

MINUTES OF THE TIMBERVILLE TOWN COUNCIL MEETING

FEBRUARY 8, 2018

The regular monthly meeting of the Town of Timberville Council was held Thursday, February 8, 2018 in the Town's council chambers with Mayor Donald Delaughter presiding.

MEMBERS PRESENT: Robert Blosser, Ned Overton
Todd Thomas, Carl Turner

PRESENT: Austin Garber, Town Manager
Wilda Wine, Clerk/Treasurer
Mark Callahan, Town Attorney
J. R. Dodd, Police Chief
Melinda Cleaver, Office Assistant
Beverly Garber, Town Historian

GUESTS: Paula and Larry Bowman
Dusty Whetzel

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

APPROVAL OF MINUTES: A motion was made by Carl Turner and seconded by Ned Overton to approve the minutes of the January 11, 2018 council meeting as presented. The motion carried with all members voting in favor.

TREASURER'S REPORT: General Fund	\$ 80,591.69
Water/Sewer Acct.	\$ 229,060.79
Savings Account	\$1,086,579.47

Robert Blosser asked if the loan balance could be included in next month's report.

BILLS FOR PAYMENT: A motion was made by Ned Overton 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 Officers Scholten and Thompson apprehended suspects in a fraud case in Harrisonburg. The suspects were from Michigan and appear to be involved in a regional crime spree. Officer Scholten is working with other agencies including the FBI to see if this will become a federal case crossing state lines.

Chief Dodd asked council for a verbal commitment to join with Harrisonburg City, Rockingham County, and James Madison University in the purchase of new software. The town's cost will be approximately \$40,000 to purchase new computer systems for the cars and licensing fees. The computers currently in the vehicles are 12 years old and will not support Windows 10 for the software. Harrisonburg needs an

answer by February 9th so they know how many agencies will be participating in the purchase of the software. In addition to the \$40,000, Chief Dodd also requested \$7000 for e-ticket software. This software will enable the ticket entries to go directly to the Supreme Court and back to the local court system within 24 hours. A paper copy will also be printed on site. These allocations would not be paid out until FY 18-19 and the Town's portion of the joint licensing fees possibly not due until 7/1/19. The cost of the licensing for the e-ticket software could be recouped if the Town approved an ordinance that would add \$5.00 to each court case. This is allowed by Municipal Ordinance. The court would send the town \$5.00 for each case. This money must be used for the acquisition and maintenance of the e-ticket system. A motion was made by Robert Blosser to proceed with migrating to the new software by purchasing updated computers and printers for the police cars and adopting an ordinance allowing the e-ticket fee of \$5.00 to be collected by the court. Todd Thomas seconded the motion. The motion carried with all members voting in favor. Chief Dodd was directed to get three bids on the computers and printers for the cars before the budget planning meetings. Attorney Mark Callahan stated that a special meeting could be called to adopt the e-ticket charge ordinance, allowing the court to begin collecting as soon as possible. This will apply to all charges not just traffic violations. This money will then be held to be used only for the e-ticket licensing once the software is installed.

PUBLIC WORKS: Austin Garber presented council with a list of the jobs performed by the maintenance crew for the month. A copy will become part of these minutes. One of the items on the list included replacing 600' of ¾ inch water line on Raders Church Road that froze. This line is part of the free water line. It is now buried at least three feet down. The cost was \$800 to bore under the creek to install the line. The line is now in the state right of way. Attorney Mark Callahan stated that the free water line agreements only provided free water, and did not require the Town to upgrade or perform maintenance on the service lines. A motion was made by Carl Turner and seconded by Todd Thomas to mail letters to all free water line users stating that the Town will no longer maintain the service lines. This will become effective with the date of the letter. The motion carried with all members voting in favor. The Town of Broadway has started sampling for BOD's at different locations. The sampler used by Timberville has gone bad and recent sampling has provided high readings. Hopefully sampling at different locations by the Town of Broadway will result in more favorable readings. Robert Blosser asked if the sampling of BOD's was still a necessary requirement since the system's operation had changed from that of the original owner. The Town is currently paying for sludge removal on a regular basis along with BOD charges when the results are over 250mg/L.

The demolition of the property at 304 Second Avenue will be on February 19, 2018. The cost of the demolition will be \$7500. This low bid was submitted by Bradford Morris General Excavating. Robert Blosser asked if the Town could sell the property to recoup the money spent for demolition and grading. Mark Callahan stated that a tax lien will be filed for delinquent taxes, legal fees and demolition. The Town could then advertise a tax sale at which time the property would be put up for auction. Any surplus of the sale would go to the property owners. However there is currently a lien on the property that could not be released because the company holding the lien is no longer in business.

Bradford Morris General Excavating also submitted a bid of \$10,000 to demolish the American Legion building if there is no asbestos found in the building. Austin Garber was asked to contact WACO to have the building tested and if asbestos is found obtain a cost for removal. The Town also received a tentative quote for the installation of a water loop on Cherry Street from Bradford Morris General Excavating. This was one of the Town's original water improvement goals. With the future construction planned on three lots on Cherry Street and two lots on Park Avenue, this would be a good opportunity to upgrade the line. The funds received for the water and sewer connections for the new houses could

be designated to pay for this project. Robert Blosser stated that he was willing to hold a public hearing next month to amend the FY17-18 budget to cover costs of demolition the American Legion building and upgrading the Cherry Street water line. He instructed Austin Garber to get the Public Hearing process started and obtain prices for the projects. He needs one more bid for the Cherry Street project. Any contractor chosen must provide a copy of their license and insurance policies showing amount of liability insurance and naming the Town of Timberville as an additional insured. This policy would also provide a list of all endorsements.

SPITZER BROTHERS PROPERTY: Austin Garber stated that there has been no formal request received from the Spitzer Brothers to annex additional property for Sentara RMH. Questions had been voiced by the owners of the Spitzer property concerning taxes if the property was annexed. Currently the property is in land use allowing for a lower tax rate to be imposed. Annexation would not increase the assessment values unless farming of the property ceases. The owners would have to pay Town taxes in addition to any County taxes. The Town could decide to move any or all of the growth area into the Town limits. A survey and plat would be necessary if only a portion was annexed. If the whole growth area was incorporated into the Town limits, there is an existing survey that would only require amending the area already in Town owned by Sentara RMH. If the Town takes the entire growth area into the Town, rezoning would be controlled by the Town of Timberville instead of Rockingham County. According to the prior agreement with Rockingham County, annexation can take place by ordinance. The Town would have five years to provide water and sewer to the properties. Robert Blosser stated he is ready to adjust the boundary lines of the Town. It is necessary to have land for construction of new homes and future development. Austin Garber and the Town Attorney will look at the survey and plat to determine what must be done to move forward. Robert Blosser asked for a meeting with Nelson Swope and the Spitzer Brothers to inform them of the Town's decision to take in the growth area as shown in the comprehensive plan.

BUSINESS AND INDUSTRY: There was no update on the construction projects. It appears that activity could begin at the same time on the Auto Zone, Holtzman Exxon, and the Walmart outparcel on Rt. 211.

ZONING ACTIVITY: Wilda Wine reported the following zoning activity:
3559 Majestic Circle- new fence
384 South Main Street- new porch with ramp (Timberville Moose Lodge)

PARKS AND RECREATION: No report.

FINANCE: A meeting will be scheduled to discuss FY 18 budget amendments, water projects, and for Chairman Robert Blosser to give his presentation on the audit and financial status of the Town.

PERSONNEL: Council will receive a copy of the Town Manager's and Chief of Police's evaluations on how they met their goals for the past year and the goals for the upcoming year.

PLAINS DISTRICT MEMORIAL MUSEUM: Town historian Beverly Garber did not have program for this meeting. Wilda Wine reported 67 visitors for the month and 76 volunteer hours logged. The current exhibit is 18th and 19th Century Grist Mills in Plains District. There are two smaller exhibits: Wetsel Seed Company and Folk Art. Wilda Wine announced the upcoming program Feb. 28th with Beau Dickenson speaking on Zenda, a black community. On March 3rd Wallace Redd, a 96 year old saxophonist, will perform and relay stories of his life.

PUBLIC COMMENT: Paula Bowman, 272 South Main Street, asked if there was anything that could be done about barking dogs. Chief J. R. Dodd told her to call the department when they were barking so that someone could respond to the complaint. She also expressed concern about a business being operated in a residential neighborhood. She was informed she would have to have proof.

ADJOURNMENT: No further business, the meeting adjourned.

RESPECTFULLY SUBMITTED,

Wilda Wine, Clerk

Donald Delaughter, Mayor