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2 **Minutes of the New Market**
3 **Town Council Meeting**
4 **Monday, October 17, 2011**
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6 The New Market Town Council met in the Council Chambers of the Arthur L.
7 Hildreth, Jr. Municipal Building on Monday, October 17, 2011 with the following
8 members present: Larry Smith, Mayor, John Blosser, Vice-Mayor, Douglas Bradley,
9 Troy Fadeley, Gary Comer, Harry Durrett and Eddie Litten.

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11 Town Attorney – Jason Ham
12 Town Manager – Evan Vass
13 Town Clerk – Jeanne Rinker
14 Visitors and Press – See attached sheet
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16 Mayor Smith called the meeting to order and established a quorum. The Pledge
17 of Allegiance was recited in unison.
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19 **Approval of the Agenda**
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21 **Mr. Comer made a motion to approve the agenda. Mr. Fadeley seconded the**
22 **motion which carried unanimously on a voice vote.**
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24 **Consent Agenda**
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26 Mayor Smith presented the Consent Agenda which included minutes of the
27 September 19, 2011 council meeting and the Financial Statements for August 2011. **Mr.**
28 **Fadeley made a motion to approve the consent agenda. Mr. Bradley seconded the**
29 **motion which carried unanimously on a voice vote.**
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31 **Public Hearing –**
32 There were no public hearings.
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34 **Citizen Comments and Petitions –** There were no citizen comments or petitions.
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36 **Committee Reports**
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38 **Finance & Personnel:** Mr. Fadeley reported that the Finance and Personnel Committee
39 met on October 5, 2011. Two members were absent so the meeting was adjourned for
40 lack of a quorum.
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42 **Public Works:** Mr. Blosser reported that the Public Works Committee met on October
43 5, 2011 with 2 members present. The first agenda item was discussion and consideration
44 of community pool repairs. Following a discussion the committee voted to recommend
45 to full council to proceed with making the necessary repairs to the pool.
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47 The committee received an update from Mr. Vass on the Shady Lane project.

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49 Mr. Neese gave a presentation illustrating and explaining how the acquisition of a
50 GPS unit would enhance the Town's utility mapping system. The Committee voted to
51 proceed with purchasing the GPS unit.

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53 The Committee convened in closed session to discuss the acquisition of real
54 property. Following the closed session the meeting was adjourned.

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56 **Public Safety:** Mr. Comer reported that the Public Safety Committee met on
57 Wednesday, October 5, 2011 with all members present. There was no new business on
58 the agenda. Chief Peery reported on some recent achievements in his department. Both
59 he and the Public Safety Committee commended Sergeant Rinker for recently working 11
60 accidents within a few days. Officer Breeden worked 3 accidents during the same time
61 period.

62 Chief Peery also reported that Officer Mike Miller was off duty due to a work
63 related injury.

64

65 Vice-Chairman Blosser reported that the Virginia Fire Chiefs Association applied
66 for and received a grant to help Volunteer Fire Departments in Virginia increase their
67 membership. They selected 20 communities and Shenandoah County was one of those
68 selected. Shenandoah County is in the second group in which they will use the GIS
69 system to document statistical information regarding volunteers.

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71 Mr. Comer also reported that that there was no new information regarding the
72 Virginia State Police led investigation of alleged fraud in the New Market Volunteer Fire
73 Department.

74

75 **Tourism, Economic Development and Historic Preservation:** Mr. Durrett reported
76 that the Committee met on October 5th, 2011. A quorum was present with one member
77 absent. The first agenda item was discussion and consideration of amending the Town
78 code, section 38-8, "Going out of Business Sales". The Committee passed a motion to
79 recommend to full council that section 38-8 of the Town code be amended to reflect the
80 change from 30 to 60 days with a one time renewal for a total of 120 days.

81

82 The second agenda item was a status update on streetscape construction Phase I
83 given by Mr. Vass. He stated that the last big item to be completed is the installation of
84 the traffic signal which is scheduled to be done within the next 2 weeks. October 4, 2011
85 was the "substantial completion" walk through, and the general contractor was in the
86 process of demobilizing their equipment. Mr. Vass also stated that Phase II is getting
87 ready to be bid out. The paving of Congress Street is tentatively scheduled to begin in
88 mid to late October, starting on the south end of town at Fairway Drive.

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90 Mr. Clem added that signage is going up on Phase I and the electricians are
91 finishing up. The streetlights and electrical power in the public parking lot will likely be
92 in operation within the next few weeks.

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Mr. Vass made the following brief announcements:

- Halloween will be observed in New Market on Monday, October 31, 2011 and additional police officers will be out patrolling.
- Linco, Inc. will be vacating their construction office in New Market on October 15, 2011.
- The Town is looking into installing an air release valve to rectify a recurring issue with air in a 10" water line along Cadet Road.

Mr. Chad Neese gave an update from the Shenandoah County Tourism Council, stating that they intended to use an all encompassing package for hotels, motels, and Bed and Breakfasts rather than using multiple brochures individually.

There was no further business to consider so the meeting was adjourned.

Action Items

The first action item was discussion and consideration of amending the Town's financial policy regarding capital assets. The proposed amendment to the Town's financial policy would increase the threshold of a capital asset from the current level of \$2,500 to \$5,000. The Finance & Personnel Committee was unable to make a recommendation on this due to lack of a quorum at their October meeting. The Town's independent auditors are supportive of this amendment. **Mr. Bradley made a motion to amend the Town's financial policy to reflect an increase in the threshold of a capital asset from \$2,500 to \$5,000. Mr. Fadeley seconded the motion which carried on the following roll call vote: Ayes (6) Nays (0).**

The second action item was discussion and consideration of amending the Town Code section 38-8 "going out of business sale" permit(s). The Town Code currently has a provision for the issuance of "going out of business sale" permits for a period of thirty (30) days. It does not specify how many times, if any, the permit may be renewed. **The proposed amendment to section 38-8 of the Town Code would increase the sale period for the permit to sixty (60) days and specify that one renewal of the permit may be issued, giving the seller a total of 120 days to carry on the sale. The current \$15.00 permit fee would not change. Mr. Fadeley moved to adopt the amendment as just stated. Mr. Bradley seconded the motion which carried on the following roll call vote: Ayes (6) Nays (0).**

Mayor's Comments

Mayor Smith reminded everyone of the upcoming Heritage Days Celebration October 22nd and 23rd, 2011 including the craft show at the Community Center and American Legion. He also commended the police department for their recent accomplishments.

139 The mayor reported that council members recently visited the pump station and
140 the regional sewer plant at Broadway and were impressed by their tours.
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142 In closing, Mayor Smith announced that on the following day he would be
143 engaging in a conference call with Senator Warner. He stated that if anyone had
144 questions or concerns that they wished to relay to the Senator he would be glad to do
145 so.
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147 **Council Comments**

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149 Mr. Bradley stated that he also was very impressed upon visiting the pump station
150 and regional sewer plant. He commented on the knowledge and skill of Town
151 employees at the pump station and commended all Town employees in general.
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153 **Staff Comments**

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155 Mr. Vass made the following comments and announcements:
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- 157 • On Wednesday, October 19th, staff members of the towns of Broadway,
158 Timberville and New Market will meet to discuss the regional water concept
159 with Draper Aden & Associates engineering firm. At that point a contract will
160 most likely be developed to bring back to council. Once that contract is
161 signed the study can proceed.
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- 163 • Regarding the Shady Lane Project, the one outstanding easement should be
164 completed within the next day. The plans are with the civil rights division of
165 VDOT to establish a DBE goal which is standard for their projects.
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- 167 • Streetscape Phase II is still on track to be bid out in November.
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- 169 • The latest information from VDOT indicates that the repaving of Congress
170 Street will be take place on the evenings of November 1st & 2nd, 2011. This is
171 the 4th time the date has been changed which makes it difficult to
172 communicate with residents and businesses that will be affected by this
173 project.
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- 175 • A company out of North Carolina has been doing some work on the water
176 storage tank. This includes structural investigation, power washing and
177 painting.
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- 179 • Plans are being made for a Christmas tree lighting. The Town is meeting with
180 the Chamber of Commerce and the library to coordinate the events.
181 Masterworks chorus has volunteered to be a part of the program. The date for
182 these events is Saturday, December 3, 2011 and will kick off with a parade at
183 4:30 pm.
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- There is a special called Finance & Personnel Committee meeting Thursday, October 20, 2011 at 2:00 pm in the conference room.
- The Municipal Building is undergoing a roof replacement. The project began about 2 weeks ago but has been slowed somewhat by the rain.
- Our chief water plant operator, Steve Long, has accepted a position with the Town of Woodstock. Staff will be developing a plan to address filling the position.
- A review panel was assembled to review applications for the façade enhancement grant. There were 4 applications for 50/50 funding downtown in the historic district. All 4 applicants received funding.

Mr. Ross Clem gave an update on streetscape Phase I which is now nearing completion. He reported that the lights are ready to be turned on as soon as the meter is put in which should happen by the end of the week. They hope to get the traffic light installed by the 27th, but that may go into the following week. Progress has been slowed by about 3 days in the past 2 weeks due to rain.

Mr. Litten asked if the streetscape Phase II project is put out for bids in November, how long it would be until the work actually begins. Mr. Vass stated that by the time each of the steps in the process is completed it would probably be mid March 2012 before notice to proceed would go out.

Closed Session

Mr. Litten moved and Mr. Comer seconded the motion to convene in closed session as authorized by Virginia State Code section 2.2-3711(A)(7) to consult with legal counsel regarding probable litigation regarding Commonwealth Excavating, Inc. The motion was approved by the following roll call vote:

Mr. Bradley	aye	Mr. Blosser	aye
Mr. Fadeley	aye	Mr. Durrett	aye
Mr. Comer	aye	Mr. Litten	aye

The closed meeting began at 7:51 pm. At 8:25 pm the council reconvened and Mr. Vass read the certification resolution as follows: "With respect to the just-concluded closed session, and to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements under The Virginia Freedom of Information Act and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by the Town Council." **Mr. Comer made a motion to approve the certification resolution**

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as read. Mr. Bradley seconded the motion which carried on the following roll call vote:

Mr. Litten	aye	Mr. Comer	aye
Mr. Durrett	aye	Mr. Fadeley	aye
Mr. Blosser	aye	Mr. Bradley	aye
Mayor Smith	aye		

Adjournment

With no further business to consider, Mayor Smith adjourned the meeting at 8:27 pm following a motion by Mr. Blosser, seconded by Mr. Durrett.

Larry Smith, Mayor

Jeanne K. Rinker, Town Clerk