

REGULAR COUNCIL MEETING AUGUST 9, 2011

The Edinburg Town Council met for a Public Hearing on Tuesday, August 9, 2011. Mayor Harshman called the Public Hearing to order at 7:00 p.m. All Council Members were present with the exception of Councilman Dellinger. Visitors included: Ms. Jill Keihn from the Northern Shenandoah Valley Regional Commission, Town Police Chief, Michael Clem and Town Maintenance Supervisor, Ron Ross.

The purpose of the Public Hearing was to hear comments on the adoption of the Northern Shenandoah Regional Water Supply Plan.

Ms. Jill Keihn from the Northern Shenandoah Valley Regional Commission was in attendance to present an overview of the Regional Water Supply Plan.

Ms. Keihn reported that in 2008, twenty localities signed a resolution to participate in the Regional Water Supply Plan. Ms. Keihn also reported that each locality will have a Public Hearing on the Plan and hopefully, adopt the Water Supply Plan. The Plan will be reviewed every five years and a new Plan must be submitted to the Department of Environmental Quality (DEQ) every ten years. The Plan has data from 2002, 2003 and 2008, which are classified as a dry year, a wet year and a recent year and includes water demand projections to 2040. The components of the Plan include: existing water sources, existing water use, assessment of projected water demand, a drought response plan and a statement of future need. Ms. Keihn reported that the Drought Response Plan includes drought response actions, triggers for watch/warning/emergency stages and enforcement of responses to drought/low water conditions. Ms. Keihn also reported on the Edinburg Drought Stage Triggers, which are: a Watch-DEQ website, a Warning-DEQ Drought Website and weekly monitoring of Well #1 and an Emergency-static head of local Well #1. Ms. Keihn also reported on what is required in the Plan, which are: adopted documents (drought plans, ordinances, etc.), a Resolution approving the Plan from each local government and a record of Public Hearing, written comments and response.

Councilman Beachy stated that he was concerned about water "source" versus water "supply" and wanted to know who would be responsible for solving the problem if there was one. Ms. Keihn stated that the Town would be responsible for the problem. Councilman Beachy stated that in an earlier document about the Plan, it stated that there were four sources that the Town could look at and that finding new raw water as opposed to increasing production at the Plant and he wanted to make sure the Town has the option of either. Councilman Beachy wanted to know if the Town does have that option. Mr. Harshman stated that yes; the Town does have the choice. Councilman Beachy stated that as long as the Town has a choice; we have raw water, the problem is production. Councilman Beachy stated that he thought that definitions were definitely needed with the Plan. Councilman Hite wanted to know if this was the Plan written for every locality. Mr. Harshman stated that the Executive Summary did not include all of the Plans for all of the participating localities, but that the Town of Edinburg would be adopting the Edinburg Plan only.

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

The Edinburg Town Council met in regular session on August 9, 2011. Mayor Harshman called the meeting to order at 7:30 p.m. All Council Members were present with the exception of Councilman Dellinger. Visitors included: Ms. Jill Keihn from the Northern Shenandoah Valley Regional Commission, Town Police Chief, Michael Clem and Town Maintenance Supervisor, Ron Ross.

Councilman Beachy stated that he had one correction to the July 12, 2011 minutes. The correction should be made on page four, in the fourth sentence of the first paragraph. It should say art "shows" instead of art "auctions". A motion was made by Councilman Beachy and seconded by Councilman Wood to approve the minutes of the July 12, 2011 meeting with the correction. Motion carried.

The Treasurer's report was reviewed. A motion was made by Councilman Wood 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 Chairman, Councilwoman Minnick called attention to Ron Ross's Maintenance Department report. There was no EEMA report submitted. Mr. Harshman reported that there were a couple of monumental sewer problems. The first problem at 313 Edinburg Gap Road had a 4" force main line that had a crack in the pipe and a large section of the concrete parking pad had to be cut out to repair the problem. The second problem was at 103 N. High Street, where a 6" terracotta sewer line was leaking, which was encased in concrete that had to be repaired.

Mr. Harshman also reported that the Town is still waiting on the parts for the repair of the RBC unit. Because of this problem, the Town is in violation of one of the concentration averages required by our Discharge Permit. The permitted average level is 30.0 mg/L and the Town ended up with a level of 30.2 mg/L. Mr. Harshman reported that the Town received a warning letter from DEQ. The DEQ was given a written explanation of the problem on July 6th and they also did an inspection of the Plant. Mr. Harshman reported that no further action is required by the Town at this time. Mr. Harshman stated that the age of the WWTP continues to cause problems with additional breakdowns in various pumps and blowers, but hopefully, the Town will soon cycle back out of this and get everything back to normal.

The Street Committee had no report. Mr. Harshman reported that he spoke to Charlie Ortt about the parking on Printz Street that was discussed at the last meeting. Mr. Ortt told Mr. Harshman that deliveries only arrive during normal business hours Monday through Friday. The Town had a sign made that will restrict parking Monday-Friday from 8:00 a.m. to 5:00 p.m. By adding an arrow and the wording "Here to Corner", the Town was able to get by with one sign. The sign will be installed soon.

The Ordinance Committee had no report.

The Personnel Committee had no report.

The Finance Committee had no report. Mr. Harshman reported that Mary Earhart's staff has been to the Town Office to complete the internal audit of 2010-2011.

Health & Safety Committee Chairman, Councilman Wood called attention to Chief Clem's report. Councilman Wood thanked the Police Department and the Maintenance Department for helping with the Chamber of Commerce Summer Concert on July 30th. Councilman Wood reminded everyone about the Fire Department Lawn Party, which is August 11th through the 13th. The Parade is on the 11th beginning at 7:00 p.m. Councilman Hite asked if anyone knew how many were at the Summer Concert. Those who attended estimated that there were around 400 people.

The Property Committee had no report. Mr. Harshman reported that the Maintenance Department had a visit from OSHA and that OSHA sited the Town for six citations. Mr. Harshman estimated that the costs to amend the citations will be around \$800-\$1,000. Mr. Harshman reported that there will not be any fine for the citations, but an official report would be written. Mr. Harshman reported that the Town has not received an official report from OSHA yet, but the Town will have thirty days from when the report is received to correct the citations.

The Cemetery Committee had no report.

Park Committee Chairman, Councilman Wood thanked the Maintenance Department and Pool Manager, Fay Wymer and her staff for doing a great job with the park and the pool. Mr. Harshman reported that the Town received a thank you note from Shenandoah County Parks & Recreation for letting the Senior Fellowship use one of the park shelters for their picnic.

The Insurance Committee had no report.

Mr. Harshman reported that he informed the Chamber of Commerce about the Main Street Program, but he hasn't heard back yet on whether or not they would like the Town to join.

Mr. Harshman also reported that he was unable to attend the July Travel Council meeting.

Mr. Harshman reported that work is still continuing at the Mill. Mr. Harshman also reported that the restrooms will be available to use at the Mill and that there will be items for sale in the Mill during the Yard Crawl on August 13th. Mr. Harshman showed Council a scaled-down copy of the new John Paul Strain painting of the Mill. Mr. Harshman reported that there are fifteen artists signed up so far for the Art Show fundraiser at the Mill in October. Mr. Harshman hopes to have around fifty artists. Mr. Harshman reported that the Town has received the \$10,000 check from Reader's Digest for winning the "We Hear You America" contest. The Town and the Edinburg Heritage Foundation are working on fund raising for the brown highway signs advertising the Mill. The next step in the sign process is to contact VDOT to find out where the signs will be placed and to do applications for the four signs, which will cost an application fee of \$250 per sign. Mr. Harshman also reported that the next Town & County Dinner will be on October 5th in Woodstock.

Mr. Harshman reported that the ARB met last night and approved Bobbie Sainz's request to replace her roof at 211 N. Main Street. She will be replacing her metal roof with a standing seam snap lock roof. The ARB also approved Ms. Sainz's request to take two chimneys down which are not in use and do not serve any interior purpose. The brick work is beginning to deteriorate and poses a safety issue with the potential of a chimney collapsing. The ARB also discussed Section 175-86 of the Historic District Ordinance that pertains to minimal maintenance requirements for contributing buildings and structures within the Designated Historic District. The ARB members will tour the Town and decide on three of the most deteriorated buildings in Town before the next ARB meeting on September 12, 2011. These would be ranked as to each building's condition and the ARB would consider requesting the inspection of the most deteriorated building by the Shenandoah County Building Department. The plan will be to only pursue improving one building at a time. Once that building is improved, the ARB would repeat the process with the next identified building.

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

The Zoning Administrator's report showed that one permit was issued:

1. Fay Wymer
105 Jackson Street
Deck

There was no Town Attorney report.

Mr. Harshman read a Resolution to adopt the Northern Shenandoah Regional Water Supply Plan. A motion was made by Councilman Beachy and seconded by Councilman Wood to approve the Resolution to adopt the Northern Shenandoah Regional Water Supply Plan. Motion carried. Ms. Keihn stated that she will need Councilman Beachy's earlier comments in written form.

Mr. Harshman asked Council if just the title could be read for the second reading of a proposed amendment to Chapter 156, Utilities, Article III, Water, Section 156-12. Discontinuance of service; to include Drought Response. A motion was made by Councilman Beachy and seconded by Councilwoman Minnick to allow just the title to be read for the second reading of a proposed amendment to Chapter 156, Utilities, Article III, Water, Section 156-12. Discontinuance of service; to include Drought Response. Motion carried. Mr. Harshman read just the title of a proposed amendment to Chapter 156, Utilities, Article III, Water, Section 156-12. Discontinuance of service; to include Drought Response.

Councilman Hite wanted to know why, with no reflection on the current Mayor, in Section B; is the Mayor the one that can authorize special measures and he wondered why it's not the Town Council. Mr. Harshman stated that the only reason why it is one person is because it needs to be acted on

quickly and would require bringing everybody together and having a meeting to make a decision. Mr. Harshman stated that it was pretty cut and dry and that he would look at the DEQ website to determine the conditions. Mr. Harshman also stated that bringing the whole Council together for that would just be a waste of time and that's why it is just one person. Councilman Beachy stated that it is just checking off things and whenever all the things are checked off; one person is all that is needed to do that. Councilman Wood stated that he is with Councilman Hite and regardless of who the Mayor is, it seems like we are putting them way out on a branch and they have no support or backup. Mr. Harshman stated that this is what this document is for. Councilman Beachy stated that it has to be defined by the State that we are in some type of criteria for a drought response and if those things are all checked off and the only thing the Council would do is have that person come in and say these five things are checked off and we are in a drought and there is no yes or no there, it's yes depending on what stage the Town is in, and he doesn't see any reason that this body has to make any decision other than this is the criteria that we implement when those conditions arise. Councilman Wood stated that he is not trying to take this responsibility away from the Mayor, but somewhere along there, the Mayor needs to know that the Council is supportive. Mr. Harshman stated that by adopting this amendment, it does that. Councilman Hite stated that he doesn't see in Section B where it says this. Mr. Harshman stated that it says in Section C right after the first paragraph, "a drought watch, drought warning and drought emergency stage shall be declared when the drought indicators for the Town of Edinburg as set forth in the Northern Shenandoah Regional Water Supply Plan are reached."

Councilman Hite stated that if Mr. Harshman is not the Mayor and let's just say that the Town gets somebody in as Mayor and they say they would just like to declare a drought warning. Mr. Harshman stated that then he would not be doing his job. Councilwoman Minnick stated that she would assume, in that case, the Mayor would come back and report at the next meeting that this fell into place and this was done because of that, just like the Mayor reports on everything else and if the Mayor came back and reported that he just felt like calling a drought then the Council would have to do something about it. Mr. Harshman stated that he could see Councilman Hite's point that there could be somebody that just makes an off the wall decision, but he thinks that then like Councilwoman Minnick said, that the Council would have to take some action and that if the Mayor is just running amuck then somebody would have put a stop to it. Councilman Hite stated it would be a pretty serious thing to declare a drought and he thought that it would be appropriate for the Council to advise and consent before the Mayor would do it, but if everyone feels it is okay, it was just a question and he knows some former Mayors that might decide to do that. A motion was made by Councilman Beachy and seconded by Councilwoman Minnick to approve the amendment to Chapter 156, Utilities, Article III, Water, Section 156-12. Discontinuance of service; to include Drought Response. Motion carried. Recorded vote as follows: Hite-aye, Dellinger-absent, Beachy-aye, Wymer-aye, Minnick-aye, Wood-aye, Harshman-aye.

Mr. Harshman reported that the Town missed the deadline to opt out of the VRS Line of Duty Act coverage for this budget year and that the Town would have to stay with VRS until next year and that the Resolution to opt out of the VRS Line of Duty Act coverage will be put on the June 2012 agenda.

With no further business, a motion was made by Councilman Wood and seconded by Councilman Hite to adjourn the meeting. Motion carried. The meeting was adjourned at 8:02 p.m.

Mayor

Clerk