

REGULAR COUNCIL MEETING APRIL 12, 2011

The Edinburg Town Council met for a Public Hearing on Tuesday, April 12, 2011. Mayor Harshman called the Public Hearing to order at 7:15 p.m. All Council Members were present.

The purpose of the Public Hearing was to receive public input on the proposed amendment of Chapter 160, Vehicles and Traffic, Article III, Town Licenses and to receive public input on the proposed amendment of the 2010-2011 Town Budget.

Councilman Hite stated that on the proposed 2011-2012 budget under General Government Administration, Town Manager Salaries, he thought it should say Mayor Salaries instead of Town Manager Salaries. Councilman Hite also stated that Town Manager should be changed to Mayor in the Town Audit for accuracy, openness in government and transparency. Mr. Harshman stated that he will talk to the accountant about this, but Town Manager Salaries is correct for the 2009-2010 audit. Councilman Hite also questioned the \$3,750 amount under Public Safety Vehicle Maintenance in the proposed budget for 2011-2012. Mr. Harshman stated that the vehicles are out of warranty now, and repair and maintenance expenses will be higher.

There was no public comment.

A motion to adjourn the Public Hearing was made by Councilman Beachy and seconded by Councilman Wood. Motion carried.

The Edinburg Town Council met in regular session on April 12, 2011. Mayor 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 and Town Maintenance Supervisor, Ron Ross and Rev. Steve McMillion.

Mr. Harshman called the meeting to order and welcomed the visitors.

A motion was made by Councilman Hite and seconded by Councilman Beachy to approve the minutes of the March 8, 2011 meeting. Motion carried.

The Treasurer's report was reviewed. Mr. Harshman pointed out that the delinquent utility bill report has gone way down from last month. A motion was made by Councilman Beachy and seconded by Councilman Wood to approve the Treasurer's report and to pay all bills as presented. Motion carried.

The Water and Sewer Committee Chairman, Councilwoman Minnick called attention to Ron Ross's Maintenance Department report and the EEMA report. Mr. Harshman reported that the Town has recently had problems with residents turning the water back on when they have had water service turned off for non-payment. Mr. Harshman reported that the Town's Ordinance states that this is a criminal offense and a Class 1 misdemeanor. The Town has purchased locks for shut-offs that will work on the newer meters and has found something that will work on the older meters. Ms. Heier, Town Treasurer spoke to the Town of Woodstock about how they handle this problem and they have established specific fines for the theft of water. The Town of Woodstock has a policy that charges residents \$1,000 for the first offense, \$1,500 for the second offense and \$2,000 for the third offense. The Town Council all agreed that something should be done about this problem. Councilman Beachy stated that he would like to have the legality of a policy like that investigated. Mr. Black stated that he isn't sure whether or not the Town can impose a fine and that an ordinance should be adopted. Mr. Black also stated that a Class 1 misdemeanor could result in up to one year in jail and/or a \$2,500 fine, but it would be hard to prove who actually turned the water back on. Mr. Harshman stated that the locks are almost foolproof, but the Town has a number of meters that can't be locked. The locks would cost around \$4 a piece. Mr. Black suggested that the Town could adopt a policy for unauthorized

metered water usage. Chief Clem stated that there were two sections in the code book, one is tampering with a meter and the other is a section about “stealing” water. Mr. Harshman added that the Town goes out of their way to work with people who are delinquent and that something should be put on the cutoff notices that are mailed out about how turning water back on after being cutoff for non-payment is a criminal offense.

Mr. Harshman also reported that he, and Maintenance Supervisor, Ron Ross will be attending a Water Emergencies and Incident Management training in May.

The Street Committee had no report. Mr. Harshman reported that the Town has received a request for a driveway entrance off of Town Hall Avenue to the rear of 217-B Shenandoah Avenue. The Town owns the land between Town Hall Avenue and the rear of all of the lots from the Town Office to Park Road. This would be a gravel driveway between two of the existing pear trees along the road. Mr. Harshman reported that there was actually access to the old trailer that was on the Shenandoah Avenue lot when the Town got the Town Hall building. Mr. Harshman asked Mr. Black if the Town should grant an easement for this. Mr. Black stated that a permissible use document could be used. Councilwoman Minnick asked if this would transfer to a new owner if the house was ever sold. Mr. Black stated that it would be subject to the Town’s revocation. Councilman Wood asked if this would be any expense to the Town. Mr. Harshman stated that no, there would not be. A motion was made by Councilman Beachy and seconded by Councilman Wood to approve a driveway entrance off of Town Hall Avenue to the rear of 217-B Shenandoah Avenue. Motion carried.

The Ordinance Committee had no report.

The Personnel Committee had no report.

The Finance Committee had no report. Mr. Harshman reported that the Town has received notification of the Byrne Justice Assistance Grant award for this year. The amount of the grant is \$613 and the Town will be required to fund a match of \$68. Mr. Harshman reported that Chief Clem is looking into what this grant can best be spent on.

Health & Safety Committee Chairman, Councilman Wood called attention to Chief Clem’s report. Councilman Wood reported that thirty four people attend the Neighborhood Watch meeting last month. Mr. Harshman reported that the Town has heard two things about the Line of Duty Act Program since the last meeting. The County is including Volunteer Firefighters under their coverage and the VML has gotten approval to offer Line of Duty coverage as part of their insurance package. Mr. Harshman reported that he has included this expense in life and disability coverage for the 2011-2012 budget based on the \$233 rate now charged by VRS.

The Property Committee had no report.

The Cemetery Committee had no report. Mr. Harshman reported that the Eagle Scout project at the cemetery is moving forward and that work will soon begin. Councilman Beachy thanked Ron Ross and his crew for fixing the steps and the light box at the cemetery monument.

Park Committee Chairman, Councilman Wood called attention to Ron Ross’s report. Councilman Wood reported that the gate at the tennis court has been repaired and the bathrooms are now operating at the Park. Councilman Wood also reported that there are two new dugouts at the ball fields.

The Insurance Committee had no report.

Rev. Steve McMillion, pastor at the Edinburg United Methodist Church stated that the Church is looking for ways to be more involved with the community.

Mr. Harshman reported that all of the County Town Managers and County Administrator, Douglas Walker met on March 15th for their monthly meeting. Gary Yew from Shenandoah County Fire and Rescue was at the meeting to give an update on the need to have all radios narrowband compliant by January 1, 2013. Mr. Yew stated that this includes two steps; first to ensure the current radios are capable of being reprogrammed for narrowband and second, to modify FCC licenses to reflect the change. Mr. Harshman reported that Chief Clem has checked the police department radios and he believes they are ok. The Maintenance Department radios still need to be checked for reprogramming capability since they are older units. The Town's FCC License was changed to cover narrowband at the time of the last renewal, so the Town is in compliance.

Mr. Harshman reported that he attended the March Travel Council meeting. The members went over the remaining budget for the current year and areas that the director felt might be used to accomplish additional goals to enhance the current tourism efforts. Mr. Harshman reported that there was also a presentation of the proposed budget for FY 2012. There was also a discussion and approval of requesting a name change for the Travel Council to the Tourism Council. Mr. Harshman has not been able to attend any of the Agri-Tourism Committee meetings, but they are making progress. Mr. Harshman reported that Edinburg will be hosting the next Agri-Tourism meeting on May 9th at the Edinburg Mill. Mr. Harshman is hoping that the Mill will eventually be the Agri-Tourism Center for the County with area tours originating from Edinburg.

Mr. Harshman reported that Mayors for Meals at the Senior Center was a success with four mayors participating this year. The Mayor was joined by Toms Brook Mayor Phil Fauber in delivering meals to the northern part of the County, while New Market Mayor Larry Smith and Mt. Jackson Mayor Joe Williams delivered in the southern part of the County.

Mr. Harshman reported the Edinburg Chamber of Commerce will be hosting a multi-chamber mixer on May 4th at the Edinburg Mill. This will be an opportunity for the other Chambers to see the Town's project finished firsthand and hopefully build some contacts within the other communities to promote the Mill once it opens. Mr. Harshman understands that County Tourism is also going to participate since May is Tourism Month. Mr. Harshman stated that if any of the Council is able to attend the mixer, it would be nice to have a good representation there from Edinburg.

Mr. Harshman also reported that the Town has received a request from Ms. Emily McGrail from Radford, Virginia who holds the title of Ms. Wheelchair Virginia 2011-2012. She will be representing Virginians with Disabilities at the Ms. Wheelchair America in Grand Rapids, Michigan on August 1-7, 2011. Mr. Harshman reported that one of the requirements is that participants assemble a gift basket that represents her state to exchange with the other state titleholders. Ms. McGrail is interested in getting items from all over the state for her basket. Mr. Harshman asked Council if it was ok to donate a Town Coin for her basket. Council agreed.

Mr. Harshman reported that the Town has not yet heard anything from the NSVRC about assistance with the Comprehensive Plan update.

Mr. Harshman reported that the ARB met last month to consider two requests for installing vinyl siding on properties at 111 S. High Street and 300 Shenandoah Avenue. Both of these requests were approved.

Mr. Harshman reported that the Planning Commission did not meet last month.

Mr. Harshman reported that there was no report from the Zoning Administrator.

The Town Attorney had no report.

Mr. Harshman asked Council if just the title could be read for the second reading of the proposed amendment to Chapter 160, Vehicles and Traffic, Article III, Town Licenses. A motion was made by Councilman Wood and seconded by Councilman Dellinger to allow just the title to be read of the proposed amendment to Chapter 160, Vehicles and Traffic, Article III, Town Licenses. Motion carried. Mr. Harshman asked Council to consider the proposed amendment to Chapter 160, Vehicles and Traffic, Article III, Town Licenses. A motion was made by Councilman Beachy and seconded by Councilman Dellinger to approve the proposed amendment to Chapter 160, Vehicles and Traffic, Article III, Town Licenses. Motion carried. Recorded vote as follows: Hite-aye, Dellinger-aye, Beachy-aye, Wymer-aye, Minnick-aye, Wood-aye, Harshman-aye.

Mr. Harshman read and asked Council to consider a Resolution to amend the Budget for the fiscal year 2010-2011. A motion was made by Councilman Beachy and seconded by Councilman Hite to approve the Resolution to amend the Budget for the fiscal year 2010-2011. Motion carried. Recorded vote as follows: Hite-aye, Dellinger-aye, Beachy-aye, Wymer-aye, Minnick-aye, Wood-aye, Harshman-aye.

Mr. Harshman asked Council to consider a Resolution proclaiming April 9-15, 2011 as disAbility Awareness Week. A motion was made by Councilman Wood and seconded by Councilman Beachy to approve a Resolution proclaiming April 9-15, 2011 disAbility Awareness Week. Motion carried.

Mr. Harshman asked Council to consider a proposal by Ms. Mary Earhart to perform accounting services for year ending June 30, 2011. Councilman Beachy asked if the Town was satisfied with Ms. Earhart's work. Mr. Harshman and Ms. Embrey, Town Clerk both stated that yes, they were satisfied. Mr. Harshman reported that the Town is moving closer to phasing Ms. Earhart out a little bit. Mr. Harshman also stated that Ms. Earhart's estimated fees are the same as last year. A motion was made by Councilman Beachy and seconded by Councilman Dellinger to accept the proposal by Mary Earhart to perform accounting services for year ending June 30, 2011. Motion carried.

Mr. Harshman asked Town Clerk, Mary Embrey to do the first reading of an Ordinance to amend Chapter 160, Vehicles and Traffic, Section 160.1, Adoption of State Law.

Mr. Harshman asked Council's approval of an annual contract to inspect the Cathodic Protection System at the 500,000 gallon elevated water tank. A motion was made by Councilman Beachy and seconded by Councilman Wood to approve the annual contract to inspect the Cathodic Protection System at the 500,000 gallon elevated water tank. Motion carried.

Mr. Harshman asked Council to adopt the Audit for the fiscal year beginning July 1, 2009 and ending June 30, 2010. Councilman Beachy stated that all of the criteria were satisfied. A motion was made by Councilman Beachy and seconded by Councilman Wood to adopt the Audit for the fiscal year beginning July 1, 2009 and ending June 30, 2010. Motion carried.

Mr. Harshman introduced the proposed Budget for the fiscal year beginning July 1, 2011 and ending June 30, 2012. Mr. Harshman stated that he received updated 599 figures today, and that this will cause a change in the General Fund, which will be \$732 less than what is on Council's copies of the budget. Councilman Hite stated that he thought the Town should apply for the \$75,000 water system improvement grant. Councilman Beachy concurred as long as it is no major expense to the Town. Councilman Beachy asked if that the Finance Committee and Mr. Harshman needed to have another meeting. It was decided that this would not be necessary.

Mr. Harshman stated that the Personal Property Tax rate is currently at \$0.75 per \$100 and we are proposing a \$0.10 increase to \$0.85.

Council is also proposing two changes to the BPOL Taxes; first to increase the minimum license for businesses doing up to \$15,000 in gross sales from \$15 to \$18. The second proposed change is to eliminate the three current stepped tax rates of \$0.13, \$0.11 and \$0.09 and replace them with one rate of \$0.13 per \$100 of gross sales for all retailers, contractors and persons constructing for their own account for sale, repair, personal and business services as described in the Town Code. Mr. Harshman stated that these two changes should generate approximately \$7,447 more in revenues.

Mr. Harshman stated that there are two proposed increases in fees for the pool. First, an increase for pool parties from \$85 to \$100 and second, to increase all pool passes by \$5. This will result in the following rates: Family In Town-\$115, Family Out of Town-\$130, Individual In Town-\$60 and Individual Out of Town-\$70. Based on last year this should increase pool revenues by \$800 for the year.

Mr. Harshman stated that sale of cemetery lots are currently at \$600 for Town residents and \$1,050 for non-residents. Council is proposing an increase in cemetery lot prices to \$750 for Town residents and \$1,200 for non-residents. Council is also proposing to increase grave openings & closings to \$600 from \$550. Councilman Wood asked if a double burial would be the same price. Mr. Harshman stated that a double burial would be \$1,200 for the bottom grave and \$600 for the top grave.

Mr. Harshman stated that the current fee for 3,000 gallons of water in Town is \$21.50 for water and \$20.50 for sewer. Council is proposing an increase of \$0.25 for each minimum for Town Residents and an increase of \$0.40 for each minimum for Out of Town Residents. Council is also proposing an increase of \$0.15 per 1,000 gallon over the minimum for Town Resident's water and sewer and 1,000 gallons over the minimum is proposed to increase by \$0.25 for non-residents. The Budget is also proposing re-connection fees be increased from \$15 to \$25.

Mr. Harshman stated that the trash pick up fee is going to need to be increased again this year to cover another 15% increase in the Town's contract. This will result in a monthly charge of \$7.75 increased from \$7.00 a month. Mr. Harshman reported that the Town Code requires all residents to pay the monthly trash fee whether they use the service or not. Mr. Harshman stated that with the increase in the number of larger apartment houses and townhouses, the question is sometimes asked as to why these residents must pay a monthly trash fee and have a dumpster paid by the homeowners association or a similar organization. If these buildings could contract with the same company the Town uses, they would receive one pickup each week like the rest of the Town. However, coordinating the pickup of dumpsters by the Town's trash contractor has proven to be a challenge and to date none of the apartments or townhouses have pursued this as an option.

Mr. Harshman stated that a possible solution to this situation would be to establish a second rate that is applied to all apartments and townhouses that currently use dumpster service. The Town's recycling program is available to all apartments and townhouses whether the building uses a dumpster or normal town trash pickup. The Town provides one recycling bin to residents at no charge and continues to pick up recyclable items on a regular schedule to help limit the amount of trash going into the County Landfill. Mr. Harshman reported that by establishing a rate of 50% less for all apartments and townhouses that use a dumpster could be used as a fairer rate when regular trash service cannot be used. The rate would be applied to the purchasing of recycling bins and provision of recycling service; the rate would be charged whether recycling was used or not to all apartments and townhouses that choose to use a dumpster. Mr. Harshman reported that the new apartment and townhouse rate of \$3.90 a month would replace the rate of \$7.75 charged for trash service to individual residents. Councilman Beachy stated he liked Mr. Harshman solution to the dumpster problem, as did the rest of the Council. Councilman Hite stated that he

thought the Town should just leave it alone. Councilman Hite also stated that the dumpsters at Madison Village are often full.

Mr. Harshman asked if Council would consider holding a special council meeting on Tuesday, April 26th at 7:00 p.m. to adopt the budget. Mr. Harshman explained that if the Council waits until the May meeting to do this, that tax bills cannot be printed until then. Mr. Harshman will put an ad in the newspaper regarding this meeting.

Councilman Hite asked if any progress had been made on petitioning Judge Hupp about the special election. Mr. Harshman stated that the Town cannot petition the Judge and that it will cost \$1,400 for a special election. Mr. Black stated that the election must be held in November, which is the next regular election. Mr. Black suggested the Town talk to their Legislator about the costs for special elections and see if the State could be convinced to change the requirement.

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 8:47 p.m.

Mayor

Clerk