



Town of Mineral
Post Office Box 316
312 Mineral Avenue
Mineral, VA 23117
Phone 540-894-5100 Fax 540-894-4446
www.townofmineral.com email: mineral@louisiana.net

Pam Harlowe, Mayor
Michael Warlick, Vice-Mayor
Tom Runnett
Bernice Wilson-Kube
Doswell Pierce
Roy McGehee
William Thomas
Salvatore Luciano, Town Manager
Ti-Lea Downing, Treasurer/Clerk
Jack Maus, Town Attorney

Town Council meets for its regular session on the second Monday of each month at 7:00 p.m. Persons wishing to be heard or having an item to be placed on the agenda should make their request to the Clerk of Council by the final Monday of the month preceding the meeting.

Town of Mineral Council Meeting
December 8, 2014
7:00pm

COUNCIL MEMBERS:

Pam Harlowe, Mayor; Doswell Pierce; Roy McGehee; Bernice Wilson-Kube and William Thomas

ABSENT:

Michael Warlick, Vice Mayor; Tom Runnett

STAFF MEMBERS:

Sal Luciano, Town Manager; Ti-Lea Downing, Town Clerk; Jack Maus, Town Attorney

PUBLIC:

Andrew Woolfolk, The Central Virginian

Mayor Harlowe called the meeting to order at 7:00 p.m. and Roy McGehee gave the invocation.

Mayor Harlowe asked if there were amendments and/or additions to the Agenda:

Sal Luciano stated under "NEW BUSINESS": Update on water authority rate changes. William Thomas stated under "NEW BUSINESS": Significant matters discussed be tabled for thirty (30) days. ***Doswell Pierce made a motion to approve the Agenda as amended; William Thomas seconded the motion. Motion passed 4/0 with none voting in the negative.***

Approval of the November 12, 2014 Minutes: Doswell Pierce had a correction on Page 8, Vote on Walton Park needed to be changed to remove the word "NOT". ***Roy McGehee made a motion to approve the November 12, 2014 minutes as corrected;***

William Thomas seconded the motion. Motion passed 3/0 with none voting in the negative and Bernice Wilson-Kube abstained.

Approval of November Bills to Be Paid: William Thomas requested clarification of waste water; it was stated that any water that goes through the system is considered waste water. ***William Thomas made a motion to approve the November Bills to Be Paid; Roy McGehee seconded the motion. Roll call was taken.***

Doswell Pierce/ YES

Roy McGehee/ YES

William Thomas/ YES

Bernice Wilson-Kube/YES

Motion passed 4/0 with none voting in the negative.

Town Manager's Report: Sal Luciano stated that he had a few additions to his written report. The Calvary Church rented the building from Pets Unlimited as the business had closed its doors. The building would be used as an office and on Friday evenings, it would be used as a teen gathering center and possibly a children's church on Sundays. The rental of this property will start on January 1, 2015 and they would be cleaning and painting the inside.

Sal spoke with VDOT today regarding the improvements to the railroad crossing which would be completed on Tuesday, December 9, 2014. He addressed a few concerns that had been pointed out to him. There is a section from the telephone pole up from Mineral Shakes to the railroad crossing that had never been paved that is full of gravel and dirt that washes down when it rains. They are going to pave that area up to the sidewalk as they cannot run the sidewalk up to the railroad tracks because Buckingham Branch Railroad will not allow because they do not want to encourage crossing the railroad tracks. However, VDOT will cut that grade out, place a wedge into it and pave most of it which will cut back the gravel and divert the water down into the ditch and hopefully take care of this problem. VDOT will come back at a later date and repave after the repairs were made to the tracks. There are a couple foot gaps that they will fill with gravel and cold tar that will hold until the weather breaks. Then they are going to pave and feather it in. There is a small slope, but it will be smooth as you cross over the tracks. The final improvements that you see tomorrow will not be the finished product as these improvements will be ongoing as weather improves.

Also, he stated that he had a few complaints regarding the storm drain on the corner of 5th Street and Mineral Avenue. When making the right onto Mineral Avenue from 5th Street, there is a storm drain that has a piece of metal that sets back in the storm drain, several drivers had come close to the curb, hit that metal piece which blows out the tire.

While VDOT was in the area they looked at this and they will sand it down in hopes of rectifying this problem.

William Thomas thanked the Town Manager for representing the Town at the Christmas Program Sunday evening.

Town Attorney's Report: Mr. Maus furnished Council with a written report. The lien on the Sacra property went through which goes up for auction on Thursday, December 11, 2014 to get back tax monies owed to the Town of Mineral.

Standing Committee Reports:

Beautification/Anti-Litter Committee: William Thomas reported that the Annual Christmas Tree Lighting Ceremony was yesterday and the Town Staff did an excellent job in planning and hosting this event. Sal Luciano stated that there were approximately fifty (50) people in attendance so hopefully next year we can increase participation. William Thomas stated that he hoped that more Town Council Members as well as Town Staff would participate next year. He also stated that next year there should be more wreathes up as well.

Budget & Finance Committee: William Thomas reported we are in good shape. Sal Luciano stated that in looking at the budget to date, we are on track.

Building Committee: Bernice Wilson-Kube had no report.

Cemetery Committee: Doswell Pierce stated the only report he had was that the Town Manager had the headstone straightened and the veteran's headstone is still a work in process. Sal Luciano stated that the maintenance men have been working in getting up all the leaves and once that is complete they will re-mulch one last time for the winter. The field had already been bush hogged for winter and there is one more headstone to move and the veteran's headstone needed to be set. Mayor Harlowe questioned if the bill for repairing the headstones was on this month's bill to be paid and Sal stated that it was not as they have not billed us yet.

Economic Development Committee: Bernice Wilson-Kube reported that the Family Dollar had their ribbon cutting ceremony in November. Sal Luciano stated that he spoke with the manager last week; they are very happy with their sales as they are double what they had projected. The Manager stated that she is requesting from headquarters more funds so she can hire more employees because they are extremely busy.

Personnel Committee: No report.

Police & Legal Matters Committee: Roy McGehee had no report.

Streets Committee: Roy McGehee had no report. Mayor Harlowe did state that several complaints have come in about the potholes in the Mineral Post Office parking lot and she did notify the postmaster. The Town has nothing to do with their parking lot in case anyone would happen to call the Town Office regarding this. Sal Luciano stated that the list of potholes that Ti-Lea Downing was given at the last meeting was sent to VDOT and were repaired. The maintenance men are working on getting up the leaves, debris and gravel along the storm drains.

Walton Park: Sal Luciano stated that the maintenance men were there today working and are almost done getting up all the leaves. All the picnic tables have been put up on the stage for the winter as well. The maintenance men will go by once or twice a week and keep up with maintenance there.

Water & Sewer Committee: Doswell Pierce had no report. Sal Luciano stated that there was one water leak repair on Old Tolersville Road. The Miss Utility ticket had already been called in and the maintenance men would work on that this week.

OLD BUSINESS:

Walton Park Name Change: Mayor Harlowe reported that Mary Lou Dickinson was going to attend tonight's meeting but was unable to do so. Ms. Dickinson spoke with Doswell Pierce and stated that the family members thought the name should remain Walton Park, but since the property was owned by the Town of Mineral they could change the name if they so desired. Mayor Harlowe questioned Doswell Pierce on his feelings as he was the one who made the motion at the last meeting to change the name. He stated that he felt he would not vote against the name change. Sal Luciano stated that this is no big urgency to change the name; he suggested that it would be better to hold off for a later date. Mayor Harlowe stated that Council already voted to rename the park. ***Roy McGehee made a motion to revert the name change back to WALTON PARK; Bernice Wilson-Kube seconded the motion. Roll call was taken.***

Doswell Pierce/ABSTAIN

Roy McGehee/YES

William Thomas/YES

Bernice Wilson-Kube/YES

Motion passed 3/4 with Doswell Pierce abstaining.

Shared Use Path Update: Mayor Harlowe stated that she and Sal Luciano had been discussing this issue and went to a meeting with the County. Sal Luciano reported that it was a beneficial meeting. VDOT was there to answer questions, explained this project and it was a learning experience for everyone. Basically, the County jumped a couple of

steps; first they needed to check on the easements. It was the assumption that with the VDOT easements up and down the road, it could be used for this pathway. The walkway could be in any form of a sidewalk. It could be like the sidewalks like what we have in Town to an asphalt path or a combination of a walking bridge over some of the low lying areas. The first step would be to check on who the land owners are, and if there is an easement. If no easement, you have to get permission from the land owners as there is no eminent domain and no land can be purchased for this project because it is not part of the grant. So over the next couple of weeks, the County is going to research all of the plats and determine the easements to make certain there is enough space for the pathway. If the land owner needs to be contacted the county will do this also. If there is not enough land for this project, it stops right there. If it looks like the easements are there and permission from land owners is granted, then the next step would be to get an outside engineering firm to do pre-engineering work. That cost would be shared by the County and the Town; this amount is not part of the 80-20 split by VDOT. If Council decides to do this, then the County would put it out for bid and the County would handle everything. This is going to be a three (3) year project. There are several obstacles that were not previously presented.

Now, everything that was voted on previously is obsolete since the County has to go back to the drawing board and start over. Sal Luciano stated that as this project progresses, he would keep Council updated. Doswell Pierce stated that the resolution that Council voted on to pay ten (10) percent of the engineering cost needs to be withdrawn or removed. Mayor Harlowe stated that a motion to withdraw this resolution can be made. She also stated that if there are not enough rights of way, the project will be cancelled. If the County comes back with enough rights of way then the project will move forward, but the County will advise Town Council of its findings.

William Thomas made a motion that any previous motion of Council relevant to this Shared Use Path be null and void; Doswell Pierce seconded the motion. Roll call was taken.

Doswell Pierce/YES

Roy McGehee/YES

William Thomas/YES

Bernice Wilson-Kube/ABSTAIN

Motion passed 3/4 with Bernice Wilson-Kube abstaining.

William Thomas questioned the Mayor as to who the contact person would be with the County and the Town of Mineral on this project and she stated it would be the Town Manager, Sal Luciano. Mr. Thomas stated that he wanted to be assured that in the future, Mr. Luciano is the only designated person to do so and not have a Council

Member speaking on behalf of the Mineral Town Council. Bernice Wilson-Kube made a suggestion to Council that when a member of Council representing one county agency, they need not to be speaking for the Town of Mineral; that is a conflict of interest.

Code for the Pool Fence: Sal Luciano stated that at last month's meeting it was considered adding a code regarding fencing around pools. After speaking with the Building Inspectors Office at Louisa County, any pool that is greater than one hundred fifty (150) square feet, has more than five (5) thousand gallons of water and is more than twenty-four (24) inches deep, a building permit is required. If it requires a building permit than the fencing will fall under that permit; if it does not meet this criteria then there is no need for fencing. The inspector stated that it would be best to contact their office to inquire if a building permit was issued for the pool and if not they would send an official letter of code violation from Louisa County. Sal Luciano's recommendation to Council would be to let Louisa County handle this and if there is something that we are not sure of, we would contact the County first.

NEW BUSINESS:

Louisa County Water Authority New Rates: Sal Luciano reported that we were notified after the last budget season that our water rate would increase from \$2.66/1000 gallons to \$5.50/1000 gallons; it basically doubled. The main concern was that these numbers were given to us after our budget season was over. The Town of Mineral was considered a wholesale water customer, but since we do not purchase a large amount of water, we pay the same rates that everyone pays. Louisa County Water Authority has now enacted a minimum water charge to the Town. Their calculations are based on the previous twelve (12) months times seventy-five (75) percent and came up with our purchase of 129,000 gallons of water which makes our minimum usage of \$709.00. They had also raised the sewer rates; from \$7.70 to \$8.26. The Town was never notified of these minimum charges and in speaking with Pam Baughman of LCWA, she stated it was assumed that Dean Rodgers had informed us.

Sal stated that he contacted Mr. Maus for his legal advice as we have a forty (40) year contract among LCWA, the Board of Supervisors and the Town of Mineral that was signed in 2002, which reads that the rates would be set by the Rate Commission. Dean Rodgers had approached Sal several months ago in regards to signing a new contract as they were no longer having a Rate Commission. This new contract would be between LCWA and the Town of Mineral, leaving the Board of Supervisors out. Neither of these contracts discussed the minimum usage charge.

Mr. Maus informed Council that the contract stated that any modifications made could only be done in writing with all three (3) parties in mutual agreement. There was an

operating agreement prepared between the Louisa County Board of Supervisors and the LCWA in the later summer of 2013 that stated that LCWA was taking over and were making changes. The concern was not who can set the rates, the concern was can two thirds (2/3) of the parties abrogate an agreement when it was written with all three (3) parties. There was a lengthy discussion on how to handle this situation.

William Thomas requested that Sal Luciano write a memorandum to all Council Members to be considered at next month's meeting, that major decisions be tabled for thirty (30) days.

Bernice Wilson-Kube thanked all for their thoughts, prayers, and condolences on the loss of her sister and also for the peace lily.

Roy McGehee made a motion to adjourn the meeting; Doswell Pierce seconded the motion. Motion passed 4/0 with none voting in the negative.

Meeting adjourned.

Pamela Harlowe, Mayor

Ti-Lea Downing, Clerk