

Pearisburg Town Council met in Regular Session on Tuesday, April 9, 2019 at 7:30 p.m. in the Pearisburg Town Council Chambers. Present for the meeting was Mayor Dickerson; Council Members Eaton, Clark, Harrell, Journell, Ballard and Williams; Town Attorney Hartley; Town Manager Meredith; Town Clerk Harless; Assistant Town Clerk Williams; Building Official Wilson; Police Chief Martin; and Treasurer Hope Harrell. Also, present were citizens Brad Brown, Kevin Belcher, Pippa Chapman, Beth Murray, Jerry Austin, Charles Hudson, Sandra Hudson, Dana Kinkopp and Roger Jennelle.

Dr. Stephanie Davis from the Virginia Tech (VT) Center for Public Administration and Policy (CPAP) presented the results of a pay plan study that she and a graduate assistant had completed for the Town. She is the Program Director for the Graduate Certificate in Local Government Management and the Graduate Certificate in Public and Non-profit Financial Management. She provides professional development and technical assistance for small localities. She recently helped Glade Spring balance their budget. Dr. Davis was assisted by a graduate student who helped review the Town's current pay scale and develop alternative methods for pay increases. She addressed Council and went over the data collection and analysis processes with a PowerPoint presentation. She stated that her goal was to develop a new classification pay scale plan and provide Council with an estimated cost for implementation. She provided several options to begin implementation on updating the current pay scale plan.

Dr. Davis asked Council if they had any questions or comments. Ballard asked how employee performance factored into the proposed pay plan. Dr. Davis stated that the pay plan update doesn't include a performance component. She stated that the main goal for the Pay Plan update is to adjust the pay grades to get employees better aligned with the pay plans in nearby localities. The proposed plan would be easier to manage and would put policies in place for future pay increases. Ballard stated that he wanted to make sure that he understood that compression is an all or nothing composition, and that employees were not being chosen. He understood the result would only help create a baseline. Dr. Davis concurred with Ballard's statement. Meredith stated that items of concern for employee job duties can be fleshed out annually during their performance evaluations. Eaton asked if most localities do performance evaluations. Dr. Davis stated that her research showed that localities don't administer performance-based merit increases. She commented that there are issues that come up on

performance-based evaluations. Meredith stated that “you are what you measure,” so the evaluation system must be carefully designed and implemented. He stated that implementing a performance-based pay system would require a more developed evaluation system for each job title. He stated that the Town does not currently have an evaluation system capable of producing the data needed for performance-based pay. Meredith said that he is currently working with staff to move in a more performance-based direction and part of that plan includes program level evaluations.

Journell asked Dr. Davis what criteria she used for selecting comparison localities for the study. Dr. Davis answered that she met numerous times with Meredith to identify the most comparable localities to include in the study. Journell stated that she would like to know what localities were used. Dr. Davis stated that they chose 10 localities with 3 or 4 that did not respond. Meredith stated the Town competes in the same job market for employees with the localities that were selected. Hartley asked Dr. Davis if she compiled the data from all the localities. Dr. Davis answered yes and that she could prepare a presentation to discuss the data collection, but that she did not have her working papers with her. She stated that she has gone over the results with Meredith. She said that they found certain areas where they couldn't use the data because it was too much of an outlier. Dr. Davis said that she would assemble the data and provide it to Council. She stated that she could assist Meredith with the implementation of the new pay plan if Council desired. Meredith wanted to let Council know that the Town would be working with one of Dr. Davis's interns this summer. He stated the VT Student is in the Local Government Management Program. He felt we would be getting a great asset this summer. Council thanked Dr. Davis for her hard work and presentation on the Pay Plan Update for the Town of Pearisburg.

Brad Brown with Suez Utility Service addressed Council. He stated that Pearisburg has received annual maintenance services on the King Heights 750,000-gallon elevated tank from his company since 2004. He stated that maintaining the asset can be costly. He stated that deferring annual maintenance could cost the town more in the future. The maintenance program takes care of the asset from inspections to emergency services. Meredith stated that a letter was sent to Utility Service Company in 2017 from a Town staff member without Council approval. Brown stated the letter put the Town account on hold. He stated that since an invoice was paid the account is current. He stated the Town is at a decision-making point to rescind the letter and pay

the July invoice. If this is completed Suez will have the interior of the tank painted for approximately \$12,500. He stated that without maintenance it would cost around \$50,000 to \$60,000 to paint the interior of the tank. Suez will come back in 2022 and paint the exterior of the tank. Brown stated that the interior was scheduled to be painted this year. He has been working with Meredith to resolve the matter. He stated that since Suez had not raised the price for the annual maintenance service since 2014. He is here to partner with the Town on behalf of Suez. He stated the current agreement calls for the tanks to be washed out annually and inspected every other year. If for some reason the Town must drain the tank, then Suez would disinfect it before it's refilled which is included in the maintenance agreement.

Ballard asked about the difference in painting the inside verses the outside. Brown answered that the interior lasts longer because it's not exposed to UV rays and other elements on the outside of the tank. The proxies remain harder on the inside. What helps the longevity is the coating system which prevents corrosion from chlorine gases. Meredith asked what the maximum time was to wait to paint the inside of the tank. Brown stated his company prefers not to go longer than 14 years. He stated that recoating is the key to maintain decent quality for the tank. Hartley asked when the interior and exterior was last painted. Brown stated the interior was in 2004 and exterior in 2012. The next scheduled time for interior is 2019 and exterior in 2022. Brown stated that the tank was on a timeline for painting. Hartley asked what all was involved in the process. Brown answered that the wall was sand blasted for priming and overcoated (painted). Brown stated that, per the Suez computer system, the Town account is current. Meredith stated that he has been working with Brown on identifying invoices that need to be paid. Hartley asked Brown if he could provide more information on the scope of work along with the agreement. Brown will provide their standard scope of work documentation.

Councilwoman Journell asked Brown if he could provide some background on how and why the letter was sent to Suez from a Town staff member to cancel the annual maintenance. Brown answered that the former Town Engineer had contacted him about a glass lined tank with a leak. Brown advised the Town Engineer that Suez doesn't provide service for this type of tank. He stated that they could only provide service on the King Heights Water Tank. Journell asked if it was Suez policy to always accept agreements from any personnel. Brown stated that, per the attached addendum, they would accept cancellation from any town employee.

Eaton asked Hartley if the PSA was aware of the service being cancelled on the King Heights reservoir. Hartley answered that the PSA was not informed. Meredith stated he found out at the VML Conference and began to research it. He has been working with Brown on a way to address the cancellation and whether to continue the annual service maintenance agreement. Hartley stated that, per the contract between the Town and PSA, the Town works with the PSA to maintain the tank. Eaton asked what the life expectancy was for a tank. Brown stated that, if it was properly maintained, it would last a lifetime. He stated that the oldest one they service dates to 1891 at an old factory in Mississippi. Journell asked about the Town being on the same page with the PSA. Hartley stated that the tank was the Town of Pearisburg's asset and that we work in consultation with the PSA Director Belcher concerning maintenance of the tank.

Ballard asked Belcher if he had any recommendation or comments. Belcher stated that the Virginia Department of Health recommends that tanks be inspected every 5 years. He stated that in past years the PSA and County had deferred inspection maintenance on the tanks and been in alignment with the requirements of the Virginia Department of Health. The PSA spent \$2,000 to \$2,500 last year on foundation issues, a seal around the tank, and some paint corrosion issues around a tank. He stated that the King Heights tank was a very expensive asset that the Town owns. It also plays an important role in the corridor for moving water to the eastern portion of the County. He would like to have a good conversation and come to a resolution we can all agree on.

Brown stated that if the town does their due diligence on maintaining the tank, then the annual assessments would normally require minimal maintenance. Suez staff will do any touch up needed while they are completing the inspections. He stated that the Town's annual payment is going towards future costs for painting. He has been in this business for 14 years. He said that he could adjust the agreement to meet VDA requirements. Hartley stated that Council and the PSA need to decide on a plan for the tank. Hartley asked Brown to provide him documentation on the scope of work and he would consult with council, staff and PSA. He felt a decision could be made within a few weeks no more than a month. This matter will be discussed in executive session. Brown gave an example for Council to consider. He stated the tanks should be treated as an asset like a vehicle in the Town's fleet. Brown thanked Council for letting him inform them about the services his company has been providing the Town on its King Heights tank.

On a motion by Williams, seconded by Ballard, passed by the following recorded vote, Council Members, Dickerson, yes, Williams, yes; Eaton, yes; Ballard, yes; Journell, yes; Clark, yes; and Harrell, ; Council went into Executive Session as permitted by Virginia Code § 2.2-3711(A) (29), for discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the Town.

On a motion by Williams, seconded by Journell, passed by the following recorded vote, Council Members Dickerson, yes, Williams, yes; Eaton, yes; Ballard, yes; Journell, yes; Clark yes; and Harrell, yes; Council returned to regular session.

On a motion by Journell seconded by Clark, and passed by the following recorded vote, Council Members Dickerson, yes, Williams, yes; Eaton, yes; Ballard, yes; Journell, yes; Clark yes; and Harrell, yes; Council certified that the subject discussed in this Executive Session was the subject identified in the motion to go into Executive Session and only that subject, and that Council discussed no other subject while in Executive Session.

Mayor Dickerson opened the Public Hearing on the Proposed Interim Financing by the Town of Pearisburg. The estimated maximum amount of the financing to be issued is \$1,625,000 at 3.77% for a term of 1 year. The proposed use of the loan proceeds is to finance the construction costs of completing the town's RD UV/Sewer Project. After hearing no comments Mayor Dickerson closed the Public Hearing.

Journell made a motion that Council approve and authorize the Town Manager to sign the Commitment Letter with National Bank for interim financing in the amount of \$1,625,000 for a term of 1-year at a fixed interest rate of 3.77%. Clark seconded the motion. Voting yes: Mayor Dickerson; Council Member Eaton, Clark, Harrell, Journell, Ballard and Williams. The motion carried by vote of 7 to 0.

Williams made a motion that Council approve and adopt a Financing Resolution amending the previous resolution to an amount not to exceed \$1,625,000. Ballard seconded the motion. Mayor Dickerson took a roll call vote the results are as follows: Mayor Dickerson, yes; Eaton, yes; Clark, yes; Harrell, yes; Journell, yes; Ballard, yes; and Williams, yes. The motion carried by a vote of 7 to 0.

**RESOLUTION AMENDING A RESOLUTION AUTHORIZING THE
ISSUANCE OF GENERAL OBLIGATION BONDS IN AN AGGREGATE
AMOUNT NOT TO EXCEED \$1,537,000 OF THE TOWN OF PEARISBURG
AND A NOTE IN ANTICIPATION OF THE BONDS, AND PROVIDING FOR
THE FORM, DETAILS AND PAYMENT OF THE NOTE, AND
AUTHORIZING CERTAIN RELATED ACTIONS**

On February 13, 2018, the Council of the Town of Pearisburg, Virginia (the "Council") adopted a resolution entitled "RESOLUTION AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS IN AN AGGREGATE AMOUNT NOT TO EXCEED \$1,537,000 OF THE TOWN OF PEARISBURG AND A NOTE IN ANTICIPATION OF THE BONDS, AND PROVIDING FOR THE FORM, DETAILS AND PAYMENT OF THE NOTE, AND AUTHORIZING CERTAIN RELATED ACTIONS" (the "Prior Resolution").

The Prior Resolution authorized the issuance of bonds, in an aggregate principal amount not to exceed \$1,537,000, and a bond anticipate note bearing interest at a rate not greater than 2.17% per annum.

The note and the bonds have not yet been issued, the cost of the project to be financed has increased and the interest rate on the note has increased, and the Council desires to amend the Prior Resolution accordingly.

On April 9, 2019, the Council held a public hearing in accordance with Section 15.2-2606 of the Public Finance Act of 1991 on proposed bonds in an aggregate principal amount not to exceed \$88,000 to finance cost of improvements to the Town's sewer system, in addition to the maximum amount of \$1,537,000 bonds authorized under the Prior Resolution.

BE IT RESOLVED BY THE COUNCIL OF THE TOWN OF PEARISBURG, VIRGINIA:

1. Capitalized terms used in this resolution but not otherwise defined have the meanings given them in the Prior Resolution.
2. The aggregate principal amount of the Bonds shall not exceed \$1,625,000. Wherever "\$1,537,000" appears in the Prior Resolution, it is replaced with "\$1,625,000."
3. The first sentence of Section 3 (c) of the Prior Resolution is amended to read as follows:

Each of the Authorized Officers is authorized to determine and approve all of the other final details of the Note, including, but not limited to, its dated date, original principal amount, the interest rate or rates on the Note and payment dates of principal and interest, provided that the original principal amount of the Note shall not exceed the Maximum Note Amount, the interest rate shall not exceed 3.77% per annum, and the maturity date shall not be later than five years after its dated date.

4. The Council makes the same representations and covenants of the Town in Section 10 of the Prior Resolution as of the date of adoption of this resolution.

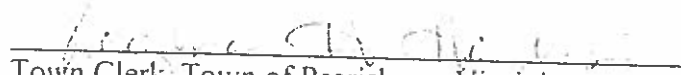
5. As amended and supplemented by this resolution, the Prior Resolution is ratified, confirmed and deemed to be in full force and effect.

6. This resolution shall take effect immediately, and the Clerk is authorized and directed to see to the prompt filing of a certified copy of this resolution with the Circuit Court of Giles County, Virginia.

The undersigned Clerk of the Town of Pearisburg, Virginia, certifies that (a) the foregoing constitutes a true, complete and correct copy of a resolution adopted by the Council at a meeting of the Council held on **April 9, 2019**, (b) such meeting was a duly called and held regular meeting and (c) during the consideration of the foregoing resolution, a quorum was present. I further certify that the minutes of such meeting reflect how each member of Council present at the meeting voted with respect to the adoption of the foregoing resolution as follows:

<u>Member</u>	<u>Attendance</u>	<u>Vote</u>
Robert L. Dickerson	Present	In Favor
Kristi Eaton	Present	In Favor
Judy R. Harrell	Present	In Favor
Jason S. Ballard	Present	In Favor
Cathy Clark	Present	In Favor
Jimmie R. Williams	Present	In Favor
Mary D. Journell	Present	In Favor

Dated, this 10th day of June 2019.



 Town Clerk, Town of Pearisburg, Virginia

Mayor Dickerson opened the Public Hearing on the proposed permanent financing by the Town of Pearisburg. The estimated maximum amount of the financing to be issued is \$88,000 at 2.50% for a term of 40 years. The proposed use of the loan proceeds is to finance the cost of completing the Town's Rural Development (RD) UV/Sewer Project. After hearing no comments Mayor Dickerson closed the Public Hearing.

Eaton made a motion that Council approve and adopt the Loan Resolution for the incurrence of \$88,000 of indebtedness for the purpose of providing a portion of the cost of completing the RD UV/Sewer Project. Clark seconded the motion. Mayor Dickerson took a roll call vote the results are as follows: Mayor Dickerson, yes; Eaton, yes; Clark, yes; Harrell, yes; Journell, yes; Ballard, yes; and Williams, yes. The motion carried by a vote of 7 to 0.

LOAN RESOLUTION
(Public Bodies)

A RESOLUTION OF THE Town Council

OF THE Town of Pearisburg

AUTHORIZING AND PROVIDING FOR THE INCURRENCE OF INDEBTEDNESS FOR THE PURPOSE OF PROVIDING A PORTION OF THE COST OF ACQUIRING, CONSTRUCTING, ENLARGING, IMPROVING, AND/OR EXTENDING ITS sewer system

FACILITY TO SERVE AN AREA LAWFULLY WITHIN ITS JURISDICTION TO SERVE.

WHEREAS, it is necessary for the Town of Pearisburg

(Public Body)

(herein after called Association) to raise a portion of the cost of such undertaking by issuance of its bonds in the principal amount of

Eighty-Eight Thousand & 00/100

pursuant to the provisions of VA Public Finance Act; and

WHEREAS, the Association intends to obtain assistance from the United States Department of Agriculture, (herein called the Government) acting under the provisions of the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) in the planning, financing, and supervision of such undertaking and the purchasing of bonds lawfully issued, in the event that no other acceptable purchaser for such bonds is found by the Association:

NOW THEREFORE, in consideration of the premises the Association hereby resolves:

1. To have prepared on its behalf and to adopt an ordinance or resolution for the issuance of its bonds containing such items and in such forms as are required by State statutes and as are agreeable and acceptable to the Government.
2. To refinance the unpaid balance, in whole or in part, of its bonds upon the request of the Government if at any time it shall appear to the Government that the Association is able to refinance its bonds by obtaining a loan for such purposes from responsible cooperative or private sources at reasonable rates and terms for loans for similar purposes and periods of time as required by section 333(c) of said Consolidated Farm and Rural Development Act (7 U.S.C. 1983(c)).
3. To provide for, execute, and comply with Form RD 400-4, "Assurance Agreement," and Form RD 400-1, "Equal Opportunity Agreement," including an "Equal Opportunity Clause," which clause is to be incorporated in, or attached as a rider to, each construction contract and subcontract involving in excess of \$10,000.
4. To indemnify the Government for any payments made or losses suffered by the Government on behalf of the Association. Such indemnification shall be payable from the same source of funds pledged to pay the bonds or any other legal ly permissible source.
5. That upon default in the payments of any principal and accrued interest on the bonds or in the performance of any covenant or agreement contained herein or in the instruments incident to making or insuring the loan, the Government at its option may (a) declare the entire principal amount then outstanding and accrued interest immediately due and payable, (b) for the account of the Association (payable from the source of funds pledged to pay the bonds or any other legally permissible source), incur and pay reasonable expenses for repair, maintenance, and operation of the facility and such other reasonable expenses as may be necessary to cure the cause of default, and/or (c) take possession of the facility, repair, maintain, and operate or rent it. Default under the provisions of this resolution or any instrument incident to the making or insuring of the loan may be construed by the Government to constitute default under any other instrument held by the Government and executed or assumed by the Association, and default under any such instrument may be construed by the Government to constitute default hereunder.
6. Not to sell, transfer, lease, or otherwise encumber the facility or any portion thereof, or interest therein, or permit others to do so, without the prior written consent of the Government.
7. Not to defease the bonds, or to borrow money, enter into any contractor agreement, or otherwise incur any liabilities for any purpose in connection with the facility (exclusive of normal maintenance) without the prior written consent of the Government if such undertaking would involve the source of funds pledged to pay the bonds.
8. To place the proceeds of the bonds on deposit in an account and in a manner approved by the Government. Funds may be deposited in institutions insured by the State or Federal Government or invested in readily marketable securities backed by the full faith and credit of the United States. Any income from these accounts will be considered as revenues of the system.
9. To comply with all applicable State and Federal laws and regulations and to continually operate and maintain the facility in good condition.
10. To provide for the receipt of adequate revenues to meet the requirements of debt service, operation and maintenance, and the establishment of adequate reserves. Revenue accumulated over and above that needed to pay operating and maintenance, debt service and reserves may only be retained or used to make prepayments on the loan. Revenue cannot be used to pay any expenses which are not directly incurred for the facility financed by USDA. No free service or use of the facility will be permitted.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0572-0121. The time required to complete this information collection is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

- 11. To acquire and maintain such insurance and fidelity bond coverage as may be required by the Government.
- 12. To establish and maintain such books and records relating to the operation of the facility and its financial affairs and to provide for required audit thereof as required by the Government, to provide the Government a copy of each such audit without its request, and to forward to the Government such additional information and reports as it may from time to time require.
- 13. To provide the Government at all reasonable times access to all books and records relating to the facility and access to the property of the system so that the Government may ascertain that the Association is complying with the provisions hereof and of the instruments incident to the making or insuring of the loan.
- 14. That if the Government requires that a reserve account be established, disbursements from that account(s) may be used when necessary for payments due on the bond if sufficient funds are not otherwise available and prior approval of the Government is obtained. Also, with the prior written approval of the Government, funds may be withdrawn and used for such things as emergency maintenance, extensions to facilities and replacement of short lived assets.
- 15. To provide adequate service to all persons within the service area who can feasibly and legally be served and to obtain USDA's concurrence prior to refusing new or adequate services to such persons. Upon failure to provide services which are feasible and legal, such person shall have a direct right of action against the Association or public body.
- 16. To comply with the measures identified in the Government's environmental impact analysis for this facility for the purpose of avoiding or reducing the adverse environmental impacts of the facility's construction or operation.
- 17. To accept a grant in an amount not to exceed \$ 0.00

under the terms offered by the Government; that the Town Manager

and Town Clerk of the Association are hereby authorized and empowered to take all action necessary or appropriate in the execution of all written instruments as may be required in regard to or as evidence of such grant; and to operate the facility under the terms offered in said grant agreement(s).

The provisions hereof and the provisions of all instruments incident to the making or the insuring of the loan, unless otherwise specifically provided by the terms of such instrument, shall be binding upon the Association as long as the bonds are held or insured by the Government or assignee. The provisions of sections 6 through 17 hereof may be provided for in more specific detail in the bond resolution or ordinance; to the extent that the provisions contained in such bond resolution or ordinance should be found to be inconsistent with the provisions hereof, these provisions shall be construed as controlling between the Association and the Government or assignee.

The vote was: Yeas 7 Nays 0 Absent 0

IN WITNESS WHEREOF, the Town Council of the Town of Pearisburg has duly adopted this resolution and caused it

to be executed by the officers below in duplicate on this April, 10th day of 2019

(SEAL)

Attest:
Regina Harless
Regina Harless
Title Town Clerk

By Todd Meredith
Todd Meredith
Title Town Manager

CERTIFICATION TO BE EXECUTED AT LOAN CLOSING

I, the undersigned, as Town Clerk of the Town of Pearisburg
 hereby certify that the Town Council of such Association is composed of
 _____ members, of whom, _____ constituting a quorum, were present at a meeting thereof duly called and
 held on the _____ day of _____ ; and that the foregoing resolution was adopted at such meeting
 by the vote shown above, I further certify that as of _____
 the date of closing of the loan from the United States Department of Agriculture, said resolution remains in effect and has not been
 rescinded or amended in any way.

Dated, this _____ day of _____

Regina Harless
 Title Town Clerk

Council discussed the Conditional Use Application by Pippa Chapman for 200 and 204 Douglas Lane that was withdrawn prior to the meeting starting. Eaton asked if there was an issue with the application. Meredith stated that the applicant planned to withdraw their current application so that they could reapply and submit additional information with her request to use her personal residence as a Bed and Breakfast. Hartley stated that the application was not specific enough. It needed to explain fully whether it is for a Bed and Breakfast or an Airbnb. Eaton stated that hikers were her target market, but it was not restricted to only them. Clark stated that, on Airbnb, she is marketing to everyone. Eaton asked if there was something in the application that could have been addressed when it was submitted. Hartley felt we could have done a better job. He didn't review the application closely; felt we could work with her on her application. Eaton asked if extra pictures were needed. Wilson stated that photographs were provided along with some GIS mapping. Wilson will work with Chapman on her application. Hartley stated the area needed to be a little more recognizable. Clark asked staff to make sure she is current on Transient Occupancy Tax. Hartley stated there were other places in Town that are Airbnb. Clark felt that the Town may be failing to collect some the Transient Occupancy Tax revenue and should look at properties in Town. Meredith stated that staff could begin a search of advertisements to attempt to ensure that everyone advertising for such business was paying the tax.

Harrell made a motion that Council approve the Regular Minutes to the March 12, 2019 Council Meeting. Clark seconded the motion. Voting yes: Mayor Dickerson; Council Members Williams, Ballard, Journell, Harrell, Clark and Eaton. The motion carried by a vote of 7 to 0.

Journell reported on Public Safety Committee. The Fire Department is looking at options to replace turnout gear. The department will be purchasing a skid unit to place on the back of a brush truck for \$2500. Sergeant Ratcliffe informed the Committee that staff had received compliments on the new sign at the Police Department.

Ballard reported on the Property and Recreation Committee. Staff reported on improvements to the Library which include installation of the memorial plaque, garden arbor and stepping stones, and new LED lighting in the lower level of the building. The Committee deferred a discussion on banners on the fence to full Council. Ballard stated that many banners are temporary and serve as fundraisers for the Pearisburg Festival. The Town also advertises for the Pearisburg Community Market on the fence. The Committee wanted the Town Council to

decide whether to allow or dis-allow people from hanging banners on the fence. He stated that if Council dis-allowed the banners it would affect income from businesses displaying banners for the Pearisburg Festival. Meredith stated that allowing people to hang banners would make the fence a public forum. Hartley concurred that it was a public forum. Ballard stated that, in accordance with Freedom of Speech laws, the Town couldn't deny any type of banner. Meredith would like Council's feedback on whether the fence should serve as a public forum. Clark stated she could see both sides of the debate with her being involved with the festival. Hartley stated that the Town can't restrict it to certain types of speech. He stated that the worst-case scenario would be if someone places an offensive banner on the fence and the Town would have to suffer it the first time. After that, the Town can decide to not allow any more banners. He stated that the Town has been fortunate over the years to not have a controversial issue come before it regarding the use of the fence as a public forum. Eaton asked if the Town could place their Market banner to advertise their event. Hartley stated the Town might be able to say its just for that event. He stated that at any time Council can decide to not allow any banners. He indicated that the Town should treat everyone the same and allow them to put up banners for a set fee. Treasurer Harrell asked about set time frames. She stated that normally banners are up for 4 weeks for the Pearisburg Festival. Council concurred to leave the banner policy as is for now and, if needed, revisit the issue later.

Eaton reported on the Finance Committee. Meredith explained the need for a Budget Amendment. The line items in the amendment are expected to be in variance of the current budget. He explained that, in one of the line items, there were unanticipated maintenance costs on the Town's vehicles.

The Committee recommends that Council approve Budget Amendment FY2019-02. Voting yes: Mayor Dickerson; Council Members Williams, Ballard, Journell, Harrell, Clark and Eaton. The recommendation carried by a vote of 7 to 0.

Meredith updated the Council concerning water loss running high in the winter months and in order to pay the PSA bill staff needs to move funds into that line item. On the Commission for the Arts Grant he recommends Council to increase the Festival line item by \$1,000 due to the Art Grant not funding the music at the festival.

The Committee recommends that Council approve Budget Transfers in Appropriations FY 2018-2019-01. Voting yes: Mayor Dickerson; Council Members Williams, Ballard, Journell, Harrell, Clark and Eaton. The recommendation carried by a vote of 7 to 0.

BUDGET AMENDMENT FY 2019-01

EXPENDITURES	Current Budget	New Amount	Difference
10.2900.8900 GENERAL	\$ 10,214.00	\$ 20,000.00	\$ 9,786.00
10.5000.1510 CAPITAL PROJECTS	\$ 5,000.00	\$ 15,000.00	\$ 10,000.00
21.3000.0300 PART TIME PC TECH	\$ -	\$ 5,000.00	\$ 5,000.00
10.1100.0300 PART-TIME PC TECH	\$ -	\$ 5,000.00	\$ 5,000.00
10.1000.1010 TRAVEL	\$ 2,500.00	\$ 3,500.00	\$ 1,000.00
10.5000.1504 POLICE RADAR	\$ 1,895.00	\$ 1,957.00	\$ 62.00
22.2100.9400 DEQ PERMIT	\$ 2,700.00	\$ 3,173.00	\$ 473.00
10.1000.4160 MASTER GARDENER PROJECT	\$ -	\$ 141.00	\$ 141.00
		Total	\$ 31,462.00
			0.73%
REVENUE			
10.0370.7250 SALE OF PROPERTY	\$ -	\$ 38,000.00	\$ 38,000.00
10.0340.4300 STATE ROAD AID	\$ 510,000.00	\$ 516,704.00	\$ 6,704.00
10.0340.4700 STATE FIRE AID	\$ 12,000.00	\$ 12,648.00	\$ 648.00
10.0370.8030 MASTER GARDENER PROJECT	\$ -	\$ 475.00	\$ 475.00
		Total	\$ 45,827.00
Current Amended Total	\$ 4,327,055.00	\$ 4,327,055.00	\$ -
	\$ 45,827.00	\$ 31,462.00	\$ 14,365.00
	\$ 4,372,882.00	\$ 4,358,517.00	\$ 14,365.00

For Council Action on March 12, 2019

The Committee recommends that Council approve the business license refund request for Charles Andrews for Tax Year 2019. Voting yes: Mayor Dickerson; Council Members Williams, Ballard, Journell, Harrell, Clark and Eaton. The recommendation carried by a vote of 7 to 0.

The Committee recommends that the Town Council approve the following personal property tax refund requests:

- A. Arthur W. Riggs in the amount of \$59.84 for tax year 2017.
- B. Jennifer Nichole Spicer in the amount of \$88.72 for tax year 2017.
- C. Mark Allen Harless and Kaitlyn Jean Marie Harless in the amount of \$20.00 for tax year 2018.

Voting yes: Mayor Dickerson; Council Members Williams, Ballard, Journell, Harrell, Clark and Eaton. The recommendation carried by a vote of 7 to 0.

The Committee recommends that Council approve the Ricoh contract, pending review and approval from the Town Attorney. Hartley stated he has reviewed and finds the contract acceptable. Voting yes: Mayor Dickerson; Council Members Williams, Ballard, Journell, Harrell, Clark and Eaton. The recommendation carried by a vote of 7 to 0.

The Committee recommends that Council approve the contract with Shred-It, pending review and approval from the Town Attorney. Hartley stated he has reviewed and finds the contract acceptable. Voting yes: Mayor Dickerson; Council Members Williams, Ballard, Journell, Harrell, Clark and Eaton. The recommendation carried by a vote of 7 to 0.

Williams reported on the Public Works Committee. He reported that Staff has been performing a visual inspection and sounding of the water meters throughout the Town Water System.

Clark reported on the Pearisburg Community Market. She stated that JBR Vineyards will provide a Wine Garden for Thursday nights, food options include hot dogs and hamburgers, and there will be Kids Art to make a Mother's Day gift.

Journell made a motion that Council approve an Agreement for Professional Services with Hill Studios for work on the DHCD Planning Grant Project. Meredith stated an RFP was advertised and Hill Studios was the only proposal submitted. Clark seconded the motion. Voting yes: Mayor Dickerson; Council Members Williams, Ballard, Journell, Harrell, Clark and Eaton. The motion carried by a vote of 7 to 0.

Meredith briefed Council and recommends Council approve of the agreement with Fun Time Amusements for Pearisburg Festival. They have provided rides the past several years. Hartley stated he has reviewed and approves the contract.

Williams made a motion that Council approve the Contract with Fun Time Amusements for the Festival. Harrell seconded the motion. Voting yes: Mayor Dickerson; Council Members Williams, Ballard, Journell, Harrell, Clark and Eaton. The recommendation carried by a vote of 7 to 0.

Meredith informed Council that last month the Budget Amendment had an incorrect account number typed on it. He asked that Council approve a correction to the account number so that it matches the budget code. He included the same budget amendment reflecting the correction to the typing error.

Harrell made a motion that Council approve the correction of the typing error on Budget Amendment 2019-01. Clark seconded the motion. Voting yes: Mayor Dickerson; Council Members Williams, Ballard, Journell, Harrell, Clark and Eaton. The motion carried by a vote of 7 to 0.

Hartley stated he is working with Mendon Pipeline and Simmons Construction to ensure everything has been properly executed and the bonds and certificate of insurance are in place. As soon as he gets the necessary documentation, they will be ready to sign. He recommends Council authorize the Town Manager and Clerk to sign if the assurance and bonds are in proper order as approved by Town Attorney.

Williams made a motion that Council approve and authorize the Town Manager and Town Clerk to sign the Agreement with Mendon Pipeline for the construction of Division I and the Agreement with William G. Simmons Company, Inc. for the construction of Division II of the RD UV/Sewer Project contingent upon Town Attorney obtaining the necessary documentation for signing. Clark seconded the motion. Voting yes: Mayor Dickerson; Council Members Williams, Ballard, Journell, Harrell, Clark and Eaton. The motion carried by a vote of 7 to 0.

Journell made a motion that Council rescind and approve the Contract with Suez contingent upon them providing the scope of work to Town staff and Town Attorney approval of documentation. Harrell seconded the motion. Voting yes: Mayor Dickerson; Council Members Williams, Ballard, Journell, Harrell, Clark and Eaton. The motion carried by a vote of 7 to 0.

On a motion by Williams, seconded by Clark, passed by the following recorded vote, Council Members, Dickerson, yes, Williams, yes; Eaton, yes; Ballard, yes; Journell, yes; Clark, yes; and Harrell, ; Council went into Executive Session as permitted by Virginia Code § 2.2-3711(A) (1), for discussion, consideration or interviews of candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of the Town of Pearisburg.

On a motion by Harrell, seconded by Ballard, passed by the following recorded vote, Council Members Dickerson, yes, Williams, yes; Eaton, yes; Ballard, yes; Journell, yes; Clark yes; and Harrell, yes; Council returned to regular session.

On a motion by Williams seconded by Ballard, and passed by the following recorded vote, Council Members Dickerson, yes, Williams, yes; Eaton, yes; Ballard, yes; Journell, yes; Clark yes; and Harrell, yes; Council certified that the subject discussed in this Executive Session was the subject identified in the motion to go into Executive Session and only that subject, and that Council discussed no other subject while in Executive Session.

Eaton made a motion to allow Library Director Allison Long to use Library State Aid in an amount not to exceed \$14,000 to pay for tuition required for the completion of the UNC Greensboro Master of Library and Information Science (MLIS) Program with an expected graduation date of Spring 2021. Harrell seconded the motion. Voting yes: Mayor Dickerson; Council Members Williams, Ballard, Journell, Harrell, Clark and Eaton. The motion carried by a vote of 7 to 0.

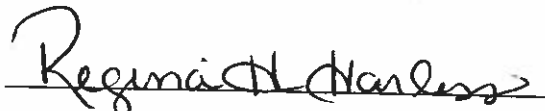
There being no further business the meeting was adjourned.

APPROVED:

ATTEST:



Robert L. Dickerson, Mayor



Regina H. Harless, Town Clerk