

**MINUTES OF THE TIMBERVILLE TOWN COUNCIL MEETING
NOVEMBER 12, 2015**

The regular monthly meeting of the Timberville Town Council was held Thursday November 12, 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
Carl Turner

PRESENT: Austin Garber, Town Manager
Wilda Wine, Clerk/Treasurer
Chief J. R. Dodd
Mark Callahan, Town Attorney
Nolan Stout, Daily News Record
Karl Magenhofer, Planning Commission

GUESTS: Abbey Jessup

PLEDGE OF ALLEGIANCE: Mayor Delaughter led the group in the Pledge of Allegiance to the American Flag.

MINUTES: A motion was made by Carl Turner and seconded by Sharon Jones to approve the minutes of the October 8, 2015 Timberville Town Council meeting with the following changes:
Under the Public Works section concerning Broadway Wastewater Treatment it should read once "notice" of improvements has submitted to the town, the town has 45 days to dispute. No notices have been received to date. The motion carried with all members voting in favor.

TREASURER'S REPORT: General Fund	\$163,822.31
Water Sewer	\$271,291.69
Savings Account	\$818,225.23
Loan Balance	\$482,131.55

Treasurer Wilda Wine reported that the staff is working on the real estate and personal property taxes to be mailed November 20th. There has been no word on the progress of the audit.

BILLS FOR PAYMENT: A motion was made by Juanita Price and seconded by Carl Turner to pay the bills as presented. The motion carried with all members voting in favor.

POLICE REPORT: Chief Dodd reported that he had used the traffic counter on Orchard Drive prior to the Fall Festival at Showalter's Orchard and then again the day of the event. The traffic volume doubled that day however the speed of the vehicles did not vary. The emergency equipment, radar and radio for the new Ford SUV have arrived and will be installed. The vehicle should be in service within a month. He is still waiting for a letter from the Attorney General's Office concerning the changes to the grant. The new graphics are finalized and will be put on the Dodge Charger first. The department is working with Shenandoah Technology to update the computer system in the police department. This upgrade will store the data from the camera units and make a more secure backup. A quote for this equipment will be received, but the cost of this upgrade is included in the 2015-2016 FY budget.

PUBLIC WORKS: Town Manager Austin Garber explained that there was no list of work completed by the maintenance staff for the month since Chris Coffman is on vacation. A list will be emailed to council when Chris returns. He stated that the only item that he had added to the project list were the garage doors installed at the shop. The amount budgeted for the doors was \$2500. The actual cost was \$1915.00.

Mayor Delaughter had asked for a breakdown of the construction loan to date to make sure the town did not exceed the 1.5 million dollars allocated for construction projects. Austin Garber reported the cost of Church Street project was \$678,046.00. The water tank will cost \$495,942. The bids for the water line improvements were \$149,652 for the line from Lone Pine Drive to Walker Way and \$77,944.00 for the line from Lone Pine Drive to Legion Hills. Engineering costs were \$89,463.00 which included \$31,450 required for the USDA funding that the Town decided not to use. Total construction projects to date total \$1,465,428.00.

Alger's Excavation was the low bidder on both water line projects. Austin Garber explained that the route of the water line had been changed to go through the common area of the Timber Hills subdivision. He asked council to approve going ahead with that line, and holding off for a while on the Lone Pine Drive to Legion Hills until easements could be worked out. A motion was made by Robert Blosser and seconded by Ned Overton to award the contract and proceed with the line from Lone Pine Drive to Walker Way provided that all items such as insurance, bonding, and the handling of change orders are addressed and that a completion date is given. The motion carried with all members voting in favor.

OUTDOOR FURNACE ORDINANCE: Mark Callahan presented council with a draft ordinance and the Planning Commission recommended that the ordinance be approved and adopted. Questions arose concerning grandfathering existing structures and set back requirements. Mark Callahan stated that the draft ordinance was just a starting place if council wished to set their own setbacks and provisions for existing structures. The planning commission will look at the ordinance further. A motion was made by Ned Overton and seconded by Sharon Jones to table the ordinance until the next council meeting. The motion carried unanimously.

REVISED SITE PLAN FOR WALMART: A request has been received from Walmart to delay the construction of the kiosk and gas pumps. It is necessary for the council to approve this revision to the plans since proffers were offered that if significant changes were made, they must be approved by the council. Mark Callahan stated that if the store is not built to the specifications of the plans, the occupancy permit can be denied. He stated that if no one had a problem with the change, they could vote to approve it. If someone has a problem, a special meeting will be held in December at which time Walmart's attorney Tom Kleine would be present to answer questions before any action was taken. Robert Blosser stated that council should remember that Walmart offered the terms of the proffers to the town as a condition of the re-zoning. He also asked if the change of plans would affect the soil erosion plan approved by Rockingham County. A new plan has been submitted to Rockingham County. The town has not seen the erosion plan and the county is reviewing it. Ned Overton and Carl Turner both stated they would like to know the reason for the change. Mark Callahan stated that council had three options: they could approve the change, they could approve the change with a definite time frame for the construction of the fueling station, or they can require Walmart to build it as designed. If council requires Walmart to build according to the current plans, they can go before the Board of Zoning Appeals. Currently the infrastructure is still being installed for the kiosk and fueling stations. Robert Blosser also asked if the letter received from Walmart was the proper procedure to request an

amendment to the proffers. Mark Callahan stated that the letter would serve as the request. Council agreed to hold a special meeting on December 10th 7:00 p.m. to hear from Walmart's representatives and make a decision. Questions to be addressed would be the economic impact and the reason for the change. This meeting will be open to the public, but it is not a public hearing and there will be no comments taken from the public.

PLAINS AREA DAY CARE: A request has been received from the Plains Area Day Care requesting 5 hours a month maintenance work. Questions arose concerning workmans' compensation issues and liability. It was suggested that the maintenance staff could be asked if they wished to volunteer their time off duty. Robert Blosser stated that another option would be to send a donation. No action was taken.

VDOT MEETING: There will be a meeting concerning VDOT's projects and priorities in Verona at the Augusta County Government Center on November 19th 4:30-6:30 p.m.

BUSINESS AND INDUSTRY: No report.

ZONING ACTIVITY: Wilda Wine reported the following zoning activity:
257 Center Street- an accessory building
3405 Legion Way, 3395 Legion Way, 3385 Legion Way, 3375 Legion Way, 3365 Legion Way- new dwellings
320 Third Avenue- new porch

TOWN ENTRANCE SIGNS: The signs have been ordered. There has been no response regarding the sign at the park.

COSNER CONSTRUCTION BOND: Randy Cosner has submitted a new bond for the streets in the Legion Hills Subdivision. Brad Riggleman of VDOT did a drive through and an assessment of the streets in Legion Hills. He will provide Randy Cosner a punch list to be completed so that the streets can be taken into VDOT's system. Robert Blosser asked who was currently plowing the streets. The town employees have been plowing the streets in Legion Hills and the town is reimbursed by VDOT. Once the items required by the VDOT punch list are completed, the town can request by resolution for the streets to be taken into the VDOT system.

PARKS AND RECREATION: Sharon Jones asked if the town maintenance crew could remove the concrete island in front of the old pool house. It was suggested that improvement be added to the park plan for the future, so that it could be included in any grant applications. The maintenance crew could go ahead with removal of the island and possibly it could count as part of the town's portion if any grants were awarded. Sharon Jones asked Austin Garber to check out some playground equipment coming up for auction on Saturday at Laughlin's Auction. Austin Garber and Wilda Wine will check on prices of similar equipment and decide if a bid should be placed.

FINANCE: Chairman Robert Blosser stated that the audit for FY 2014-2015 had not yet been received. He asked about the status of the liens on real estate and personal property taxes. Mark Callahan stated that personal property taxes can be collected back five years. Real estate can be collected back twenty years. A judgement could be filed for personal property taxes at a cost of \$58.00. Real estate taxes are collected at time of sale or foreclosure sale. They can also be collected for the town by Rockingham County by advertising the property for sale. Mayor Delaughter asked council if they were good with the way taxes are currently being collected. The town will continue sending notices on delinquent taxes

and working with the county for collection of real estate taxes. There is only one out of town contractor who has not gotten its business license. Mark Callahan has been in contact with them, and they will be in next week to get their license.

PLAINS DISTRICT MEMORIAL MUSEUM: Wilda Wine reported 365 volunteer hours logged, 125 visitors for the month and current membership 111. The next exhibit will be “Public Transportation Comes to Plains District”. It will feature history, toy trains and other railroad memorabilia. The museum has received a letter of commitment for a loan at the bank if needed for the lecture hall project. Lantz Construction will be doing the work and it should start by the first of the year.

PERSONNEL: Sharon Jones made a motion to have an appreciation dinner for the town employees. Juanita Price seconded the motion. The motion carried unanimously. Wilda Wine will check on making arrangements for the dinner.

Mayor Delaughter stated that he had met with Chief J. R. Dodd and Town Manager Austin Garber to discuss goals. A copy of these goals will become part of these minutes.

OTHER BUSINESS: The tree lighting will be held Monday November 23rd at 6:30 p.m. J. Frank Hillyard Band and Chorus will perform. Ned Overton showed council the ornaments that will be handed out to attendees of the tree lighting. The remainder will be donated to the museum for a fundraiser.

Robert Blosser stated that he was willing to actively work to get the addresses of the annexed area changed from Broadway to Timberville. Mayor Delaughter stated he would work with him to try to get the post office to reconsider the town’s request.

ADJOURNMENT: No further business, the meeting adjourned.

RESPECTFULLY SUBMITTED,

Wilda Wine, Clerk

Donald Delaughter, Mayor