

1 **Minutes of the New Market**  
2 **Town Council Meeting**  
3 **Monday, September 20, 2010**  
4 **7:30 pm**  
5  
6

7 The New Market Town Council met in the Council Chambers of the Arthur L.  
8 Hildreth Municipal Building with the following members present: Larry Smith, Mayor,  
9 Mary Alice Burch, Gary Comer, Harry Durrett and Troy Fadeley. Vice-Mayor John  
10 Blosser and Councilman Eddie Litten were absent.  
11

12 Town Attorney – Jason Ham  
13 Town Manager – Evan Vass  
14 Town Clerk – Jeanne Rinker  
15 Visitors and Press – See attached sheet  
16

17 **Call to Order and Establishment of a Quorum**  
18

19 Mayor Smith called the meeting into session and established that a quorum was  
20 present. The Pledge of Allegiance was recited in unison.  
21

22 **Approval of the Agenda**  
23

24 **Mr. Comer moved to approve the agenda. Ms. Burch seconded the motion**  
25 **which carried unanimously on a voice vote.**  
26

27 **Consent Agenda**  
28

29 Mayor Smith presented the consent agenda which included the minutes of the  
30 August 16, 2010 meeting and the Financial Statements for August. **Mr. Fadeley made a**  
31 **motion to approve the consent agenda and Mr. Comer seconded. The motion**  
32 **passed unanimously on a voice vote.**  
33

34 **Public Hearing**  
35

36 There were no public hearings.  
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38 **Citizen Comments and Petitions**  
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40 There were no citizen comments nor petitions.  
41

42 **Committee Reports**  
43

44 **Finance & Personnel:** Mr. Fadeley reported that the Finance & Personnel  
45 Committee met on Tuesday September 7, 2010 with all members present. The first  
46 agenda item was discussion of a vacant position on the Board of Zoning Appeals. Thus

47 far there is only one applicant, so the position will remain open for several more weeks to  
48 see if any more applications are received. The second agenda item was discussion  
49 concerning waiving the itinerant merchants fee for the Heritage Days Fall Festival. The  
50 Committee voted to recommend Council approval for waiving the fee.

51  
52 **Public Works:** Committee Chairman John Blosser was absent. Mr. Vass  
53 reported that the Committee heard a presentation from local resident, Mr. Nathan May  
54 about recycling in general. A second presentation was given by Ms. Jill Keihn from the  
55 Northern Shenandoah Valley Regional Planning Commission concerning the Northern  
56 Shenandoah Valley Drought Response Plan.

57  
58 **The Committee voted to recommend to full Council the approval of the use**  
59 **of sidewalks and streets for the Fall Festival October 23 & 24, 2010.**

60  
61 **Public Safety:** Mr. Comer reported that the Public Safety Committee did not  
62 have a September meeting. He asked that he be permitted to read a letter which was  
63 written by Fire Chief Matt Hughes to Chief Yew at Shenandoah County Fire and Rescue.  
64 The letter was a request for paid personnel, fire fighters to be placed in New Market to  
65 assist the volunteers. The request was being made because the number of volunteers has  
66 considerably decreased over the past few years.

67  
68 Mr. Comer reported that as a result of the request, Chief Yew will be placing two  
69 paid fire fighters at the Mt. Jackson fire station which will cover Mt. Jackson, Conicville,  
70 and New Market. The paid fire fighters will be working mainly during daytime hours  
71 when most of the volunteers are holding down jobs. Chief Hughes and President Dale  
72 Dodson will still be in command of the fire station.

73  
74 Mr. Vass added that this arrangement is hopefully on a temporary basis. It is  
75 expected that more volunteers will become available following the upcoming merger of  
76 the New Market Rescue Squad and the Fire Department. Paid personnel from the Rescue  
77 Squad may also fill in on calls for the fire department once the merger is complete.

78  
79 **Tourism, Economic Development and Historic Preservation:** Mr. Durrett  
80 reported that the committee had nothing on the agenda and did not hold a September  
81 meeting.

82  
83 **Action Items:**

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85 The first action item was discussion and consideration of waiving the itinerant  
86 merchant's fee for vendors associated with the annual Heritage Days Fall Festival  
87 celebration October 23 -24, 2010. **Mr. Fadeley moved to waive the fee as presented.**  
88 **Mr. Comer seconded the motion which carried unanimously on a roll call vote.**

89  
90 The next action item was discussion and consideration of permitting the use of  
91 public sidewalks and streets for the annual Heritage Days Fall Festival October 23 -24,  
92 2010. **Mr. Comer made a motion to approve the permission. Mr. Fadeley seconded**

93 **and the motion passed on the following roll call vote: Mr. Durrett, aye; Mr. Comer,**  
94 **aye; Mr. Fadeley, aye. Ms. Burch abstained from voting, stating that she is a**  
95 **member of the Chamber who is sponsoring the event.**

96  
97 **Mayor's Comments**

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99 Mayor Smith reported that he has been working on a grant for the Massanutten  
100 visitor's center. Approximately \$300,000 became available from the sale of the  
101 Chesapeake Bay license plates. The grant would fund environmental education because  
102 of the community's impact on the North Fork of the Shenandoah River and the  
103 involvement of the force main project. The budget is incomplete, but will probably  
104 request \$30,000 to \$40,000. The Town does not have to match the funds if received.  
105

106 **Council Comments**

107  
108 There were no Council comments.  
109

110 **Staff Comments**

111  
112 Mr. Vass reported that he had received at least some comment from the central  
113 office of VDOT in Richmond. Those comments were largely based on unit pricing.  
114 That's something that our design engineer can address quickly. Mr. Vass said he didn't  
115 know how quickly VDOT would respond back, but he was hoping to get their notice to  
116 proceed very soon.  
117

118 Regarding the force main and pump station projects, Mr. Vass stated that the  
119 subcontractor is currently forming up walls on the outside of the pump station building  
120 preparing for a pour on the top of the two wet wells, and preparing the head works which  
121 is where the sanitary sewer runs into the pump station. About 60% of the force main has  
122 successfully passed at this point. Regarding the estimated completion date, it is estimated  
123 that ground has neither been lost nor gained.  
124

125 Mr. Vass asked for the consent of Council to move the October and November  
126 Committee and Planning Commission meetings from the first Monday to the first  
127 Wednesday evening (October 6<sup>th</sup> and November 3<sup>rd</sup>) due to conflicts (VML Conference  
128 and Election Day). Council agreed to the change.  
129

130 Mr. Vass reported that the position at the Water Treatment Plant has been filled.  
131 There were about 35 applicants and the position was filled by an internal candidate who  
132 has worked in Maintenance for about 3 years.  
133

134 Mr. Vass updated council members on the Voluntary Settlement Agreement  
135 which is the annexation agreement that we hope to have passed. At this point there's  
136 only one minor detail that needs to be worked out concerning the transfer of cash from  
137 the developer through the Town to Shenandoah County to offset their capital needs.

138 Shenandoah County's attorney, Mr. Jay Litten, of Litten and Sipe is preparing that  
139 document.

140

141 **Closed Session**

142

143 Next on the agenda was a closed session to consult with legal counsel regarding  
144 specific legal matters requiring the provision of legal advice by our attorney, as  
145 authorized by section 2.2-3711(A)(7) of the state code. The subject matter of the meeting  
146 was the North Fork force main and pump station. **Mr. Fadeley moved to go into the**  
147 **closed meeting for the reason stated. Mr. Comer seconded the motion which carried**  
148 **unanimously on a roll call vote.** The closed session began at 7:47 pm.

149

150 The council reconvened at 8:50 pm. Mr. Vass read the certification resolution as  
151 follows: "With respect to the just-concluded closed session, and to the best of each  
152 member's knowledge, (i) only public business matters lawfully exempted from open  
153 meeting requirements under The Virginia Freedom of Information Act and (ii) only such  
154 public business matters as were identified in the motion by which the closed meeting was  
155 convened were heard, discussed, or considered in the meeting by the Town Council."

156

157 **Mr. Comer made a motion to accept the certification resolution as read. Mr.**  
158 **Fadeley seconded the motion which carried on the following roll call vote: Mr.**  
159 **Durrett, aye; Mr. Comer, aye; Mr. Fadeley, aye; Ms. Burch, aye; Mayor Smith, aye.**

160

161 Just before the adjournment Mr. Vass announced that he had forgotten to give the  
162 name of the person selected for the water treatment plant position. He noted that it was  
163 Robert Griffith.

164

164 **Adjournment**

165

166 Mayor Smith asked for a motion to adjourn. Mr. Comer so moved and Mr.  
167 Comer seconded. The meeting was adjourned at 8:51 pm.

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Jeanne K. Rinker, Town Clerk

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Larry Smith, Mayor