

REGULAR COUNCIL MEETING MARCH 9, 2010

The Edinburg Town Council met in regular session on March 9, 2010. Mayor Harshman called the meeting to order at 7:30 p.m. All Council Members were present. Town Attorney, Kevin Black, Town Police Chief, Michael Clem and Town Maintenance Supervisor, Ronald Ross were also present.

A motion was made by Councilman Beachy and seconded by Councilman Wood to approve the minutes of February 9, 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. Mayor Harshman reported that the WTP upgrade is working as planned and normal production levels have been maintained while handling a high turbidity situation. The Mayor also reported that the Virginia Department of Health did an inspection at the WTP and found everything working well and was satisfied that all of the items noted at the last inspection had been taken care of. Mayor Harshman reported that the Town is still waiting on replacement parts for the turbidity meter from HACH Company. The Mayor also stated that there was nothing new to report on the Massanutten View Pump Station.

The Street Committee had no report. Mayor Harshman reported that year to date; the Town has received \$10,190 from VDOT for snow removal. Councilman Dellinger asked if this amount covered everything from the big snowstorms. Mayor Harshman stated that no, it did not, but the Town has applied for disaster relief funds. Councilman Dellinger commended Ron Ross and his crew for a job well done on the snow removal.

The Ordinance Committee had no report.

The Personnel Committee had no report.

Mayor Harshman stated that a closed session regarding a personnel matter and a legal matter as permitted by Section 2.2-3707 and Section 2.2-3711 as required by State Code Section 2.2-3712 needed to be added to the agenda. A motion was made by Councilman Hite and seconded by Councilman Wood to add a closed session regarding a personnel matter and legal matter as permitted by Section 2.2-3707 and Section 2.2-3711 as required by State Code Section 2.2-3712 to the agenda. Motion carried.

Finance Committee Chairman, Councilman Beachy reported that the Town received a proposal from Sal DiRoberto, owner of Sal's Bistro requesting that the due date for meals tax be changed from the 20th of the month to the 30th of the month. Mayor Harshman reported that the criteria for the collection of meals tax was as follows: due by the 20th of the month, businesses paying on time keep 3%, not paying on time results in a penalty of 10% and a late payment exceeding thirty days results in 1% per month past due. Councilman Beachy asked why Mr. DiRoberto was requesting this change. Mayor Harshman stated that Mr. DiRoberto has had trouble paying on time, and has been as many as two months late. The Mayor stated that the Town Treasurer, Michelle Heier does not think it is a good idea to change the date. Mayor Harshman stated that the businesses know it is due on the 20th, and if they can't pay by the 20th, he doesn't think they would be able to pay by the 30th either. The Mayor also stated that this change cannot be done for only one business; it must be done for all. If the date was changed, it would be helping business cash flow at the expense of the Town's cash flow. A motion was made by Councilman Hite and seconded by Councilman Wood to keep the meals tax due date on the 20th. Motion carried.

Mayor Harshman reported that the Town is still waiting to hear from the Commissioner of Revenue regarding the real estate assessments. The Mayor also reported that the Town is still waiting to hear about the State's plans for PPTRA and to receive property values from the County.

Health & Safety Committee Chairman, Councilman Wood called attention to Chief Clem's Report. Councilman Wood commended Chief Clem for a well-written report. Councilman Wood also wanted to comment to residents that they should check and make sure that they have new decals on their vehicles. Councilman Wood also reported that Officer Wilberger would be speaking to a Girl Scout Troop about safety this evening.

The Property Committee had no report.

The Cemetery Committee had no report.

Park Committee Chairman, Councilman Wood reported that people have been out on the ball fields, and have been walking in the park. Mayor Harshman reported that the road to the park was damaged by the weather and hauling of snow. Mayor Harshman reported that the Town is currently seeking bids to grade the road and at least get an adequate base established even if we cannot afford tar and chip right now. The Town plans to use the Town forces and equipment whenever possible to keep the cost down. Mayor Harshman stated that he will send out bid info by email before the April meeting. Council agreed.

The Insurance Committee had no report. Mayor Harshman reported that renewal information has been sent to VML and that there is a quote coming from VaCo, which is the insurance company the County uses.

The Mayor reported that he will be participating in the 5th Annual "Mayors for Meals" on March 17th to help deliver Meals on Wheels. The Town Manager reported that he attended the April Travel Council meeting. At the meeting, Steve Kirchner reported that the Bryce Resort Travel Guide has been a real success and the spring edition should be coming out soon. The Town Manager also reported that the 2010 Motorcycle Grand Tour of Virginia will be occurring later this year.

The Town Manager reported that the Town Office has not received many calls about the Geese Committee. The Town Manager stated that Mary Ann Williamson will again put something about the Committee in the next Heritage Foundation Newsletter. Councilman Hite stated that he would be willing to participate on the Committee. Councilman Beachy stated that he would like to wait on moving ahead until more potential members come forward.

The Town Manager reported that Shenandoah County will be hosting the next Town & County Dinner. The date has been changed to Wednesday, April 14th, and will be held at Cave Ridge Vineyards.

The Town Manager reported that Stuart Bruce from EEMA will again be serving as the Town's representative at the Virginia Rural Water Association's Annual Business Meeting.

The Town Manager reported that the Town has submitted a \$30,767 request to state and federal "storm cost recovery" for town-owned property damage, equipment repairs, overtime and employee meals. The Town Manager also stated that the Town will be filing insurance claims for a number of other property damages done as a result of the snow. The Town Manager reported that the Town has received many compliments regarding the snow removal and only one complaint, as far as he knows.

The Town Manager reported that Bill Roller gave the Town a \$200 donation for the purchase of more iron fence for South Main Street. The Town Manager believes that the Town currently has \$400 that was donated and \$500 in insurance money to purchase more fence.

The Town Manager also reported that year to date; Business License taxes collected are down about \$2,000. One of the larger businesses in Town understated their sales because of a change in computer systems. So, the Town might be on track once they correct their return. There are some businesses that have not paid yet, and with businesses closing and the weak economy, it is reassuring to see the number so close to last year. The Town Manager also reported that there was a \$2,813 drop in the bank franchise tax.

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's report showed that four permits were issued from November 10, 2009 – March 8, 2010:

1. Charles L. & Susan T. Beazley
North Whissen Street
Single family residence
2. Hisey Apartments LLC
201 North Main Street
Replace front porch
3. Bob Casey
205 North Main Street
Re-roof post office
4. Frederick Lee Weaver
103 Massanutten Street
Storage building

Mayor Harshman reported that the digester blower at the WWTP will need to be replaced soon. It can no longer generate enough air flow for both digesters. The Mayor reported that the replacement cost of the unit was \$3,185, but he is still checking on other units. The Mayor asked that if the need would arise, if Council would approve the purchase of a new digester blower. A motion was made by Councilman Beachy and seconded by Councilman Dellinger to approve the purchase of a new digester blower when the need arises. Motion carried.

Mayor Harshman reported that through the Local Choice Health Benefits Program, the Town employees currently have the Key Advantage 300 Plan, which will no longer exist after June 30, 2010. The Town will be changing to the Key Advantage 500 Plan. Mayor Harshman stated that the rate is going up 7.9%. The Town pays 75% of the family plan, 100% of the single plan and 75% of the dual plan. Councilman Beachy asked the Mayor if the employees seemed satisfied with the insurance coverage. The Mayor stated that from what he has heard, yes, the coverage is good and the employees seemed to be satisfied. A motion was made by Councilman Beachy and seconded by Councilman Wood to change to the Key Advantage 500 Plan for 2010-2011. Motion carried.

Mayor Harshman reported that the Town received the completed Annual Audit for the year beginning July 1, 2008 and ending June 30, 2009 from Robinson, Farmer, and Cox Associates. The Mayor reported that nothing was considered to be a material problem. The only negative

item in the Audit was the fund balance decreasing almost \$17,000. A motion was made by Councilman Beachy and seconded by Councilman Dellinger to table reviewing and adopting the Annual Audit until next month. Motion carried.

A motion was made by Councilman Beachy and seconded by Councilman Hite to go into closed session regarding a personnel matter and legal matter as permitted by Section 2.2-3707 and Section 2.2-3711 as required by State Code Section 2.2-3712.

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

A motion was made by Councilman Dellinger and seconded by Councilman Hite to verify that all that was discussed in the closed session was a personnel matter and a legal matter as permitted by Section 2.2-3707 and Section 2.2-3711 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.

Councilwoman Wymer asked Council permission for the Methodist Church to have a Sunrise Service in front of the monument at Cedarwood Cemetery instead of at the Town Park on Easter Sunday. Council agreed.

Councilman Wood mentioned that the Lion's Club is having a banquet on Saturday, March 20th at the Fire Hall starting at 6:00 p.m. Cost is \$15 per person.

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 8:27 p.m.

Mayor

Clerk