

REGULAR COUNCIL MEETING JUNE 13, 2017

The Edinburg Town Council met in regular session on June 13, 2017. Mayor Harshman called the meeting to order at 7:30 p.m. All Council Members were present, with the exception of Councilwoman Wymer-Hollar. Also present were visitors: Capt. Wes Dellinger and Deputy Justin Thompson from the Shenandoah County Sheriff's Department, Ms. Paige Roberts, Mr. M.E. Hite and Town Maintenance Supervisor, Mr. Ronald Ross.

Councilman Wood acknowledged that it was Capt. Wes Dellinger's birthday. The Town Council wished Capt. Dellinger a "Happy Birthday".

A motion was made by Councilman Beachy and seconded by Councilman Dellinger to approve the minutes of the May 9, 2017 meeting. 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.

Councilwoman Minnick called attention to Mr. Ross's report and to the EEMA report. Mr. Harshman reported that filter #1 is down again. The parts were ordered on May 30th, but it will take 4-6 weeks to get them, so the filter will be down for a while.

Mr. Harshman reported that the State Lab is no longer being used for testing. Mr. Harshman will be going to Lexington with Plant Operator; Ms. Alice Davis to meet with the Health Department on Tuesday, June 27th to discuss the problems with the testing and to make sure that the Town gets back on track and completes all of the required testing.

Mr. Harshman reported that the chlorine contact tank at the WWTP was pumped and cleaned last week. Mr. Harshman reported that they are going to try something new by shutting down half of the WWTP to allow the removal of all the old solids from the RBCs, clarifiers and digester. This opportunity will be used to thoroughly clean the digester and make sure all of the aerators are functioning properly. Once the clean half is placed back on-line, the other half of the Plant will be shut down for pumping and cleaning.

Mr. Harshman reported that there will be more bills coming in for the WWTP and he asked the Council if they would give approval to him to pay the bills as they come in. A motion was made by Councilman Dellinger and seconded by Councilman Beachy to give Mr. Harshman the approval to pay the bills for the WWTP as they come in. Motion carried.

Mr. Harshman reported that the Water & Sewer Committee had asked him to schedule a meeting with Mr. Pete Lau from EEMA, but he hasn't had much luck in scheduling anything yet. Mr. Harshman reported that the EEMA Christmas in July dinner will be on Friday, July 21st at Dan's Steakhouse. The Water & Sewer Committee agreed that they will set up a meeting date with Mr. Lau then.

Mr. Harshman reported that the engineers and DEQ have agreed on a September 1, 2017 date for the completion of the Preliminary Engineering Report for the WWTP. Once completed the quarterly progress reports will be submitted, along with the Discharge Monitoring Reports (DMRs), with the first being due on October 10, 2017.

The Street Committee had no report. Mr. Harshman reported that he has had a number of complaints about how much longer the dumpster will be on Center Street. The dumpster is obstructing traffic and Mr. Harshman asked the Council what they thought was a reasonable amount of time for it to remain there. The Council agreed that it had to be moved by the end of the month.

The Ordinance Committee had no report. Mr. Harshman reported that so far, nothing has been removed at 207 South Main Street and the Town needs to move forward with prosecution. Mr.

Harshman reported that the property owner is now claiming that he plans to run a “Garden Center” at this location to enable him to sell the items being stored there. The Town Treasurer and Mr. Harshman do not feel that he can call what he has a Garden Center and he has not been issued a business license. Mr. Harshman reported that there is a similar problem on the corner of Center Street and Printz Street that is going to require a registered letter to be sent.

Mr. Harshman also reported that a letter was sent to the property owner at 100 South High Street about their guinea hens running at large.

Mr. Harshman reported that a year ago, he was visited by someone from the Department of Conservation and Recreation that reviewed the Floodplain Ordinance and determined that the Town needed to update it. A draft was put together based on the guidelines supplied at that time and was sent in for review and approval prior to adopting the new Ordinance. The Town never received any comments back on the draft; and in May, Mr. Harshman was contacted about the status of the adoption of the new Ordinance. It now seems that they have once again changed the guidelines for the Floodplain Regulations and the Town is going to have to scrap what was done a year ago and use the new criteria. Mr. Harshman hasn't had time to review the changes yet; however, there is not much choice other than to use the new guidelines. Mr. Harshman stated that the Town doesn't really have much developable land in the floodplain; the new Ordinance still needs to comply with FEMA guidelines if the Town wants to be eligible for FEMA assistance in the future.

The Personnel Committee had no report. Mr. Harshman reported that Mr. Wayne Parker, who was hired part-time to mow the cemetery, has left the Town.

The Finance Committee had no report.

The Property Committee had no report. Mr. Harshman reported that the A/C at the Town Office was finally replaced this morning.

The Cemetery Committee had no report. Councilman Beachy reported that there are two enormous dying trees at the entrance to the cemetery that need to be taken down.

Park Committee Chairman, Councilman Wood stated that the pool and park should do well if the weather stays this way.

Mr. Harshman reported that Mr. Ross stated that there were pump issues at the pool which he will check out in the morning.

The Insurance Committee had no report.

Capt. Wes Dellinger provided the Council with a “Calls for Service” report for May. Capt. Dellinger reported that there have been a high volume of calls and that bike patrols have started. Capt. Dellinger also reported that there will be two Neighborhood Watch meetings, on July 5th and July 26th at 6:30 p.m. These meetings will include a tour of the processing center, the jail and the Sheriff's Office.

Mr. Harshman reported that the final draw of \$14,833.95 has been drawn from the CDBG Planning Grant.

Mr. Harshman reported that there was no Tourism Council meeting in May.

Mr. Harshman reported that there was a 25% increase in visitors at the Edinburg Mill from last year at this time.

Mr. Harshman reported that the fence and the yard hydrant have been installed at the Rain Garden at the Mill. Mr. Harshman also reported that the Friends of the North Fork sign has arrived, but has not been installed yet. Mr. Harshman reported that the downspouts have been diverted to control erosion across the parking lot at the Mill and rip-rap leading down to Stony Creek still needs to be installed.

Mr. Harshman also reported in order to move forward with a foot bridge across that area, the Town will need to get approval from the Department of Historic Resources.

Mr. Harshman reported that he attended a VML Regional Supper in Williamsburg. The Virginia Beach Convention Director gave a presentation on Tourism as Economic Development that pointed out the possibilities if you happen to have Virginia Beach's Tourism Budget to work with. Mr. Harshman reported that the insurance representatives talked about preventing cyber breaches and VML/VACo Finance talked about a new investment service they have. Mr. Harshman also reported that the VML staff also gave an overview of the 2017 Virginia Legislative Session. They said that the local government fared well in the most recent session. Mr. Harshman provided the Council with copies of the new legislation passed.

Mr. Harshman reported that the Department of Historic Resources will be doing its annual inspection of the Mill on June 29th as part of the Historic Preservation Easement.

Mr. Harshman reported that the Regional Planning Commission is getting closer to finalizing the maps for the Comprehensive Plan. Once the maps are completed, the Town can move forward on the review and adoption process.

Mr. Harshman reported that the ARB did not meet this month. Mr. Harshman also reported that the Chairman of the ARB, Ms. Heather Holsinger has resigned, so the ARB will need a new member.

Mr. Harshman reported that the Planning Commission will be meeting on Tuesday, June 20th to appoint a new Chairman and Vice Chairman and to schedule a Public Hearing to receive comments on a Special Use Permit application for the old CE Thompson warehouse property.

Mr. Harshman reported that CE Thompson was granted a rezoning in 1989 that allowed them to construct the lumber warehouse on property they were then leasing from the Railroad. They had been storing lumber on the property without a building at the time. They ceased using the building after closing their business a few years ago.

Mr. Harshman reported that when the truck garage burned down at Wholesome Foods, the Thompsons asked if Wholesome Foods could rent the old lumber warehouse until they were able to construct a new garage. Mr. Harshman reported that at the time, it was the Town's understanding that this would be a temporary situation until the new building was built. It now appears that Wholesome Foods is planning to make this a permanent location for the truck garage. Mr. Harshman reported that the Commercial District does not allow a commercial garage as a use permitted by right and would require a Special Use Permit.

Mr. Harshman reported that the Planning Commission will need to hold a Public Hearing to receive comments before making a recommendation and possibly will want to place some conditions on the issuing of the Permit such as screening and specific hours.

Mr. Harshman reported that the Town still needs members for the Planning Commission and still needs two people for the Board of Zoning Appeals.

The Zoning Administrator had no report.

The Town Attorney was not in attendance. Mr. Harshman reported that Mr. Pollack is now appealing the decision on the BZA case to the U.S. Supreme Court. Mr. Harshman also reported that in another case, Mr. G.B. Foltz has been awarded legal fees plus interest that Mr. Pollack must pay.

Mr. Harshman asked Council if he could just read the title for the second reading of an Ordinance to amend Chapter 160, Vehicles and Traffic, § 160.1 Adoption of State Law. A motion was made by Councilman Beachy and seconded by Councilman Dellinger to allow Mr. Harshman to read the title only for the second reading of an Ordinance to amend Chapter 160, Vehicles and Traffic, § 160.1 Adoption of State Law. Motion carried. Mr. Harshman read the title of the Ordinance. A motion was

made by Councilman Wood and seconded by Councilman Dellinger to approve an Ordinance to amend Chapter 160, Vehicles and Traffic, § 160.1 Adoption of State Law . Motion carried. Recorded vote as follows: Van Stee - aye, Dellinger - aye, Beachy - aye, Wymer-Hollar - absent, Minnick - aye, Wood - aye, Harshman - aye.

Mr. Harshman asked the Council to consider an Ordinance to Adopt the Budget for the year beginning July 1, 2017 and ending June 30, 2018. Mr. Harshman asked Council if he could just read the description and enacting clause only of an Ordinance to Adopt the Budget for the year beginning July 1, 2017 and ending June 30, 2018. A motion was made by Councilman Beachy and seconded by Councilman Dellinger to allow Mr. Harshman to read the description and enacting clause only of an Ordinance to Adopt the Budget for the year beginning July 1, 2017 and ending June 30, 2018. Motion carried. Mr. Harshman read the first page of the Ordinance. A motion was made by Councilman Beachy and seconded by Councilman Wood to adopt an Ordinance to Adopt the Budget for the year beginning July 1, 2017 and ending June 30, 2018. Motion carried. Recorded vote as follows: Van Stee - aye, Dellinger - aye, Beachy - aye, Wymer-Hollar – absent, Minnick - aye, Wood - absent, Harshman - aye.

Mr. Harshman asked the Council to consider approving a proposal from Pennoni Associates to complete a Preliminary Engineering Report for the Wastewater Treatment Plant. A motion was made by Councilman Wood and seconded by Councilman Dellinger to approve the proposal from Pennoni Associates to complete a Preliminary Engineering Report for the Wastewater Treatment Plant. Motion carried.

Mr. Harshman reported that the Preliminary Engineering Report is going to cost the Town \$58,000, and wanted to discuss how the Town was going to fund this. Mr. Harshman stated that there were two ways to do this: charging a surcharge to customers or getting a bridge loan. The bridge loan puts a debt service on the Town, but charging a surcharge would not. Mr. Harshman stated that a sewer rate increase could be put on the customer's bill for six months. Councilman Beachy stated that he doesn't know what else to do. Mr. Harshman stated that the Council will need to hold a Public Hearing and then adopt the rate change. Councilwoman Minnick stated that this would be a more feasible option that has a beginning and an end and would be easier to swallow. Councilman Beachy stated that he would be in favor of pursuing this, but would like to stretch it out as long as possible. Mr. Harshman stated that it can't go longer than six months. A motion was made by Councilman Beachy and seconded by Councilwoman Minnick to pursue the concept of doing a surcharge to cover the \$58,000 Preliminary Engineering Report. Motion carried.

Mr. Harshman asked the Council if they would like to leave the Council Committees as they stand. A motion was made by Councilman Beachy and seconded by Councilman Dellinger to approve the Council Committees as they stand. Motion carried.

Mr. Harshman asked the Council to consider appointing Mr. Jay Neal as the Town Attorney for the period beginning July 1, 2017 and ending June 30, 2019. A motion was made by Councilman Beachy and seconded by Councilman Dellinger to appoint Mr. Jay Neal as the Town Attorney for the period beginning July 1, 2017 and ending June 30, 2019. Motion carried.

With no further business, a motion was made by Councilwoman Minnick and seconded by Councilman Dellinger to adjourn the meeting. Motion carried. The meeting was adjourned at 8:16 p.m.

Daniel J. Harshman, Mayor

Mary L. Embrey, Town Clerk