

**MINUTES OF THE TIMBERVILLE TOWN COUNCIL MEETING
MAY 11, 2017**

The regular monthly meeting of the Timberville Town Council was held on May 11, 2017 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
J. R. Dodd, Police Chief
Mark Callahan, Town Attorney
Melinda Cleaver, Office Assistant
Chris Coffman, Maintenance Supervisor
Beverly Garber, Town Historian
Karl Magenhoffer, Timberville Planning Commission
Nolan Stout, DNR
George Toscano, Commander American Legion Post 278

GUESTS: Paula and Larry Bowman
Dusty Whetzel, Benjamin Cardosa, Christal Yowell and
20 students from Broadway High School

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 Juanita Price to approve the minutes of the April 13, 2017 Town Council meeting as presented. The motion carried with all members voting in favor.

TREASURER'S REPORT: General Fund	\$145,472.59
Water/Sewer Fund	\$181,979.32
Savings Accounts	\$1,046,886.13

Treasurer, Wilda Wine, reported that the first payment had been made on the new loan in the amount of \$9781.70.

BILLS FOR PAYMENT: A motion was made by Sharon Jones and seconded by Todd Thomas to pay the bills as presented. The motion carried with all members voting in favor.

POLICE REPORT: Chief Dodd reported that the police department helped with Morning With My Friends Preschool trike-a-thon held in Broadway. He stated he is working with the Fire Department planning the August 1st Night Out event to be held on the Walmart property. The police department has been working to improve compliance with the town ordinances and many violations are being corrected.

Chief Dodd asked council if the FY 16-17 budget could be amended to allow for the purchase of one of the new police vehicles. The Ford Explorer that Mike Thompson is driving is experiencing electrical issues and transmission problems. The cost of two vehicles was proposed in the FY 17-18 budget. If the current budget could be amended so that one of the vehicles can be purchased, the change would be reflected in the FY17-18 budget. It has become a safety issue and no one has been able to find the cause of the electrical problems. The vehicle is in stock and can be purchased within a day or two of approval of the budget amendment. Robert Blosser stated he had no problem because the money was allocated to be used from the savings account. Carl Turner made the motion because of safety issues to hold a public hearing on May 23rd for the purpose of amending the FY 16-17 budget by \$40,000 and lowering the new FY17-18 budget by that amount. Ned Overton seconded the motion. The motion carried with all members voting in favor.

ADOPTION OF SECTION 5.1.1 Motor Vehicle & Traffic Ordinance: Carl Turner made the motion to adopt Section 5.1-1 of the Virginia Code for Motor Vehicle and Traffic ordinances effective July 1, 2017. This is done annually to allow police officers to charge offenses under the Virginia Code. Todd Thomas seconded the motion. The motion carried with all members voting in favor.

PUBLIC WORKS: Austin Garber gave council a list of jobs completed by the maintenance department since the last meeting. Town Manager Austin Garber presented the proposal submitted by Bill Holtzman for a lot line revision for his properties listed as Timberville Lot LLC and Route 211 Timberville Station. The lot line revision will allow for the construction of the new building without building over lot lines. The revision will not create any non-conforming lots. The Planning Commission reviewed the proposal and recommended that council approve the revision. Robert Blosser made the motion to vacate the lot line. The motion was seconded by Juanita Price and carried with all members voting in favor.

TUSING PROPERTY AT 304 SECOND AVENUE: Mark Callahan stated there had been no response from the property owner concerning plans for the property, payment of delinquent taxes totaling \$1872 and violations of the nuisance ordinances for mowing and inoperable vehicle. Austin Garber was asked to check with Rockingham County since they condemned the property as unsafe, if they can secure the property. If the town takes possession of the property for unpaid taxes, the town would bear all costs for demolition, therefore, Robert Blosser asked the town manager to get estimates for demolition and an official appraisal of the lot after demolition. Also a title exam needs to be performed to determine if there are any other debts against the property. After the research is completed, the matter will be discussed again at the June meeting. Once a decision is made, the property owners will be sent a notice describing the actions being taken by the town.

Other business discussed included reallocating \$15,000 from the FY 16-17 budget to fix the problems at the Legion Hills Pump Station. A public works committee meeting will be set up to discuss possible water sources and proposals for resistivity testing. Chris Coffman stated that the spring is not running as strong. Repairs have been completed at the pool including a new chlorination system and fixing piping. There is still a need for lifeguards. The last time the town had a special trash pickup it yielded 7.9 tons. The big trash pickup this time resulted in 40.02 tons. Austin Garber stated that he checked after the last heavy rain event and there was no water problems at Margaret Clines at 196 Virginia Avenue. He stated that VDOT is looking on Route 211 to determine where entrances can be placed for the vacant property owned by the Garbers. They are also looking at a possible entrance on American Legion Drive. A new zoning permit was issued to the Farmers and Merchants Bank. A new bank building will be built on the property they purchased from Dan Perry on New Market Road. The original permit was for remodeling the existing building, but the bank determined it was more feasible to demolish the building and rebuild.

FY 17-18 PROPOSED BUDGET PUBLIC HEARING: Mayor Delaughter opened the public hearing and asked Finance Chairman Robert Blosser to review the proposed budget. Mr. Blosser explained to the audience that the Town was required by law to present a balanced budget. He explained that the proposed budget included the purchase of a mini excavator and two police cars. Currently the proposed budget totals \$2,055,031.34 after amending the FY 16-17 budget to purchase one of the police cars. The budget could be reduced if 0% financing can be obtained for the mini- excavator. There are no proposed rate increases for services and capital outlay purchases will be paid for from existing savings. Mayor Delaughter opened the hearing for public comment. Hearing none, the public hearing was closed. The budget in its final form will be adopted at the June 8, 2017 council meeting.

UPDATE ON AMERICAN LEGION PROPERTY: Mark Callahan stated that the American Legion has hired an attorney. As soon as clarification is made if the transaction needs to be executed by “trustees” or “officers” the process will proceed.

BUSINESS AND INDUSTRY: Robert Blosser stated in reference to the food vendors at the July Jamboree being held in the park by Chris Messina, that the town has no choice with the current BPOL ordinances but to charge a minimum license fee. This will also apply to all retail vendors. The only exemptions will be yard sale participants and non-profit organizations. Austin Garber will send the ordinances to Mark Callahan for review and suggestions for future events.

Austin Garber stated that a preliminary site plan has been received from Auto Zone for the BB&T bank property. The intent is to demolish the current bank building and lease the lot.

ZONING ACTIVITY: Wilda Wine reported the following zoning activity for the month:
288 Church Street- new porch 181 Maple Avenue- accessory building
302 Montevideo Street- addition to porch 31 Enterprise Lane- Roof over a deck

PLANNING COMMISSION MEETING CHANGE: The Planning Commission voted to move their monthly meetings to the third Thursday of every month at 7:00 p.m.

PARKS AND RECREATION: Sharon Jones stated that she will be planting flower barrels and asked for help with the watering.

COMCAST FRANCHISE AGREEMENT: Austin Garber explained that the current contract was for ten years and an automatic five year renewal. Cable Act Rule 626 allows for looking at the agreement every seven years. He is also looking at getting cable service to the pool and shop as part of the agreement. A motion was made by Robert Blosser and seconded by Ned Overton to adopt the agreement with a seven year review. The motion carried unanimously with all members voting.

PERSONNEL: A motion was made by Robert Blosser and seconded by Sharon Jones to amend the current personnel policy dealing with overtime to read that “sick leave, compensatory time, and vacation do not count towards the 40 hours actually worked” to be eligible for overtime compensation. The motion carried with Robert Blosser, Todd Thomas, Carl Turner, Sharon Jones, and Juanita Price voted in favor. Ned Overton opposed the motion.

A motion was made by Robert Blosser and seconded by Todd Thomas to adopt the amended Personnel Policy and Vehicle Use Policy with the addition that the Town Manager must give prior authorization for

any use of a Town vehicle other than job related duties. The motion carried with all members voting in favor.

PLAINS DISTRICT MEMORIAL MUSEUM: Beverly Garber read historical happenings and events for Timberville. Wilda Wine reported 121 visitors from April 13- May 11. Total volunteer hours logged with 168. The current exhibit through the summer is "Early Medicine in Plains District". Smaller exhibits include Folk Art and Bird Haven. There will be a special Memorial Day Program featuring Robert Reedy's band Shenandoah Valley Minstrels on May 28th at 2:00 p.m.

PUBLIC COMMENT: None

ADJOURNMENT: No further business, the meeting adjourned.

RESPECTFULLY SUBMITTED,

Wilda Wine, Clerk

Donald Delaughter, Mayor