

TOWN COUNCIL
MEETING
JUNE 2, 2014
7:00 PM

At a regular meeting of the Town Council of the Town of Exmore, Virginia, held in the Meeting Room of the J. Guy Lawson Municipal Building, 3305 Main Street, Exmore Virginia, on the 2nd day of June, 2014, at 7:00 p.m.

Present:

Mayor Douglas Greer-Present
Vice-Mayor Thomas Lewis-Present
Councilman Charles Ward-Present
Councilman Charles Massey-Absent
Councilman Bradley Doughty-Present
Councilman Bryon Heaster-Present
Councilman John Metz-Present

STAFF PRESENT: Robert Duer, Ethel Parks, Chief DiMartino, Sgt. Zieger, Sgt. Campbell, Taylor Dukes, Mike Johnson.

CALL TO ORDER:

The meeting was called to order at 7:00 pm by Mayor Greer. Mayor Greer established a quorum.

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was recited by all present.

INVOCATION:

The Invocation was given by Mayor Greer.

Mayor Greer presented Councilman Ward with a Resolution thanking him for thirty-six years of faithful service to the citizens of Exmore.

APPROVAL OF MINUTES:

MINUTES OF THE PUBLIC HEARING ON THE BUDGET OF MAY 5, 2014, THE REGULAR COUNCIL MEETING OF MAY 5, 2014 AND THE SPECIAL MEETING OF MAY 12, 2014:

Councilman Ward made the Motion to approve the Minutes of the Public Hearing and the regular meeting of May 5, 2014. The Motion was seconded by Vice-Mayor Lewis and was passed unanimously. Vice-Mayor Lewis made the Motion to approve the Minutes of the Special meeting of May 12, 2014. The Motion was seconded by Councilman Ward and was passed unanimously.

The Clerk explained to the Mayor and Council that the Minutes from January to April were dated 2013. She asked them for approval to correct the dates. Council Heaster made the Motion to approve the Clerk to correct the dates on previous Minutes from 2013 to 2014. The Motion was seconded by Councilman Ward and was passed unanimously.

The Clerk noted that she found an error in the April 7, 2014 Minutes that incorrectly stated the Motion and second to the Motion of "Certification of a Closed Meeting". The Minutes stated that Vice-Mayor Lewis made the Motion and the second to the Motion of the Certification of a Closed Meeting, when in it should have stated that Councilman Heaster made the Motion and Vice-Mayor Lewis seconded the Motion. She asked for the Council's approval to make the necessary correction to the Minutes. Councilman Heaster made the Motion to approve the Clerk to make the necessary correction to the Minutes of April 7, 2014. The Motion was seconded by Vice-Mayor Lewis and was approved unanimously.

CITIZEN COMMENT (LIMIT OF 3 MINUTES PER SPEAKER):

There was no one signed up to speak.

TOWN MANAGER REPORT – ROBERT G. DUER:

Mr. Duer informed the Mayor and Council that the USDA Grant for the tractor and implements has been finalized. He noted that Land and Coates came in with the best bid and the equipment has been purchased from them. The excavator will be here this week and the tamper is here and already in use. Mr. Duer stated that we now have the deed to the Kellam property and mentioned to the Mayor and Council to come up with a possible future use for the property. Mr. Duer said that he and Mr. Dukes are waiting to hear from the Town Attorney as to the possible recourse they may have for businesses who are operating without a license. He said our ordinance is out-dated. Mr. Dukes stated that Mr. Rowan has advised him to send a certified letter telling them to cease and desist, which is what he has been doing, until a new ordinance can be written. Mr. Duer mentioned that they had four water main leaks last week and one was a major leak. Mr. Johnson stated that the leaks have been patched. Mr. Duer said that they have had four major sewer pumps and three to five smaller sewer pumps fail in the last month. Two were at the Virginia Street Lift Station and two were grinder pumps at Hampton Inn. The sewer pumps are nearing the end of their use and need to be replaced. Mr. Duer noted that he and Mr. Dukes will be meeting with the Health Department in the near future to iron out some past issues. The new doors have been installed at the Quonset Hut and the office is approximately 60% complete. Mr. Duer said the main challenge is getting the Hut painted. He said that he has received only one bid so far in the amount of \$14,500 for three coats of paint.

Councilman Ward mentioned the unsafe conditions of the building behind the Quonset Hut and asked Mr. Dukes to contact the property owner to have it boarded up. Mr. Duer also mentioned a home on Main Street that is pumping water on the sidewalk making it slippery and unsafe. He said that they have put cones in place to keep people from walking in it and he will write them a letter as well.

FINANCIAL REPORT – ROBERT G. DUER:

Mr. Duer reported that our gross profit for the year so far is \$1,840,506 and our total expense is \$1,471,891 for a net income of \$368,615 year-to-date. He noted that the Town is doing well this year. There is \$41,000 left to spend in Public Works for the Building Maintenance. Public Works' salaries are good at 87% as are the Police Department salaries at 93%. Administration Beatification is over budget due to the purchase of new flags and such and salaries are within budget at 83%. Wastewater salaries are good at 94.7%. We are \$8,500 to date over budget in Water Repairs due to the numerous water main breaks this year. Water Supplies are \$6,000 over budget but we have to have the supplies to fix the leaks. Water salaries are good at 97%. Sanitation salaries are well within budget at 79%. Wastewater has a \$57,400 loss for the year so far and Water is showing an \$82,450 profit. Sanitation sales are at \$81,182 while expenses are at \$172,777, giving us a loss of \$91,595, which includes the purchase of a \$68,000 Trash Truck and new trash cans. Our cash balance at the end of the month was \$540,214, CD's remain unchanged at \$388,206, A/R is \$15,006, total liability of \$960,909 and our total assets are \$3,300,000.

Mayor Greer commended Mr. Johnson for the excellent job that he and the Public Works crew put into repairing the water leaks last week. Mr. Duer emphasized the commitment that Mr. Johnson displayed by tackling every project systematically, delegating and following protocol.

OLD BUSINESS:

UPDATE ON TOWN HALL ROOF:

Mr. Duer noted that the contract has been signed to have the roof repaired for \$112,000. The roof will be repaired, the A/C units will be moved to the main roof and the cedar shakes will be replaced with vinyl cedar shakes. We plan on borrowing \$75,000 by cashing in three \$25,000 CD's and purchasing one \$75,000 CD, using it as collateral. Mr. Duer explained the rates between two different local banks. The CD rate at Bank A is 1.83% (\$82,118 at five years) and the loan rate is 3.85% with monthly payments of \$1,376, and a bank fee of \$250. The CD rate at Bank B is 1.10% (\$79,217) and the loan rate is 3.25% with monthly payments of \$1,356. Mr. Duer asked for authorization to move forward with the loan for the roof. Vice-Mayor Lewis made the Motion to authorize Mr. Duer to move forward with the loan for the roof on the Town Hall. The Motion was seconded by Councilman Ward. The Motion was passed unanimously.

CHICKEN ORDINANCE:

Mr. Duer noted that he has given them a working document only, not an ordinance. He said that if the Council wanted to allow chickens in Town, they could use this document to help with writing an ordinance. It would allow no more than six hens and no roosters, on your own property, must be kept clean, the Town can inspect for cleanliness, each chicken has to have two square feet, with a maximum of 150 square feet, must be thirty-five feet from your neighbor, manure must be taken care of properly, feed must be kept in barrels, \$10 per year for a license and it goes on and on. He said that there have been two claims with chickens but only one pending who has filed an appeal to keep their chickens.

UPDATE ON SEWER – DRAPER ADEN:

Mr. Dukes noted that the USDA is reviewing the proposal that Mr. Duer wrote asking for a USDA grant for the engineering study. Mr. Duer said that the grant will pay for approximately half of the engineering study.

UPDATE ON WELL PROJECT – DRAPER ADEN:

Mr. Dukes informed the Mayor and Council that Mr. Duer has signed the contract with Draper Aden to move forward with the new wells. He stated that construction is scheduled to begin September 1st of this year and ending February 1st of next year. Mr. Duer added that we may have to pay for the well drilling before we can obtain the loan. He said that Draper Aden is not sure if the project will be done in two or three phases; it depends on if they install new meters or not.

WATERWORKS BUSINESS OPERATIONS PLAN PROPOSAL:

Mr. Duer noted that we do not have the expertise or the time to write the required business plan. The cost for Draper Aden to write this for us is \$14,715. He noted that we need the Council's approval to enter into the contract with Draper Aden to write this business plan to get our water. He said in a worse-case scenario, the total cost for this project would be 1.2 million dollars. Councilman Ward made the Motion to accept Draper Aden's proposal of \$14,715 to write the Waterworks Business Operations Plan. The Motion was seconded by Vice-Mayor Lewis and was passed unanimously.

CHANGES IN PERSONNEL POLICY:

Mr. Duer noted that after the Council voted in the May 5th meeting to amend the Personnel Policy for the new hire waiting period for benefits from 90 days to the first of the month following the date of hire, he changed the Personnel Policy Handbook. He commented that the probationary period remains 90 days. Councilman Heaster made the Motion to accept the change in the Personnel Policy Handbook. The Motion was seconded by Councilman Metz and was passed unanimously.

NEW BUSINESS:

a. EMPLOYEES WITH VACATION TIMES ABOVE APPROVED CARRY-OVER:

Mr. Duer explained to the Mayor and Council that when VRS mandated that we carry long term and short term disability, we capped our vacation and sick leave at 200 hours. This was voted on at the February 7th meeting and at that time we had three employees with well over 200 hours of vacation leave. He said that we need to pay these employees for this time over the 200 hours (February balances) without hurting the budget or the employees with taxes. After brief discussion, Councilman Heaster made the Motion to pay the employees one week vacation per quarter to be managed by Mr. Duer. The Motion was seconded by Councilman Metz and was passed unanimously.

POLICE REPORT – CHIEF DIMARTINO:

Chief DiMartino noted that the officers are doing very well as is Officer Marshall in school. He is in his fifth week. He reported that with the weather getting warmer there are more kids out and more foot traffic than normal. There were some windows broken out over the weekend. Calls for service are maintaining and there have been numerous alarm calls. Chief DiMartino noted that they

participated in the Click It or Ticket campaign the last two weeks of May. He said that Sgt Campbell wrote 21 violations in one day and that Officer Marshall arrested a subject who has been wanted out of Accomack for two years. He noted that the Virginia State Police reported that nine people were killed last year over the Memorial Day weekend and nine have been killed over this year's Memorial Day weekend. Seven of those nine were not wearing seatbelts. Chief DiMartino mentioned that the yard sale went well, stating that everyone cleaned up before they left. He said that the Sage Restaurant is working with the department and they have had no major issues. Chief DiMartino noted that they are helping Public Works to get the medians at the intersections mowed. Public Works has put the signs up at New Road and that has helped a lot.

UTILITY REPORT – MR. DUKES:

Mr. Dukes reported that they had several pumps that either failed or burned up. He said that the residential pumps are designed to run seven to eight years and this is the eighth year. There will be more failing as time goes on. He said that we can purchase the pumps for \$379 each. Mr. Dukes noted that the Health Department will not allow us to hook up any new sewer taps unless a house fails. He stated that we pumped 5,512,400 gallons of water last month and only billed for 3,388,230 gallons. He said that part of that loss is due to old meters and leaks. Virginia Rural Water will be here this month to help us with leak detection and will also be teaching a Water Operator training course on math which is open to the entire Shore.

PUBLIC WORKS REPORT – MR. JOHNSON:

Mr. Johnson commented on the numerous water leaks from last week and commended the Public Works crew for coming together as a team and working hard to get the leaks repaired so the customers would not go long without water. He reported 31 water meter cut-offs and turn-ons, 9 Miss Utilities calls, 15 sewer calls due to the rain, 18,000 pounds of trash picked up, read 720 meters, 2 new sewer hook-ups, and changed out 6 meters. Mr. Duer noted that they will get the playground equipment installed and the bathroom is a July project.

Mayor Greer commended the employees for the team spirit they have been displaying. He noted that it is noticeable in the community and it is good to see everybody pulling together.

CITIZEN COMMENTS (LIMIT OF 3 MINUTES PER SPEAKER):

Stevon Sample invited everyone to his art show June 7th and June 14th at 12:00pm in his home.

Donald E. Kellam, Jr. asked about the status of the water and sewer system contractors. Mr. Duer said that the water contract has been signed and the timetable is available in his office. The sewer system hookups are on hold until we talk to the Health Department.

SCHEDULED MEETINGS:

REGULAR TOWN COUNCIL MEETING – MONDAY JULY 7, 2014 @ 7:00pm

TOWN OFFICE CLOSED – FRIDAY, JULY 4, 2014

ADJOURNMENT:

Vice-Mayor Lewis made the Motion to adjourn. The Motion was seconded by Councilman Ward. The Motion was passed unanimously and the meeting was adjourned.

Douglas Greer, Mayor

Ethel Parks, Town Clerk