

MINUTES OF THE TIMBERVILLE TOWN COUNCIL MEETING

January 14th, 2021

A meeting of the Town of Timberville Council was held Thursday January 14th, 2021 at 7:00 p.m. electronically on zoom with Mayor Donald Delaughter presiding.

MEMBERS: Carl Turner-Present Ned Overton-Present
Debbie Jessup-Present Sharon Jones-Present
Natalie Sherlock-Present Clarence Fox-Present

PRESENT: Austin Garber, Town Manager
Melinda Cleaver, Clerk/Treasurer
Quinton Callahan, Town Attorney
JR Dodd, Chief of Police
Cecilia Valdez-Marketing & Events

GUESTS: Max von Arnswaldt Karl Magenhofer
Bill Moore Sarah Berry
Carl Snyder Kevin Racey

AUTHORITY TO CONDUCT MEETINGS ELECTRONICALLY: Town Manager Austin Garber read a statement detailing the authority to conduct electronic public meetings to address essential business, citing the Declaration of Local Emergency, the Resolution Authorizing Electronic Public Meetings and the Emergency Ordinance to Address Continuity of Operations, The declaration, resolution and ordinance were adopted at a special meeting held on Tuesday, May 26th, 2020. These orders are in effect for 6 months from the date of adoption. Timberville Town Council and town staff were in attendance. Transaction of business by the meeting participants was conducted through the Zoom electronic conferencing platform and was live streamed on the Town of Timberville's YouTube channel for public viewing. Required notifications were listed on social media outlets and sent by email.

APPROVAL OF MINUTES: Carl Turner made a motion to approve the December 10th Council Minutes. Natalie Sherlock seconded the motion.

Roll Call Vote:

Carl Turner-Yes Ned Overton-Yes
Debbie Jessup-Yes Sharon Jones-Yes
Natalie Sherlock-Yes Clarence Fox-Yes

TREASURER'S REPORT: General Fund	\$130,101.76
Water/Sewer Acct.	\$118,365.49
Loan Balance	\$674,401.29
CAT Financial	\$16,132.93
American Legion Park	\$180,000
Money Market Acct.	\$1,232,189.35
Cares Act Fund	CLOSED

BILLS FOR PAYMENT: A motion was made by Sharon Jones and seconded by Natalie Sherlock to pay the bills as presented for the month of January.

Roll Call Vote:

Carl Turner-Yes Ned Overton-Yes
Debbie Jessup-Yes Sharon Jones-Yes
Natalie Sherlock-Yes Clarence Fox-Yes

REAPPOINT TOWN MANAGER: Sharon Jones made a motion to reappoint Town Manager Austin Garber for another two years. Natalie Sherlock seconded the motion.

Roll Call Vote:

Carl Turner-Yes	Ned Overton-Yes
Debbie Jessup-Yes	Sharon Jones-Yes
Natalie Sherlock-Yes	Clarence Fox-Yes

ELECTION OF VICE MAYOR: Austin Garber reminded that the vice mayor, when filling in for the mayor, does not vote unless there is a tie. Natalie Sherlock made a motion to nominate Ned Overton as Vice Mayor. No second was made. Debbie Jessup nominated Carl Turner as Vice Mayor. Sharon Jones seconded the motion.

Roll Call Vote:

Carl Turner-Abstained	Ned Overton-Yes
Debbie Jessup-Yes	Sharon Jones-Yes
Natalie Sherlock-Yes	Clarence Fox-Yes

PLANNING COMMISSION APPOINTMENT: Town Manager Austin Garber stated that a committee of Sharon Jones, Natalie Sherlock, Mayor Delaughter, Karl Magenhofer, Sarah Berry and himself was created to perform an interview with interested candidate Kevin Racey. Austin Garber stated the recommendation of the committee was to appoint Mr. Racey. Mayor Delaughter stated he was very impressed by Mr. Racey and recommended for him to fill the four-year term that is open. Carl Turner made a motion to appoint Kevin Racey to the Planning Commission. Sharon Jones seconded the motion.

Roll Call Vote:

Carl Turner-Yes	Ned Overton-Yes
Debbie Jessup-Yes	Sharon Jones-Yes
Natalie Sherlock-Yes	Clarence Fox-Yes

POLICE REPORT: Chief Dodd reported that Officer Rodney Wilson had retired after being with the town for roughly 14 months and that he did a really good job. New Officer Steve Knight will start on Monday, January 18th, 2021. He is currently employed by the Rockingham County Sheriff's Office.

ROXBURY SUBDIVISION MASTER PLAN PUBLIC HEARING: Mayor Delaughter started the joint public hearing with Planning Commission at 7:16PM. Austin Garber stated the plans have been reviewed by the Planning Commission, who is in attendance of the meeting. Once the Planning Commission meets next week, they will hopefully come back with a recommendation to Council at the February meeting. Town staff, VDOT and Rockingham County have reviewed the plans and discussed with the owner and engineer. Owner/Developer Max von Arnswaldt stated that before purchasing the property, he spoke with Town Manager Austin Garber on what his desires were for development of the town. Mr. von Arnswaldt stated the R5 zoning of the property was in line with their vision of what would be palatable for the community and the existing layout of what is already there. Mayor Delaughter asked about the storm water portion. Engineer Bill Moore stated that Rockingham County has stringent stormwater requirements. He stated that they have an extremely robust stormwater strategy for the development. Ned Overton asked if sidewalks are included on both sides of the street. Mayor Delaughter stated that it would be rolltop curbs with sidewalks on both sides. Ned Overton asked if street lights are required and if light pollution has been considered. Town Manager Austin Garber stated that street lights are required and that he sent links of samples from Dominion to the developer and engineer that were for downlighting. Dominion has a lot of options and what they use have been converted to LED and the street lights will be directed down. Carl Turner asked how many units would be built. Engineer Bill Moore stated 40 total units. Mayor Delaughter opened it up for public comment. Town Manager Austin Garber received the following comments by email or phone call prior to the meeting:

David Voigt (email)-Owner of trailers on Cullers Lane. He wanted to know about getting concessions from Mr. von Arnswaldt to be able to put another trailer on Cullers Lane. Austin explained to him that his property is not zoned to add anymore trailers because it is already non-conforming.

Christine Jordan (email)-Ms. Jordan lives on Pride Circle in Legion Hills and her property will back up to the new development. She was concerned that her view would be disrupted from her back deck. Ms. Jordan also expressed concerns about her property value decreasing and how the water pressure would be affected. Austin explained that the information has been sent over to the engineer about the water pressure. The engineer is going to model the town's system with the homes to be developed to make sure it won't be any decrease in pressure. The new water line project on Lone Pine Dr has also been completed. There was discussion with the developer and engineer about the route for that water line. The proposal was made to them to run two different water lines. One would feed the lower part of the development and the other line would run down Irish Lane. Owner Max von Arnswaldt agreed to making the proposed change. Austin commented to Ms. Jordan's concern for the decrease in property value that it is very hard to judge something like that.

John Swan (email)-Mr. Swan lives on Pride Circle and his concern was the style homes that were built would affect his view and the water pressure. Austin explained that the area that is proposed to be developed was established back in 1999 with the county as the town's growth area.

Leonard Cullers (phone call)-Mr. Cullers owns property on American Legion Drive and he did not want to look out his window and see town houses across the street.

Joseph Miller (phone call)-Mr. Miller lives on Irish Lane and his concern was the increase in traffic on Irish Lane to access the upper part of the development. Austin explained that Irish Lane dead ends at the start of Mr. Swope's property. The new water line goes up through Mr. Swope's field, which is a huge part of the town's growth area, to hopefully be developed one day. The plans show Irish Lane's road to be a continuation into whatever may be developed in the field. Austin stated he could see residents who live in the upper portion of the development accessing that off of Lone Pine. Mayor Delaughter stated Legion Hills has the same dead end and Austin stated it was Honor Drive that leads into Mr. Swope's property. After receiving no calls during the live public hearing, Mayor Delaughter closed the public comment section. Mayor Delaughter stated all of this information will be discussed by the Planning Commission at their meeting next week.

ORCHARDS APPROVAL: Mayor Delaughter asked Town Manager Austin Garber if the plan was already approved by council years ago and only the first part of the development was completed. Austin stated that the concept plan was approved back in 2004 for up to 76 units. Granny Smith was developed with 40 units, leaving 36 left. Subdividing of the lots is what is left to do. The Planning Commission has reviewed and recommends for council to subdivide the property. Carl Turner asked Carl Snyder, who is the owner/engineer of the project, when the starting date will be. Mr. Snyder stated the goal is to get started shortly once the evaluation of partnering options for the vertical construction has been determined. Ned Overton asked about stormwater management, light pollution and that all has been worked out with the utilities that run through the property. Mr. Snyder stated that the property is 11.5 acres and that less than half will be developed. He stated that a water line runs through there with electric and a gas easement. He states that because of that there is a lot of undeveloped land that allowed them to go with a low impact approach. He stated they are keeping the wooded area and the stormwater management meets all of the criteria. He stated that they are developing in an area that doesn't drain to any other homes. Chief Dodd stated that sometimes that creates an ordinance issue with the area that isn't developed and asked if Mr. Snyder had a plan to naturalize that area that would be aesthetic to the neighbors, so that they won't be complaining about un-mowed grass. Mr. Snyder stated that the homeowner's association would be responsible for the unused area and that area will be dedicated to the HOA. Ned Overton made a motion to accept the Orchard's second stage that is Red Delicious Drive. Natalie Sherlock seconded the motion.

Roll Call Vote:

Carl Turner-Yes	Ned Overton-Yes
Debbie Jessup-Yes	Sharon Jones-Yes
Natalie Sherlock-Yes	Clarence Fox-Yes

Sharon Jones asked if the town will ever get recycling pickup back. Austin Garber stated that there are no known places that will pick it up.

Sharon Jones asked for an update on the Crist Building. Austin stated that he has been talking with the Rockingham County Building Official and a contact from EPA. According to the EPA there was not a lot of material inside that they were concerned about. Austin stated that the best thing for the town financially is for Ms. Sacra to repair the building. The EPA felt that was possible to do. Maintenance Supervisor Chris Coffman is going to try and create some kind of barrier to limit access to the building. Sharon Jones gave an update that the Plains District Memorial Museum will remain closed due to the virus and is unsure when it will be open.

Sharon Jones welcomed new Council Members Clarence Fox and Debbie Jessup. She also stated that the new sign at the town office is absolutely beautiful.

Mayor Delaughter reminded council that the current budget will need to be amended, since the Pilgrim's and CARES Act Funds received was over 1% of the budget. He stated that council needs to have a meeting to discuss the amendment and also some essential items, such as the well pump and software for the front office that is needed. Council will need to decide if they want to purchase in the current budget or wait until the next fiscal year budget.

Ned Overton stated that the CARES Act Committee met and was able to give grants to the Hair Factory, Jewelry Vault, Plains District Memorial Museum and the Timberville Fire Department.

Carl Turner asked if there was a chairman for the Planning Commission. Austin Garber stated that the Planning Commission chooses their chairperson and will decide on that in the near future after some vacancies are filled. The Planning Commission Committee will meet again to interview more interested candidates.

ADJOURNMENT: No further business, the meeting adjourned.

RESPECTFULLY SUBMITTED,

Melinda Cleaver, Clerk

Donald Delaughter, Mayor