

Pearisburg Town Council met in Regular Session on December 10, 2019 at 7:30 pm at the Pearisburg Municipal Building. Present for the meeting was Mayor Dickerson; Council Members Williams, Harrell, Clark and Eaton; Town Attorney Hartley; Town Manager Meredith; Town Clerk Harless; Police Chief Martin; and Town Treasurer Harrell. Also present was Amelia Whittaker, Virginian Leader.

Giles County Clerk of Court Sherry Gautier performed the Oath of Office with newly elected Council Members Jimmie Williams and Judy Harrell for a term beginning January 1, 2020 and ending December 31, 2023.

Clark made a motion to approve the minutes of the Regular November 12, 2019 meeting as written. Harrell seconded the motion. Voting yes: Mayor Dickerson; Council Members Williams, Harrell, Clark and Eaton. The motion carried by a vote of 5 to 0.

Mayor Dickerson opened the Public Hearing for a Budget Amendment. The purpose of the hearing is to amend the current budget of the Town for fiscal year ending June 30, 2020. Meredith explained the reason for the amendment is to appropriate \$240,000 in expenditures to complete the VDOT Revenue Sharing paving project and an additional \$12,958 in funds for improvements to the Town's small baseball field adjacent to the library. After hearing no comments Mayor Dickerson closed the Public Hearing.

Clark made a motion that Council approve Budget Amendment 2020-03. Eaton seconded the motion. Voting yes: Mayor Dickerson; Council Members Eaton, Williams, Harrell and Clark. The motion carried by a vote of 5 to 0.

**BUDGET AMENDMENT FY 2020-03**

<b>EXPENDITURES</b>		<b>Current Budget</b>	<b>New Amount</b>		<b>Difference</b>
10.5000.1801	VDOT Revenue Sharing	\$ -	\$ 120,000.00	\$	120,000.00
10.5000.1802	Paving Contract	\$ -	\$ 120,000.00	\$	120,000.00
10.5000.2600	CAPITAL PROJECTS	\$ 8,842.00	\$ 21,800.00	\$	12,958.00
				\$	-
				\$	-
				\$	-
				\$	-
				\$	-
				<b>Total</b>	<b>\$ 252,958.00</b>
				<b>% Change</b>	<b>5.52%</b>

<b>REVENUE</b>					
10.0340.9800	VDOT REVENUE SHARING	\$ -	\$ 120,000.00	\$	120,000.00
10.0370.7600	TRANSFER IN - OTHER FUNDS	\$ 50,000.00	\$ 170,000.00	\$	120,000.00
				\$	-
				\$	-
				<b>Total</b>	<b>\$ 240,000.00</b>

	<b>Revenue</b>	<b>Expenditures</b>		<b>Difference</b>
<b>Current</b>	\$ 4,545,671.00	\$ 4,578,581.00	\$	(32,910.00)
<b>Amended</b>	\$ 240,000.00	\$ 252,958.00	\$	(12,958.00)
<b>Total</b>	\$ 4,785,671.00	\$ 4,831,539.00	\$	(45,868.00)

**For Council Action on December 10, 2019**

Clark reported on the Public Safety Committee. They discussed two options for purchase of a new fire truck.

The Public Safety Committee recommends that Council approve the purchase of a new fire truck along with decals and equipment installation at a total cost not to exceed \$47,000. Meredith stated that the truck would be a F350 with gas motor and 4 doors. He also stated that the cost estimate of \$47,000 includes decals and equipment. Voting yes: Mayor Dickerson; Council Members Eaton, Williams, Harrell and Clark. The motion carried by a vote of 5 to 0.

Clark thanked the Police Department for taking care of a family during the holiday season. Chief Martin stated that Officer Ratcliffe organized the assistance provided to the family.

There was no quorum for Property and Recreation Committee.

Williams made a motion to approve the Recreation and Building Permit Reports for November. Harrell seconded the motion. Voting yes: Mayor Dickerson; Council Members Eaton, Williams, Harrell and Clark. The motion carried by a vote of 5 to 0.

Eaton reported on the Finance Committee. The Committee reviewed the Virginia Risk Management Association (VRSA) annual report. The Committee discussed a request from Newport Volunteer Fire Department to acquire the Town expired turnout gear that has been decommissioned.

The Finance Committee recommends that Council approve the rent agreement with Josh Hollie that extends his current rent structure to June 2020. Voting yes: Mayor Dickerson; Council Members Eaton, Williams, Harrell and Clark. The motion carried by a vote of 5 to 0.

There was no quorum for Public Works Committee.

Harrell made a motion that Council approve the November 2019 Water Report. Clark seconded the motion. Voting yes: Mayor Dickerson; Council Members Eaton, Williams, Harrell and Clark. The motion carried by a vote of 5 to 0.

Council discussed vacant structures in the Town and the possible demolition of 4 houses in that currently have placards on them stating that they are unsafe. The houses are located as follows: 2 on Wenonah Avenue above the old Town Shop, 1 on Morris Avenue behind Dairy Queen and 1 on Lane Street in Bluff City. Meredith stated that Habitat for Humanity and Giles County Vocational could possibly assist. Eaton inquired how that would work. Hartley stated that if the Town demolishes the property, then a lien could be put on the property in the same manner as delinquent real estate taxes. Hartley stated that the better option would be to have the owner demolish or for Habitat purchase the land. Meredith stated that Wilson was looking for permission to move forward on asking owners to demolish the homes. Meredith recommended Council table further discussion until Wilson could be present to discuss and answer questions. Council agreed to discuss the matter next month with Wilson.

Williams made a motion to appoint Jason Ballard to serve on the New River Valley Regional Commission Board. Clark seconded the motion. Voting yes: Mayor Dickerson; Council Members Eaton, Williams, Harrell and Clark. The motion carried by a vote of 5 to 0.

Harrell made a motion that Council approve the Vacation Leave Policy for Town employees. Clark seconded the motion. Voting yes: Mayor Dickerson; Council Members Eaton, Williams, Harrell and Clark. The motion carried by a vote of 5 to 0.

**6.03 VACATION LEAVE.** All permanent full-time employees shall be entitled to paid vacation benefits in accord with the provisions of 6.23 Accrual of Leave. All employees may carry over to January 1 up to three weeks-accumulated vacation leave or 120 hours. For the purpose of determining vacation benefits, the probationary period shall be included.

Permanent part-time employees shall receive half the vacation leave time granted full-time employees using the same length-of-service formula as above.

Vacation leave shall be taken at a time fixed by the Department Head. No compensation will be made in lieu of vacation, except in the case of resignation or termination.

If a holiday is observed within an employee's vacation period, the employee will be given an additional day off with pay to compensate for the holiday.

Clark made a motion to approve a Vehicle Usage Policy for Town employees. Harrell seconded the motion. Voting yes: Mayor Dickerson; Council Members Eaton, Williams, Harrell and Clark. The motion carried by a vote of 5 to 0.

#### **Vehicle Usage Policy**

The Town of Pearisburg (Town) provides vehicles for business use to allow employees to drive on Town-designated business and to reimburse employees for business use of personal vehicles according to the guidelines below. The Town retains the right to amend or terminate this policy at any time. (The term "vehicle," as used in these guidelines, includes, but is not limited to, cars, trucks, backhoes, front-end loaders, graders and any motorized watercraft.)

1. Employees may not drive any business vehicles without prior approval of their supervisor. Prior to approving a driver and periodically thereafter, supervisors must check the employee's driving record. Employees approved to drive on Town business are required to inform their supervisor of any changes that may affect either their legal or physical ability to drive or their continued insurability.
2. Employees holding jobs requiring regular driving for business as an essential job function must, as a condition of employment, be able to meet the driver approval standards of this policy at all times.
3. If possible, Town vehicles will be permanently assigned to departments that have demonstrated a continued need for them. Additional vehicles are maintained in a motor pool for use by individual employees, as needed.
4. Employees who need transportation in the course of their normal work may be assigned a Town vehicle for their use. All other employees needing transportation for Town business

- may use vehicles assigned to their department or those drawn from the motor pool. As a last alternative, when no Town vehicles are available, employees may use their own vehicles for business purposes with prior approval of their supervisor.
5. Employees who drive a vehicle on Town business must, in addition to meeting the approval requirements above, exercise due diligence to drive safely and to maintain the security of the vehicle and its contents. Use of handheld cell phones (including texting) while behind the wheel of a moving vehicle being used on Town business is strictly prohibited. Employees are responsible for any driving infractions or fines as a result of their driving.
  6. **Nonemployees and nonbusiness passengers (i.e., family and friends) are prohibited from riding in Town vehicles.**
  7. Employees who use their personal vehicles for approved business purposes will receive a mileage allowance equal to the Internal Revenue Service optional mileage allowance for such usage. This allowance is to compensate for the cost of gasoline, oil, depreciation and insurance. Employees who operate personal vehicles for Town business should obtain auto liability coverage for bodily injury and property damage with a special endorsement for business use, when necessary as determined by their personal insurance agent.
  8. Employees must report any accident, theft or malicious damage involving a Town vehicle to their supervisor and the Personnel Department, regardless of the extent of damage or lack of injuries. Such reports must be made as soon as possible but no later than 48 hours after the incident. Employees are expected to cooperate fully with authorities in the event of an accident. However, employees should make no voluntary statement other than in reply to questions of investigating officers.
  9. Employees who are on call on a 24-hour basis may be allowed to take a Town vehicle home so they can respond as soon as possible. Such employees need to provide a written acknowledgment that they fully understand that the vehicle is used only as part of emergency response and not for personal use.
  10. Employees are not permitted, under any circumstances, to operate a Town vehicle or a personal vehicle for Town business when any physical or mental impairment causes the employee to be unable to drive safely. Additionally, employees shall not operate any Town vehicle at any time or operate any personal vehicle while on Town business while using or consuming alcohol, illegal drugs or prescription medications that may affect their ability to drive. These prohibitions include circumstances in which the employee is temporarily unable to operate a vehicle safely or legally because of impairment, illness, medication or intoxication.

**Failure to comply with any portion of this policy may result in disciplinary action up to and including termination.**

Meredith discussed Change Orders for the RD UV/Sewer Project with Council. He stated that Change Order No. 2 Division I Mendon Pipeline, Inc. addressed cleaning and doing camera work on the collapsed line on Main Street. Change Order No. 3 Division II Williams G. Simmons Co., Inc. included adding 2 valves and the piping fittings for a chlorinator. The Town will not store chlorine on site; rather, it will be borrowed from the County or Town of Narrows in the

event of an emergency. The purpose of keeping the chlorine disinfection infrastructure is to preserve a backup system in the event the UV disinfection system is not working. Hartley asked if the \$38,000 included labor. Meredith stated that he would need to ask Hurt & Proffitt. Hartley felt that Council should know exactly what the Town is getting for the price. It appears the scope of 42% compensates Hurt & Proffitt. Hartley felt there had to be labor included in the 42% of the project. Meredith stated that he would contact Dennis Amos and find out. Hartley stated there should be a complete detailed explanation on how it's calculated. Hartley advised Council to move forward on the two Change Orders and not pay any invoices to the contractor until Hurt & Proffitt answers the concern. Hartley said it would be alright to process the Change Orders.

Williams made a motion that Council approve Change Order No. 2 Division I Mendon Pipeline and Change Order No. 3. Division II William G. Simmons Co. Inc. Clark seconded the motion. Voting yes: Mayor Dickerson; Council Members Eaton, Williams, Harrell and Clark. The motion carried by a vote of 5 to 0.

Meredith explained the proposed shared equipment agreement with Narrows and the County. He would like to expand the current agreement to include Giles County. The County would contribute half of the current balance and the three entities would jointly determine annually what all 3 entities would fund. This would include the bucket truck, camel jet, and motor grader.

Eaton made a motion that Council approve a Shared Equipment Agreement between the Town, Narrows and the County. Harrell seconded the motion. Voting yes: Mayor Dickerson; Council Members Eaton, Williams, Harrell and Clark. The motion carried by a vote of 5 to 0.

Meredith updated Council on the proposed and revised Compensatory Time Policy for Salary Employees. The Federal Law requires the Town to have a policy in place for "Exempt" and "Non-Exempt" Salary Employees. He used a model that VRSA provided to draft the proposed policy. Meredith stated that he felt the proposed policy was fair and reasonable. He stated that the Clerk and Treasurer Office would be impacted the most. He felt Comp Time could be managed by objective and with administrative discretion. Council made changes to

the policy. For nonexempt employees, beyond 60 hours, all overtime worked will be paid as wages at the rate of one-and-one half the employee's normal hourly rate, until such time as the comp hours available are reduced to a balance below 60 hours. Exempt employees will be eligible to earn comp leave at a rate of one hour for each hour worked in excess of 40 hours per week. Exempt employees may not accumulate more than 60 hours of comp time. Exempt employees will not receive payout of unused comp time upon separation of employment from the Town of Pearisburg.

Eaton made a motion that Council approve the Compensatory Plan Policy for Town Salary Employees with changes and subject to final approval by Town attorney. Clark seconded the motion. Voting yes: Mayor Dickerson; Council Members Eaton, Williams, Harrell and Clark. The motion carried by a vote of 5 to 0.

### **Compensatory Plan Policy**

All non-exempt employees will have the option of being paid at the rate of one-and-one half their hourly rate or earning compensatory leave at the rate of one-and-one half hours for each hour worked in excess of 40 hours per week.

Use of compensatory time off must be approved by the employee's immediate supervisor and must be taken prior to using vacation leave or sick leave.

Unused compensatory time will carry over from one calendar year to the next. Compensatory hours may not exceed 60 hours. Beyond 60 hours, all overtime worked will be paid as wages at the rate of one-and-one half the employee's normal hourly rate, until such time as the compensatory hours available are reduced to a balance below 60 hours.

Employees will receive full payment for accrued compensatory leave upon separation from the Town of Pearisburg. All compensatory time shall be in accordance with state and federal requirements. Payments of compensatory time upon termination of employment shall be in accordance with state and federal requirements.

Exempt employees will be eligible to earn compensatory leave at a rate of one hour for each hour worked in excess of 40 hours per week. Exempt employees may not accumulate more than 60 hours of compensatory time. Exempt employees will not receive payout of unused compensatory time upon separation of employment from the Town of Pearisburg.

Williams made a motion that Council concurs with the Planning Commission that the Pearisburg Comprehensive Plan does not need to be amended at this time. Harrell seconded the motion. Voting yes: Mayor Dickerson; Council Members Eaton, Williams, Harrell and Clark. The motion carried by a vote of 5 to 0.

Meredith discussed the Carhill Agreement to purchase road salt at a less expensive price with Council. He stated that Hartley had reviewed the agreement and has no concerns.

Harrell made a motion that Council approve the Agreement with Carhill to purchase road salt. Clark seconded the motion. Voting yes: Mayor Dickerson; Council Members Eaton, Williams, Harrell and Clark. The motion carried by a vote of 5 to 0.

On a motion by Williams, seconded by Harrell, passed by the following recorded vote, Mayor Dickerson, yes; Council Members Williams, yes; Eaton, yes; Ballard, absent; Journell, absent; Clark, yes; and Harrell, yes; 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 and 2.2-3711(A)(7), for consultation with legal counsel, and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in an open meeting would adversely affect the negotiating or litigating posture of the Town; and consultation with legal counsel employed or retained by the Town regarding specific legal matters requiring the provision of legal advice by such counsel.

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

On a motion by Williams seconded by Clark, and passed by the following recorded vote, Mayor Dickerson, yes; Council Members Williams, yes; Eaton, yes; Ballard, absent; Journell, absent; 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.



There being no further business, the meeting was adjourned.

APPROVED:

  
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Mayor Robert L. Dickerson

ATTEST:

  
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Regina H. Harless, Town Clerk