, January 14th at 7:00 p.m. Councilman Wood encouraged everyone to attend the meeting. Councilman Wood also commended the police officers for monitoring the park so well.

The Property Committee had no report.

The Cemetery Committee had no report.

The Park Committee had no report.

The Insurance Committee had no report. Mayor Harshman reported that he and Town Treasurer, Michelle Heier would be working on the VML insurance renewal, which is due on January 31st.

The Town Manager reported that work at the Mill is still progressing well. Work on the installation of the new floor system over the area where the old water tank was located in the rear of the building is complete. Other than painting and some additional work on the ceiling, the area is ready to move all of the restaurant equipment in. The crew is now working on the renovations being done in the new lower kitchen area.

The Town Manager reported that he, Town Clerk, Mary Embrey and Town Treasurer, Michelle Heier attended the December Travel Council luncheon meeting at Triplett Tech which was prepared by the Culinary Arts students. The Tourism Director presented an overview of the past year and awards were presented to several volunteers and businesses.

The Town Manager also reported that he, Councilman Dellinger, Councilman Wood and Councilwoman Wymer would be up for re-election in May. The candidates must register by Tuesday, March 2nd at 7:00 p.m. The Town Manager plans to announce this in the February Newsletter to see if there is anyone else interested in running for office.

The Town Manager reported that the Architectural Review Board did not have a meeting this month.

The Town Manager reported that there was no Planning Commission meeting last month.

The Zoning Administrator had no report this month.

The Town Attorney had no report.

Mayor Harshman called attention to the Noise Ordinance that was looked at last month. The Mayor reported that "authorized by the Town government" was added to Item "D". The Mayor also reported that "10:00 p.m." was left in Item "G", and that "11:00 p.m."

was changed to “10:00 p.m.” in Item “H”. Mayor Harshman stated that in the warmer months, roofers may start working before 7:00 a.m. This would be handled on a case-by-case basis.

Councilman Wood asked who “town government” would be in Item “D”. Mayor Harshman stated that it could be Town Staff or the Mayor who would authorize.

Town Clerk, Mary Embrey read the first reading of the Noise Ordinance.

Mayor Harshman stated that a Public Hearing on the Noise Ordinance would be held at 7:15 p.m. on February 9, 2010.

Mayor Harshman reported that an agreement between the Town and Theater Shenandoah for the use of the “Old Town Hall” on Center Street has been written up by him and Town Attorney, Kevin Black. The Town previously had an informal agreement with Theater Shenandoah, but they recently contacted the Mayor about formalizing the Agreement. Theater Shenandoah wants to spend between \$30,000 - \$40,000 to do some much needed repairs to the building. The Agreement includes a 25-year lease. Councilman Beachy inquired as to who would be responsible for the maintenance and utilities on the building. Mayor Harshman stated that Item “7” in the Agreement states that Theater Shenandoah would be responsible for the maintenance and utilities on the building. A motion was made by Councilman Dellinger and seconded by Councilman Wood to approve entering into the Agreement with Theater Shenandoah. Motion carried.

Mayor Harshman reported that the Town will need to borrow \$100,000 from Farmers and Merchants Bank at a rate of 3.35% for a period of twelve (12) months from the date of issuance with monthly principal and interest payments of \$8,486.82 to cover expenses until taxes and business license fees start coming in. The Mayor stated that the monthly payment is rather large, and will be hard, but doable.

Mayor Harshman read the Ordinance and Resolution Authorizing the Borrowing of \$100,000 by the Town of Edinburg, Virginia for a Period of Twelve (12) Months from Farmers and Merchants Bank, Timberville, Virginia. A motion was made by Councilman Beachy and seconded by Councilman Wood to authorize the borrowing of \$100,000 by the Town of Edinburg, Virginia for twelve months from Farmers and Merchants Bank. Motion carried. Recorded vote as follows: Hite-absent, Dellinger-aye, Beachy-aye, Wymer-aye, Carver-aye, Wood-aye, Harshman-abstain.

With no further business, a motion was made by Councilman Beachy and seconded by Councilman Wood to adjourn the meeting. The meeting was adjourned at 8:09 p.m.

Mayor

Clerk