

Councilman David Raynes called the meeting of the Grottoes Town Council to order at 7:00 p.m. on Monday, January 9, 2012 and welcomed guests. Town Clerk Tara Morris called the roll. Members present were David Raynes, Berton Austin, John Funk, Mark Sterling, and Marjorie Funk. Also present were Town Clerk Tara Morris, Town Attorney Nathan Miller, Town Manager Avery Daugherty, Town Superintendent Charlie Stickley, and Police Chief John Painter.

Councilwoman Marjorie Funk made a motion to accept the minutes as printed for the regular council meeting held on December 12, 2011. Councilman John Funk seconded the motion. Council members David Raynes, Berton Austin, John Funk, Mark Sterling and Marjorie Funk voted in favor of the motion, motion carried.

FINANCE

Councilman John Funk made a motion to approve the Treasurer's Report for the month of December, 2011 as presented. Councilman Mark Sterling seconded the motion. Council members David Raynes, Berton Austin, John Funk, Mark Sterling, and Marjorie Funk voted in favor of the motion, motion carried.

Councilman John Funk made a motion to pay the bills as of January 9, 2012 and the remaining bills for the month of December, 2011 totaling \$61,555.61. Councilwoman Marjorie Funk seconded the motion. Council members David Raynes, Berton Austin, John Funk, Mark Sterling, and Marjorie Funk voted in favor of the motion, motion carried.

WATER AND SEWER

Neil Rodger addressed the Council and stated that he is the Project Manager with CHA Engineering. He thanked the Council for allowing his company the opportunity to submit their proposal to be considered for the project upgrades at the waste water treatment plant. Mr. Rodger's introduced Mr. Doug Hutchens and stated that he is the Vice President with CHA and is also the Senior Engineer for the project. He stated that they are here to answer any questions that the Council may have about their proposal. Town Manager Avery Daugherty informed the Council that this is an upgrade mandated by DEQ to reduce nitrogen and phosphorus levels being discharged into the river. Avery stated that a committee has met several times to look over the engineering proposals and has chosen CHA as their first choice. He stated that the committee asked them to provide a project

estimated cost, which is estimated at \$1.2 million. Town Manager Avery Daugherty stated that the committee compiled a list of questions and CHA answered the questions and this information is included in the Council packets. Town Attorney Nathan Miller stated this company is talking about replacing several pieces of equipment that will upgrade and reduce labor. He asked if they could provide a cost analysis on labor versus technology to show the Town how much labor time could be reduced by adding the upgraded equipment. Councilman Mark Sterling asked about funding for this project. Town Manager Avery Daugherty stated that it would have to be Town funded because our sewer rates are not high enough to qualify for grant money. Councilman John Funk asked where we stand with the committee and what is next. Town Manager Avery Daugherty stated that we had to enter into competitive negotiations and in doing that the committee ranked CHA first which means we cannot compare with another company and if we don't choose them we cannot go back to them later. Town Manager Avery Daugherty stated that Councilman Jim Justis was supportive of this company. Councilman John Funk asked, as of right now, where do we stand on the total price of the project. Town Manager Avery Daugherty stated that the projected estimate for engineering services is \$201,100.00 and for the total project, including engineering services, we are looking at approximately \$1.2 million. Town Manager Avery Daugherty stated that he has had Sharon Foley and Kyle O'Brien look over the proposal and both felt like the price was in line for the scope of work. Councilman Berton Austin made a motion to table this until the February meeting. Councilman John Funk seconded the motion. Councilman Berton Austin stated that he wants to table this until the Mayor and Councilman Jim Justis who is the chairman of the Water and Sewer Committee is back. Councilman Berton Austin stated that he and Councilman David Raynes are a part of the Water and Sewer Committee and have not been included in the meetings. Council members David Raynes, Berton Austin, John Funk, Mark Sterling, and Marjorie Funk voted in favor of the motion, motion carried.

PARKS, RECREATION AND PUBLIC FACILITIES

Councilman Mark Sterling made a motion to accept the quote from TEU Services in the amount of \$17,718.56 for the US made LED light bulbs for the Energy Grant. Councilman John Funk seconded the motion. Council members David Raynes, Berton Austin, John Funk, Mark Sterling, and Marjorie Funk voted in favor of the motion, motion carried.

Councilman Mark Sterling made a motion to approve the lodging quote for the history mobile for the Heritage Day event. He stated that this is a quote for four rooms for two nights at the Best Western in Harrisonburg for \$512.00 plus tax. Councilwoman Marjorie Funk seconded the motion. Council members David Raynes, Berton Austin, John Funk, Mark Sterling, and Marjorie Funk voted in favor of the motion, motion carried.

Councilman Mark Sterling made a motion to allow the Eastern Region orientation for the Cave and Rescue to be held on March 30- April 1, 2012. Councilman John Funk seconded the motion. Council members David Raynes, Berton Austin, John Funk, Mark Sterling, and Marjorie Funk voted in favor of the motion, motion carried.

Town Manager Avery Daugherty stated that he is recommending that the Town go in-house with pool staffing for the sole purpose of accountability. He stated that we have a breakdown on the cost comparing keeping this in-house verses bidding it out, like we have in the past. He stated that the cost would be close to the same but it would give us more flexibility on what can be offered at the pool. Avery also mentioned that our pool supplies and our admissions would be accounted for more accurately. Councilman John Funk made a motion do this. Councilman Mark Sterling seconded the motion. Council members David Raynes, Berton Austin, John Funk, Mark Sterling, and Marjorie Funk voted in favor of the motion, motion carried.

Town Manager Avery Daugherty stated that there is a new ADA standard that we have to meet in order to open the pool this year. He stated that we have to upgrade our kiddie pool and there is only one upgrade available. This upgrade is to extend the deck and make a sloped entry into the water. He stated that another option would be to fill in the kiddie pool and offer a splash pad instead. Town Manager Avery Daugherty stated that the cheaper route between extending the deck and sloping the entry or installing a splash pad would be the splash pad. Town Manager Avery Daugherty stated that our other option would be to do nothing and close the kiddie pool. Town Manager Avery Daugherty stated that we need to install two self-operated battery operated lift chairs in the big pool. Town Manager Avery Daugherty stated that he will have quotes for the next meeting.

SPECIAL EVENTS

Councilwoman Marjorie Funk stated that Bridgewater will be hosting the next RML Meeting on Wednesday, January 18th and if

you plan to attend please let Town Clerk Tara Morris know so she can let Bridgewater know.

PERSONNEL, FIRE AND POLICE PROTECTION

Councilman John Funk made a motion to accept the 2012 Officers of the Grottoes Volunteer Fire Department. Councilman Berton Austin seconded the motion. Council members David Raynes, Berton Austin, John Funk, Mark Sterling, and Marjorie Funk voted in favor of the motion, motion carried.

Councilman John Funk made a motion to purchase two Taser X26 models not to exceed \$1,644.90. Councilman Berton Austin seconded the motion. Council members David Raynes, Berton Austin, John Funk, Mark Sterling, and Marjorie Funk voted in favor of the motion, motion carried

SPECIAL ORDER OF BUSINESS

Councilman John Funk made a motion to leave the committee assignments the same for 2012. Councilman Berton Austin seconded the motion. Council members David Raynes, Berton Austin, John Funk, Mark Sterling, and Marjorie Funk voted in favor of the motion, motion carried.

With no further business to discuss, Councilman David Raynes adjourned the meeting.

Mayor Morris called the Meeting of the Grottoes Town Council to order at 7:00 p.m. on Monday, February 13, 2012 and welcomed guests. Town Clerk Tara Morris called the roll. Members present were Berton Austin, John Funk, Joe Morris, Mark Sterling, Jim Justis, and Marjorie Funk. Also present were Town Clerk Tara Morris, Town Attorney Nathan Miller, Town Manager Avery Daugherty, Superintendent Charlie Stickleley, and Police Sergeant Wes Baugher.

Councilwoman Marjorie Funk made a motion to approve the minutes as presented from the January Council meeting. Councilman Mark Sterling seconded the motion. Council members Berton Austin, John Funk, Mark Sterling, and Marjorie Funk voted in favor of the motion, Councilman Jim Justis abstained from the motion, motion carried.

FINANCE

Councilman John Funk made a motion to approve the Treasurer's Report for the month of January, 2012 as presented. Councilman Jim Justis seconded the motion. Council members Berton Austin, John Funk, Mark Sterling, Jim Justis, and Marjorie Funk voted in favor of the motion, motion carried.

Councilman John Funk made a motion to pay the bills as of February 13, 2012 and the remaining bills for the month of January 2012 totaling \$89,708.59. Councilman Jim Justis seconded the motion. Council members Berton Austin, John Funk, Mark Sterling, Jim Justis, and Marjorie Funk voted in favor of the motion, motion carried.

WATER AND SEWER

Councilman Jim Justis made a motion to table any further action on the water system and easement into the park. Councilman John Funk seconded the motion. Council members Berton Austin, John Funk, Mark Sterling, Jim Justis, and Marjorie Funk voted in favor of the motion, motion carried.

Councilman Jim Justis made a motion to table any further action on the requirement to upgrade the Town's sewer plant. Councilwoman Marjorie Funk seconded the motion. Council members Berton Austin, John Funk, Mark Sterling, Jim Justis, and Marjorie Funk voted in favor of the motion, motion carried.

ORDINANCE, HEALTH AND PROPERTY

Councilman Berton Austin made a motion to approve the request to sub-divide Block 121. Councilman John Funk seconded the motion. Councilman Berton Austin stated that this is the recommendation from the Planning Commission. Council members Berton Austin, John Funk, Mark Sterling, Jim Justis, and Marjorie Funk voted in favor of the motion, motion carried.

STREETS AND STREETLIGHTS

Councilman Berton Austin made a motion to approve the U-1 Resolution. Councilman Mark Sterling seconded the motion. Council members Berton Austin, John Funk, Mark Sterling, Jim Justis, and Marjorie Funk voted in favor of the motion, motion carried.

PARKS, RECREATION AND PUBLIC FACILITIES

Councilman Mark Sterling made a motion to accept the quote from Doheny's Water Warehouse for two portable lift chairs for the pool not to exceed \$9738.85. Councilman John Funk seconded the motion. Council members Berton Austin, John Funk, Mark Sterling, Jim Justis, and Marjorie Funk voted in favor of the motion, motion carried.

Councilman Mark Sterling made a motion to allow the Virginia Living Museum access to Fountain Cave. Councilman John Funk seconded the motion. Mayor Morris stated that he has questions that go against our policy. He stated that they have a couple kids that are under the age of 13 and the number of qualified cavers going in with the group is not sufficient with our current policy. Town Counsel Nathan Miller suggested that this motion should be a one-time exception. Councilman Mark Sterling added the one-time exception to his motion. Councilman John Funk accepted the amendment. Council members Berton Austin, John Funk, Mark Sterling, Jim Justis, and Marjorie Funk voted in favor of the motion, motion carried.

Town Manager Avery Daugherty stated that VAR requested a list of activities that we need completed at Grand Caverns for their Easter work weekend. Avery stated that we would like for them to help with adding gravel to the pathway in the cave. Town Manager Avery Daugherty stated the reason VAR is asking for

special permission is because our access policy states no access before April 15th and the request is for April 7th and 8th. Councilman Mark Sterling made a motion to allow VAR to come in a week early. Councilman John Funk seconded the motion. Council members Berton Austin, John Funk, Mark Sterling, Jim Justis, and Marjorie Funk voted in favor of the motion, motion carried.

SPECIAL EVENTS

Councilwoman Marjorie Funk announced that Saturday, May 19th will be the spring community yard sale date.

PERSONNEL, FIRE AND POLICE PROTECTION

Councilman John Funk made a motion to allow Officer Earman permission to take his police car to a public education event in Fishersville. Councilman Jim Justis seconded the motion. Council members Berton Austin, John Funk, Mark Sterling, Jim Justis, and Marjorie Funk voted in favor of the motion, motion carried.

PRESENTATION OF PETITIONS AND CLAIMS

Paul Shoop addressed the Council and stated that he is an Engineer who has been asked by the Cave Hill group to do an impact assessment on the proposed waterline along South River. He stated that there are a number of environmental and historical issues that he addressed in a letter to the Council in October. Mr. Shoop stated that they would like to appeal the Town's decision to take the route along the South River. He asked that the Council keep him involved in the progress of this project. Mr. Shoop stated that he has looked at the proposed drawings and estimates and feels there is not enough detail for him to provide the property owner a fair assessment of what the impact would be. Mayor Morris stated that is because the Town is not going to spend a lot of money in engineering fees unless we have an easement. Mayor Morris stated that we have talked to all the authorities that we need to talk to at this time and we have decided to put this on hold for now. Mayor Morris stated that when the Town is ready to bring this back up we will notify everyone involved because the Town will no longer accept a meeting here and there.

With no further business to discuss Mayor Morris adjourned the meeting.

Mayor Morris called the Meeting of the Grottoes Town Council to order at 7:00 p.m. on Monday, March 12, 2012 and welcomed guests. Town Clerk Tara Morris called the roll. Members present were David Raynes, Berton Austin, John Funk, Joe Morris, Mark Sterling, and Marjorie Funk. Also present were Town Clerk Tara Morris, Town Attorney Nathan Miller, Town Manager Avery Daugherty, Superintendent Charlie Stickley, and Police Chief John Painter.

Councilwoman Marjorie Funk made a motion to approve the minutes as presented from the February Council meeting. Councilman David Raynes seconded the motion. Council members David Raynes, Berton Austin, John Funk, Mark Sterling, and Marjorie Funk voted in favor of the motion, motion carried.

FINANCE

Councilman John Funk made a motion to approve the Treasurer's Report for the month of February, 2012 as presented. Councilwoman Marjorie Funk seconded the motion. Council members David Raynes, Berton Austin, John Funk, Mark Sterling, and Marjorie Funk voted in favor of the motion, motion carried.

Councilman John Funk made a motion to pay the bills as of March, 2012 and the remaining bills for the month of February, 2012 totaling \$75,979.05. Councilman David Raynes seconded the motion. Council members David Raynes, Berton Austin, John Funk, Mark Sterling, and Marjorie Funk voted in favor of the motion, motion carried.

Councilman John Funk made a motion to accept the quote from Al's Power Equipment in the amount of \$919.96 to purchase a new pressure washer. Councilman Berton Austin seconded the motion. Councilman John Funk stated that this purchase will be split between all departments. Council members David Raynes, Berton Austin, John Funk, Mark Sterling, and Marjorie Funk voted in favor of the motion, motion carried.

Councilman John Funk presented a check to the Grottoes Fire Department for \$5,207.81 for their annual donation and reimbursement on their utility bill. Steve Kegley, Assistant Chief of the Fire Department accepted the check and thanked the Town for their support.

WATER AND SEWER

Councilman Berton Austin made a motion to accept the quote from Xylem to replace the UV lamps at the wastewater treatment plant not to exceed \$1,254.00. Councilwoman Marjorie Funk seconded the motion. Council members David Raynes, Berton Austin, John Funk, Mark Sterling, and Marjorie Funk voted in favor of the motion, motion carried.

Mayor Morris stated that we have been discharging at the wastewater treatment plant and our levels are not where we want them to be. Therefore, we will need to have the Preliminary Engineering Report (PER) done. He stated the cost for this with CHA Engineering is about \$30,000.00. Mayor Morris stated that the funding for the PER would come from sewer savings. Councilman John Funk made a motion to have CHA complete the PER for the treatment plant. Councilman David Raynes seconded the motion. Council members David Raynes, Berton Austin, John Funk, Mark Sterling, and Marjorie Funk voted in favor of the motion, motion carried.

ORDINANCE, HEALTH AND PROPERTY

Councilman Berton Austin stated that each Council member has a copy of the suggested revisions to Chapter 53. He stated that the Planning Commission has approved them and sent them on to Council for review. Mayor Morris asked the Town Council and Attorney to review the suggested changes before next month's meeting.

Councilman Berton Austin stated that each Council member has a copy of a draft Cable Franchise Agreement and asked for a staff report. Town Clerk Tara Morris informed the Council that Paul Comes with Comcast contacted Ashley Jacobs, former Town Manager, asking the Town to accept an agreement with Comcast for cable services. Tara stated that this information was sent to the Attorney's office for review and has been sent back with recommendations. She stated that we need to review the agreement with the recommendations from the attorney and proceed with the steps to accept the agreement. Town Counsel Nathan Miller stated that we will first need to adopt an ordinance. Mayor Morris asked the Council to review this information before the next meeting.

STREETS AND STREETLIGHTS

Councilman David Raynes made a motion to accept the bid from James River Equipment in the amount of \$83,978.00 for a 2012 John Deere Loader Backhoe. Councilman Mark Sterling seconded the motion. Council members David Raynes, Berton Austin, John Funk, Mark Sterling, Jim Justis, and Marjorie Funk voted in favor of the motion, motion carried

PERSONNEL, FIRE AND POLICE PROTECTION

Councilman David Raynes made a motion to convene into closed session pursuant to section 2.2-3711(A)1 of the Code of Virginia to discuss matters relating to personnel. Councilwoman Marjorie Funk seconded the motion. Council members David Raynes, Berton Austin, John Funk, Mark Sterling, and Marjorie Funk voted in favor of the motion, motion carried.

Upon return from closed session a record vote is taken of each Council member to declare that they discussed only public business matters lawfully exempted from statutory open meeting requirements and public business matters identified in the motion to convene into closed session. D. Raynes; yes, B. Austin; yes, J. Funk; yes, J. Morris; yes, M. Sterling; yes, and M. Funk; yes.

Councilman John Funk made a motion to accept the resignation of Officer Chris Earman effective February 22, 2012. Councilwoman Marjorie Funk seconded the motion. Council members David Raynes, Berton Austin, John Funk, Mark Sterling, and Marjorie Funk voted in favor of the motion, motion carried.

Councilman Berton Austin made a motion to accept Resolution number 20120312 Irrevocable Election not to participate in Line of Duty Act Fund. Councilman John Funk seconded the motion. Mayor Morris informed the Council that we are switching our Line of Duty Act coverage from VRS to VML because VML's rate is cheaper. Council members David Raynes, Berton Austin, John Funk, Mark Sterling, Jim Justis, and Marjorie Funk voted in favor of the motion, motion carried

Town Manager Avery Daugherty informed the Council that interviews have been done and that Denise Hill has been hired as the new Pool Manager.

SPECIAL ORDER OF BUSINESS

Town Manager Avery Daugherty stated that there is information in Council's packets about the request for the Mt. Olive 5K race. He stated that they are looking to keep things pretty much the same as last year. Chief Painter stated that last year's event was extremely unorganized. He stated that his officer staffing was extreme to the amount of runners they had participating in the event. Councilman John Funk made a motion to allow the Mt. Olive Brethren Church to have their 5K walk provided that it be taken care of within the park boundaries. Councilman David Raynes seconded the motion. Councilman Berton Austin stated that they will not have participants if it is contained to the park. Councilman Mark Sterling stated that if they set a deadline for participants maybe they could plan a route from that number. Councilwoman Marjorie Funk asked if a route could be arranged with the police department. Council member John Funk voted in favor of the motion, Council members Berton Austin, David Raynes, Mark Sterling and Marjorie Funk voted against the motion, motion denied. Councilman Berton Austin made a motion to allow the Mt. Olive Brethren Church to conduct a 5K granting they work with the Chief of Police to establish a route that is suitable for the Town. Councilman Mark Sterling seconded the motion. Council members David Raynes, Berton Austin, John Funk, Mark Sterling, and Marjorie Funk voted in favor of the motion, motion carried.

PRESENTATION OF PETITIONS AND CLAIMS

Dan Dreelin addressed the Council and stated that he is not here on behalf of Cave Hill, LLC. He stated that at the last meeting the Town voted to table the discussion of the easement of Cave Hill, LLC and Mr. Dreelin stated that he believes that the Town meant to postpone the discussion because a motion to table would be for a motion that you have or a question that you have. He stated that since there was no motion or question at the time the proper method would be to postpone it. Mr. Dreelin proceeded by stating that a table or postpone has to be addressed at every meeting. Mayor Morris informed Mr. Dreelin that the Town will refer to Counsel and let him suggest the proper handling. Mayor Morris thanked Mr. Dreelin for coming. Town Attorney Nathan Miller recommended tabling the discussion on the easement indefinitely. Mayor Morris asked for a motion to table the Cave Hill easement indefinitely. Councilman John Funk made a motion to table the easement indefinitely. Councilman David Raynes seconded the motion. Council members David Raynes,

Berton Austin, John Funk, Mark Sterling, and Marjorie Funk voted in favor of the motion, motion carried.

Emily Morris addressed the Council and stated that she is a sophomore at Spotswood High School. She stated that she will be traveling to the state's capital to get an inside look on the legislative process. She stated that this is her first time attending MGA (Model General Assembly) and she will be filling the role of delegate. She stated that every year to help fund their trip students go to their respective localities to see if they will be willing to donate money in support of this educational experience. Ms. Morris stated that the cost per student is \$350.00 and she is asking this Council if they would be willing to sponsor a student or to donate any amount that they can. Emily Morris thanked the Council for their time and stated that she looks forward to coming back and sharing her experience with the Council. Councilman John Funk made a motion to fund \$200.00 to support the MGA. Councilwoman Marjorie Funk seconded the motion. Council members David Raynes, Berton Austin, John Funk, Mark Sterling, and Marjorie Funk voted in favor of the motion, motion carried.

With no further business to discuss Mayor Morris adjourned the meeting.

Mayor Morris called the Meeting of the Grottoes Town Council to order at 7:00 p.m. on Monday, April 9, 2012 and welcomed guests. Town Clerk Tara Morris called the roll. Members present were David Raynes, Berton Austin, John Funk, Joe Morris, Mark Sterling, and Marjorie Funk. Also present were Town Clerk Tara Morris, Town Attorney Nathan Miller, Town Manager Avery Daugherty, Superintendent Charlie Stickley, and Police Chief John Painter.

Councilwoman Marjorie Funk made a motion to approve the minutes as presented from the March Council meeting. Councilman David Raynes seconded the motion. Council members David Raynes, Berton Austin, John Funk, Mark Sterling, and Marjorie Funk voted in favor of the motion, motion carried.

FINANCE

Councilman John Funk made a motion to approve the Treasurer's Report for the month of March, 2012 as presented. Councilman David Raynes seconded the motion. Council members David Raynes, Berton Austin, John Funk, Mark Sterling, and Marjorie Funk voted in favor of the motion, motion carried.

Councilman John Funk made a motion to pay the bills as of April 9, 2012 and the remaining bills for the month of March, 2012 totaling \$158,170.51. Councilman David Raynes seconded the motion. Council members David Raynes, Berton Austin, John Funk, Mark Sterling, and Marjorie Funk voted in favor of the motion, motion carried.

ORDINANCE, HEALTH AND PROPERTY

Councilman Berton Austin made a motion to table Chapter 53 since Counsel is still reviewing the changes. Councilwoman Marjorie Funk seconded the motion. Council members David Raynes, Berton Austin, John Funk, Mark Sterling and Marjorie Funk voted in favor of the motion, motion carried.

Councilman Berton Austin made a motion to table the Comcast Agreement. Councilman David Raynes seconded the motion. Town Attorney Nathan Miller stated that the first step is to adopt a cable ordinance and that his office can draft that ordinance. Mayor Morris asked the finance committee to review the Attorney's recommendations regarding the Comcast Agreement. Council members David Raynes, Berton Austin, John Funk, Mark Sterling, and Marjorie Funk voted in favor of the motion, motion carried.

Councilman Berton Austin stated that the Town of Grottoes is planning to implement a cigarette tax with the new budget year. He stated that the tax would be \$0.10 per pack and that most localities already have imposed this user tax. Mayor Morris stated that we will hold a public hearing next month to hear citizen's comments on this tax along with the Annual Budget.

SPECIAL EVENTS

Councilwoman Marjorie Funk announced that Chief Charlie's Kids Fish Day is Saturday, April 28, 2012 and the Grand Caverns Signature 5K Race is Friday, April 27, 2012. Councilwoman Marjorie Funk also announced that the spring community yard sale will be May 19th and the produce market also opens on May 19, 2012.

PERSONNEL, FIRE AND POLICE PROTECTION

Mayor Morris stated that with hiring a pool manager and life guard we needed to revise the Town's Organizational Chart. Councilwoman Marjorie Funk made a motion to approve the revision to the Organizational Chart. Councilman David Raynes seconded the motion. Council members David Raynes, Berton Austin, John Funk, Mark Sterling, and Marjorie Funk voted in favor of the motion, motion carried.

Chief Painter stated that we have hired two new police officers and introduced Officer C.M. Hess and Officer Randall Hensley to the Council. Mayor Morris welcomed the two new officers to the Town.

UNFINISHED BUSINESS OF PREVIOUS MEETING

Mayor Morris stated that there is nothing to discuss regarding the Cave Hill easement.

Mayor Morris informed the Council that the sewer committee was looking at having CHA do the PER for the sewer plant upgrades.

PRESENTATIONS OF PETITIONS AND CLAIMS

Janet Moyer addressed the Council and stated that she is the President of the Grottoes Rescue Squad. She stated that she was here tonight along with some additional members of the squad to ask for Council's permission to hold a fundraiser at their

building. She feels that they have enough area to hold the event and still have plenty of room for parking. She stated that they want to have a mini lawn party with a couple of rides, sell food and honor the local emergency responders. Mayor Morris asked the Council if they had any questions. Councilman John Funk asked when they would like to hold the fundraiser. Janet stated that they are looking to hold this event September 12th through September 15th in respect to 9/11. Mayor Morris stated that as long as all details can be worked out with the police department the Town has no problems with them holding a fundraiser at their building.

Beth Raynes and the Girl Scout Troop 592 addressed the Council and asked for permission to hold their annual push, pedal, and pull parade on July, 4th using the same route as in the past. Councilwoman Marjorie Funk made a motion to allow the girl scouts to have the parade. Councilman Berton Austin seconded the motion. Council members David Raynes, Berton Austin, John Funk, Mark Sterling, and Marjorie Funk voted in favor of the motion, motion carried.

Ron McMullen addressed the Council asking them to consider amending Chapter 48-4-D of the Grottoes Town Code to allow up to 10 chickens (no rooster) on parcels of real estate .25 acres or larger. Mr. McMullen stated that some of the benefits would be sustainability - produce own food; chickens don't take much room; nutrition - eggs could be in stores for up to 3 months before purchased; pest control - chickens eat about anything that comes across the yard so that will help with pesticides; less trash - they eat table scrapes; learning experience for children - to learn responsibility. Mayor Morris asked if this has been sent to Planning Commission. Councilman Berton Austin stated that it has not. Mayor Morris informed Mr. McMullen that Council will refer this to the Planning Commission and if the Commission decides to go forward with this change they will forward the proposed changes to the Council. Mayor Morris stated that the next Planning Commission meeting is the last Tuesday in May and asked Mr. McMullen to attend because the Planning Commission may have some questions for him.

With no further business to discuss Mayor Morris adjourned the meeting.

Mayor Morris called the Town Council Public Hearing to order at 7:00 p.m. on Monday, May 14, 2012 and welcomed the citizens. Town Clerk Tara Morris called the roll. Members present were David Raynes, John Funk, Joe Morris, Jim Justis and Marjorie Funk. Also present were Town Clerk Tara Morris, Town Attorney Nathan Miller, Town Manager Avery Daugherty, Town Superintendent Charlie Stickley, and Police Chief John Painter.

Mayor Morris stated that the public hearing was to hear citizens' comments regarding the implementation of a Cigarette Tax.

Town Manager Avery Daugherty stated that implementing this tax will help increase revenue to offset some of the state mandates we have received.

No citizen comments were made.

No Council comments were made.

With no further comments Mayor Morris adjourned the public hearing.

Mayor Morris called the public hearing to order and stated that the public hearing was to hear citizens' comments regarding the FY 2012-2013 Annual Budget.

Town Manager Avery Daugherty stated that this year's budget increased about 8.7 percent. He stated that the reason for the increase in the budget is due to unfunded state mandates.

No citizen comments were made.

No Council comments were made.

With no further comments Mayor Morris adjourned the public hearing.

Mayor Morris called the regular Council meeting to order.

Councilwoman Marjorie Funk made a motion to approve the minutes from the April 9, 2012 Council meeting. Councilman John Funk seconded the motion. Council members David Raynes, John Funk, Jim Justis, and Marjorie Funk voted in favor of the motion, motion carried.

FINANCE

Councilman John Funk made a motion to accept the Treasurer's Report for the month of April, 2012. Councilwoman Marjorie Funk seconded the motion. Council members David Raynes, John Funk, Jim Justis, and Marjorie Funk voted in favor of the motion, motion carried.

Councilman John Funk made a motion to pay the bills as of May 14, 2012 and the remaining bills for the month of April totaling \$77,550.14. Councilman David Raynes seconded the motion. Council members David Raynes, John Funk, Jim Justis, and Marjorie Funk voted in favor of the motion, motion carried.

Councilman John Funk made a motion for the Town to provide \$300.00 per year for the Memorial Day and Veteran's Day Ceremonies. Councilwoman Marjorie Funk seconded the motion. Council members David Raynes, John Funk, Jim Justis, and Marjorie Funk voted in favor of the motion, motion carried.

Councilman John Funk stated that this year's budget was extremely difficult and was accomplished because of the amount of work that Mayor Joe Morris, Rhonda Danner and Avery Daugherty did. Councilman Funk wanted to thank them for all their hard work.

Town Manager Avery Daugherty presented a brief presentation explaining the 2012-2013 proposed budget.

WATER AND SEWER

Councilman Jim Justis informed the Council that the bid opening for the Route 256 Waterline Replacement project is Tuesday, May 29th at 2:00 p.m.

Councilman Jim Justis announced that the Town has acquired its third well. The well has been deeded to the Town and will be recorded by Counsel. Councilman Jim Justis stated that this is a great water source for us.

ORDINANCE, HEALTH AND PROPERTY

Councilman John Funk announced the first reading of Chapter 144 Article VIII Cigarette Tax.

Mayor Morris stated that the Finance Committee has given the Town Manager authority to try to find an intern to help complete the comprehensive plan.

STREETS AND STREET LIGHTS

Councilman David Raynes made a motion to accept the quote from Col-Lac in the amount of \$700.00 to remove two trees. Councilman Jim Justis seconded the motion. Council members David Raynes, John Funk, Jim Justis, and Marjorie Funk voted in favor of the motion, motion carried.

SPECIAL EVENTS

Councilwoman Marjorie Funk announced that the community yard sale is on May 19th and the produce Market will start that day as well. She also stated that the Heritage Day event will be on June 16th at the Grand Caverns Park.

SPECIAL ORDER OF BUSINESS

Cassandra Price addressed the Council requesting to have aqua zumba once a week in the pool after the pool closes. She stated that twenty-five percent would come back to the Town after paying for the life-guard. Councilman John Funk made a motion to approve Zumba in the pool. Councilwoman Marjorie Funk seconded the motion. Council members David Raynes, John Funk, Jim Justis, and Marjorie Funk voted in favor of the motion, motion carried. Mayor Morris asked Ms. Price to contact Lettie Stickley to work out all the details.

Town Manager Avery Daugherty stated that we have a request for a Christian Music Festival and Youth Rally for the Grand Caverns Park. He stated that there will be all kinds of Christian music and it will be no cost to the public. After discussion Council decided to allow Parks and Recreation Specialist Lettie Stickley handle this like any other contract.

UNFINISHED BUSINESS FROM PREVIOUS MEETING

Mayor Morris stated that we have no further information on the water easement for Cave Hill.

Town Manager Avery Daugherty informed the Council that CHA may be coming to the next Council meeting to present information for the preliminary engineering report.

Councilman Jim Justis made a motion to table revision to Chapter 53 until the June meeting. Councilwoman Marjorie Funk seconded the motion. Council members David Raynes, John Funk, Jim Justis, and Marjorie Funk voted in favor of the motion.

Councilman Jim Justis made a motion to go into closed session pursuant to Section 2.2-3711(A)1 of the Code of Virginia to interview candidates for appointment to a board or commission. Councilman John Funk seconded the motion. Council members David Raynes, John Funk, Jim Justis, and Marjorie Funk voted in favor of the motion.

Upon return from closed session a record vote is taken of each Council member to declare that they discussed only public business matters lawfully exempted from statutory open meeting requirements and public business matters identified in the motion to convene into closed session. D. Raynes; yes, J. Funk; yes, J. Morris; yes, J. Justis; yes, and M. Funk; yes.

Councilwoman Marjorie Funk made a motion to appoint Stephen Morris to the Planning Commission. Councilman Jim Justis seconded the motion. Council members David Raynes, John Funk, Jim Justis and Marjorie Funk voted in favor of the motion, motion carried.

Councilman Jim Justis stated that, on behalf of the Veterans, he would like to publicly thank the Council and Mayor for the motion to fund the Memorial Day and Veteran's Day events here in Town.

With no further business to discuss Mayor Morris adjourned the meeting.

Councilman Berton Austin called the Meeting of the Grottoes Town Council to order at 7:00 p.m. on Monday, June 11, 2012 and welcomed guests. Town Treasurer Rhonda Danner called the roll. Members present were Berton Austin, John Funk, Mark Sterling, Jim Justis and Marjorie Funk. Also present were Town Treasurer Rhonda Danner, Town Attorney Nathan Miller, Town Manager Avery Daugherty, Superintendent Charlie Stickley, and Police Chief John Painter.

Councilwoman Marjorie Funk made a motion to approve the minutes for the two public hearings on May 14, 2012 and for the regular Council Meeting on May 14, 2012. Councilman John Funk seconded the motion. Council members Berton Austin, John Funk, Mark Sterling, Jim Justis, and Marjorie Funk voted in favor of the motion, motion carried.

WATER AND SEWER

Councilman Jim Justis made a motion to authorize CHA to search for funding up to a limit of \$1.6 million dollars for the two phases of the renovations of the sewer plant required to allow for phosphorus reduction as required and mandated from the state and is unfunded. Councilman John Funk seconded the motion. Council members Berton Austin, John Funk, Mark Sterling, Jim Justis and Marjorie Funk voted in favor of the motion, motion carried.

Councilman Jim Justis stated that we have received bids to replace the water line along Route 256. He stated that the bid from Good Services has been withdrawn and that the next lowest bid was in the amount of \$219,060.00. Councilman Jim Justis stated that we have set aside \$152,000.00 for this project which means we are about \$70,000.00 short. Councilman Jim Justis made a motion not to accept any of the bids. Councilman Mark Sterling seconded the motion. Council members Berton Austin, John Funk, Mark Sterling, Jim Justis and Marjorie Funk voted in favor of the motion, motion carried.

Councilman Jim Justis stated that in preparation of the of the Route 256 waterline replacement project the Town is in need of two water easements one from the Grottoes Fire Department and the other from Johnson's Funeral Home. Councilman Jim Justis made a motion to approve the deed of easement with the Grottoes Fire Department. Councilwoman Marjorie Funk seconded the motion. Council members Berton Austin, John Funk, Mark Sterling, Jim Justis and Marjorie Funk voted in favor of the motion, motion carried.

Councilman Jim Justis made a motion to accept the deed of easement with BGFS, LLC (Johnson's Funeral Home. Councilwoman Marjorie Funk seconded the motion. Council members Berton Austin, John Funk, Mark Sterling, Jim Justis and Marjorie Funk voted in favor of the motion, motion carried.

ORDINANCE, HEALTH AND PROPERTY

Councilman Berton Austin gave the 2nd reading for Chapter 144 Article VIII for the Cigarette Tax.

Town Manager Avery Daugherty informed the Council that there is a unit in the Townhouse section of Shady Creek that would not meet the setbacks required so the developer is asking to move that unit to the other end of the complex where all the setbacks would be met. Councilman Berton Austin made a motion to allow the change to the Townhouse section in the Shady Creek Subdivision plan. Councilman John Funk seconded the motion. Council members Berton Austin, John Funk, Mark Sterling, Jim Justis and Marjorie Funk voted in favor of the motion, motion carried.

Town Manager Avery Daugherty stated that the developer has requested that a section of the duplex area of Shady Creek be changed to allow larger single family homes on a larger lot. Town Manager Avery Daugherty stated that the Planning Commission approved this request but stated that whatever was first built in this section that the rest had to be the same. Therefore if a single family home was built, the remaining lots on that street had to be single family, to keep it uniform. Councilman Berton Austin made a motion to approve the Shady Creek Subdivision plan for the duplex section per the Planning Commission's recommendation. Councilman Jim Justis seconded the motion. Council members Berton Austin, John Funk, Mark Sterling, Jim Justis and Marjorie Funk voted in favor of the motion, motion carried.

Town Manager Avery Daugherty informed the Council that the Planning Commission reviewed the request to revise Chapter 48 to allow up to ten chickens on parcels of land .25 acres or larger. He stated that the Planning Commission's recommendation was not to make any revisions to the current ordinance at this time.

Councilman Berton Austin made a motion to adopt Chapter 144 Article VIII, Cigarette Tax. Councilman Jim Justis seconded the motion. Town Treasurer Rhonda Danner asked for a roll call vote.

B. Austin, yes; J. Funk, yes; M. Sterling, yes; J. Justis, yes; and M. Funk, yes; motion carried.

FINANCE

Councilman John Funk made a motion to approve the Treasurer's Report for the month of May, 2012 as presented. Councilwoman Marjorie Funk seconded the motion. Council members Berton Austin, John Funk, Mark Sterling, Jim Justis and Marjorie Funk voted in favor of the motion, motion carried.

Councilman John Funk made a motion to pay the bills as of June 11, 2012 and the remaining bills for the month of May, 2012 totaling \$70,521.28. Councilman Jim Justis seconded the motion. Council members Berton Austin, John Funk, Mark Sterling, Jim Justis and Marjorie Funk voted in favor of the motion, motion carried.

Councilman John Funk made a motion to approve fiscal year 2012-2013 annual budget. Councilman Jim Justis seconded the motion. Council members Berton Austin, John Funk, Mark Sterling, Jim Justis and Marjorie Funk voted in favor of the motion, motion carried.

STREETS AND STREET LIGHTS

Councilman John Funk made a motion to approve the quote from Smith Paving in the amount of \$119,136.00. Councilman Jim Justis seconded the motion. Councilman John Funk amended his motion to include \$28,085.00 for the milling of streets. Councilman Jim Justis accepted the amendment. Council members Berton Austin, John Funk, Mark Sterling, Jim Justis and Marjorie Funk voted in favor of the motion, motion carried.

SPECIAL EVENTS

Councilwoman Marjorie Funk announced that Heritage Day is Saturday, June 16, 2012 at the Grand Caverns Park. She stated that the events start at 10:00 am and end after the candlelit ball.

Councilwoman Marjorie Funk announced that the Girl Scouts are having a Push, Pedal and Pull Parade on July 4th at 10:00 am on 6th Street.

Councilwoman Marjorie Funk made a motion to allow the Town Manager up to \$3,000.00 to purchase movie equipment for our

movies in the park. Councilman Jim Justis seconded the motion. Council members Berton Austin, John Funk, Mark Sterling, Jim Justis and Marjorie Funk voted in favor of the motion, motion carried.

PERSONNEL, FIRE AND POLICE PROTECTION

Councilman Jim Justis made a motion that Council approve the Member Contributions by Salary Reduction for Counties, Cities, Towns, and other Political Subdivisions in accordance with Chapter 822 of the 2012 Acts of the Assembly (SB497). Councilman Mark Sterling seconded the motion. Council members Berton Austin, John Funk, Mark Sterling, Jim Justis and Marjorie Funk voted in favor of the motion, motion carried.

Councilman Jim Justis made a motion to approve the Employer Contribution Rates for Counties, Cities, Towns, School Divisions and Other Political Subdivisions in accordance with the 2012 Appropriation Act Item 468(H). Councilman John Funk seconded the motion. Council members Berton Austin, John Funk, Mark Sterling, Jim Justis and Marjorie Funk voted in favor of the motion, motion carried.

SPECIAL ORDER OF BUSINESS

Town Manager Avery Daugherty stated that we have missed an item that needs to be addressed but was not on the agenda. He stated that this is to purchase ten trees to be placed where dead trees have been removed. Councilman John Funk made a motion to accept the quote from Garrison's Landscaping in the amount of \$1,600.00. Councilman Mark Sterling seconded the motion. Council members Berton Austin, John Funk, Mark Sterling, Jim Justis and Marjorie Funk voted in favor of the motion, motion carried.

Town Manager Avery Daugherty stated that we had a citizen in town that worked very hard in developing a very successful 5K race. Avery stated that this citizen did this not only for his passion of running but to be able to give back to his community and for all of his hard work Town Manager Avery Daugherty presented Mr. Michael Betts with a certificate of appreciation.

Mr. Michael Betts thanked the Council for the recognition and stated that the running community loved the event. He stated that we had 68 registered runners and that 55 of the 68 registered were not from Grottoes. Mr. Betts presented a check in the amount of \$1,818.26 to Avery for Grand Caverns. Councilman Berton Austin thanked Mr. Betts for his hard work and

stated that we look forward to the race in September and all future races.

UNFINISHED BUSINESS OF PREVIOUS MEETING

Councilman Berton Austin made a motion to table the easement with Cave Hill, LLC. Councilman Jim Justis seconded the motion. Council members Berton Austin, John Funk, Mark Sterling, Jim Justis and Marjorie Funk voted in favor of the motion, motion carried.

Councilman Jim Justis made a motion to send Chapter 53 back to planning commission for further review. Councilman Mark Sterling seconded the motion. Council members Berton Austin, John Funk, Mark Sterling, Jim Justis and Marjorie Funk voted in favor of the motion, motion carried.

Councilman Berton Austin made a motion to table the Comcast Agreement until further notice. Councilwoman Marjorie Funk seconded the motion. Council members Berton Austin, John Funk, Mark Sterling, Jim Justis and Marjorie Funk voted in favor of the motion, motion carried.

Councilman Berton Austin made a motion to table the Cable Ordinance until further notice. Councilman Jim Justis seconded the motion. Council members Berton Austin, John Funk, Mark Sterling, Jim Justis and Marjorie Funk voted in favor of the motion, motion carried.

With no further business to discuss Councilman Berton Austin adjourned the meeting.

Councilman Berton Austin called the Meeting of the Grottoes Town Council to order at 7:00 p.m. on Monday, July 9, 2012 and welcomed guests. Town Treasurer Rhonda Danner called the roll. Members present were David Raynes, Berton Austin, John Funk, Jim Justis and Marjorie Funk. Also present were Town Treasurer Rhonda Danner, Town Attorney Nathan Miller, Town Manager Avery Daugherty, Superintendent Charlie Stickley, and Police Officer C.M. Hess.

Councilwoman Marjorie Funk made a motion to approve the minutes from the June 11, 2012 Council meeting. Councilman David Raynes seconded the motion. Council members David Raynes, Berton Austin, John Funk, Jim Justis, and Marjorie Funk voted in favor of the motion, motion carried.

FINANCE

Councilman John Funk made a motion to approve the Treasurer's Report for the month of June, 2012 as presented. Councilman Jim Justis seconded the motion. Council members David Raynes, Berton Austin, John Funk, Mark Sterling, Jim Justis and Marjorie Funk voted in favor of the motion, motion carried.

Councilman John Funk made a motion to pay the bills as of July 9, 2012 and the remaining bills for the month of June, 2012 totaling \$93,763.04. Councilman David Raynes seconded the motion. Council members David Raynes, Berton Austin, John Funk, Mark Sterling, Jim Justis and Marjorie Funk voted in favor of the motion, motion carried.

WATER AND SEWER

Councilman Jim Justis stated that we have received quotes for the purchase of a generator. Councilman Jim Justis made a motion to table the purchase of a generator for 30 days. Councilman David Raynes seconded the motion. Councilman Jim Justis stated that he has a source where we can get excess government equipment that range from brand new to inoperable. Councilman Jim Justis amended his motion to read by the next Council meeting. Councilman David Raynes seconded the motion. Council members David Raynes, Berton Austin, John Funk, Mark Sterling, Jim Justis and Marjorie Funk voted in favor of the motion, motion carried.

PARKS, RECREATION AND PUBLIC FACILITIES

Town Manager Avery Daugherty stated that we have a request for haunted/cursed caverns. He stated that there is more information in your packet explaining the request. After Council discussion Councilman John Funk made a motion to approve the request on a probationary basis. Councilman Jim Justis seconded the motion. Council members David Raynes, Berton Austin, John Funk, Mark Sterling, Jim Justis and Marjorie Funk voted in favor of the motion, motion carried.

SPECIAL EVENTS

Councilwoman Marjorie Funk announced that the Harvest Festival is on September 22, 2012 and the Senior Citizen's luncheon is scheduled for October 20, 2012.

PERSONNEL, FIRE AND POLICE PROTECTION

Town Manager Avery Daugherty stated that he would like to thank the hard working staff for their work due to the storm. He also stated that we have a storm cost of over \$13,500.00 and that we will meet with Rockingham County and FEMA to try and recover some of this cost.

SPECIAL ORDER OF BUSINESS

Councilman John Funk asked that we check to make sure we have a quorum for the August 13th meeting.

UNFINISHED BUSINESS OF PREVIOUS MEETING

Councilman Berton Austin asked for a motion to table the easement with Cave Hill LLC to the next meeting. Councilman John Funk replied so moved. Councilwoman Marjorie Funk seconded the motion. Council members David Raynes, Berton Austin, John Funk, Mark Sterling, Jim Justis and Marjorie Funk voted in favor of the motion, motion carried.

Councilman Berton Austin asked to table Chapter 53 until staff gets this worked out with Counsel. Councilman Jim Justis replied so moved. Councilwoman Marjorie Funk seconded the motion.

Council members David Raynes, Berton Austin, John Funk, Mark Sterling, Jim Justis and Marjorie Funk voted in favor of the motion, motion carried.

Councilman Berton Austin asked to table the Comcast Agreement until the next Council meeting. Councilman Jim Justis replied so moved. Councilman John Funk seconded the motion. Council members David Raynes, Berton Austin, John Funk, Mark Sterling, Jim Justis and Marjorie Funk voted in favor of the motion, motion carried.

Councilman Berton Austin asked to table the Cable Ordinance until the next meeting. Councilwoman Marjorie Funk made a motion to table the Cable Ordinance. Councilman Jim Justis seconded the motion. Council members David Raynes, Berton Austin, John Funk, Mark Sterling, Jim Justis and Marjorie Funk voted in favor of the motion, motion carried.

With no further business to discuss Councilman Berton Austin adjourned the meeting.

Mayor Morris called the Town Council Public Hearing to order at 7:00 p.m. on Monday, August 13, 2012 and welcomed the citizens. Town Clerk Tara Morris called the roll. Members present were David Raynes, Berton Austin, Joe Morris, Mark Sterling, and Jim Justis. Also present were Town Clerk Tara Morris, Town Attorney Nathan Miller, Town Manager Avery Daugherty, Town Superintendent Charlie Stickley, and Police Chief John Painter.

Mayor Morris stated that the public hearing is to hear citizens' comments regarding leasing the old police station to Bill Smith.

Town Manager Avery Daugherty gave a staff report and stated that Mr. Smith would like to move his used car lot to Grottoes. Avery stated that the property is zoned correctly for that type of business.

No citizen comments were made.

No Council comments were made.

With no further comments, Mayor Morris adjourned the public hearing.

Mayor Morris called the regular Council meeting to order.

Councilman David Raynes made a motion to approve the minutes from the previous meeting as presented. Councilman Mark Sterling seconded the motion. Council members David Raynes, Berton Austin, Mark Sterling, and Jim Justis voted in favor of the motion, motion carried.

FINANCE

Mayor Morris stated that PBGH just completed another audit and that we have now caught up. He stated that Rhonda was busy with the auditors so there are no financials this month. He stated that we will approve both months at the next meeting.

Town Manager Avery Daugherty informed the Council that we are submitting a reimbursement grant from VML. He stated that the grant is guaranteed funds with submission of your receipts. Town Manager Avery Daugherty stated that we are looking at purchasing traffic cones and a traffic barricade. Mayor Morris stated that with all the events we have going on in the Town and at Grand Caverns this would be a good purchase.

WATER AND SEWER

Councilman Jim Justis stated that we have received the bids for the Route 256 water line replacement. He stated that there were three options to this bid. The first option was from Aspen Avenue to Cherry Avenue. The second option was from Aspen Avenue to Dogwood Avenue and the third option from Aspen Avenue to Forest Avenue. He stated that we currently have funding on hand to complete option one. Councilman Jim Justis made a motion to accept Option 1 from Momentum Earthworks at a cost of \$155,567.26. Councilman Mark Sterling seconded the motion. Council members David Raynes, Berton Austin, John Funk, Mark Sterling, and Jim Justis voted in favor of the motion, motion carried.

Councilman Jim Justis made a motion to accept a quote from Americas Generators, Inc. in the amount of \$34,555.98. Councilman David Raynes seconded the motion. Council members David Raynes, Berton Austin, Mark Sterling, and Jim Justis voted in favor of the motion, motion carried.

Councilman Jim Justis informed the Council that Verizon has requested to set their own tower in our well lot. He stated that their staff feels we may be able to get a couple antennas off of our water tower. Town Manager Avery Daugherty stated that this is very preliminary but he wanted to make the Council aware of the request. He stated that he will be meeting with Verizon next week. Councilman Jim Justis made a motion to allow staff to negotiate with Verizon to place their own tower in our well lot. Councilman Mark Sterling seconded the motion. Council members David Raynes, Berton Austin, Mark Sterling, and Jim Justis voted in favor of the motion, motion carried.

ORDINANCE, HEALTH AND PROPERTY

Councilman Berton Austin announced the first reading of an amendment to Chapter 155 to ensure uniformity between the Code of the Town of Grottoes and Title 46.2 of the Virginia State Code.

Councilman Berton stated that the Planning Commission recommended to Council to grant the request to sub-divide Block 122 into six building lots as long as they remove the buildings that are in the alleyway. He stated that this meets all lot size requirements. Councilman Berton Austin made a motion to approve the division of block 122 with the stipulation that the

buildings be removed from the alley before the block can be subdivided. Councilman David Raynes seconded the motion. Council members David Raynes, Berton Austin, Mark Sterling, and Jim Justis voted in favor of the motion, motion carried.

Councilman Berton Austin made a motion to allow the leasing of the old police station to Bill Smith for the purpose of a used car dealership. Councilman Jim Justis seconded the motion. Council members David Raynes, Berton Austin, Mark Sterling, and Jim Justis voted in favor of the motion, motion carried.

STREETS AND STREET LIGHTS

Councilman David Raynes stated that he has quotes to remove five trees due to recent storm damage. Councilman David Raynes made a motion to accept the quote from Flying Squirrel Tree Removal in the amount of \$1,100.00. Councilman Jim Justis seconded the motion. Council members David Raynes, Berton Austin, Mark Sterling, and Jim Justis voted in favor of the motion, motion carried.

PARKS, RECREATION AND PUBLIC FACIITIES

Mayor Morris stated that he has talked with Councilman Sterling and also with Town Manager Avery Daugherty about the Shifflett ball field. He stated that his travel team has been doing the mowing and upkeep on the field for the last few years and that he has personally been taking care of the scheduling. Mayor Morris informed the Council that he has spoken with the little league to see if they would be interested in taking over the upkeep and the cost of maintaining the field. This would give them another field to work with for tournaments and so forth. He stated that they would like to remove the infield grass. Mayor Morris stated that he didn't feel like that would be a problem because he has spent lots of time planting grass and over seeding and the grass has still not grown in properly. Mayor Morris stated that we should include in the lease that if Rockingham County ever has another baseball team that wants to use that field then they would have first option. Mayor Morris stated this shouldn't be a problem since the county league doesn't start until little league is about over. Mayor Morris suggested that if the Town decides to make this agreement with the little league that the Town should consider paying the bills

for the lights in exchange for the maintenance of the fields. Councilman Jim Justis stated that we have already been paying the lights on that field every year and feels that continuing to do so would not be a problem. Mayor Morris stated that it is too hard for Charlie and his staff to keep the ball field maintained like it needs to be with everything else they have to do. Mayor Morris stated that we will bring this back next month.

SPECIAL EVENTS

Mayor Morris announced the upcoming events; Bluegrass Festival September 6th - 8th; Community Yard Sale is September 15th; Grand Caverns 5K Race is September 21st; Harvest Festival is September 22nd; and the Senior Citizens' Lunch is October 20th. Town Clerk Tara Morris informed the Council that the date of the 5K Race has been changed to September 28th. Town Manager Avery Daugherty announced the haunted caverns will run from October 26th - 31st.

SPECIAL ORDER OF BUSINESS

Councilman Jim Justis made a motion to pass the resolution for Constitution Week 2012. Councilman Mark Sterling seconded the motion. Council members David Raynes, Berton Austin, Mark Sterling, and Jim Justis voted in favor of the motion, motion carried.

UNFINISHED BUSINESS OF PREVIOUS MEETING

Mayor Morris stated that in reference to the water easement with Cave Hill LLC, he has talked with Charlie Stickley about getting a contractor to walk the property and get an estimate of the cost and also get an estimate for the route along Dogwood Avenue. That way we can get an estimate both ways. Mayor Morris asked Ms. Dreelin if it would be ok to allow Charlie and a contractor to walk the property and she stated that she could not respond without Counsel and will have to get back with him.

Town Manager Avery Daugherty stated that we will probably not hear any more on the upgrades at the wastewater treatment plant until November.

Town Manager Avery Daugherty stated that the Cable Ordinance and Comcast Agreement will go to finance meeting next month.

With no further business to discuss Mayor Morris adjourned the meeting.

Mayor Morris called the Meeting of the Grottoes Town Council to order at 7:00 p.m. on Monday, September 10, 2012 and welcomed guests. Town Clerk Tara Morris called the roll. Members present were David Raynes, Berton Austin, John Funk, Joe Morris, Mark Sterling, and Marjorie Funk. Also present were Town Clerk Tara Morris, Town Attorney Nathan Miller, Town Manager Avery Daugherty, Superintendent Charlie Stickley, and Police Chief John Painter.

Councilwoman Marjorie Funk made a motion to approve the minutes as presented from the previous Council meeting. Councilman David Raynes seconded the motion. Council members David Raynes, Berton Austin, John Funk, Mark Sterling, and Marjorie Funk voted in favor of the motion, motion carried.

FINANCE

Councilman John Funk made a motion to approve the Treasurer's Report for the months of July and August, 2012 as presented. Councilman Mark Sterling seconded the motion. Council members David Raynes, Berton Austin, John Funk, Mark Sterling, and Marjorie Funk voted in favor of the motion, motion carried.

Councilman John Funk made a motion to pay the bills as of September 10, 2012 and the remaining bills for the months of July and August, 2012 totaling \$413,614.22. Councilman David Raynes seconded the motion. Council members David Raynes, Berton Austin, John Funk, Mark Sterling, and Marjorie Funk voted in favor of the motion, motion carried.

Councilman John Funk stated that the auditors will be at the next Council meeting to present the audit and answer any questions.

WATER AND SEWER

Mayor Morris stated that in the Council packets is a map of the well lot that shows what Verizon is proposing for the lot.

PARKS, RECREATION AND PUBLIC FACILITIES

Councilman Mark Sterling made a motion to accept the quote from National Pools to replace the sand filters in the pool at a cost not to exceed \$2,207.60. Councilwoman Marjorie Funk seconded the motion. Council members David Raynes, Berton Austin, John Funk, Mark Sterling, and Marjorie Funk voted in favor of the motion, motion carried.

Councilman Mark Sterling made a motion to add Shifflett Field into the existing lease for the Grottoes Community Little League on the approval of the Mayor. Councilwoman Marjorie Funk seconded the motion. Council members David Raynes, Berton Austin, John Funk, Mark Sterling, and Marjorie Funk voted in favor of the motion, motion carried.

SPECIAL EVENTS

Councilwoman Marjorie Funk announced that Saturday, September 15th is the community yard sale and Saturday, September 22nd is the Harvest Festival and then on Friday, September 28th will be the Grand Caverns 5K run.

Councilwoman Marjorie Funk announced the senior citizens luncheon will be on Saturday, October 20th at the Fire Department and that we will be having a haunted caverns October 26th - 31st.

PERSONNEL, FIRE AND POLICE PROTECTION

Mayor Morris announced that we have received resignations from Benita James and Josh Smith.

UNFINISHED BUSINESS FROM PREVIOUS MEETING

Mayor Morris asked Ms. Dreelin if she has had a chance to discuss granting the Town a walkthrough of the Cave Hill property. Ms. Dreelin stated that they will grant permission and asked if she would be allowed to go with them. Mayor Morris replied that he would be happy for her to come along.

PRESENTATION OF PETITIONS AND CLAIMS

Mr. Victor Morrison addressed the council and stated that he lives at 502 17th Street. He stated that he is here in regards to a series of break-ins in the Town. He stated that he has been broken into four times in the past three months. After the first time he had an alarm system installed. The second time he held the robber at gun point until the police arrived. Since then he has been robbed two more times. He stated that he saw the robbers but wasn't able to catch them. He stated that he is here to find out why we cannot have police coverage after midnight. He stated that he feels there should be police coverage 24 hours a day. Mayor Morris stated that he understands his frustrations and that is one of the topics that will be discussed in closed session tonight. Mayor Morris stated that we have advertised to

hire more part-time police officers to ensure that we have the 24-hour police coverage. Mayor Morris informed Mr. Morrison that one problem we are having is that when our officer arrests someone, it takes them so long to take them to jail and process all the paperwork at the jail, which then leaves the Town without police coverage. He stated that these are some of the items that will be discussed.

Mr. Jim Potts addressed the Council and stated that he is here for the same reason as Mr. Morrison. Mr. Potts stated that his concern is that when people get so frustrated that they start pulling guns out, somebody at some time is going to get hurt and you can't blame people for trying to protect their property. Mr. Potts stated that the break-ins seem to be happening from 16th Street to 19th Street from Dogwood Avenue to Forest Avenue. Mayor Morris thanked Mr. Potts for coming and expressing his concerns and stated that he is hoping to have some answers soon.

Mrs. Deanna Potts addressed the Council and thanked them for hearing them. She stated that she hopes that they are really listening to their concerns. She gave them another example of where this was happening when the residents were home. She stated that they are scared and asked that Council hear what they are saying. Mayor Morris stated that they will pay attention.

Lee Harlow addressed the Council and stated that he lives at 1401 Gum Avenue. He is here with the concern of unleashed and unrestrained dogs. He said that he feels it may be because there is not a way to enforce it well enough. He stated that there is a problem with large dogs running at large. Mr. Harlow stated that last week he had a large dog in his back yard, which may not seem strange but his back yard is fenced in. He stated that the dog jumped the chainlink fence to get into his back yard. He stated that he has a large dog himself but his biggest concern is that he has two small children that play in the fenced yard. He stated that he walks his dog daily and he constantly has dogs coming out of their yards to them. Mayor Morris asked if they have contacted the police department. Mr. Harlow stated that he had and that the police went to the owners' house of one of the dogs.

Kevin Daye addressed the Council and said that he watched the dog jump Mr. Harlow's fence then he jumped back over the fence. He stated that today he was pressure washing his house and that same dog went running through his yard. Mr. Daye stated

that the police officers have been down a couple times regarding this particular dog. Mayor Morris asked them to talk with Chief Painter so that he can put an announcement up on the board so that every officer knows what is going on.

Councilman Berton Austin made a motion to convene into closed session pursuant to section 2.2-3711(A)1 of the Code of Virginia to discuss matters relating to personnel.

Upon return from closed session a record vote is taken of each Council member to declare that they discussed only public business matters lawfully exempted from statutory open meeting requirements and public business matters identified in the motion to convene into closed session. D. Raynes; yes, B. Austin; yes, J. Funk; yes, J. Morris; yes, M. Sterling, yes; and M. Funk; yes.

Mayor Morris stated that the Council has decided to allocate \$22,000.00 more for personnel for the police department to cover part-time and overtime wages. Councilwoman Marjorie Funk made a motion to allocate \$22,000.00 for patrols for the police department. Councilman David Raynes seconded the motion. Council members David Raynes, Berton Austin, John Funk, Mark Sterling, and Marjorie Funk voted in favor of the motion, motion carried.

With no further business to discuss Mayor Morris adjourned the meeting.

Mayor Morris called the Meeting of the Grottoes Town Council to order at 7:00 p.m. on Monday, October 9, 2012 and welcomed guests. Town Treasurer Rhonda Danner called the roll. Members present were David Raynes, Berton Austin, John Funk, Joe Morris, Mark Sterling, Jim Justis, and Marjorie Funk. Also present were Town Treasurer Rhonda Danner, Town Attorney Nathan Miller, Town Manager Avery Daugherty, and Police Chief John Painter.

Councilwoman Marjorie Funk made a motion to approve the minutes from the September 10, 2012 Council meeting as presented. Councilman David Raynes seconded the motion. Council members David Raynes, Berton Austin, John Funk, Mark Sterling, Jim Justis, and Marjorie Funk voted in favor of the motion, motion carried.

FINANCE

Councilman John Funk made a motion to approve the Treasurer's Report for the month of September, 2012 as presented. Councilman Jim Justis seconded the motion. Council members David Raynes, Berton Austin, John Funk, Mark Sterling, Jim Justis, and Marjorie Funk voted in favor of the motion, motion carried.

Councilman John Funk made a motion to pay the bills as of October 9, 2012 and the remaining bills for the month of September, 2012 totaling \$99,970.53. Councilman David Raynes seconded the motion. Council members David Raynes, Berton Austin, John Funk, Mark Sterling, Jim Justis, and Marjorie Funk voted in favor of the motion, motion carried.

Mensel Dean with PBGH addressed the Council and stated that he met with the Finance Committee to go over last year's audit. He stated that he failed to mention that PBGH usually recommends that a municipality have two to four months of cash on hand for expenditures. He stated that we have about three months reserve so that is good. He stated that there were no instances with non-compliance. He stated that the Town looks to be in good shape.

WATER AND SEWER

Councilman John Funk made a motion to proceed towards negotiation with Verizon. Councilman Mark Sterling seconded the motion. Council members David Raynes, Berton Austin, John Funk,

Mark Sterling, Jim Justis, and Marjorie Funk voted in favor of the motion, motion carried.

ORDINANCE, HEALTH AND PROPERTY

Councilman Berton Austin read the second reading for the amendment to Chapter 155 to ensure uniformity between the Code of the Town of Grottoes and Title 46.2 of the Virginia state code.

Councilman Berton Austin made a motion to approve the amendment of Chapter 155 to ensure uniformity between the Code of the Town of Grottoes and Title 46.2 of the Virginia state code. Councilman John Funk seconded the motion. Town Treasurer Rhonda Danner called roll. David Raynes; yes, Berton Austin; yes, John Funk; yes, Mark Sterling; yes, Jim Justis; yes, and Marjorie Funk; yes, motion carried.

Councilman Berton Austin stated that we have two special use permit requests. He stated that one is from AG Machine to add a wood chip burner on a lot zoned R-2 and the second is a request from Blue Ridge Machine to allow manufacturing in a B-1 zoning. Councilman Berton Austin made a motion to set a joint public hearing for the special use permit for AG Machine and a special use permit for Blue Ridge Machine for November 12, 2012. Councilwoman Marjorie Funk seconded the motion. Council members David Raynes, Berton Austin, John Funk, Mark Sterling, Jim Justis, and Marjorie Funk voted in favor of the motion, motion carried.

Councilman Berton Austin made a motion to deny the proposal for the right-of-way across Grand Caverns for a utility easement. Councilwoman Marjorie Funk seconded the motion. Council members David Raynes, Berton Austin, John Funk, Mark Sterling, Jim Justis, and Marjorie Funk voted in favor of the motion, motion carried.

Daniel Plecker with Dominion Virginia Power stated that he has been working with Daniel Chapman to get power to his home. He stated that he has exhausted about every option he has and no one will grant him an easement. Mr. Plecker stated that he is asking if the Council will consider granting the easement. Mr. Plecker asked that the Council reconsider their decision on denying the easement. Mayor Morris stated that at this time the Council will not reconsider but if it can be taken a different route then the Council may reconsider. Mr. Plecker stated that he understands and will look into it further.

STREETS AND STREET LIGHTS

Councilman David Raynes made a motion to accept the quote from Kreider for a Ventrac Mower in the amount of \$26,415.00. Councilman Mark Sterling seconded the motion. Council members David Raynes, Berton Austin, John Funk, Mark Sterling, Jim Justis, and Marjorie Funk voted in favor of the motion, motion carried.

PARKS, RECREATION AND PUBLIC FACILITIES

Town Manager Avery Daugherty updated the Council on the pool repairs that needed to be done for the liner warranty. He stated that we were responsible for the labor of the pools and the kid pool cost about \$1,600.00 and the big pool cost about \$2,200.00. He stated that we didn't have an option but to have the work done or our warranty would be voided.

Councilman Mark Sterling made a motion to pay the Little League \$3,657.00 for the dirt on Shifflett Field. He stated that the Little League has done all the work to the field and that we agreed to assist with the materials. Councilman David Raynes seconded the motion. Council members David Raynes, Berton Austin, John Funk, Mark Sterling, Jim Justis, and Marjorie Funk voted in favor of the motion, motion carried.

SPECIAL EVENTS

Councilwoman Marjorie Funk informed the Council that the RML meeting is Wednesday, October 17th in Elkton. She stated that the Senior Citizens Luncheon is scheduled for Saturday, October 20th and all Council should be there to help serve.

Councilwoman Marjorie Funk stated that the community movie night hosted by the Grottoes Fire Department is scheduled for Friday, October 26th and the Christmas Parade is scheduled for Sunday, December 9th at 5:00 p.m. with line-up starting at 4:00.

PERSONNEL, FIRE AND POLICE PROTECTION

Councilman John Funk asked for a report on the break-ins and dog problems that were reported last month. Chief Painter stated that we have not had any more complaints on the dog and the officers have not seen him running at large. He stated that we have not had any more reports of break-ins but they do have

another suspect. Chief Painter said an arrest has been made but the individual was not working alone.

Town Manager Avery Daugherty stated that we are still searching for a part-time maintenance person.

SPECIAL ORDER OF BUSINESS

Councilman Jim Justis announced that he is submitting a letter of resignation from Council effective October 31, 2012. He stated that he feels this will be in the best interest of the Town since he will be out of Town for the next meeting and only has two meetings left. He stated that the Council could appoint one of the candidates to fill his vacancy and sit in until the end of the year. Mayor Morris stated that his time on Council has been vital and that he appreciates being able to work with him and stated that it's hard to have to accept a resignation from him. Councilman Jim Justis stated that he has enjoyed working with this Council and that they only have the best interest of the Town at mind. He stated that we have had disagreements but have managed to come to a consensus about them. Councilman Jim Justis made a motion to accept his resignation effective October 31, 2012. Councilman John Funk seconded the motion. Council members David Raynes, Berton Austin, John Funk, Mark Sterling, Jim Justis, and Marjorie Funk voted in favor of the motion, motion carried.

UNFINISHED BUSINESS OF PREVIOUS MEETING

Mayor Morris stated that on the easement with Cave Hill LLC, he was hoping that Charlie was going to be here because he has spoken to the guy about setting up a date to do the walk through for the easement. Mayor Morris stated that Charlie Stickley would be calling Ms. Dreelin to set up a time.

Brent Ghodes stated that he wanted to clarify that his request is not for the wood chip burner to go on those lots but for a three sided storage bin for the wood chips.

Mike Shelton stated that he signed up just in case somebody had any questions regarding his request.

Councilman Jim Justis made a motion to convene into closed session pursuant to section 202-3711(A)1 of the Code of Virginia to discuss matters relating to personnel and section 2.2-3711(A)7 of the Code of Virginia to consult with legal counsel. Councilman David Raynes seconded the motion. Council members

David Raynes, Berton Austin, John Funk, Mark Sterling, Jim Justis, and Marjorie Funk voted in favor of the motion, motion carried.

Upon return from closed session a record vote is taken of each Council member to declare that they discussed only public business matters lawfully exempted from statutory open meeting requirements and public business matters identified in the motion to convene into closed session. D. Raynes; yes, B. Austin; yes, J. Funk; yes, J. Morris; yes, M. Sterling; yes, J. Justis; yes, and M. Funk; yes.

With no further business to discuss Mayor Morris adjourned the meeting.

The Grottoes Town Council and the Grottoes Planning Commission held a joint public hearing on Monday, November 12, 2012, beginning at 7:00 p.m., with Mayor Morris presiding.

Council Members Present were: Mayor Joe Morris, David Raynes, Berton Austin, John Funk, Mark Sterling, and Marjorie Funk.

Planning Commission Members Present were: Mark Keeler, Berton Austin, Emily Holloway, Shannon Clem, and Jen Kyger.

Planning Commission Members Absent were: Stephen Morris and Brian Robertson.

Other Town Officials Present were: Town Clerk Tara Morris, Attorney Linda Elliott, Town Superintendent Charlie Stickley, and Police Sergeant Wes Baugher.

Town Clerk Tara Morris determined that a quorum was present for the Town Council and the Planning Commission.

Mayor Morris called the joint public hearing to order and welcomed guests. He stated that the reason for the hearing is to hear citizen comments on a request from AG Machine to create a storage area for wood chips on a lot that is zoned R-2 for the heating source at 901 and 903 Dogwood Avenue.

Mayor Morris stated that we do not have anyone signed up to speak for or against the request and asked if any of the Council or Planning Commission members had any questions on the request.

Mayor Morris turned the meeting over to the Planning Commission.

Chairman Austin asked the Commissioners if they had any questions or if they were ready to make a recommendation.

Commission Member Mark Keeler made a motion to recommend allowing AG Machine to create the storage area for the wood chips on the lot zoned R-2. Commission Member Shannon Clem seconded the motion. Commission Members Mark Keeler, Berton Austin, Shannon Clem, Emily Holloway, and Jen Kyger voted in favor of the motion, motion carried.

Chairman Austin turned the meeting back over to Mayor Morris.

Mayor Morris asked if the Council had any questions. With no further questions Mayor Morris opened the floor for a motion.

Councilman Berton Austin made a motion to approve the Special Use Permit for AG Machine. Councilwoman Marjorie Funk seconded the motion. Council members David Raynes, Berton Austin, John Funk, Mark Sterling, and Marjorie Funk voted in favor of the motion, motion carried.

Mayor Morris adjourned the joint public hearing.

Mayor Morris called the joint public hearing to order. He stated that the reason for the hearing is to hear citizen comments on the request from Blue Ridge Machine to use the property located at 103 6th Street zoned B-1 for manufacturing.

Mayor Morris stated that we do not have anyone signed up to speak for or against the request and asked if any of the Council or Planning Commission members had any questions on the request.

Mayor Morris turned the meeting over to the Planning Commission.

Chairman Austin asked the Commissioners if they had any questions or if they were ready to make a recommendation.

Commission Member Emily Holloway made a motion to recommend approval for Blue Ridge Machine to manufacture in a B-1 zoning. Commission Member Mark Keeler seconded the motion. Commission Members Mark Keeler, Berton Austin, Shannon Clem, Emily Holloway, and Jen Kyger voted in favor of the motion, motion carried.

Chairman Austin turned the meeting back over to Mayor Morris.

Mayor Morris asked if the Council had any questions. With no further questions Mayor Morris opened the floor for a motion. Councilman Berton Austin made a motion to approve the Special Use Permit for Blue Ridge Machine. Councilwoman Marjorie Funk seconded the motion. Council members David Raynes, Berton Austin, John Funk, Mark Sterling, and Marjorie Funk voted in favor of the motion, motion carried.

Mayor Morris adjourned the joint public hearing.

Mayor Morris called the Meeting of the Grottoes Town Council to order on Monday, November 12, 2012 and welcomed guests. Town Clerk Tara Morris called the roll. Members present were David Raynes, Berton Austin, John Funk, Joe Morris, Mark Sterling, and Marjorie Funk. Also present were Town Clerk Tara Morris,

Attorney Linda Elliott, Superintendent Charlie Stickley, and Police Sergeant Wes Baugher.

Councilwoman Marjorie Funk made a motion to accept the minutes from the previous meeting. Councilman John Funk seconded the motion. Council members David Raynes, Berton Austin, John Funk, Mark Sterling and Marjorie Funk voted in favor of the motion, motion carried.

FINANCE

Councilman John Funk stated that we will have the Treasurer's report and bills to be paid next month.

Councilman John Funk made a motion to give the Town employees a half day off the Wednesday before Thanksgiving in addition to the Thursday and Friday they already get and to give them December 24th and 31st off. He stated that these are all days that the County gives to their employees. Councilman John Funk stated that he wanted to add that the Town give the employees an extra day on December 26th. Councilman David Raynes seconded the motion. Mayor Morris stated that he feels we should make a motion to follow what the governor gives so in the future the only time a motion would need to be made is when extra times is given. Council members David Raynes, Berton Austin, John Funk, Mark Sterling, and Marjorie Funk voted in favor of the motion, motion carried.

Councilman John Funk made a motion to follow the governor awarded days off for the Town employees from here on out. Councilman Berton Austin seconded the motion. Council members David Raynes, Berton Austin, John Funk, Mark Sterling, and Marjorie Funk voted in favor of the motion, motion carried.

WATER AND SEWER

Councilman John Funk made a motion to approve payment request number one from Momentum Earthworks for the waterline project on Route 256. Councilman David Raynes seconded the motion. Council members David Raynes, Berton Austin, John Funk, Mark Sterling, and Marjorie Funk voted in favor of the motion, motion carried.

ORDINANCE, HEALTH AND PROPERTY

Councilman Berton Austin made a Motion to amend the previously adopted motion:

WHEREAS, on July 31, 2012, the Town of Grottoes Planning Commission approved a Motion regarding subdividing two lots located in Block 122 in the Town of Grottoes into six building lots, contingent on removing existing buildings which encroached the alley; and

WHEREAS, on July 13, 2012, the Town of Grottoes Town Council approved a Motion to allow the subdivision of the two lots; and

WHEREAS, the Minutes of the Planning Commission meeting did not address the timing for the removal of the buildings and the Minutes of the Town Council inaccurately stated that the "buildings be removed from the alley before the block can be sub-divided;" and

WHEREAS, the Minutes of meetings should have stated that the buildings be removed prior to any development of the subject lots, and not sub-division of the lots.

THEREFORE, it is hereby moved that the prior Motions be modified to reflect that the sub-division of Block 122 be approved with the stipulation that the existing encroaching buildings be removed from the alley before the block can be developed.

Councilman John Funk seconded the motion. Council members David Raynes, Berton Austin, John Funk, Mark Sterling, and Marjorie Funk voted in favor of the motion, motion carried.

STREETS AND STREET LIGHTS

Councilman David Raynes made a motion to approve the proposal from Swartz and Associates for the additional 2013 bridge inspection. Councilman Berton Austin seconded the motion. Mayor Morris stated that we are on a two-year inspection schedule but since the last inspection came back in poor condition we now have to have them inspected every year. Council members David Raynes, Berton Austin, John Funk, Mark Sterling, and Marjorie Funk voted in favor of the motion, motion carried.

PARKS, RECREATION AND PUBLIC FACILITIES

Councilman Mark Sterling made a motion to deny the request from the Tandem Friends School to enter fountain cave on April 13, 2013. Councilman David Raynes seconded the motion. Council

members David Raynes, Berton Austin, John Funk, Mark Sterling, and Marjorie Funk voted in favor of the motion, motion carried.

Councilman Mark Sterling made a motion to grant the request from Tom Trigo to film a portion of a movie in the cave. Councilman John Funk seconded the motion. Council members David Raynes, Berton Austin, John Funk, Mark Sterling, and Marjorie Funk voted in favor of the motion, motion carried.

SPECIAL EVENTS

Councilwoman Marjorie Funk announced the Christmas parade is Sunday, December 9, 2012 at 5:00 p.m. and line-up will start at 4:00 p.m. behind the Town Hall.

Councilwoman Marjorie Funk announced that the Ruritan's will be hosting the Caroling in the Caverns on Saturday, December 8, 2012 from 6:00 p.m. until 8:00 p.m.

PERSONNEL, FIRE AND POLICE PROTECTION

Councilwoman Marjorie Funk made a motion to reappoint Shannon Clem to the Planning Commission. Councilman David Raynes seconded the motion. Council members David Raynes, Berton Austin, John Funk, Mark Sterling, and Marjorie Funk voted in favor of the motion, motion carried.

Councilman John Funk made a motion to accept the resignation from Town Manager Avery Daugherty. Councilman David Raynes seconded the motion. Council members David Raynes, Berton Austin, John Funk, and Marjorie Funk voted in favor of the motion, Councilman Mark Sterling voted against the motion, motion carried.

Councilman Berton Austin made a motion to accept resolution number 20121112-01 Town Manager and Zoning Administrator. Councilwoman Marjorie Funk seconded the motion. Council members David Raynes, Berton Austin, John Funk, Mark Sterling, and Marjorie Funk voted in favor of the motion, motion carried.

UNFINISHED BUSINESS OF PREVIOUS MEETING

Town Superintendent Charlie Stickley informed the Council that he is waiting to hear from Mrs. Dreelin about walking the easement.

Mark Keeler thanked Councilwoman Marjorie Funk for announcing the Caroling in the Caverns and provided Council a pamphlet with more information regarding the event. He also had additional copies for anybody that wanted them.

Councilman Berton Austin made motion to convene into closed session pursuant to section 2.2-3711(A)1 of the Code of Virginia to discuss matters relating to personnel and pursuant to section 2.2-3711(A)7 of the Code of Virginia to consult with legal counsel. Councilman David Raynes seconded the motion. Council members David Raynes, Berton Austin, John Funk, Mark Sterling, and Marjorie Funk voted in favor of the motion, motion carried.

Upon return from closed session a record vote is taken of each Council member to declare that they discussed only public business matters lawfully exempted from statutory open meeting requirements and public business matters identified in the motion to convene into closed session. D. Raynes; yes, B. Austin; yes, J. Funk; yes, J. Morris; yes, M. Sterling; yes, and M. Funk; yes.

With no further business to discuss Mayor Morris adjourned the meeting.

Councilman David Raynes called the Meeting of the Grottoes Town Council to order at 7:00 p.m. on Monday, December 10, 2012 and welcomed guests. Town Treasurer Rhonda Danner called the roll. Members present were David Raynes, Berton Austin, John Funk, and Mark Sterling. Also present were Town Treasurer Rhonda Danner, Town Attorney Nathan Miller, Town Superintendent Charlie Stickley and Police Chief John Painter.

Councilman John Funk made a motion to approve the minutes from the November 2012 meeting. Councilman Berton Austin seconded the motion. Council members David Raynes, Berton Austin, John Funk, and Mark Sterling voted in favor of the motion, motion carried.

FINANCE

Councilman John Funk made a motion to approve the Treasurer's reports for the months of October and November 2012. Councilman Berton Austin seconded the motion. Council members David Raynes, Berton Austin, John Funk, and Mark Sterling voted in favor of the motion, motion carried.

Councilman John Funk made a motion to pay the bills as of December 10, 2012 totaling \$19,103.68 and the remaining bills for the months of October and November 2012 totaling \$207,740.47 for a total of \$226,844.15. Councilman Mark Sterling seconded the motion. Council members David Raynes, Berton Austin, John Funk, and Mark Sterling voted in favor of the motion, motion carried.

WATER AND SEWER

Councilman Berton Austin made a motion to proceed with the testing at the wastewater treatment plant. Councilman John Funk seconded the motion. Councilman Berton Austin stated that they are going to do about 15 more tests on the phosphorus levels to see which way the Town will need to go with the upgrade at the plant. Council members David Raynes, Berton Austin, John Funk, and Mark Sterling voted in favor of the motion, motion carried.

Councilman Berton Austin made a motion to approve the payment request from Momentum Earthworks for the progress payment on the Route 256 waterline. Councilman John Funk seconded the motion. Council members David Raynes, Berton Austin, John Funk, and Mark Sterling voted in favor of the motion, motion carried.

ORDINANCE, HEALTH AND PROPERTY

Councilman Berton Austin made a motion to approve resolution #20121210-01. This resolution is to establish the times of the regular meetings for 2013 and the organizational meeting for 2014. Councilman John Funk seconded the motion. Council members David Raynes, Berton Austin, John Funk, and Mark Sterling voted in favor of the motion, motion carried.

STREETS AND STREET LIGHTS

Councilman David Raynes made a motion to accept Brian Mace's quote to remove two trees at a price of \$600.00. Councilman Berton Austin seconded the motion. Councilman David Raynes informed the Council that one tree is located on Park Avenue and the other tree is located on Kellow Avenue. His quote is for tree removal and brush removal and all wood will be blocked and stacked. Council members David Raynes, Berton Austin, John Funk, and Mark Sterling voted in favor of the motion, motion carried.

PERSONNEL, FIRE AND POLICE PROTECTION

Councilman John Funk made a motion to accept Mark Keeler and Emily Holloway's resignation from the Planning Commission. Councilman Mark Sterling seconded the motion. Council members David Raynes, Berton Austin, John Funk, and Mark Sterling voted in favor of the motion, motion carried.

Councilman Berton Austin made a motion to appoint Mark Keeler as the liaison for the Planning Commission. Councilman Mark Sterling seconded the motion. Council members David Raynes, Berton Austin, John Funk, and Mark Sterling voted in favor of the motion, motion carried.

SPECIAL ORDER OF BUSINESS

Stephen Claytor addressed the Council and stated that he is with Troop 236 from New Hope, Virginia and he was hoping to do his eagle project at Grand Caverns. He stated that he would like to put a flag pole up and put pavers around it. Councilman John Funk stated that it sounds like a good idea and asked them to meet with our Park and Rec Specialist, Lettie Stickley, on the location.

UNFINISHED BUSINESS OF PREVIOUS MEETING

Town Superintendent Charlie Stickley stated that there has been no change in the Cave Hill, LLC.

Councilman Berton Austin made a motion to convene into closed session pursuant to section 2.2-3711(A)1 of the code of Virginia to discuss matters relating to personnel. Councilman Mark Sterling seconded the motion. Council members David Raynes, Berton Austin, John Funk, and Mark Sterling voted in favor of the motion, motion carried.

Upon return from closed session a record vote is taken of each Council member to declare that they discussed only public business matters lawfully exempted from statutory open meeting requirements and public business matters identified in the motion to convene into closed session. B. Austin; yes, J. Funk; yes, D. Raynes; yes, and M. Sterling; yes.

Councilman Berton Austin made a motion to appoint Jim Justis and Justin Neitzey to the Planning Commission. Councilman John Funk seconded the motion. Council members David Raynes, Berton Austin, John Funk, and Mark Sterling voted in favor of the motion, motion carried.

With no further business to discuss Councilman Raynes adjourned the meeting.

Mayor Morris called the Special Meeting of the Grottoes Town Council to order at 10:00 a.m. on Friday, December 28, 2012. Town Clerk Tara Morris called the roll. Members present were David Raynes, Berton Austin, John Funk, Joe Morris, Mark Sterling, and Marjorie Funk. Also present were Town Clerk Tara Morris, Town Attorney Nathan Miller and Town Superintendent Charlie Stickley.

Mayor Morris stated that the reason for this special meeting is to interview candidates for the Town Manager position.

Councilman Berton Austin made a motion to convene into closed session pursuant to section 2.2-3711(A)1 of the Code of Virginia to interview prospective candidates for employment. Councilman John Funk seconded the motion. Council members David Raynes, Berton Austin, John Funk, Mark Sterling and Marjorie Funk voted in favor of the motion, motion carried.

Councilman David Raynes was excused from the meeting at 11:45 a.m.

Upon return from closed session a record vote is taken of each Council member to declare that they discussed only public business matters lawfully exempted from statutory open meeting requirements and public business matters identified in the motion to convene into closed session. B. Austin; yes, J. Funk; yes, J. Morris; yes, M. Sterling; yes, and M. Funk; yes.

With no further business to discuss Mayor Morris adjourned the meeting.