

## REGULAR COUNCIL MEETING AUGUST 8, 2023

The Edinburg Town Council met in a regular session on Tuesday, August 8, 2023. Mayor Harshman called the meeting to order at 7:27 p.m. All the Councilmembers were present. Also present were Ms. Tabatha Dellinger, Mr. Doug Huffman, Mrs. Michelle Heier, Ms. Mandy Roberts and Capt. Glenn Ogle and Dep. Trenton Davis from the Shenandoah County Sheriff's Department.

Mayor Harshman asked if anyone had anything that was not on the agenda.

Ms. Tabatha Dellinger thanked the Town for placing a trash can where she requested at last month's meeting.

A motion was made by Councilman Dellinger and seconded by Councilwoman Baird to approve the minutes of the July 11, 2023 regular meeting. Motion carried.

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.

Councilman Beachy called attention to Inboden's report.

Mayor Harshman reported that water production is down for the first time in months since the Town found several leaks and repaired them.

Mayor Harshman reported that the Town is still waiting to hear from the air compressor company about eliminating the excessive amount of oil getting into the air lines and valves that is coming from the compressors. He also reported that once the problem is solved, they will be tackling the air leaks and the faulty solenoid valves.

Mayor Harshman reported that the surveyors have completed their work on the Cave Spring Water Line Replacement Project which resulted in a drawing of the old line locations as well as the roadways and most of the existing line locations. He also reported that the Engineers are working on the new line layout and hopefully there will soon be something to show to some contractors.

Mayor Harshman reported that the Town is still waiting for the Virginia Department of Health's (VDH) approval to move forward on the water pump station. He also reported that the Engineer has been talking to some contractors that might be interested in doing the work once the Town gets approval.

Mayor Harshman reported that the backup generator is in place at well #2 and they have started the installation. He also reported that the Town did well during the extended power outage with just well #1, although the well production was turned up higher than it would be normally run.

The Street Committee had no report.

The Ordinance Committee had no report. Mayor Harshman reported that the new Town Code books were distributed to the Town Council and the new Code will take effect on August 10<sup>th</sup>.

Councilwoman Reistetter reported that the Town has been working hard on leaks and Mr. Ross is going to start doing his maintenance reports again.

Mayor Harshman introduced Ms. Mandy Roberts, who will be taking over the Town Treasurer position when Mrs. Michelle Heier leaves.

The Finance Committee had no report. Mayor Harshman reported that an audit will be required this year since between the American Rescue Plan Act (ARPA) funding and the USDA funding for the Wastewater Treatment Plant (WWTP) the Town surpassed \$750,000 in federal funding. He also

reported that the accountants won't be able to get the audit done in the fall, so it probably won't be completed until the spring.

The Property Committee had no report. Mayor Harshman reported that Fine Line has completed the Walking Trail Map which cost \$600 more than expected because the 8' x 4' size required heavier aluminum. Mayor Harshman also reported that the sign may not be up in time for the Ole Time Festival since a new structure will need to be constructed.

Mayor Harshman apologized for not putting anything for the new dump truck on the agenda, but he didn't get his questions answered until yesterday. Mayor Harshman reported that a while back he and the Town Council discussed looking for a large dump truck that would meet VDOT's specifications, but not require a CDL. Mayor Harshman stated that on the Capital Improvement Plan (CIP) with the Budget, the Town included funding over the next five years to purchase a truck.

Mayor Harshman reported that Highway Motors has put together a quote for an International non-CDL truck that is under 26,000 GVW. He also reported that they coordinated with VDOT to meet the front axle weight requirements for plowing. Mayor Harshman reported that the quote for the truck is \$90,858.06 and the Town will also need to get a bed box and a snowplow rig for the truck. International recommends a stainless-steel box since it will be used with a salt spreader. Mayor Harshman reported that Shade Equipment quoted the Town around \$15,000 for the bed and \$9,166 for the plow rig.

Mayor Harshman reported that as of right now, there is an 18-month lead time on the truck and the Town will need to pay a \$3,000 deposit at the time of the order. Mayor Harshman is not sure what the lead time is on the bed and the plow.

Mayor Harshman stated that the Town will be able to sell the large Volvo truck that was purchased from Woodstock for \$15,000 to help pay for this and the Town has the funds to cover the down payment, the stainless-steel bed and the plow equipment.

Mayor Harshman stated that the Town would probably want to finance the balance of the truck price with a bank when it finally arrives. Mayor Harshman stated that the Town will probably get at least what they paid for the Volvo and \$3,000 will be paid toward the truck, so the financing would be around \$71,000 for 5-7 years. He also stated that there is a good chance that the Town will be able to pay even more cash toward this purchase, but he thinks it would be a good idea to consider financing the \$71,000. Mayor Harshman reported that the Town only has 2 CDL drivers right now and this would be a long-life truck.

Mayor Harshman asked the Council if this is something they are still interested in doing. A motion was made by Councilman Wood and seconded by Councilman Dellinger to approve starting the purchase of the International non-CDL truck, the stainless-steel bed and the plow rig. Motion carried.

The Cemetery Committee had no report.

Councilwoman Wymer-Hollar reported that after August 13<sup>th</sup>, the pool will only be open on weekends and September 4<sup>th</sup> will be the last day the pool will be open. She also reported that the Paws in the Pool is on September 9<sup>th</sup>. Councilwoman Wymer-Hollar thanked the Sheriff's Department for upping their patrols at the park and the pool.

The Insurance Committee had no report.

The Health and Safety Committee had no report. Capt. Ogle thanked the Town for letting the Sheriff's Department use a shelter last month for their Day Camp. Capt. Ogle reported that the Yard Crawl is coming up and there will be a Town Deputy working as well as a roving Deputy. He also reported that they will be ready for the Ole Time Festival and the Parade.

Mayor Harshman reported that the Tourism Council met in July and he will forward the minutes from the June and July meetings to the Council as soon as he receives them.

Mayor Harshman reported that he set up an exhibit at the Clearbrook Welcome Center for the month of August that highlights the Town businesses and the Ole Time Festival.

Mayor Harshman reported last month that May's ShenGo bus ridership was 1,470, but that number was incorrect, and the ridership was 1,390 for May and went up to 1,634 in June, which was a 42% increase over June 2022. He also reported that the Town has submitted the request for the bus benches and as Mayor Harshman previously reported, if the grant is successful it will pay for 80% of the benches that were requested.

Mayor Harshman reported that the ShenGo Bus Committee will be having an in person meeting sometime in November and the focus is going to be on bus stop locations. Mayor Harshman asked the Council to pass on comments about stop locations to him if they have any so he can pass them on to the Bus Committee.

Mayor Harshman reported that he and some of the Council need to take the Conflict of Interest Act (COIA) and Freedom of Information Act (FOIA) training again. Mayor Harshman, Councilman Dellinger, Councilwoman Wymer-Hollar, Councilwoman Reistetter all need to take the COIA training and Mayor Harshman and Councilwoman Reistetter need to take the FOIA training. The Town Clerk will be sending out a link for the training which must be completed by the end of the year.

Mayor Harshman reported that the Northern Shenandoah Valley Regional Commission (NSVRC) is currently working on updating the Regional Hazard Mitigation Plan to maintain compliance with Virginia Department of Emergency Management (VDEM) and FEMA regulations that keep communities eligible for pre-disaster grant funds. Mayor Harshman also reported that the Plan must be updated every 5 years and they are coming down to the wire on getting the plan adopted, which is currently being reviewed by VDEM and FEMA.

Mayor Harshman reported that each community that wants to be eligible for the grant funds must adopt the Plan and can do it anytime after the September 12<sup>th</sup> deadline as long as at least one jurisdiction has adopted it by the deadline date of September 12<sup>th</sup>. Mayor Harshman reported that it turns out that there is a Council Meeting on September 12<sup>th</sup> and the NSVRC has asked if the Town can put this on the agenda if it is necessary to push the adoption to the September 12<sup>th</sup> deadline. Mayor Harshman wanted to give the Council a heads up on this and he hopes that he will not need to go into a lengthy explanation of the Plan when it shows up on the September Agenda. He reported that he will provide the Council with a copy of the Plan to review once it is available.

Mayor Harshman reported that the Shenandoah Rails to Trails Partnership has begun a series of articles and Letters to the Editor that will appear in the Northern Virginia Daily to educate residents as to why a multi-use trail makes more sense at this time, rather than the proposal to bring back rail service. Mayor Harshman stated that it remains important to remember that the purchase of the right-of-way for a trail will place it in a Rail Bank that will protect the chance of the Railroad ever coming back if it ever makes economic sense to do so.

Mayor Harshman reported that the first in the series of commentaries will be signed by him and Strasburg Mayor Brandy Hawkins-Boise. He also reported that eventually the mayors from the other trail communities will also be submitting commentaries to demonstrate support for the Shenandoah Rail Trail.

Mayor Harshman reported that he and the Town Attorney have reviewed the T-Mobile contract and he has checked into all the questions he and the Town Attorney had. Mayor Harshman has put together all the changes that the Town will be requesting but he has not submitted them to T-Mobile yet.

Mayor Harshman reported that he is stressing to T-Mobile that the Town is approving the installation of 9 antennas like the ones that were shown on the preliminary engineering drawings. Mayor

Harshman reported that T-Mobile refers to these being generally described on Exhibit “B” of the contract, but they have not shown the Town Exhibit “B” yet and he is not comfortable moving forward until the Town receives Exhibit “B”.

Mayor Harshman reported that there was a 29% increase in visitation over last year at the Museum and Visitor Center for the first month since the signs went up on I-81.

The Architectural Review Board did not meet.

The Planning Commission did not meet.

The Zoning Report showed that one permit was issued:

1. Barbara Strong  
316 Shenandoah Ave.  
Addition – Dining Room

There was no report from the Town Attorney. Mayor Harshman reported that a Deed of Correction will need to be done for the King Cola property that the Town purchased.

Mayor Harshman reported that there was no WWTP Construction Progress meeting in July, but there was one last week. Mayor Harshman and Mr. Ross joined Mr. Karl Schaeffer and another Pennoni Engineer and a representative from WGK Construction joined by phone. Mayor Harshman also reported that the meeting was about the scheduling for the month and he gave the Council the details of what they are planning on doing.

Mayor Harshman reported that all the erosion and sediment control did its job during the recent storms. The Contractor still has some cleanup to do off site where they had been storing fill dirt and they plan to take care of this as soon as possible. Mayor Harshman reported that at this point, the Town doesn't think they really have time to go off site since the contract calls for them to be substantially complete by September 24<sup>th</sup>, and they still feel that this is possible.

Mayor Harshman stated with that in mind, work is starting on scheduling training for Town and Inboden staff for the startup of the new Plant. Mayor Harshman reported that the plan is to operate the new and existing treatment Plant at the same time. First, they will run water only to make sure everything is working properly in the new Plant before introducing sewage. They are expecting at least a 30-day process after the Town has determined that all the equipment is functioning properly before the demolition of the existing plant begins. Mayor Harshman reported that all the equipment suppliers will be on site during the initial startup to assist with explaining the function and actual use of all the new equipment.

Mayor Harshman reported that as the new process is being checked out, the Town will be capturing the discharge and sending it back through the old plant again. This is to make sure that nothing is discharged improperly into Stony Creek.

Mayor Harshman reported that USDA was here yesterday to do their American Made Steel (AIS) inspection.

Mayor Harshman reported that the September WWTP Construction Progress meeting date is up in the air because of the Labor Day holiday and Mr. Karl Schaeffer's vacation, so if the meeting isn't the first Tuesday, which is September 5<sup>th</sup>, they hope to have it on September 7<sup>th</sup>.

Mayor Harshman reported that he sent a memo out to the Council about the status of the ARPA funding. The memo stated that the Town has received a total of \$1,110,142 in ARPA funds and as of August 2<sup>nd</sup> and the Town has allocated a total of \$989,503.27, which leaves the Town with \$120,638.73 available to spend or at least allocate to specific projects. Mayor Harshman thinks that if the funds are allocated to specific projects, these funds should be protected from any “claw back” that

might occur because of the debt ceiling compromises. Mayor Harshman also reported that the Town must file a report every quarter and provide invoices to Ms. Amanda Kerns at the NSVRC.

Mayor Harshman asked the Council if the allocation of the remaining ARPA funds breakdown was acceptable to them. A motion was made by Councilman Wood and seconded by Councilwoman Wymer-Hollar to allocate the remaining \$120,638.73 in ARPA funds as follows: \$50,000 to the Cave Springs Water Line Replacement, \$35,000 for Flood Protection Improvements at the Edinburg Mill and \$35,000 toward improvements at the Town Park. Motion carried.

Mayor Harshman stated that he is sure that everyone has noticed the new sign at the Edinburg Fire Department. The Fire Department did not apply for a sign permit prior to installing the sign and if they had, they would have been told it was not permitted. Mayor Harshman also reported that flashing illuminated signs are not permitted in almost every town in the County or in Shenandoah County. Mayor Harshman stated that some of the Council may remember that the County Library inquired about installing a similar sign a few years back and the Town said that it was not permitted. Councilman Beachy stated that the sign at Edinburg Trucks is still on, but only during the daytime and maybe a dusk to dawn restriction could be put on these signs. Mayor Harshman stated that the Town told Edinburg Trucks that the sign they had was not permitted, although he has noticed that it has been lit up again lately.

Mayor Harshman reported that he reached out the Zoning Administrator about notifying the Fire Department and Edinburg Trucks that their signs are not permitted by the Edinburg Zoning Ordinance. The Zoning Administrator let the Mayor know that he was not going to enforce the Ordinance and he felt that it should be amended. The Zoning Administrator also mentioned that he thought that the Fire Department sign was doing a community service and should be exempt. Mayor Harshman stated that a sign at the County Library could also fall under this interpretation.

Mayor Harshman feels that if the Town opens the door for these signs everybody may want one and he stated that the subject matter on the sign is irrelevant. Mayor Harshman reported that the VFW does not like the sign since it is constantly changing and they have been getting calls about the Gun Bash on the sign. Mayor Harshman also reported that he doesn't think there is anything that the Town can do to limit this type of sign to First Responders.

Mr. Doug Huffman stated that the Town will not be like Vegas and the Town will have a mutiny on their hands if they turn the sign down. Mayor Harshman stated that they are a distraction and they didn't even apply for a permit, they just put it up. Mr. Huffman asked Mayor Harshman several times if he had a working relationship with the Fire Chief. After some more comments between the Mayor and Mr. Huffman, Councilman Wood stated that the Council needed to get back to business and discuss this. With some further discussion, a motion was made by Councilman Baird and seconded by Councilman Beachy to follow the Town Ordinance and tell the Fire Department to take the sign down. Motion carried, with Councilwoman Wymer-Hollar abstaining. Councilman Dellinger commented that VDOT made the Town shut off the blinking lights on the speed signs. Mayor Harshman suggested that the Planning Commission and the Architectural Review Board may want to set up a meeting with the Fire Department to discuss this further.

With no further business, a motion was made by Councilman Wood and seconded by Councilman Beachy to adjourn the meeting. Motion carried. The meeting was adjourned at 8:33 p.m.

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Daniel J. Harshman, Mayor

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Mary L. Lowerre, Town Clerk