

The regular meeting of the Town Council of the Town of Front Royal, Virginia was held on April 27, 2015, in the Warren County Government Center's Board Meeting Room. Mayor Darr led Council and those attending in the Pledge of Allegiance to the flag and a Moment of Silence. The roll was called at 7:00 p.m.

PRESENT: Mayor Timothy W. Darr
Councilman John P. Connolly
Councilman Bébhinn C. Egger
Councilman Daryl L. Funk
Councilman Bret W. Hrbek
Councilman Eugene R. Tewalt
Vice Mayor Hollis L. Tharpe
Town Attorney Douglas W. Napier
Town Manager Steven M. Burke, P.E.
Clerk of Council Jennifer E. Berry, CMC

(The above listed members represent the full body of Council as authorized in the Town Charter.)

Councilman Tewalt moved, seconded by Vice Mayor Tharpe that Council approve the Regular Council Meeting minutes of April 13, 2015 as presented.

Vote: Yes – Connolly, Egger, Funk, Hrbek, Tewalt and Tharpe
No – N/A
Abstain – N/A
Absent – N/A
(Mayor Darr did not vote as there was no tie to require his vote)

RECEIPT OF PETITIONS OR CORRESPONDENCE FROM THE PUBLIC

Clare Schmitt, of 719 W. 13th Street, noted that she was taken aback that a full analysis had not been completed by Town Staff regarding Mr. Duncan's report and that the Council had contracted the services of Mr. Glass to research the annexation possibilities. She opined that the Town had moved to a MOU agreement before Mr. Glass submitted his report and this was not in the best interest of the citizenry. Mrs. Schmitt stated that she was grateful that some Council members were pushing to bring this information to the forefront for the public, and perhaps before a final vote is taken. She added that the County is not thinking about what is best in mind for the Town of Front Royal and last week, at the request of Councilman Tharpe, she received from the Town Manager, a copy of Warren County's response to Mr. Duncan's report. Mrs. Schmitt commented that Mr. Tharpe seemed to be naïve to what was taking place with the situation, adding that it was most likely the County's hope that the Council would follow their (the County's) conclusion when following through with the agreement. She stated that she would like responses from the Town – not the County's response. She reported that she was shocked by many sentiments shared with her via telephone in the last few weeks. Mrs. Schmitt asked where each member of Council stood on issues; for the Town or the County.

REPORT OF THE MAYOR, COUNCIL & STAFF

Town Manager Steve Burke:

- Noted that the Town's Fleet Maintenance Division has been recognized by American City & County magazine with an Honorable Mention for their performance, capabilities, and efficiency as part of the magazine's "The 100 Best Fleets in the Americas" for 2015. The Town's Fleet Maintenance

Division managed by Don McPaters, and was identified as one of the top Fleet Maintenance organizations from more than 38,000 public fleet organizations in North America;

- Stated that hydrant flushing will be taking place through the Town in the coming weeks and advised the citizenry on the needs and necessity for the hydrant maintenance;
- Reported that the online application process for employment to the Town is available on the Town's website and the Town's kiosk at the Administration Building on Main Street;
- Announced that the Fraternal Order of Police will soon hold their carnival and he asked that all watch for increased traffic in that area;

Jennifer McDonald, Executive Director of the Economic Development Authority:

- Commented that the rent rate study would be submitted soon;
- Reported that a bakery and sports lounge are being worked on for the old Victoria's building;
- Noted that the Root & Seed shop has opened, as has the Italian Ice shop and Therese Brown Catering; and
- The EDA's work continues to finalize the Leach Run Parkway and the Connector Road at Avtex.

Mayor Darr noted that he was taken aback by some comments made recently by an EDA Board member on the Town's water system. He stated that the comments related to the Town's volume and availability of Town water to the Corridor. Mayor Darr stated that the Town and the EDA work well together and he wished to continue that relationship. He added that should the Town need to brief the EDA Board members on history of the Town's water system, the Town would be pleased to do so. He stated that the water system is for the citizens for the Town of Front Royal, and that was the original intent, though the Town does wish to aid and assist the EDA in every way possible. Mayor Darr explained that it is the Town's intent to prosper economically and residentially with the water system. He reiterated that he hoped to keep comments professional and it was in no way a reflection on Mrs. McDonald. Mrs. McDonald noted that she felt that the EDA and the Town were on the same page.

County Administrator Doug Stanley presented the following report to Council:

FY2015-2016 Budget – The Board of Supervisors adopted the FY2015-2016 budget and tax rates at its meeting on April 21st. With the 5.5% increase in assessments the County had to equalize the Real Estate tax rate by dropping it from \$.61 to \$.58. The Board advertised a \$.03 increase to keep it at \$.61. At the end of the day, the Board was able to balance the budget by raising the Real Estate tax rate from \$.58 to \$.595. We still have some significant looming costs in the next two fiscal years including opening and operating the new second middle school and meeting our commitment to the regional jail.

Reassessment – The Board of Equalization concluded the hearing of assessment appeals last week. In total they heard 45 hearings for 91 properties. I want to thank the members of the Board of Equalization: Joe Biggs, Eleanor Coons and Billy Thomas for their service.

Voting Machines – Two weeks ago the State Board of Elections decertified the AVS WINVote equipment. Warren County is one of 30 localities that currently use the

WINVote equipment. The Registrar and Electoral Board have already been in contract with a vendor under state contract to provide equipment for the Republican Primary for the 29th House District to be held on June 9th.

Long-term, the County needed to replace the equipment by 2016 anyway under State law. I previously asked Registrar Carol Tobin to get quotes on the replacement equipment based on our anticipated needs and a recommendation to make a decision in the near future so that new equipment can be in place for the November election. The Electoral Board has been meeting with vendors and we will be renting equipment for the June 9th primary which will allow us to do a “test run” on the new equipment.

Community Development

Development Review Committee – The Development Review Committee met on April 22nd. The Committee discussed several projects in the County including: a proposed agricultural events center on Strasburg Road and road frontage improvements for a proposed fast food restaurant in Linden. Pending projects were also discussed including: the ALDI grocery store, the Wal-Mart Fueling Station, Valley Health Urgent Care, the Phase II warehouse for the Interchange Group, the Natural Gas Station, and a dental office at Riverton Commons. The Committee discussed several projects in the Town including: the proposed Tractor Supply in a portion of the K-Mart building, a new sports lounge on Chester Street, a proposed restaurant in the old Second Chance building, the Royal Phoenix development, and the Afton Inn. The Committee will meet again on May 27th.

Project Updates

Leach Run Parkway – The EDA is still waiting on confirmation of the right-of-way by VDOT in order to advertise the project. A final certification request was sent by the EDA on April 7th.

Health and Human Services Complex – Lantz Construction of Winchester (LCW) is approximately 75% complete with the parking lot project. We hope to have portions of the lot paved by the end of the May. LCW has started work on the building renovation. Based on the current schedule, substantial completion of the project should be achieved by December 1st.

2nd Middle School – The project was put out to bid on April 26th with bids due on June 4th. The facility should be ready to open for the 2017-2018 school year.

Rockland Park – General Excavation, Inc. (GEI) re-mobilized on April 6th to complete final grading of road work and parking areas. It is anticipated that the paving contractor will be on-site on May 1st to surface treat (tar-and-chip) the roadway and parking lots. County staff has completed the Rotary shelter and has the 2nd shelter (Edward Jones) under roof. We anticipate scheduling a grand opening event in mid-May.

Skyline Soccerplex – County staff has continued to be delayed by the wet weather in completing the next phase of capital improvements at the Soccerplex including the construction of two new fields and additional parking on the south side of the facility. The parking lot has been completed and we now hope to have the fields and most of the walking path completed by June. The three playing fields should be in playing condition by fall 2015.

Project	Ad/Bid Date	Cost	Estimated Completion Date	Status
Gooney Creek Bridge	11/20/13	\$14,664,392	Fall 2015	Under Construction
South Fork Bridge	9/2013	\$74,700,000	Fall 2017	Under Construction
Health and Human Services Complex – Renovation	Summer 2014	Unavailable	Winter 2015	Under Construction
Health and Human Services Complex – Parking Lot	Spring 2014	Unavailable	Spring 2015	Under Construction
Courthouse Re-roofing	Summer 2014	Unavailable	Spring 2015	Under Construction
Rockland Park – Recreation Access Project	Spring 2014	\$600,000	May 2015	Under Construction
Rockland Park – Playground/Shelter/Parking Lot Project	Spring 2014	\$300,000	May 2015	Under Construction
Rockland Park Disc Golf Course	N/A	\$15,000	May 2015	Waiting until Parking Lot Completion
2nd Warren County Middle School	Winter 2015	\$44,100,000	Summer 2017	Out to Bid 4/26
Catlett Mountain Landfill	Summer 2014	\$500,000	Complete	Complete – Town Reimbursement to be received July 2015
Freezeland Road Kiss-n-Ride	Fall 2014	Unavailable	Summer 2015	Site Plan Approved by PC 3/11/15
Shenandoah Farms Boat Landing	N/A	\$75,000	Summer 2015	Working on Design

Councilman Tewalt noted that the Morgan Ford bridge was flooded over and the sign in town was never changed. Mr. Stanley stated that he would convey that issue to remedy the matter.

Councilman Hrbek asked if the 8th graders would be pulled down to the middle schools once the new middle school is completed. Mr. Stanley explained that they will moving the 8th graders between the two middle schools, in order to maintain schools with the grades of 6-7-8th.

Councilman Hrbek stated that the soccer fields and parks facilities in Warren County are some of the best in Northern Virginia and he commended the County Staff for their efforts.

Mayor Darr noted that the 15th Street Complex looks exceptional and he stated that it had been well worth the inconvenience.

In response to Councilman Tewalt's question, Mr. Burke noted that the VDOT representative will be attending an upcoming May worksession to provide Council with an update on the new bridge.

Andrew Burnham, of Burton & Associates, presented the following Water and Sewer Study to Council and the public, noting that they are not recommending any increases for the water and sewer rates:

Water & Sewer Financial Management Plan Update

- Water: No rate adjustments from FY 16 – FY 20
- Sewer: 6.5% reduction in FY 16; No increases thru FY 20
 - Typical residence will save \$1-3 per month depending upon usage
 - Driver: Amount of grants and no interest loan for WWTP
- Long-term outlook: No significant future adjustments
 - Potential need for inflationary increases starting in FY 21 (3% per year)
 - However, current analysis includes conservative growth assumptions
- Local cost of service comparison
 - One of the lowest cost providers for typical residential users
 - National trend is 5-6% per year increases in water and sewer rates
 - Expectation: Town will compare even more favorably in the future

Key Data & Assumptions

- Relies upon most current available financial and system data
 - FY 2014 fund balances, debt service schedules, and current multi-year CIP
 - Revenue and expense data (actual vs. budget) from FY 2011 – FY 2016
 - 10-year review of historical trends in customers and demands
- Includes expected operating cost inflation (Average of 3.5% per year)
 - Line item escalation factors per discussions with staff and historical trends
 - Spending of forecast amounts consistent with recent performance (95%)
- Reflects conservative customer growth of 0.5% increasing to 1% per yr.
 - Consistent with recent observed growth trends (30-60 new accounts per year)
 - Does not include additional units from expected potential large developments
- Maintains reserves: At least 9 mos. of O&M expenses
 - Consistent with AWWA & Rating Agency Guidelines; About \$2M for each fund

Local Upcoming Rate Increase Info.

(Per Town Staff Research & Inquiries)

- Leesburg: 7% water increase, <1% increase on sewer
- Fairfax: 5% water increase, no increase on sewer indicated
- Manassas: 3% water and sewer increase
- Mount Jackson: Water and sewer will increase based upon CPI
- Fredericksburg & Strasburg: Likely, unsure of % increases
- Woodstock: Very preliminary discussions of possible increases
- Hopewell: Possible increase on water; none on sewer
- Manassas Park, Winchester, Waynesboro, Staunton, Culpeper, Vienna, and Warrenton – No increases expected

Councilman Egger read the following into the record:

In the spirit of openness, honesty, and transparency, I would like to take a few minutes to answer the questions that were posed at our April 13th meeting regarding the 522 corridor.

I would like to start by mentioning that, in 1998, I was 11 years old. My biggest concerns at the time were things like how long it would take to finish my math lesson for the day, or when the next Backstreet Boys album would be coming out. As a child living in Front Royal, I had no idea about what was going in my Town's political realm. Because of my age, I've had to rely extensively on research--some of it my own, some of it put together by others--to guide the answers I'm about to present. I welcome comments from any other Councilmen, the Staff, or the public in order to facilitate healthy discussion of the issues at hand.

#1. Is the Town mandated to give water to the County?

The Town is currently mandated to provide water to all our current customers. In addition, we are mandated to provide water to new customers within our service area (which includes the 522 corridor) provided that we have the capacity to do so. In reading through minutes from past Town Council meetings, I came across the following information from January 26th 1998: "Councilman Foulds reminded Council that [...] the Town has no recourse once the water is turned on." The next paragraph reads: "Town Manager [Lyle] Lacy [...] noted that if water service has already been provided to a customer, the Town would have to continue that service."

#2. Why did the Town build the water infrastructure for the corridor?

The answer to this question seems to be twofold. One of the main reasons at first was to provide jobs for the community, with companies such as DuPont, which would not have been able to locate in Warren County without the Town's municipal water supply. Another reason was to help the County adequately fund its public school system. Both of these reasons are explicitly stated in the original agreement. It reads: "Whereas, the County and the Town recognize the desirability to the common good, general welfare and economic prosperity of the inhabitants of the Town and County of the establishment and orderly growth of commercial development in order to provide employment for their inhabitants and to provide a larger tax base in order to provide adequate funding for public schools and other essential local government responsibilities."

#3. How much did it cost? Who paid for it?

In order to answer this question, I'd like to first answer question #10: Has the Town reviewed the Duncan document to analyze its strengths and weaknesses? I can't speak for other Councilmen, but I have read Mr. Duncan's report in its entirety, and I have discussed it at length with our Staff. It is my feeling that, while Mr. Duncan's figures may not be exact down to the penny, the overall figures and calculations give us an accurate picture of the situation. One issue that is present in Mr. Duncan's report is the fact that he asserts that all the water and sewer infrastructure built by the Town was paid for by Warren County Taxpayers living within the Town limits. This is not exactly accurate. The water and sewer infrastructure was

paid for by Warren County taxpayers who are customers of the Town's utility service. Our taxes do not go toward supporting the water enterprise fund. Our water bills go toward supporting the water enterprise fund. Now, at one point in history, these two groups of people (Warren County taxpayers living within the Town limits, and Warren County taxpayers who are customers of the Town's utility service) were virtually one and the same. Today, of course, that is not the case.

So, back to #3: How much did the infrastructure cost and who paid for it?

On pages 4 & 5 of his document, Mr. Duncan provides a table labelled "1960-2010 Water, Sewer, and Other Land Acquisition, Construction, and Financing Expenses." This is a sum of all the pieces of the puzzle which make it possible to provide water to the 522 corridor and our other service areas. The pieces of the puzzle include things such as the 1975 construction of the waste water treatment plant, the 1992 upgrade to the waste water treatment plant, the 1993 construction of the pumping station and raw water intake on the south fork of the Shenandoah River, and the 2009 addition to the water treatment plant. He also breaks down what was paid by the Town, and what was paid by the County. According to his calculations, by 2010 \$53,357,172.95 had been spent. Of the amount, the Town had paid 93.1%, or \$49,661,798.00 and the County had paid 6.9%, or \$3,695,374.95. What the table does NOT include is the recent \$50,000,000 upgrade to the waste water treatment plant, of which the County is paying only for a portion of the septage receiving tank.

#4. Can the Town cut off water to the County for any reason?

Not unless the river runs dry.

#5. Can the Town deny providing additional water to the corridor for new development?

If we have the capacity to provide water for new development in corridor, we must do so. However, a situation just arose last Friday where the Town was asked if we could provide an additional 1,000,000 gallons per day to the corridor. The corridor is serviced by a 10" line. Currently we provide 500,000 to 750,000 gallons of water per day to the entire corridor. A request of this magnitude was never in the plans for the Town, the County, or the EDA when the future of the corridor was being discussed. A situation such as this is an example of when the Town could reasonably deny providing water for new development: at this time we simply don't have the ability to provide the water being requested.

#6. Has the Town been paid back for their investment in infrastructure?

No. It should be noted that, to my knowledge, the Town never expressed an expectation that it would be fully "paid back" for the investment. However, in his 2012 response to Mr. Duncan's report, Mr. Doug Stanley asserts that "Between these monthly fees [he's speaking of the double rates charged to some County utility customers] and tap fees for initial connections, the Town has received millions of dollars in revenue from the extensions of the systems in the 340/522 Corridor and other parts of the County." We need to keep in mind that, right now in 2015, the Town has paid or is indebted to pay almost \$100,000,000 in infrastructure costs. (The \$49,661,798 that Mr. Duncan calculated, and the recent \$50,000,000 for the upgrades to the waste water treatment plant.) Mr. Stanley also states "[The

County] has also worked diligently over the past 15 years to address issues of concern regarding double taxation including assuming funding for parks and recreation, Front Royal VFD, and animal control in the late 1990's[...]" This is a position I have heard before; that the Town should be grateful to the County for assuming responsibility of these services through the 1998 corridor agreement. However, it has always been my opinion that these are services for which the County should have already been paying. This opinion was shared by at least one member of the Warren County Board of Supervisors back in 1998. The minutes from the Board of Supervisors meeting held on February 3rd, 1998 recorded Vice-Chairman Matthew Tederick as stating: "Parks and recreation should be a County function. Contributions given to fire companies should be a County function. Animal Control should be a County function." Again, this goes back to question #2 and the reasons why the Town agreed to extend water into the corridor. The County had been unable in the past to adequately fund these services for which they should have been paying all along.

#7. Does our revenue model cover the cost to build new infrastructure?
The water rate is determined such that a percentage can be set aside for capital improvements.

#8. How much capacity can the Town give to the County and still have enough to meet future Town demands?
According to the Town's Virginia Water Protection Permit, our current permitted capacity to withdraw water from the south fork of the Shenandoah River is 4MGD. Our potential capacity is 6MGD. As of 2008, our average daily usage was 2.05MGD, slightly above half our permitted amount, and slightly above a third of our potential amount. The approximate in-Town water usage growth rate shows us reaching 4MGD by 2076. The approximate water usage growth rate including the 522 corridor shows us reaching 4MGD by 2032, and the 6MGD potential limit by 2060.

#9. Why didn't the Town annex after the 7 years?
I've spoken to several former Town Councilmen and Mayors from previous years about this question. I think the main reason that the Town didn't pursue annexing at that time was because the agreement was working the way both Town and County intended it to work. There was no pressing reason that served as a catalyst for annexation. Keep in mind that at this point, the major chain restaurants which eventually brought a lawsuit against the Town had not yet located in the corridor. The County had taken the liberty to impose their own meals tax at the beginning of 2004, a tax which they had never had in the past; however, things didn't start to get ugly until after the 7 years had come and gone.

#10 we've already addressed.

#11. Has there been a study of the impact of annexation on the Town?
We are currently awaiting the results of a study by Carter Glass, Esq. regarding this very issue, among others.

#12. Have any other Councils discussed the long term effect on the growth of this

area and the impact on the Town's economic growth?

Having only been on Council for four months, and not having enough time in the last two weeks to read every page of meeting minutes regarding the corridor, I don't feel prepared to give an in-depth answer to this question. Most assuredly it has been discussed; I have not yet compiled the details of those discussions. I would, however, like to close with a few more quotes from the 1998 corridor agreement: "Whereas, the County and the Town recognize that the expense to the Town and its taxpayers of establishing, maintaining, operating and enlarging its waterworks and sewerage systems outside the Town's corporate limits is much greater than is the expense to the Town and its taxpayers of establishing, maintaining, operating and enlarging its waterworks and sewerage systems within the Town's corporate limits; and Whereas, the County and the Town recognize the competitive advantage to future potential commercial development outside the Town's corporate limits and served by Town water and sewerage service and the disadvantage of future potential commercial development within the Town's corporate limits, if rates charged to commercial users do not reflect the incurred expense to the Town and its taxpayers to pay for establishing, maintaining, operating and enlarging its waterworks and sewerage systems outside the Town's corporate limits; and Whereas, the County and the Town recognize the desirability to the inhabitants of the County and the Town that the Town have a vibrant, prosperous and growing economy and adequate tax base and that the Town be able to compete fairly and at equivalent levels with the County in attracting desirable future commercial development, so that in the future desirable commercial development will not, unfairly to the Town, occur in the County and outside the Town's corporate limits [...] which such development would not occur in the first place but without the Town's establishing, maintaining, operating and enlarging its waterworks and sewerage systems outside the Town's corporate limits."

Councilman Tewalt thanked Councilman Egger for her work on her statement, noting that most everything was quite accurate. He noted that, he believed, that DuPont only paid \$5,000 every month for a period of 20 years for water and sewer, so the Town allotted the company a huge discounted rate for their usage. Councilman Tewalt thanked Mrs. Egger again for her report.

Councilman Hrbek also thanked Councilman Egger for the report she compiled, and noted that he wished to highlight a few points that she made. He stated that the Town has limited ability to deny water. He explained that the Town is continually subsidizing commercial development in the Corridor, which is in direct competition with the commercial development in the Town boundaries. Councilman Hrbek stated that the Town Council represents the residents and businesses *within* the Town boundaries. He added that based on the Corridor Agreement alone the Town is almost required to help fund the competition. Mr. Hrbek stated that as Councilman Egger pointed out, there is \$50 million that the Town water users paid out, versus the County's \$4 million. He noted that one of Mr. Duncan's points is "the construction of the water mains into Warren County by Warren County tax payers (water users) in town, has enabled the Warren County Board of Supervisors to increase their tax base by an estimated two-fold."

Councilman Hrbek posed the question: What happens now? He suggested that the Town Council formally ask the County to enter into a friendly boundary adjustment, and also move to lift the moratorium, as previously discussed if the Town did not receive a timely response from the County, in order to collect meals and lodging portion of the PILOT fees on those available within the contract. Mr. Hrbek added that he would like to invite Tom Christoffel, former Executive

Director of the Lord Fairfax Planning Commission, to speak on urban planning and development and the roles of towns and counties at a formal meeting for the benefit of the Town and the County of Warren.

Mayor Darr thanked the 30 students from China studying here in Front Royal with the International School visiting the meeting this evening. He thanked Town Manager Steve Burke and Vice Mayor Tharpe who attended their class recently to assist the students as they learn about democracy and American Government. Mayor Darr wished them well as they study and embrace Front Royal and the cultures of the State of Virginia.

Mayor Darr thanked Councilman Funk for presenting the Relay for Life Paint the Town Purple proclamation at the gazebo on Main Street over the weekend; and Vice Mayor Tharpe for overseeing the presentation of the Annual Arbor Day proclamation at the Front Royal Arboretum.

Mayor Darr asked if there were any other proposals for additions or deletions to the agenda.

Councilman Funk moved, seconded by Vice Mayor Tharpe that Council add Item #7D – Proclamation: Mental Health Proclamation Month to the agenda.

Vote: Yes – Connolly, Egger, Funk, Hrbek, Tewalt and Tharpe
No – N/A
Abstain – N/A
Absent – N/A
(Mayor Darr did not vote as there was no tie to require his vote)

CONSENT AGENDA ITEMS

Councilman Tewalt moved, seconded by Councilman Egger that Council approve the Consent Agenda as presented.

- A. COUNCIL APPROVAL – Bid for Two Vehicles at Vehicle Maintenance and WWTP
- B. COUNCIL APPROVAL – Budget Amendment for Byrne Justice Assistance Grant
- C. COUNCIL APPROVAL – Proclamation – Arbor Day
- D. COUNCIL APPROVAL – Proclamation – Mental Health Proclamation Month

Vote: Yes – Connolly, Egger, Funk, Hrbek, Tewalt and Tharpe
No – N/A
Abstain – N/A
Absent – N/A
(Mayor Darr did not vote as there was no tie to require his vote)
(By Roll Call)

COUNCIL APPOINTMENT – Planning Commission

Councilman Funk moved, seconded by Vice Mayor Tharpe that Council appoint David E. Gusbee to the Front Royal Planning Commission to an un-expired term, said term to expire August 31, 2015.

Vote: Yes – Connolly, Egger, Funk, Hrbek, Tewalt and Tharpe
No – N/A
Abstain – N/A

Absent – N/A

(Mayor Darr did not vote as there was no tie to require his vote)

COUNCIL RECOMMENDATION – Board of Zoning Appeals

Councilman Tewalt moved, seconded by Councilman Egger that Council recommend Robert B. Helms to the Judge of the Warren County Circuit Court for re-appointment to the Front Royal Board of Zoning Appeals (BZA) to fill a five-year term ending May 1, 2020.

Vote: Yes – Connolly, Egger, Funk, Hrbek, Tewalt and Tharpe

No – N/A

Abstain – N/A

Absent – N/A

(Mayor Darr did not vote as there was no tie to require his vote)

There being no further business, the Mayor declared the meeting adjourned at 7:54 p.m.

APPROVED:

Jennifer E. Berry
Clerk of Council



TOWN COUNCIL WORK SESSION
Warren County Government Center
Monday, April 27, 2015, after the Regular Council Meeting

1. Discussion of Burton and Associates Water and Sewer Study (after in depth presentation at the Regular Council Meeting)

Mr. Burnham noted that the recurring monthly service charges is truly the ongoing benefits to the Town's system. He stated that they worked with Staff extensively and they were very conservative with their estimates. In response to Council's questions, Mr. Burke noted that they will continue to work with Burton & Associates and review matters in two years again to determine the new developments for additional revenue, which may offset any potential need for the 3% adjustment.

Councilman Egger asked why Woodstock's rates were so high. Mrs. Breeden noted that they did not receive any grant funding and did not receive good bond rates either. In response to Councilman Tewalt's question, Mr. Burke noted that they did not consider the loop matter in the study.

Councilman Hrbek asked if Staff could consider the changes in water level due to water, or looping water back to the Water Treatment Plant. Mr. Burke noted that they spoke of drought matters at a recent NSVRC meeting and DEQ has no concerns with drought issues in the next 15 years. He stated that currently the Town is putting more in the river than they are taking out and it is also better quality.

2. FY 15-16 Budget Code Amendments – *Town Manager*

a. Amend Town Code Chapter 12(Fees)

12-2 (Environmental Services)

12-4 (Planning/Zoning Fees)

12-5 (Police Department Fees)

b. Amend Town Code 75-44 to add Machinery/Tools and Mobile Home Tax Rates

c. Repeal Town Code 75-52 (Enterprise Zone - Boundaries)

d. Amend Town Code 134-22.1 and 134-22.4 (Sewer Service Rates)

Mr. Burke noted that they were basically adjustments to a few fee adjustments and housekeeping matters to reflect the changes related to OSHA, Staff and equipment changes. Mr. Funk asked about the sewer clean-out charges of \$200/hour for equipment, fuel and Staff. Mr. Burke noted that the charges were close to accurate for a sewer clean-out. He stated that they were welcome to find their own private contractor, rather than using the Town's Staff.

Mayor Darr noted that the Town's concern could be the problem of being lower than a private contractor. Mr. Burke stated that they could be moved down to \$150 to have the Town break even. Councilman Tewalt voiced concern with \$200/hour adding that they did not want to be lower than a private contractor. Mayor Darr stated that he wished to be fair, but he wanted to have Staff doing appropriate work.

Council voiced support of \$150 rather than \$200 as suggested by Staff.

Mr. Burke stated that the cost for \$2,350 for Hydrant Meter Deposit has increased and he would like it matched. He noted that the Accident Report Code is a removal to reflect the shift of these documents going through the State Police.

Mr. Burke stated that the Machinery & Tools and Mobile Homes is a tax rate clarification to have them clearly listed. He noted that the Enterprise Zone was a wording change for adjustment to the specifically identify that it had been deactivated.

3. Council Discussion/Goals

Mayor Darr asked about scheduling the retreat, even if it had to be the evening time.

Present: Mayor Darr, Vice Mayor Tharpe, Councilman Connolly, Councilman Egger, Councilman Funk, Councilman Hrbek, Councilman Tewalt, Finance Director Breeden, Town Attorney Napier, Clerk of Council Berry, Chief of Police Shiflett, Financial Analyst Wilson, members of the media and members of the public.