

Town Commissioners' Meeting Minutes
October 11, 2011, 6:30 pm

Meeting was called to order at 6:30 pm by President Robert Gell. Commissioners Joe Letts and Mary Carol Durange were in attendance.

The Pledge of Allegiance was led by Ryleigh Johnson.

The Accounts Payable report was reviewed and Commissioner Durange motioned to pay the bills and this was approved unanimously 3-0.

The minutes from the September 27, 2011 meeting were reviewed with Commissioner Durange motioning that they be accepted as written and this was approved unanimously 3-0.

Sheriff's Report – September 2011 – Sgt. Ron Schmidt – No sheriff's report, Commissioner Letts said he tried to get a hold of him, but was unable.

Miller Environmental Report – September 2011 – Robert Corn reported on the monthly water treatment and sampling including the verification of an old service. Also replaced a leaking water meter, performed new meter installation inspections, checked for two leaks, replaced three meter registers and collected the tri-annual lead and copper inspections.

Town Administrator's Report

Old Business

- Wib Pumpaly presented an overview of the Planning & Zoning changes to be made and noted that a public hearing has been scheduled for Thursday, November 3, 2011, to address any concerns or questions residents may have in regard to the changes presented.
- Chesapeake Utilities Up-date – Wib Pumpaly reported on the progress of the franchise, said town attorney found a few small things wrong with it. The same franchise was sent to the town of North East. Wib is in the process of getting a copy from North East to see what changes they have made to their copy of the franchise. He will present it once he receives it.
- Condition of the Parking Lot (Fireman's Lot) – several commissioners were concerned re: the lot condition and several ruts left after the Riverfest. He was told by the chairman of the Riverfest that the repairs would be done. Wib said they may have already done some work on the lot.
- Trinity Woods Playground Up-date – a walk through has been scheduled for this Friday, October 14th at 11:00AM with the contractor. President Gell questioned if there will be a dedication or official opening. Wib said he is not sure as a name has not been decided on. Commissioner Letts asked if the gates are up. Wib said the gates are all up and functioning. President Gell said we should probably have something official for an opening.
- Lee's Marina Lease Up-date – Wib Pumpaly explained there is a 45-year lease signed with Lee's Marina and every 10 years there is to be an appraisal done on the land to re-calculate the lease with an agreed-upon appraiser. The appraisal was performed, the report was submitted. After the report was submitted, a letter was received from Lee's Marina stating they felt the appraisal was inaccurate. Wib said that he looked at the lease and the calculations and the acreage calculation has been consistent throughout the lease. The letter requests an appraisal of the correct land and only the property that is leased. Another letter was received today. Wib then reviewed the history of the lease and what it should have been and what Lee's Marina paid

throughout the lease. In 2001 year it was found that they appraised the property again, and it did not include the boat ramp, instead they appraised Louisa Lane. The Commissioners approved a reduction in the lease amount due to his complaint about losing the boat ramp in his lease. In June, an appraiser was agreed upon, the work was done, and appraisal was made in the amount of \$280,000.00. Wib presented in the Commissioner packets the appraisal, the defense of the appraisers, and other information pertaining to the lease. There is a letter received from Lee's Marina that suggests the conditions requested of the lease. President Gell said there is a lease that states the lease is based on the value of the appraisal. President Gell said that it is a signed lease, and does not require any action by the board. President Gell said unless there is any interest in changing or nullifying the lease at this time, the lease stands as is at this time. Commissioner Durange said she feels that the lease should stand as is as a change in this lease would require a change in all leases, shortfall the budget, and therefore require funds to come from other sources. The lease will remain as written.

New Business

- Ice Splash 2012 – committee is requesting use of Veteran's park for this event on Saturday, February 25, 2012 Commissioner Durange motioned to give permission to use park for Ice Splash. This was approved unanimously 3-0.
- Town Credit Card Authorized Users – Emily Fletcher – on hold, Emily to make sure we can check the credit card purchases online.
- Marina Late Fee Write-offs – Keep billing for late fee. Commissioner Letts asked if the board is going to be taking action on leases that are late, if action is going to be made sooner by the board. He wants leases to be evicted like Phil Price was if a lease is late instead of letting them be late for month after month in violation of their lease.
- Grave Digger Contractor – Wib Pumpaly suggested an idea of having a grave digger contractor to utilize to open, close and maintain graves in the Charlestown Cemetery. We would require any undertaker to use our Town Contractor. It would allow us more control over making sure that gravesites are opened in the correct area, and burials are not made that are not recorded without being recorded on our Town Cemetery record. Commissioner Letts moved to retain Richard Meekins' Construction to contract for Cemetery grave digging. This was approved unanimously 3-0.
- September Budget Review – we are over in Gen Fund by 20,000, but we have already made the donations for the year, paid the LGIT insurance coverage, which was over by \$5000, our legal fees have increased in the past three months. Payroll is over due to payout of vacations of people who have left Town employment in the current fiscal year. The special fund is over due to fuel costs being higher than anticipated, due to increase in fuel prices, the street repairs have been excessive, we have purchased LED replacement bulbs for the Christmas light displays, which cost us right now, but will save us in energy costs in the end.
 - September Cash Balance Review -
 - September Accounts Receivable Review – mostly due to personal property taxes due.
 - September Fuel Report (Gas-Diesel) – both gas and diesel are only off by 1/10 of a gallon for the month, rounding differences.
 - September Maintenance Work Order Review – Work Orders are being worked on diligently.
 - September Building Permit Review -
- Wib Pumpaly presented a list of the people we want to remove from the voting list either deceased or have moved out of Town. Commissioner Durange motioned to remove people on the list as written. This was approved unanimously 3-0. This report may now be forwarded to the County.

- Department of Housing and Community Development funding is going to be further delayed until about March or April. We had requested \$75,000 to upgrade 630 Water Street, and \$130,000 to do the Town Hall Market Street drainage project. However, Wib was advised today that we have the opportunity to save \$50,000 by re-negotiating the rate on the Department of Housing and Community Development loan we currently have on the water system that goes until 2029. President Gell asked if this requires action. Wib said he needs to get further information from DHCD. Commissioner Letts questioned why we are being held up. Wib said we are waiting on getting the other Towns on board. Board agreed to move forward with looking into rate re-negotiation.

Public Comment

- Gophery Richardson commented that he is happy that the board has agreed to stay on top of the leases. He feels that negotiation of leases from each lessee is going to be different from one to another lease.
- Ursula Boudart commented that she gets more from a 2 bedroom rental in a not so good area than Lee's Marina is paying for his current lease.
- Judy Calvert questioned about the changes for Planning and Zoning.
- Doris McDaniel questioned about the Charter Review Changes.

Commissioner Durange motioned to adjourn, this was approved. The meeting adjourned at 7:47 pm.

Respectfully submitted by Christina Jackson