

**Hamilton Town Council Meeting
April 13, 2009
Mary Tussing**

The meeting was called to order at 7:30 PM, followed by the Pledge of Allegiance and Roll Call.
Present: Mayor H. Ray Whitbey, Vice Mayor John Unger, Mr. Tom Rollins, Mr. Greg Wilmoth, Mr. Ken Wine.
Absent: Mr. Ralph Baxter, Mr. Michael Snyder.
Also Present: Ms. Maureen Gilmore, Town Attorney, Mr. David Beniamino, Zoning Administrator,
Mr. Robert McCann, Planning Commission Chairman

Minutes

Mr. Unger made a motion to adopt the amended March 9, 2009 minutes into record and Mr. Wine made a second on the motion. The vote passed 5-0-2, (Aye: Whitbey, Wilmoth, Unger, Rollins, Wine. Nay: none. Absent: Baxter, Snyder).

Mr. Wilmoth made a motion to adopt the amended March 31, 2009 minutes into record and Mr. Unger made a second on the motion. The vote passed 5-0-2, (Aye: Whitbey, Wilmoth, Unger, Rollins, Wine. Nay: none. Absent: Baxter, Snyder).

Guests

Ms. Margaret Morton, Leesburg Today.

Sergeant Ken Morris reported that the upcoming budget is under review and though some programs might be impacted, the service to the community will always come first. Mayor Whitbey announced a Community Outreach Meeting at Harmony Intermediate School, April 27, 2009 at 7:00 PM and all are invited to attend.

Public Comment

Ms. Pearson advised that she met with Mr. Beniamino and provided plans for the replacement for some of the homes in the Mobile Home Park. Ms. Pearson has received the site plan requirements and procedures from the Land Subdivision Ordinance and will work to move forward with desired property improvements.

Mayor's Report

Hamilton Day is planned for May 30, 2009 and there are only 2 volunteers so far, more are needed.

Parks & Recreation Committee

There is a meeting with the newly formed Park group of on March 15, 2009 at 7:00 PM. Mr. Rollins nominated Mr. Campbell to be the Town liaison to work with Council at the Park meetings and Mr. Campbell accepted the nomination. Mr. McCann, Mr. Unger and Mr. Whitbey will represent Council. Mr. Unger made a motion to make the Hamilton Park available for the Reston Bicycle Club on August 23, 2009 for their Annual Century Ride and Mr. Rollins made a second on the motion. The vote passed 5-0-2, (Aye: Whitbey, Wilmoth, Unger, Rollins, Wine. Nay: none. Absent: Baxter, Snyder).

Treasurer's Report

Ms. Jones proved an overview to the attached Treasurer's Report along with a review of the delinquent utility accounts. Mr. Unger noted that the income from property taxes is on target and Ms. Jones advised that tax bills go out next month. Mr. Wilmoth made a motion to take the next step in utility cut offs due to delinquent payments and Mr. Wine made a second on the motion. The vote passed 5-0-2, (Aye: Whitbey, Wilmoth, Unger, Rollins, Wine. Nay: none. Absent: Baxter, Snyder).

Mr. Unger made a motion to adopt the Treasurer's Report into record and Mr. Wilmoth made a second on the motion. The vote passed 5-0-2, (Aye: Whitbey, Wilmoth, Unger, Rollins, Wine. Nay: none. Absent: Baxter, Snyder).

Finance Committee

There is a Budget Workshop on April 23, 2009 at 7:00.

Public Safety

Mayor Whitbey reported that he has received many complaints about roosters in the townhouse complex and Mr. Beniamino provided a summary of the complaints, noting that the Noise Ordinance is complicated to understand. Mr. Beniamino believes it might be easier to look at the definition of animals/house pets in general and recommends sending this to the Planning Commission for review. Mr. Wine advised that the

rooster problem has been corrected and the animals are gone. Mr. Wine made a motion to refer Article 3, Section 11 to the Planning Commission for review with a recommendation to the Council for consideration. Mr. Unger made a second on the motion and the vote passed 5-0-2, (Aye: Whitbey, Wilmoth, Unger, Rollins, Wine. Nay: none. Absent: Baxter, Snyder).

Personnel Committee

Mr. Wilmoth would like to provide employee reviews and Ms. Jones advised that there is a self-review form that Mr. Baxter put together a few years ago that might be helpful.

Water & Sewer Committee

Mr. Wilmoth reported that the Chemical Feed Building is constructed but the final inspection has failed due to plumbing issues. Payment will not be made until the project is completed.

Ms. Gilmore advised that the 704 Waterline issue has not been resolved and the first communication from Mr. Staley's Attorney back to Ms. Gilmore was received at 5:38 PM today, March 13, 2009. Ms. Gilmore believes there is miscommunication that is causing the delay and noted that she has reached out to Mr. Staley's Attorney on March 10, 2009 and several additional times by email but the easement is not yet finalized. Mr. Wilmoth asked if further "last resort" action has been taken as of yet, as authorized at the March 11, 2009 Council meeting, and Ms. Gilmore responded that if there was a misunderstanding she would like to try to work through the issue before taking such action.

The Harmony Water Treatment Facility is on schedule for June 2009 completion.

Mr. Unger inquired if Well 14 is ready to go and Mr. Wilmoth replied that due to electrical component issues and unfinished water testing the well is not ready to go, noting that Patterson is addressing the issues. Mr. Wilmoth advised that Stantec was in Hamilton today to look at the well infrastructure and distribution for the system integration between the old and new systems. Mayor Whitbey added that input will be provided by the Town on which wells should be kept for reasons of water quality noting that there will be another meeting at the end of next week with Stantec, with all options ready by the end April.

Planning Commission

Mr. McCann advised that Planning Commission minutes will start to be in the Town Council packet to allow review and discussion. Mr. McCann reported that good progress is being made on the Comprehensive Plan Review, most recently in regard to the Land Use Section.

Old Business

Mr. Wilmoth reported that the Well 14 Generator acquisition was approved but is not yet acquired due to outstanding issues. The cost of \$65,000 includes all associated costs for the project completion.

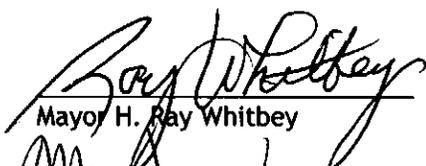
Mr. Jones advised that the turkey vultures are gone from Hamilton, for now.

Mr. Wine made a motion to extend the contract for Pro Cutters through May 11, 2009 and Mr. Wilmoth made a second on the motion. The vote passed 5-0-2, (Aye: Whitbey, Wilmoth, Unger, Rollins, Wine. Nay: none. Absent: Baxter, Snyder). In the interim Ms. Jones will get references and additional information on manpower and equipment from the companies who have placed bids on the upcoming mowing contract.

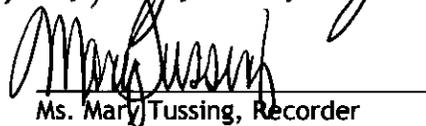
Ms. Jones stated that American Disposal has submitted a bid for the Trash Removal contract renewal and reviewed details of the proposal. Other companies are being contacted for bidding and there will be 3 proposals prepared for the Council to review at the May 11, 2009 meeting.

Ms. Jones provided a summary of the Red Flag Rules/Identity Theft Prevention Program and Mr. Under made a motion to adopt Resolution HAM-2009-04-13, Resolution of the Town of Hamilton Adopting an Identity Theft Prevention Program. Mr. Wilmoth made a second on the motion and the vote passed 5-0-2, (Aye: Whitbey, Wilmoth, Unger, Rollins, Wine. Nay: none. Absent: Baxter, Snyder).

Mr. Unger made a motion to adjourn the meeting at 8:37 PM.



Mayor H. Ray Whitbey



Ms. Mary Tussing, Recorder

April 13, 2009