

REGULAR COUNCIL MEETING JULY 13, 2010

The Edinburg Town Council met in regular session on July 13, 2010. Mayor-Town Manager Harshman called the meeting to order at 7:30 p.m. All Council Members were present. Town Attorney, Kevin Black was also present. Visitors included: Town Police Chief, Michael Clem, Town Police Officer, John Custer and Mary Ann Williamson.

Mr. Harshman asked the visitors if they had any comments on non-agenda items. Mary Ann Williamson stated that she had three items she wanted to address to the Council. The first item was the Parks and Recreation sign. Ms. Williamson stated that she thought "tacky" was the wrong word to use and that it was not objective at all. She also stated that she has looked at all the signs on Stony Creek Boulevard and she thought the Parks and Recreation sign was no worse than the rest of the signs. None of the signs are pretty or historic. Ms. Williamson doesn't think we will accomplish anything by having the sign removed. She also stated that she thought that sign was clear, could be seen from a distance and advertised interesting programs.

The second item was about Stanley Getz. Ms. Williamson stated that Mr. Getz will soon be going into Greenfield Assisted Living in Woodstock. She stated that Mr. Getz has given much money, labor and time to the Town and for example, Ms. Williamson stated that the Civil War Memorial sign was written by Mr. Getz. Ms. Williamson would like to see Council pass a Resolution of Recognition for Mr. Getz since he had done so much for the Town.

The third item was about the Edinburg Heritage Foundation. Ms. Williamson passed out a list to the council members who were not already members of the Foundation. Ms. Williamson stated that the Heritage Foundation donated \$10,000 to the old cemetery, which paid for a fence, a sign and tombstone restoration and is an example of one of the many things they have done for the Town. The Heritage Foundation also paid to have plaques put on the historic houses in Town. Ms. Williamson encouraged all non-members to join the Heritage Foundation.

A motion was made by Councilman Beachy and seconded by Councilman Dellinger to approve the minutes of June 8, 2010. 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. Mr. Harshman called attention to EEMA's report and to Ron Ross's report. Mr. Harshman reported that there is still a holdup in installing the rebuilt blower on the digester at the WWTP. The new belts have come in, but there is a problem with aligning the motor and blower pulleys after the rebuild. The original alignment exceeds the blower manufacturer's specifications for the pulley placement on the blower shaft. They think that this was probably the cause of the bearing failure in the old blower. Mr. Harshman reported that this can be corrected by adjusting the motor placement which is going to require some alterations to be made to the belt housing shield and should be completed this month.

Mr. Harshman also reported that the problem with one of the influent pumps in the wet well at the WWTP appears to have been caused by an obstruction that was causing the pump to overheat. A number of rags were pulled out of the pump. The pump was also pulled and checked out electrically to make sure there was no other problem.

Mr. Harshman also reported that filter #3 at the WTP has been malfunctioning and is currently out of service. There is a problem with one of the pumps on the unit that is not allowing full water flow through the system. The pump has been pulled out of the unit and checked for any electrical problems and everything was working fine once it was installed again. The flow

problem began again after a few days and it will be pulled again to check for obstructions. Mr. Harshman stated that if that doesn't work, WWTP Operator, Kim DeFeo will have to contact Siemens US Filter.

The Street Committee had no report. Mr. Harshman reported that the owners of Natty's Nook and Fran Romeo & Co. at 212 North Main Street have requested the installation of 3-hour parking signs in front of their businesses. They are interested in two to three spots. A motion was made by Councilman Beachy and seconded by Councilwoman Wymer to approve the placement of 3-hour parking signs in front of Natty's Nook and Fran Romeo & Co. at 212 North Main Street.

Mr. Harshman reported that the Edinburg Chamber has made a request to use the Town's banner brackets when the Town is not using them. The Chamber would pay to have banners made to promote the downtown merchants. Councilman Beachy asked if the Town can veto what they are hanging. Councilman Hite suggested the Town approve whatever they want to hang first. Council agreed.

The Ordinance Committee had no report.

The Personnel Committee had no report.

The Finance Committee had no report. Mr. Harshman reported that the Edinburg Heritage Foundation reimbursed the Town for a total of \$131,157 in the last fiscal year toward approximately \$141,500 in expenses. The Foundation will be doing additional fundraising this year to continue to pay down the renovation costs on the Mill.

Mr. Harshman reported that there is an item that was left off the agenda that should receive Council's approval since there is a cash match involved. The Town received notice of a \$500 Federal Grant from the Department of Criminal Justice Services. This is our annual Byrne Justice Assistance Grant and requires a cash match of \$56. The Town will be purchasing seven new tires for the police cruisers at a cost of \$556.01. A motion was made by Councilman Wood and seconded by Councilman Beachy to approve a cash match of \$56 for the Byrne Justice Assistance Grant. Motion carried.

Health & Safety Committee Chairman, Councilman Wood thanked Chief Clem for giving Council a full report each month. Councilman Wood called attention to the information on the bicycle patrol in the Chief's report. Councilman Wood introduced Officer John Custer and welcomed him. Mr. Harshman reported that Chief Clem has completed the Police Handbook. The Chief has one copy to circulate for Council's review or it can be emailed to anyone interested in viewing it electronically. Mr. Harshman reported that there is a small conflict between the new handbook and the Town's personnel manual with the probation period for new hires. The Town will be looking at changing the personnel manual later to align it with the new handbook as far as new police officers are concerned.

The Property Committee had no report. Mr. Harshman reported that two individuals from the Department of Forestry came to see the results of the Tree Planting Project. The Town of Edinburg was the first to complete their project through the Forestry Grant.

The Cemetery Committee had no report. Mr. Harshman reported that the subject of double burials came up recently. Council agreed a while ago that each lot could be used for up to four cremations, one burial or double depth burials with the first vault placed at ten feet and the second at a minimum of four and a half feet. Mr. Harshman also reported that Town Maintenance Supervisor, Ron Ross has concerns about digging that deep in the cemetery because of the rocky soil and the chance of a cave in. The Town has checked with the vault company and found that eight feet is the minimum depth that is being used. Mr. Ross still has concerns at eight feet, but

will try it. Mr. Harshman stated that during the discussion about this, it came up that the Town has really cut down on revenues by allowing multiple burials. Mr. Harshman asked Council if the Town should charge anything additional for double burials. He thought that perhaps charging extra for the deeper depth of the double burial would be a way to offset some of the revenue loss. The Town currently charges \$550 for opening a grave. The Town could make it \$750 for the deeper first grave and \$550 for the second one. A motion was made by Councilman Dellinger and seconded by Councilman Beachy to approve charging \$750 for the first deeper hole and charge \$550 for the second hole. Motion carried. Councilman Hite asked what the charge would be if both individuals that purchased double burials die at once. Mr. Harshman stated that the two rates would be charged.

Park Committee Chairman, Councilman Wood thanked the pool staff and the police department and reported that the Edinburg Ducks swim team is doing well. Mr. Harshman reported that the pool revenue is up from last year. Mr. Harshman also reported that the Town has received \$160 in memorial gifts for John Thompson to date.

The Insurance Committee had no report. Mr. Harshman reported that VML sent the Town an additional \$3,465.22 for gutter repairs at the Mill and Town Hall. As soon as all of the quote information gets figured out we will be proceeding with these repairs.

Mr. Harshman reported that work at the Edinburg Mill is proceeding well. The sprinkler system is back on line. The system has 112 PSI of water pressure on it and all of the alarm monitoring valves are operational. Mr. Harshman also reported that all of the new plumbing is completed throughout the building other than the installation of the fixtures. The ceramic tile floors are completed in the restaurant restrooms and the fixtures should be installed next week. Mr. Harshman's plan is to allow the Yard Crawl to use these two restrooms in August to save the Chamber of Commerce the expense of renting a porta-john.

Mr. Harshman also reported that work is continuing in the kitchen areas and the retail space where the dishwasher used to be located. The Foundation has begun planning to re-open the gift shop in anticipation of the Ole Time Festival. There is a chance that the shop and part of the building will be open past the Festival dates.

Mr. Harshman reported that he will be addressing the Mt. Jackson-Edinburg Rotary on July 27th about the Mill Project. The Rotary is also interested in doing a club work day at the Mill. Mr. Harshman is going to see what type of work they might be interested in doing.

Mr. Harshman also reported that the Town was notified that the County had the first meeting with FEMA on July 9th about the area's expenses from snow damage this past winter. The County is serving as the coordinating agency for all of the towns in this. By combining all of the damage countywide, we were able to reach the level of expenses to get FEMA involved. Hopefully, the Town will be able to recoup the cost involved in rebuilding the Park Road and other snow related expenses.

Mr. Harshman reported that he has given a group called the "Shenandoah Valley Paranormal Society" permission to go into the Edinburg Mill in search of Frankie Hottle's ghost and anything else they might find. They are planning to stay the night of July 31st to do whatever it is they do. If they are successful, they are also interested in doing something that would involve the public and serve as a fundraising event for the Mill and their group.

Mr. Harshman attended the Historic Courthouse Task Force meeting on July 6th. The results of the request for public input were reviewed. Only twenty two responses were received with the number one idea being to restore/preserve the oldest section of the Courthouse and try to make it open to the public more. County Administration was asked to contact David Edwards with the Virginia Department of Historic Resources to invite him to the group's next meeting. There is

interest in knowing whether historic tax credits might be used and how their use might impact what we can do.

Mr. Harshman reported that he will be meeting with another representative of the DHR tomorrow to inspect the Edinburg Mill project. The Town placed a historic preservation easement on the Mill when it was purchased. This required the Town to have the project reviewed by DHR before beginning the project. The person Mr. Harshman will be meeting with is the DHR Easement Technical Advisor.

Mr. Harshman will be attending the Water Supply Planning Technical Advisory Committee meeting on July 21st. The Committee will be discussing the projected water supply demand for the thirty year planning period. The progress on the Drought Response Plans will also be discussed.

Mr. Harshman reported that he attended the June Travel Council Meeting. The group met Dean Morgan, the new General Manager of the Shenandoah County Fair. Mr. Morgan spoke about some of the efforts the Fair Board will be doing to build up the use of the fairgrounds and bring more visitors to the County.

Mr. Harshman reported that the Bank's attorney for Edinburg Square did not submit all of the documentation to VDOT by June 30th, which was the cutoff date to get the resolution process underway to have VDOT take over the roads and sidewalks in Edinburg Square. Mr. Harshman inspected the work that has been done on Phase II and reported it to be satisfactory. Fort Valley Nursery did the tree planting in the Route 11 landscape buffer. Mr. Harshman reported that the Bank is willing to pay for historic street lights upon ordering them and if needed the Bank would be willing to establish an escrow account with the estimated amount needed to install the lights if the Town is willing to release the bond before the posts are installed. Council agreed not to do anything until the Bank has completed everything they agreed to with VDOT.

Mr. Harshman reported that the ARB met last night. They discussed the proposed construction of a porch and deck at Carmella's Café at 102 South Main Street. ARB member, Mary Jane Kirkland could not attend the meeting, but spoke with Mr. Harshman beforehand. Ms. Kirkland did not like the appearance of the deck railing on the submitted drawing. The ARB agreed that more detail should be included. Mr. Harshman suggested that Ms. Kirsch-Maggio, owner of Carmella's Café use the same detail as around the perimeter of the awning currently on the building. Mr. Harshman reported that the ARB approved the zoning permit application, as did the zoning administrator, subject to the ARB's modifications.

There was no Planning Commission meeting last month.

The Zoning Administrator's report showed that eight permits were issued from April 13, 2010 – July 13, 2010:

1. Travis Teets
217 Shenandoah Avenue
Siding
2. Dean & Teresa Minnick
203 Princess Caroline Court
Construction
3. Patricia Wilkins
202 Kadies Lane
Porch

4. Charles & Susan Beazley
103 North Whissen Street
Garage
5. Doyle Crowe
109 Jackson Street
Deck
6. Joseph Hoover
110 South High Street
Chicken House & Fence
7. Russell Winner
100 Kadies Lane
Awning
8. Travis Sydow
106 Kadies Lane
Fence

The Town Attorney had no report.

Mr. Harshman asked Council to consider approval of Town Council Committees and Vice Mayor for 2010-2011. There were no changes. A motion was made by Councilman Hite and seconded by Councilman Beachy to approve the Town Council Committees and Vice Mayor for 2010-2011. Motion carried.

Mr. Harshman asked Council to consider approval of the purchase of a “FirstVu” body camera to be worn by a law enforcement officer; to be reimbursed by a VML Risk Management Grant. The body camera costs \$990 and VML will reimburse the Town for all of it. Chief Clem reported that it picks up talking and can be used for interviews. A motion was made by Councilman Hite and seconded by Councilman Wood to approve the purchase of a “FirstVu” body camera. Motion carried.

Mr. Harshman asked Council to consider appointing Michelle Heier as Town Treasurer for the period from July 1, 2010 – June 30, 2012. A motion was made by Councilman Beachy and seconded by Councilman Dellinger to appoint Michelle Heier as Town Treasurer for the period of July 1, 2010 – June 30, 2012. Motion carried.

Mr. Harshman asked Council to consider appointing Mary Embrey as Town Clerk for the period from July 1, 2010 – June 30, 2012. A motion was made by Councilman Dellinger and seconded by Councilman Beachy to appoint Mary Embrey as Town Clerk for the period from July 1, 2010 – June 30, 2012. Motion carried.

Mr. Harshman asked Council to consider appointing Mike Clem as Police Chief for the period from July 1, 2010 – June 30, 2012. A motion was made by Councilman Dellinger and seconded by Councilman Beachy to appoint Mike Clem as Police Chief for the period from July 1, 2010 – June 30, 2012. Motion carried.

Mr. Harshman asked Council to consider appointing Kevin Black as Town Attorney for the period from July 1, 2010 – June 30, 2012. A motion was made by Councilman Dellinger and seconded by Councilman Beachy to appoint Kevin Black as Town Attorney for period from July 1, 2010 – June 30, 2012. Motion carried.

A motion was made by Councilman Hite and seconded by Councilman Beachy to go into closed session regarding a personnel matter as permitted by Section 2.2-3707 and Section 2.2-3712 as required by State Code Section 2.2-3712. Motion carried.

A motion was made by Councilman Hite and seconded by Councilman Dellinger to return to regular session. Motion carried.

A motion was made by Councilman Beachy and seconded by Councilman Dellinger to verify that all that was discussed in the closed session was a personnel matter as permitted by Section 2.2-3707 and Section 2.2-3712 as required by State Code Section 2.2-3712. Motion carried.

Recorded vote as follows: Hite-aye, Dellinger-aye, Beachy-aye, Wymer-aye, Carver-aye, Wood-aye, Harshman-aye.

Mr. Harshman read a Resolution Establishing the Mayor's Salary and Benefits for the Period of July 1, 2010 through June 30, 2014. Mr. Harshman asked Council to consider the approval of this Resolution. A motion was made by Councilman Dellinger and seconded by Councilman Beachy to approve a Resolution Establishing the Mayor's Salary and Benefits for the Period of July 1, 2010 through June 30, 2014. Motion carried unanimously.

Councilman Beachy stated that he was concerned about the "Mayor versus Daniel J. Harshman". Councilman Beachy suggested making it clear and replacing "Mayor" with "Daniel J. Harshman" acting as Mayor so there is no question as to what is approved. Four years from now, there could be many questions, especially if a Mayor and Town Manager are appointed. Councilman Hite suggested that instead of that, just say "Mayor Harshman".

Councilman Hite stated that he wasn't sure what Ms. Williamson's view was on the sign. He suggested voting on the sign.

Mr. Harshman stated that Ms. Williamson was just voicing an opinion and that most people did not like the sign, but liked the information on the sign.

Councilman Beachy stated that if Parks and Recreation has to remove the sign, then all of the signs in Town should be removed.

Councilman Hite stated that the sign is on our property and it is using our electricity and he would like it removed.

Mr. Harshman stated that he put the question about the Parks and Recreation sign in the last newsletter because more input was needed on it. Mr. Harshman also stated that it is hard to get the word out on these programs. Mr. Harshman asked Council's opinion on the sign in front of the Mt. Jackson Town Hall. It was agreed that no one likes it. Mr. Harshman stated that the Parks and Recreation sign could be dressed up or decorated. Mr. Harshman also stated that it doesn't cost the Town much for the electricity for the sign.

Mr. Harshman also stated that he gave permission to Pam Sheets, Director of County Parks and Recreation to put up the Parks and Recreation sign, but told Ms. Sheets that if the Town got complaints about it, it would have to come down.

Mr. Harshman was instructed to see what could be done to make the sign look better.

Councilman Hite brought up the issue of vehicle decals. He suggested putting them on sale by February 1st and due on the vehicle by April 1st. If the decal is not purchased by April 30th, then another \$5 should be added onto the decal fee.

Mr. Harshman stated that he would have to see if that is allowed. He will look at the State Code.

Councilman Hite asked if we could contact the State or the County to find out how many vehicles the Town should have taxes for. Mr. Harshman stated that the Town could not get an accurate count because of the Edinburg addresses on County properties.

Mr. Harshman also stated that there are still people coming in to buy decals because they had gotten tickets for not having one.

Councilman Wood wanted to mention the Free Concert sponsored by the Edinburg Chamber of Commerce, which will be on Saturday, July 31, 2010 from 5:00-8:00 p.m. Bobby Grubb's band will perform, and there will be food, free pool use and children's activities.

With no further business, a motion was made by Councilman Beachy and seconded by Councilman Dellinger to adjourn the meeting. The meeting was adjourned at 9:00 p.m.

Mayor

Clerk