

## MINUTES OF THE TIMBERVILLE TOWN COUNCIL MEETING

August 12<sup>th</sup>, 2021

The regular monthly meeting of the Town of Timberville Council was held Thursday August 12<sup>th</sup>, 2021 at 7:00 p.m. in the Town's council chambers with Mayor Donald Delaughter presiding.

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

**PRESENT:** Austin Garber, Town Manager  
Melinda Hooke, Clerk/Treasurer  
JR Dodd, Chief of Police  
Quinton Callahan, Town Attorney  
Beverly Garber, Town Historian

**GUESTS:** Tyler Jessup  
Nathanael & Nichole Kelley  
Chris & Jennifer Coffman  
Jeremy Arbogast

**PLEDGE OF ALLEGIANCE:** Mayor Donald Delaughter led the group in the Pledge of Allegiance to the American Flag.

**APPROVAL OF MINUTES:** A motion was made by Carl Turner and seconded by Debbie Jessup to approve the July Council Minutes. The motion carried with all present members voting in favor.

Roll Call Vote:

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

<b>TREASURER'S REPORT:</b> General Fund	\$139,238.02
Water/Sewer Acct.	\$208,237.11
Loan Balance	\$928,954.40
CAT Financial	\$10,543.83
American Legion Park	\$180,000
Money Market Acct.	\$1,253,600.53
ARPA Funds	\$830,738.64

**BILLS FOR PAYMENT:** A motion was made by Carl Turner and seconded by Clarence Fox to pay the bills as presented. The motion carried with all present members voting in favor.

Roll Call Vote:

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

**POLICE REPORT:** Mayor Delaughter stated that the police committee meeting held on Monday, August 9<sup>th</sup> went very well. He stated they looked at the current benefits package in recruiting new hires and it was average compared to surrounding localities. The committee looked at different options on improving recruitment. The proposal to council is starting pay would be \$45,000.00, \$1 per hour nightshift differential pay and 50% coverage of employee plus one and family plan. The insurance change would be for all employees. Ned Overton asked how this was going to be funded. Mayor Delaughter stated that there would be money left over in this budget from the officer who left. He also

stated that they would need to look at some other ways to pay for it for the upcoming budget. Sharon Jones made a motion to approve the proposed items. Debbie Jessup seconded the motion.

Roll Call Vote:

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

Chief Dodd stated National Night Out was a big success. Chris and the maintenance department set-up everything at the American Legion Park. Cecilia and Michele helped get things organized and all of the employees were there and helped. It was estimated that roughly 200 people came. Chief Dodd thanked Cargill, Farmers and Merchants Bank, Pilgrims, Wal-Mart, Rockingham County Sheriff's Office and Timberville Fire Department for all of their donations.

The Axon Body Worn Cameras were deployed. The in-car cameras are scheduled to be delivered sometime in September or October. Those will integrate with the body worn cameras. The tasers have been delivered and will be in-use once a few parts are received. Chief Dodd has been redlining the Lexipol Policy Manual information and then having a weekly Zoom Meeting with Lexipol to review the policies. The Chief hopes to have this completed by the end of January. The remodeling of the Police Department will come later in the year after some of the other projects are completed.

**PUBLIC WORKS:** Town Manager Austin Garber gave the council a list of the jobs completed by the maintenance crew. A copy will become part of these minutes.

Austin stated that he received a call from a resident who was asking about when the walking path would be completed. Austin reminded that with a small maintenance crew it takes longer to complete the amenities in the park when the crew is pulled for leaks. He thanked the maintenance crew for repairing multiple things they did in a quick manner this week.

The company that replaced the motor last November, on well #2, recommended to change out the pump and variable speed drive. The pump is over 25 years old. Austin asked for Council to approve spending up to \$77,000 of ARPA Funds. The new pump system would be controlled by the SCADA System. Debbie Jessup made a motion to approve the upgrades up to \$77,000. Sharon Jones seconded the motion.

Roll Call Vote:

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

Mayor Delaughter stated he would like the Public Works Committee to have a meeting on what items to spend the ARPA Funds on.

Austin stated that VDOT requires the resolution giving him signatory authority to sign documents and funding authority. Sharon Jones made a motion to approve the resolution. Debbie Jessup seconded the motion.

Roll Call Vote:

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

The Planning Commission met to consider golf carts on town streets. They decided that Timberville streets aren't conducive to safe golf cart travel, so they recommended for Council not to consider adopting this ordinance. The Planning Commission also discussed changing the ordinance to allow chickens in town. They reviewed other towns ordinances and tailored one similar to Grottoes. It was sent over to the Town Attorney to review. Once it is received back, the Planning Commission will send their recommendation over to Council.

Austin stated that the demolition of the building on Main Street is still proceeding forwards. The contractor put in notes for asbestos remediation and have a twenty day notice they need to do and then

they can pull permits after that. Sharon Jones asked that an email be sent out notifying Council when the demo takes place. She stated the museum would like some of the brick. Austin stated that the house on Montevideo Street is also getting closer to being demolished.

**BUSINESS AND INDUSTRY:** Mayor Delaughter stated there have been a lot of calls regarding the Timberville Christmas Village. He stated he is very disappointed and it hurts him to talk about it being moved out of town. He also stated that part of his biggest disappointment was that the town was not involved with the discussion and that he found out through an article in the DNR. He said it was unfair for the town to hear through the rumor mill and that he heard some of the reasonings and does not agree with them. He said that it is the Timberville Christmas Village and it should be in Timberville. He stated how he put a lot of his own blood, sweat and tears into it. Sharon Jones read a letter that she wrote. It will become part of the minutes. Carl Turner asked if there was any way it can still be in town. Mayor Delaughter said it would be left up to CART. Sharon Jones asked if Ned Overton had any comment. He stated he did not. Mayor Delaughter asked who the decision makers are for CART. Ned Overton stated that Natalie is the President and to reach out to her. Mayor Delaughter stated that he spoke with her and that she was surprised at some of the things he said. So, if she's a decision maker, he wasn't sure in what manner the decision was made in. The mayor stated again that the Timberville Christmas Village should be in Timberville.

**ZONING ACTIVITY:**

-Walgreens-Lot Line Revision	-3519 Majestic Circle-Fence
-3280 Legion Way-Fence	-165 Shenandoah Ave-Fence

**PARKS AND RECREATION:** Mayor Delaughter stated that the town received a \$6500 grant from Cargill for the boat launch at the park. The town manager has a 36-page application that needs to be filled out to obtain a permit.

The walking path should be finished within the next two weeks.

**FINANCE:** Treasurer Melinda Hooke reminded Council that the annual audit would be next week.

**PERSONNEL:** Kevin Racey from the Planning Commission told Austin Garber he would serve on the BZA. Debbie Jessup made a motion to appoint Kevin Racey to the BZA. Carl Turner seconded the motion.

Roll Call Vote:

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

Austin Garber stated that Randy Andes, Johnny Garber, Ned Overton and Don Delaughter serve on the EDA and their terms have expired. Austin contacted Randy Andes and Johnny Garber. Mr. Andes said he would serve another four years. Mr. Garber opted out of serving due to some changes with his property, so he didn't feel qualified to serve. Mayor Delaughter stated he would serve another term and Ned Overton opted not to. Austin Garber stated that Council would need to find two people to fill the vacancies and that Marketing/Events Coordinator Cecilia Valdez will post the vacancies on Facebook. Sharon Jones made a motion to reappoint Don Delaughter and Randy Andes to the EDA. Clarence Fox seconded the motion.

Roll Call Vote:

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

**PLAINS DISTRICT MEMORIAL MUSEUM:** Sharon Jones reported that the museum will have an exhibit on Women-Pioneers of the Plains District. Heritage Day will be held on September 18th. She reported 97 volunteer hours, 136 visitors and 120 memberships.

**OTHER BUSINESS:** Austin Garber will be getting resolutions ready for former Councilmembers, Robert Blosser and Juanita Price. These will hopefully be presented to them during the September Council Meeting. A Councilmember, suggested to the town manager, that resolutions should be done honoring businesses in town with a 25-year Anniversary. Mayor Delaughter thought that was a good idea. Austin stated he would try and check back to see what businesses have already hit the 25-year mark.

**PUBLIC COMMENT:** Town resident Tyler Jessup thanked Council for supporting the police department. He also stated that salaries should be looked at for all employees because the employees do a great job. The mayor stated that in this current budget salaries were increased. Mr. Jessup wanted to express his disappointment of the Christmas Village being moved out of town. First of all, that town citizens tax money was used to assist and create a space for them to hold the event. Mr. Jessup asked if the space (the stables at the American Legion Park) would be of use anymore. Secondly, the town employees time that was spent there and their efforts translates into spending tax dollars as well. He stated that they live in a town that is primarily blue-collar, where people cannot afford for their tax dollars to be wasted. There is also a fairly large number of elderly people, who live on fixed incomes and cannot afford to have their tax dollars wasted. Mr. Jessup stated that he understands that there are two members that currently sit on Council and are a member of CART and played a part in this decision. One is not present and Mr. Jessup finds that odd in the current circumstances. Mr. Jessup asked what the two councilmembers have allegiance to. He asked if it was to the town, who they were elected to serve or to friends, personal interest or personal ideas. Mr. Jessup stated that it seems to him the latter. Mr. Jessup stated he was also angered at the newspaper article that came out and stated that the fire marshal's office did not come out and make the claims that things needed to be changed. Mr. Jessup said he knows for a fact that nobody from Rockingham County Fire Marshal's Office was ever involved in any conversation nor were they ever there for a consultation to give ideas or statements of what needed to be changed. Mr. Jessup said he was not saying that there didn't need to be some changes but those changes should have been brought to the town and given an option to make the changes, especially since tax dollars had already been spent. Mr. Jessup stated that if you sit on Council, your responsibility should be fiscal responsibility to the town, not your personal gain or desires or allegiances to friends. He also stated that if you can't put the tax payer first, then he asked for them to resign from the position of Council and let someone serve who will.

Town resident Jeremy Arbogast, who lives at 5191 Clearwater Drive, addressed Council about looking at the dog running at large ordinance. Mr. Arbogast stated that when larger dogs get out it's not good. He would like something changed from a verbal warning straight to being fined or more. He stated that some large dogs are called a dangerous breed for a reason. He would like to see an ordinance for dangerous breeds running at large. Mayor Delaughter stated Council would look at the dog ordinance to see if anything legally could be done to address the issues. Town Attorney Quinton Callahan stated that a lot of ordinances get written to mimic Virginia Law and they stay as they are. Mr. Callahan said he would make sure the ordinances match the Virginia Code and if it does the way that it's written, then legally he's not going to recommend a change. He also said if there are updates that need happen then he will bring those to Council to look at. Sharon Jones asked if Mr. Arbogast's dog was killed by the neighbor's dog and Mr. Arbogast stated it was. Mayor Delaughter stated that he was sorry for the damage that had been done and stated that if there was anything, by law, that could be done then it would.

**ADJOURNMENT:** No further business, the meeting adjourned.

**RESPECTFULLY SUBMITTED,**

---

Melinda Hooke, Clerk

---

Donald Delaughter, Mayor