

**Hamilton Town Council Public Hearing
August 10, 2009
Hamilton Town Office**

The public hearing was called to order at 7:03 PM. The Pledge of Allegiance was followed by Roll Call.

Present: Mayor H. Ray Whitbey, Vice Mayor John Unger, Mr. Tom Rollins, Mr. Greg Wilmoth, Mr. Ken Wine, Mr. Michael Snyder (7:12).

Absent: none.

Also Present: Ms. Maureen Gilmore, Town Attorney, Mr. David Beniamino, Zoning Administrator, Ms. Lori Jones, Treasurer, Mr. Bob McCann, Planning Commission Chairman

Mr. Unger reviewed the 3 issues that advertised for the hearing:

1) The adoption of a schedule containing water usage rates, as advertised, for apartments and commercial properties into line with the residential water usage rates which were adopted in 2008. The changes will be based on actual usage versus flat rate usage.

2) The adoption of sewer rates for all properties in and out of town as advertised. The increase is necessary to cover costs and balance the FY Budget 2009/2010. Ms. Jones noted that fees increases were matched by budget expense reductions of equal amounts.

3) To adopt an Ordinance enacting the attached and advertised Utility Fee Schedule by the Town of Hamilton Code, pursuant to Chapter 4, Water Ordinance, Article III, Section 3-4, Chapter 5, Sewer ordinance, Article IV, Section 19-32. Mr. Unger explained that this would still require a public hearing before enacting future changes but will allow proposed changes to occur when necessary per the amended schedule without re-writing the ordinance.

Public Comment

Ms. Barbara Ellmore, 86 N. Reid St, believes that all citizens are not aware of the proposed changes and is asking Council to defer their decision until next month. Mayor Whitbey advised that the proposed figures were necessary to reach a balanced budget for FY 2009/2010. Mr. Unger stated that all advertising requirements were met and that in the future and there is the possibility of advertising in Town on the public signs as an additional avenue of communication. Mayor Whitbey expressed the desire for an email database for easier communication but the Town has been unsuccessful with this project so far. Mr. McCann suggested using the Town website for informational updates. Ms. Ellmore provided a review of the charges she has received for the second tap she owns and advised that she contacted Ms. Jones about the charges she has been receiving for her second meter and noted that Ms. Jones agreed to credit the fees back to Ms. Ellmore's account. Mayor Whitbey added that as previously advised to Ms. Ellmore and her husband, there is no charge for sewer on the second meter which is currently charged on all other meters and this is a unique situation. The Town is presently subtracting the differential for the second meter and the only flat water rate is being charged. Mr. Unger believes that there might have been some miscalculations made by Ms. Ellmore and explained the new calculation. Ms. Ellmore again asked for a consideration for deferral until she can interpret the information. Ms. Ellmore also referenced a call made on March 31, 2009 to the Town because her house meter will not cut off completely because in early 2009 which caused problems in her house. The problem occurred again when the road was repaved and Mayor Whitbey asked if VDOT has come out to look at the water on the road and Ms. Ellmore responded no. Ms. Ellmore requested for a meter replacement on May 31, 2009 but no decision has been made in response to that request.

Ms. Sally Mann, Harmony Church Rd, expressed concern over the fees the Town pays and asked if these could be examined or reduced. Ms. Mann believes that the town spends money on frivolous things, citing Ms. Gilmore's salary as an example. Ms. Mann stated that the Town pays \$5,000-\$10,000 a month in Attorney fees, sometimes more, and Ms. Mann considers this to be a total extravagance that could be eliminated. Mayor Whitbey explained that the Sewer Fund derives income from the sewer fees and all of the expenses have to be sewer related. The Town cannot take General expenses and allocate them to other funds. Ms. Mann asked if this was State Law and Mayor Whitbey responded that yes it is State Law and the Town works with an auditor to ensure compliance. Mayor Whitbey explained that the Town went through the budget and cut expenses as much as possible but unfortunately costs are rising on everything and the Town has to find a way to provide services and to make sure chemicals and parts are purchased to provide and maintain a viable system. Mayor Whitbey is aware of the utility rates of other Towns and does not believe than Hamilton is overcharging and believes that the Town is truly trying to keep expenses as low as possible.

The hearing was closed at 7:23 PM.



Mayor H. Ray Whitbey



Ms. Mary Tussing, Recorder