

REGULAR COUNCIL MEETING SEPTEMBER 10, 2024

The Edinburg Town Council met in a regular session on Tuesday, September 10, 2024. Mayor Harshman called the meeting to order at 7:28 p.m. All the Councilmembers were present. Also present were Bobbie Sainz, Beth Burt, Kathy Chapins, Andy Chapins, Don Conard, Carmen Conard, Trey Rorie from the Northern Virginia Daily and Sgt. W.M. Poff from the Shenandoah County Sheriff's Office.

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

Bobbie Sainz inquired about Rails with Trails and expressed concerns about her water and some usage issues on her water bill.

Kathy Chapins, a property owner on Wiers Lane expressed her concerns about issues with the road to the Town's water tower.

A motion was made by Councilman Beachy and seconded by Councilman Baird to approve the minutes of the August 13, 2024 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 the July and August Inboden Reports.

Mayor Harshman reported that he has written the letter to be included with the lead pipe information for the properties that need to be contacted, which should be going out soon.

Mayor Harshman reported that work on the Cave Spring waterline replacement began on August 27th and as far as he knows, things are going well. The mayor stated that they have been hitting some pockets of rock and the Town has been hauling clean dirt in from offsite to replace some of the rocky soil that they are removing and the Town also agreed to haul the rock away on town trucks if needed. The mayor also reported that Jim Long is allowing the Town to dump dirt on his property with the understanding that it can be retrieved if needed and he has a use for anything the Town doesn't need.

The Street Committee had no report. Mayor Harshman reported that the Maintenance Department assisted in installing a concrete pad along the sidewalk in front of the school that will be used during the Ole Time Festival and the sidewalk around the fire hydrant was also replaced in the same area.

The Ordinance Committee had no report.

The Personnel Committee had no report.

The Finance Committee had no report

The Property Committee had no report. Mayor Harshman reported that James Riffey completed painting the doors at the King Cola building. The mayor also reported that he met with the insurance adjuster last week about the HVAC unit that was damaged at the Mill and hopefully he will hear something soon.

The Cemetery Committee had no report. Mayor Harshman reported that he ordered the First Confederate flags for the Wreaths Across America project. The mayor stated that volunteers are still needed.

Councilwoman Wymer-Hollar reported that the pool season finished up on Saturday with the Doggie Paddle. She thanked Ron Ross, Mary Lowerre, Mandy Roberts and Sue Harshman for helping during the pool season and she stated that it was a good season and only one pool party had to be cancelled.

Mayor Harshman reported that the Town had the paving company that did the work at the Wastewater Treatment Plant (WWTP) look at the tennis courts and they gave the Town a price for replacing the asphalt at the tennis courts. The mayor reported that they will mill out and fill the cracks greater than 1 inch with SM 9.5 asphalt and any smaller cracks will be filled with CRS-2 liquid asphalt and then they will install a leveling course of the SM 9.5 surface mix asphalt, followed by 2 inches of fine mix asphalt for a cost of \$34,500. The mayor also reported that there is still around \$29,000 left in the park improvement category of the Town's American Rescue Plan Act (ARPA) funds.

Mayor Harshman reported that the asphalt replacement at the tennis courts will require the Town to take down the fence and possibly remove some of the fence posts. The mayor stated that the Town was told that some of the fence will not be able to be used again because of its condition, which will be an additional cost. He also reported that the Town will also have the expense of painting and restriping the courts. Mayor Harshman stated that if the Council is interested in redoing the tennis courts, new asphalt is the necessary first step. A motion was made by Councilman Wood and seconded by Councilman Beachy to use the remaining ARPA funds allocated for park improvements toward the resurfacing of the Town's 2 tennis courts. Motion carried.

The Insurance Committee had no report. Mayor Harshman reported that there were some age adjustments with the Sun Life Disability & Life Insurance, which caused some increases.

The Health and Safety Committee had no report. Sgt. Poff called attention to the August Calls for Service Report and Councilman Wood reminded Sgt. Poff about needing extra deputies for the Ole Time Festival.

Mayor Harshman reported that he and VDOT met at Madison Village for a meeting to talk about the inspection report that was scheduled by David Madison who decided not to attend. The mayor stated that David Madison requested documentation showing that enough time has passed for the work to be completed, so the mayor sent him the documentation along with some Code Sections by certified mail. He also copied this to VDOT and the Bank that issued the Letter of Credit. He also reported that VDOT walked the site with representatives from G.B. Foltz Contracting, who he asked to give an estimate to correct all the items on VDOT's Inspection Report and he is hoping that the \$233,000 in the Letter of Credit will be enough to complete the work.

Mayor Harshman reported that the Town Attorney contacted an Attorney in Harrisonburg to handle the issue with Wiers Lane if it becomes necessary. He also reported that the Commonwealth Attorney reviewed the information that the Town Attorney provided about the Wiers Lane property owners and agrees with the Town on the use of the easement to access the Town's property and the right to use the property as the Town sees fit.

Mayor Harshman reported that T-Mobile was able to place the concrete base for their equipment and Dominion Energy has completed the electrical work at the water tank. He also reported that Shentel ran into some easement issues for bringing fiber into the Town's property and were looking at coming in from the end of Shenandoah Avenue if they had to.

Mayor Harshman reported that since the Town is planning to resurface Wiers Lane because of the damage caused by the dump trucks during WWTP upgrade, the Town contacted the company that handled all of the paving involved with the project. The Town received a quote for \$25,700 to tar and chip Wiers Lane from the end of the paved section of Taylortown Road to the far end of the Town's property as well as the parking area at the elevated tank. The mayor reported that the proposal includes cleaning the existing surface of loose debris and installing a leveling course of SM 9.5 surface mix asphalt which will be topped with two-layer tar and chip using CRS-2 liquid asphalt and #8 VDOT stone.

Mayor Harshman reported that he sent an email to Cyndy Leonard at USDA explaining the situation and letting her know that the Town might be requesting reimbursement for this. The mayor learned that Cyndy Leonard got promoted and is now working in Washington, D.C. and the person that took her place was not comfortable with making the determination of whether this was a reimbursable item

or not. Mayor Harshman reported that her replacement reached out to the State Engineer for Rural Development in Richmond who requested a meeting with the mayor and Karl Schaeffer to discuss the situation further. The mayor and Karl Schaeffer had a Zoom meeting that lasted about an hour with the Engineer going back and forth about whether this could be a reimbursable expense. The mayor reported that the work finally ended up being a covered expense since Cyndy Leonard had already approved the additional \$48,000 that was spent on upgrading the main road in and out of the WWTP. The Town had already been reimbursed for that work and has approval to consider the proposal for Wiers Lane that will be discussed later under New Business.

Mayor Harshman reported that he has not received the minutes from the August Tourism Council meeting yet. He also reported that many of the local businesses and attractions said that July was a slow month for local tourism.

Mayor Harshman reported that the numbers at the Mill were slightly lower in July and August, but the sales at the gift shop are 24% ahead of last year.

Mayor Harshman provided the Council with information about the 80th Anniversary D-Day event at the Armory in Woodstock on October 5th - 20th.

Mayor Harshman reported that the Towns, the County and the Chamber of Commerce are still meeting to work on ways to promote local businesses for the holiday season and the group is currently working with a couple of local artists on creating a comic strip to promote shopping local for the Holidays.

Mayor Harshman stated that he has not received any other information about the Town & County Dinner at Box Office Brewery on October 23rd.

The Architectural Review Board did not meet.

The Planning Commission did not meet.

There was one Zoning Permit issued:

1. Robert & Robin Shoemaker
96 Railroad Ave.
House

There was no report from the Town Attorney.

Mayor Harshman reported that the WWTP is still operating well and the testing has been below the permitted levels. The mayor reported that he still has not heard anything from the DEQ about closing out the Consent Order. He also reported that the Town received notification that the County has closed out the E&S Permit for the project and has completed the final inspection.

Mayor Harshman reported that WGK Construction was scheduled to remove the remaining silt fence yesterday. He also reported that the Engineer completed the last change order for the final payment to WGK, but the Contractor is questioning a number of things including the need to charge liquidated damages for missing the completion benchmarks on the project. The mayor is hoping that this will get resolved quickly so the Town will know the actual amount of funds that are left in the project. The mayor also reported that there are going to be \$27,000 in additional Engineering fees because of the delay in WGK completing the project and the additional oversight that has been required by the Engineer.

Mayor Harshman reported that Inboden and the Engineer have been discussing the addition of sensors and monitoring equipment to track dissolved oxygen at the aeration basins. Mark Inboden was able to share a recent quote that he had gotten in July for the Town of Bowling Green for this type of equipment at a cost of \$11,264 and the mayor plans to run this by USDA as a possible purchase.

Mayor Harshman stated that it was planned for the Town Crew to install the new railing on the two clarifiers at the Plant, but they have not been able to get to it yet since they are really busy this time of the year. The mayor reported that the Town reached out to Patterson Construction about doing the installation and the Town is planning to ask them if they will do it on a time and material basis not to exceed the lump sum of \$11,744. A motion was made by Councilman Beachy and seconded by Councilman Wood to have Patterson Construction complete the installation of the aluminum railings on the clarifiers for an amount not to exceed \$11,744. Motion carried.

Mayor Harshman reported that there are a number of things that should be able to be covered by the remaining USDA funds once the Town gets the final number for how much is remaining after the final payment to WGK.

Mayor Harshman asked the Council to consider a Proclamation declaring September 17-23, 2024 as Constitution Week. The mayor read the title of the Proclamation. A motion was made by Councilman Beachy and seconded by Councilman Dellinger to adopt the Proclamation declaring September 17-23, 2024 as Constitution Week. Motion carried.

Mayor Harshman asked the Council to consider the proposal from RNJ Asphalt Paving Co. to tar and chip Wiers Lane for a total cost of \$25,700. A motion was made by Councilwoman Reistetter and seconded by Councilman Beachy to accept the proposal from RNJ Asphalt Paving Co. to tar and chip Wiers Lane at a total cost of \$25,700. Motion carried.

Bobbie Sainz thanked the Council for all that they do and stated that it was nice to see Radar back out picking up trash around town.

Carmen Conard seconded Mrs. Sainz's comment about the Council and stated that she has lived in Edinburg for 20 years. She also stated that she is a member of the Daughters of the American Revolution and thanked the Council for celebrating Constitution Week.

Councilman Beachy stated that after the Wiers Lane discussion today, he thinks that in the future, the Town Council should ask people to provide any information they want to present prior to the meeting in writing. Councilwoman Reistetter agreed with Councilman Beachy.

Councilman Wood reminded everyone to get ready for the Ole Time Festival and stated that he still needs help with the Parade.

With no further business, a motion was made by Councilman Wood and seconded by Councilman Dellinger to adjourn the meeting. Motion carried. The meeting adjourned at 8:30 p.m.

Daniel J. Harshman, Mayor

Mary L. Lowerre, Town Clerk