

**MINUTES OF THE TIMBERVILLE TOWN COUNCIL MEETING  
AUGUST 13, 2015**

The regular monthly meeting of the Timberville Town Council was held Thursday August 13, 2015 at 7:00 p.m. in the Timberville Council Chambers with Mayor Donald Delaughter presiding.

**MEMBERS PRESENT:** Robert Blosser, Sharon Jones  
Ned Overton, Juanita Price  
Todd Thomas, Carl Turner

**PRESENT:** Austin Garber, Town Manager  
Wilda Wine, Clerk/Treasurer  
Chief J. R. Dodd  
Mark Callahan, Town Attorney  
Beverly Garber, Town Historian

**GUESTS:** Dusty Whetzel

**MINUTES:** A motion was made by Carl Turner and seconded by Sharon Jones to approve the minutes of the June 11, 2015 meeting and the minutes of the July 9, 2015 meeting as presented. The motion carried with all members voting in favor.

**TREASURER'S REPORT:**

General Fund	\$209,233.00
Water/Sewer	\$286,586.99
Savings Acct.	\$818,225.23
Loan Balance	\$508,964.05

Wilda Wine reported that the auditors had been at the office July 28<sup>th</sup>-July31<sup>st</sup>. They are now in the process of completing the FY 2014-15 audit.

**BILLS FOR PAYMENT:** A motion was made by Ned Overton and seconded by Todd Thomas to approve the bills for the months of June and July 2015. The motion carried with all members voting in favor. The question was raised concerning the mowing of the lawns that violated town ordinances and how the town could make sure the costs were recouped. Mark Callahan will draft a form to file a lien for the cost of mowing at the clerk's office on the real estate to be added to the real estate taxes.

**POLICE REPORT:** Chief Dodd reported that Steve Scholten has been hired as the new police officer effective hire date August 14, 2015. There now will be two officers on duty for the weekend and the 24 hour coverage will be substantially increased dependent upon vacations and time off.

Chief Dodd asked Council to remove the funds allocated for tasers from the FY 2015-16 so that the funds could be used for five rifles. Each officer would have a town issued rifle on which everyone would have the same training. A motion was made by Carl Turner and seconded by Sharon Jones to approve the change to the police capital outlay portion of the budget. The motion carried with all members voting in favor. Chief Dodd will seek permission from the Attorney General's office to purchase the tasers instead of the requested number of body armor from their allocated funding. Only one set of soft armor and one set of hard armor is currently needed. A second request was made by Chief Dodd to reallocate monies budgeted for body cameras and computers in the FY 15-16 budget. The actual costs for these

items will be approximately \$20,000 less than budgeted. He would like to use \$8000 of the money saved to upgrade the new police car from a Ford Explorer to a Chevy Tahoe. A motion was made by Todd Thomas and seconded by Carl Turner to allow for the upgrade of the police car since there would be no increase in the budget. The motion carried with all members voting in favor.

**PUBLIC WORKS:** A list of the jobs completed by the maintenance department was given to council for the months of June and July. Austin Garber reported that there had been an increase in the number of odor complaints recently. He has been reporting them to the DEQ. Austin also obtained a copy of the 2008 consent order that DEQ sent Whitewave. On August 12, 2015 there was a significant odor problem, but DEQ had no one available until after 1:00 pm. However when DEQ arrived at 3:00 p.m. there was still a distinctive odor. Keith Fowler with DEQ contacted Pilgrim's Pride. A copy of the correspondence between DEQ and Pilgrim's pride will become part of these minutes. The answering service has also been notified that calls will be directed to them concerning odors on the weekend. They will in turn contact Austin Garber so he can send immediate emails. The number of the answering service will also be posted on the website. Austin Garber is still working on the resistivity testing and he will contact Dr. Scott Eaton at JMU concerning his availability to assist. The water tank project is progressing. There will be a meeting August 18<sup>th</sup> concerning an issue with the construction easement. The town had hoped to use an easement across Seth Turner's property, but he now has the house for sale and does not want to grant an easement for heavy equipment. Austin Garber stated that if he could contact the new owner he would approach him about an easement. If that is not possible the contractor will use the permanent easement past the old water tank. A preconstruction meeting was held with Walmart's contractors. The general contractor has secured the required business license and zoning permit. The contractor estimates two week needed for mobilization and the demolition of the house two weeks later. There will be a ground breaking ceremony with Walmart Officials, Town Officials, and the media to be scheduled. Chris Coffman has submitted a list of sewer lines to be treated by Dukes Root Control. This will probably take place within two or three weeks. John Coffman at Broadway's Waste Treatment Plant has been gathering data during rain events for the Town of Timberville. Timberville's flow is going back to normal after a large rain event within 36 hours. This improvement could be attributed to the Church Street sewer project and other sewer improvements made by the maintenance crew. A meeting was held with representatives of the Little League to obtain any ideas the organization would have for the park. A meeting will be scheduled with the Park Committee. Austin Garber presented the program for the Broadway-Timberville Rotary Club meeting. There is a sink hole in the lot behind the pool. The maintenance crew plans to dig it out to see why it is reoccurring.

**BUSINESS AND INDUSTRY:** Attorney Mark Callahan presented council with a resolution for approval to reappoint Andy Turner and Tom Campbell to the Timberville Economic Development Authority. A motion was made by Ned Overton and seconded by Sharon Jones to adopt the resolution. The motion carried with all members voting in favor. A meeting for the board of the EDA will be scheduled. Ned Overton, chairman of the Business and Industry committee reported that there had been an inquiry about using the old warehouse on Storage Lane for an antique flea market. Several issues would have to be addressed such as occupancy, fire marshal requirements, and VDOT entrances. The Economic Development Department from Rockingham County has been invited to tour the town and surrounding areas to find possible locations for future businesses. Michele Bridges, Manager of Economic Development and Tourism and George Anas, Assistant County Administrator, will meet with the Town Manager and Ned Overton.

**ZONING ACTIVITY:** Wilda Wine reported the following zoning activity for the month:

3300 Legion Way, new fence      14740 Justice Crossing, addition to a deck

49 Zigler Lane, roof over existing porch      15 Storage Lane, an accessory building

3091 Patriot Court, a deck      375 South Main Street, Walmart Store

Food Lion Plaza- two signs

**PARKS AND RECREATION:** Town Manager Austin Garber stated he had met with Erin Yancey of the Central Shenandoah Planning District to discuss a master plan for the park. She will give the town a cost proposal for the master plan.

There was discussion if there was still a directional sign to the park. The Town Manager will check. After discussion about the new gateway signs to be erected, it was decided to put the information on Facebook and receive input from the citizens as to what they would like to see on the sign. Currently the sign has been designed with the covered bridge. Inquiries will be made concerning the construction of the sign, if the material is cleanable, to prevent vandalism. Solar lighting is being discussed. Austin Garber will check with VDOT on regulations for the signs concerning lighting. Council will make a decision at the September meeting. Sharon Jones reported that four crepe myrtles will have to be removed from the median when the entrances are made for the medical center.

**FINANCE:** Robert Blosser asked if the out of town contractors had gotten their business licenses. Two businesses have gotten to date, Lantz Construction and JA Fielding Construction. Two other contractors will receive a second notice. These license fees will be kept separate on the year to date budget.

**PERSONNEL:** There has only been one applicant for the Planning Commission vacancy. Sharon Jones stated she would like to see it posted on the web site before approving a candidate. Don Delaughter and Carl Turner both stated they had asked several people and no one seemed interested in serving. A motion was made by Carl Turner and seconded by Ned Overton to appoint Karl Magenhofer, 15505 Forestville Road to fill the vacancy left by Philip Ritchie, Jr. The motion carried with Carl Turner, Robert Blosser, Todd Thomas, Ned Overton, and Juanita Price voting in favor. Sharon Jones opposed.

**PLAINS DISTRICT MEMORIAL MUSEUM:** Historian Beverly Garber gave a report on historical events in Timberville and a report on the German Baptist Tour group. Wilda Wine reported 229 volunteer hours for the month and membership at 181. There were 96 visitors including the 39 German Baptists from six states on tour of the valley. Current exhibit is titled "Churches in the Plains District"-1740-1940. There is also a small woodworking exhibit by John Coffman. Heritage Day is scheduled for Saturday September 26<sup>th</sup>.

**OTHER BUSINESS:** Austin Garber reminded Council of the VAIL Invitation they had received and the upcoming VML Conference to be held October 4<sup>th</sup>-6<sup>th</sup>. Any council members interested in attending should let the Town Manager know as soon as possible. Thank you cards were read from the Village Library, the Broadway Bruins Baseball, and from Michele Dean.

**PUBLIC COMMENT:** Dusty Whetzel asked if the property owners were being notified about properties not being mowed since a lien could be assessed. It was explained that the property owners were notified, not the renters of the property. The water runoff problem on Maple Avenue was also discussed, but there has been no action taken to date.

**CLOSED SESSION:** A motion was made by Carl Turner to go into closed session pursuant to the Freedom of Information Act section 2.2-3711.1 to discuss personnel and section 2.1-3711.7 to consult legal counsel pertaining to litigation.

**OUT OF CLOSED SESSION:** A motion was made by Carl Turner to come out of Closed Session stating that only personnel and litigation were discussed. A roll call vote was taken stating that fact:

Carl Turner- yes	Robert Blosser- yes	Todd Thomas-yes
Ned Overton- yes	Sharon Jones- yes	Juanita Price-yes
Donald Delaughter-yes		

**ADJOURNMENT:** No further business, the meeting adjourned.

**RESPECTFULLY SUBMITTED,**

---

Wilda Wine, Clerk

---

Donald Delaughter, Mayor