Emergency
Council Meeting
August 3, 2016
2:00 p.m.

An emergency meeting of the Elkton Town Council was held in the Council Chambers of the Elkton Area Community Center, located at 20593 Blue & Gold Drive, Elkton, Virginia, on August 3, 2016, with Mayor Wayne E. Printz presiding. The purpose of the meeting was discuss air test results performed at the Town Hall

PRESENT
Wayne Printz, Mayor
Jay Dean, Vice Mayor
Margaretta Isom, Council Member
Harry Armbruster, Council Member
Gerry Comer, Council Member

ABSENT
Joshua Gooden, Council Member
Jeffrey Jones, Council Member

PRESENT
Aaron Hammer, Chief of Police
Troy Shifflett, Public Works Director
Clairen Sipe, Town Treasurer
Mark Pedersen, EACC Director
Diane Johnson, Recreation Director
Denise Monger, Clerk of Council

ABSENT

EMERGENCY COUNCIL MEETING

Mayor Printz called the meeting to order and the clerk was asked to call the roll.

- Mayor Printz stated most people knew the basic circumstances of the Town Hall situation / Town Hall questionable after flooding / analysis performed.
- Troy Shifflett introduced Michael Delaney from ServePro who served as part of a clean-up crew.
- Michael Delaney, 431 Pleasant Valley Road, ServePro, noted there was a protocol and lab work done by Peter Palmer who could not attend the meeting due to scheduling.
- Mr. Delaney stated there was a water loss at the Town Hall in a bathroom in the basement. He noted that they received a call on July 15, 2016. He noted ServePro arrived and repair work was trying to be done and walls had been opened in the bathroom to see where the leak was. He noted that in the walls were signs of microbial growth. He noted that in a building 200 hundred years old, which probably struggled with foundation leaks for 200 years, it was pretty typical that was what you would find.
- Mr. Delaney noted that the downstairs majority of the exterior walls had signs of water intrusion – long term. He noted that was not unusual in a basement and not unusual in a very old basement. He noted there had been 20 inches of rain in the last three months; however he noted that the main issues with the building were pre-existing conditions which would be expected with a building that age.
- Mr. Delaney noted that because of the age of the structure, there were other issues such as asbestos products and lead paint in places. A number of issues when you got into a structure that age.
- Mayor and Council received copies of the report.
- Mr. Delaney stated that he highlighted some things as pre-existing that were pretty typical such as window style air conditioners. He noted that the units do not do a good job of getting the water out; it sits in there creating an area where things can grow.
- Mr. Delaney noted that the other problem with those same types of air conditioners was that the water did not typically shed well from them, getting the window areas wet.

- Mr. Delaney stated that Peter took both tape samples which meant you were pulling particles off of a surface and air samples which were taken from the air; both indicated mold pg. 4.
- Mr. Delaney noted, per the report that ample evidence showed the basement foundation walls had experienced water infiltration over many years. He noted examples of that was deterioration of the Wayne's coating – wood paneling with years of water infiltration rotting away. He noted that another example was the fungal colonization on the gypsum board wood framing above the ceiling tile grid at the top of the gypsum board wall. He noted the mold was very old and could not have been a result of the most recent event in the basement.
- Mayor Printz questioned if Mr. Delaney was still on the 4th page. He noted there were pictures in the report.
- Mr. Delaney stated that water or the cause had nothing to do with this. He and Peter discussed the issues and the location.
- Mr. Delaney stated that there had probably been water losses on the floors above. He noted a lot had happened there in 200 years. He noted that older homes like that have a lot of different types of construction built back then and the walls (inaudible) that was why they burned down so quick. He noted water collected in hidden spaces. He noted that nothing was ever done about those areas unless they were opened up. He noted they were difficult to keep conditioned, dry and difficult to maintain.
- Mr. Delaney stated that Peter suspected the colonization was caused by uncontrolled humidity or wood framing materials that were already contaminated. He noted it was dry at that time, but they had (inaudible) drying for a while. He noted that it was dry downstairs unless the recent rain had caused any infiltration. He noted that as of last Monday, just the air scrubbers were running.
- Mr. Delaney stated that another case of the water migration into the foundation walls was found in an unnamed approximately 12 x 12 carpeted room located in the northwest corner of the basement behind the evidence room; where the gypsum wall board was installed over wood paneling. He noted that Peter cut a small hole and saw heavy microbial growth in the wall there and the smell. He noted that Peter was pretty good at knowing how mold smelled.
- Mr. Delaney stated that mold gives off a gas with an odor; just like anything decomposing.
- Mr. Delaney stated that the next paragraph spoke about downspouts discharging water close to the foundation walls over the years. He noted that one of the downspouts corresponded with the Chief's office. He noted that the Wayne's coating had deteriorated due to water damage over a period of time.
- Mr. Delaney noted a common factor with all of the issues; that the building had water problems for a long time. He noted the incident brought the issues to attention when things started to be taken apart and things were required and were cautioned.
- On July 25, Peter received the results of the analysis from some of the items; an older style air conditioner showed heavy estimated amounts of "cladosporium" which was a type of mold found inside the unit as well as the flex duct used to supply air into the squad room.
- Mr. Delaney noted that the report details the different swab tests and the results.
- Mr. Delaney read the following from the report: "that the other direct ID swab samples taken in the basement do indicate the presence of mold; it was not possible for this amount of colonization to have occurred during the brief time frame since the water loss." Mr. Delaney explained that in

certain areas it was heavier than others and that could not have happened just because of this.

- Mayor Printz stated that it was there previously. Mr. Delaney confirmed that was correct.
- Mayor Printz asked Mr. Delaney to stop presenting the report and allow Council to ask questions.
- Council member Isom inquired if the situation could be corrected. Mr. Delaney responded that it could be corrected. He noted that the Town had some insurance coverage that covers asbestos up to $25,000, and mold up to $15,000. He was unsure of the exact numbers.
- Mr. Delaney inquired as to how much money the Town wanted to put into the old house. Mayor Printz responded that was the problem.
- Mr. Delaney stated that it was still going to be an old house and inquired what the best way was for the Town to spend its money. He noted it was still going to cost money out of pocket.
- Mr. Delaney stated that he owned property in Elkton and he had an interest in how the money was spent in Town and what made sense. He noted that he was a business person. He noted the Town could talk frankly with the insurance company and ask what could be done for the Town if the Town did not take care of it. He noted that the Town was essentially self-insured since VML was owned by municipalities in the state that were involved in it.
- Council member Isom stated that she was not advocating not taking care of anything; foremost, taking care of the employees. She noted concern about the building itself because it was a landmark for the Town, historically. She stated that she wanted to know with those particular things, were they fixable and could they be fixed in a way that the Town would not have the problem again. Mr. Delaney responded that it was fixable but would be quite expensive to do everything that the building… most of the walls in the basement would have to be removed. He noted that the insurance would cover the areas that were affected by the loss but the areas that were not affected would not be covered. He noted that the asbestos material affected would be covered. He noted that it could be fixed and be safe, but would be costly.
- Council member Isom stated that she was fairly confident that the police department would not go back to the Town Hall. She wandered if there was a way to re-coup the second floor for some use even if the Town employees moved out. She asked if it could be fixed enough that something else could be there. Mr. Delaney responded that if people moved back into the basement, the basement would have to be fixed because there was mold present. He noted that even if there was no one in it, you would not be able to open it since mold spores travel by air. He noted that if there was mold in the basement and if you do not take care of the issue, it would end up on the second floor.
- Mr. Delaney stated that in order to use any of the floors in the building, you could not pick and choose what floors you want to fix. He noted that there was no way to contain the air from one level to another.
- Council member Isom stated that she understood the issues and was just trying to understand the renovations, the fixing of the building if the second floor and bottom floor were taken care of. Could something be used/open to the public on the second floor? Mr. Delaney noted that the second floor had mold. Council member Isom stated that all of that was fixable according to Mr. Delaney and he confirmed that was correct.
- Mr. Delaney stated that there was mold on all levels and probably had been for 199 years. He noted that mold affected some people more than others; elderly, young and suppressed immune systems.

- Mr. Delaney noted that we live in an agricultural community and a lot of people go in and out of barns and chicken houses that were full of mold all the time. Some people had more immunities than others.
- Mr. Delaney stated that we had over 20 inches of rain in the last three months and there was mold outside right now. He noted it was everywhere, but when in a confined space mold could cause certain people problems due to a heavier concentration.
- Council member Isom stated that her first concern was the employees and that she hated the thought of having to tear down the building.
- Mr. Delaney stated that was not his decision, but he had given his thoughts on the matter.
- Council member Armbruster stated that he understood anything in the building could be fixed at a price. He noted that Mr. Delaney had eluded to and after reading quite a few paragraphs in the report, the problems with the building started a long, long time ago. He noted that the break in the pipe just brought those issues to their attention. He noted that they were not finished with the basement and that there was mold in the air. He noted that it was uninhabitable for the police department and any of the public that came in there. He noted that it was pretty safe to say, that the basement would not be occupied by humans. He noted that they were not finished with the report yet. He was of the opinion that everybody should be moved out of the building that it was a health hazard; not only for employees but for the public also. He did not want to be part of the public and employees staying in a building that was a health hazard.
- Mr. Delaney stated that if the Town chose to clean-up, while the work was going on the employees would have to relocate anyway. He noted that would be a financial decision as to how the Town wanted to handle that. Council member Armbruster stated that was not going to happen.
- Vice Mayor Dean stated that Council member Armbruster had eluded to something before the meeting, on a scale of one to ten, how would it fall in, the number, to adversely affect the employees. Mr. Delaney responded that he couldn't say since everybody reacts differently to it. He noted that mold was common in a lot of different spaces and public buildings.
- Mr. Delaney stated that the City of Harrisonburg offices were pretty bad for a long period of time in their old building. He noted not that that was here, but he was just saying that it was not uncommon that Town's run into this issue in old government, schools.
- Vice Mayor Dean asked that if it were a residential home and him, his wife and children were living there, this happened to your home and you knew this could adversely affect your wife and your children, would you move them out? Mr. Delaney responded that it would depend on to what extent it was there. He noted that if it was that amount, what was going on, yes, probably get them out of there and clean it up. But, it also would depend on how much it was and how much the house was worth. He noted that as far as health concerns, yes it needed to be addressed.
- Vice Mayor Dean asked another question: if we move all of the people out, here sits our historic Town Hall, everything is locked up, is there any way that this can go into the air outside? Mr. Delaney responded "no" to the question.
- Vice Mayor Dean stated that nobody would be in the building and there would be no public events in the building. He noted that some events happen on the lawn and that last night they had the Neighborhood Watch National Night Out. He noted that once the building was closed down, could the Town still have the events outside. Mr. Delaney responded that they could.
- Council member Comer stated that from a historic standpoint on the building, now that we know that it is there, the repairs would have to be

done before you could even entertain the opportunity of selling the building to someone. He noted that knowing that you got that situation; the Town would have to fix it before you could even sell it or if you sold it to someone that would agree that they would know they would have to fix it.

- Council member Comer stated that with the results that were provided, at what point does the Council say it is bad and it is a lot of issues here but it is something we have time to move out in an orderly fashion to get out or it is something that basically on your findings here, that as of right now, everyone was in danger and needed to be removed immediately. He noted that he knew the basement was worse off than the rest of the floors. Mr. Delaney responded that right now the basement was not, it was lower because of the air scrubbers pulling the air out. He noted that was what the tests showed, that the basement had lower mold counts.
- Council member Comer asked if it was something that since that had less and that was the worse area, the next levels up, was it something that the Town could do in an orderly fashion in terms of getting out of the building. Council member Comer noted that if it was hazardous, you would need to shut it down. He questioned if it was something that was bad and needed to be fixed, if people needed to get out of there or if the Town could buy a place or something where people could move because the Town could not build a new building overnight. He noted that was where the Town Council had to make some decisions.
- Council member Comer asked Mr. Delaney's opinion if the employees were in imminent danger or was it something that could be phased out. Mr. Delaney responded that he was not a doctor so he could not speak, but that yes there was a danger as he had said previously to some people. He noted that some people would react worse than others. He noted that he could not predict what folks would have more problems than others. He noted that people should be "gotten out of there and it cleaned up." He noted that should answer the question.
- Mr. Delaney stated that as far as selling the house, people sell houses all of the time "as-is" and people go into it knowing what they were getting into. He noted that anybody that would buy that house would know what they were getting into.
- (inaudible – all talking at once) Council member Comer stated that as long as the Town discloses the information, then it would be okay. Mr. Delaney responded affirmatively.
- Mr. Delaney stated that most people buying a house of that age would recognize that there could be asbestos materials, lead paint and that there could be water issues that have been long-term. He agreed that the Town would need to disclose any issues with the house.
- Mr. Delaney gave his opinion on whether or not to fix up the house. He stated that he would not. He noted that he would let somebody else spend their money and fix it up and do that, but he noted that was his personal opinion. He noted that he could not speak from the medical end of it, but from what the results were that there was enough mold present that it could cause problems with some people.
- Charlotte Shifflett stated that if you demolish any house built prior to 1985 you were required to perform an asbestos test before demolition. Mr. Delaney stated that in Rockingham County it was 1987.
- Mayor Printz stated that Mr. Delaney was one of the most knowledgeable individuals he had ever met. He liked that he had the welcome knowledge of business and the whole perspective. He noted that he had not only addressed the most serious part which was the mold, but some of the other questions outside the prevue of that. He liked the presentation. He noted that he liked Council member Comer's questions because those were the questions that needed to be asked.

- Mayor Printz stated that in his mind there was no question whatsoever what needed to be done – not a minute. He noted that he would like to ask the employees if they had anything. He noted that he wanted the employees to be able to ask questions if they liked.
- Mayor Printz asked the Clerk of Council if she had any questions. She noted that she did not at this time.
- Mayor Printz asked Treasurer Sipe if she had any questions. She noted that could not think of anything right now.
- Mayor Printz asked the Recreation Director, EACC Director, girls in the back, none had any questions. He asked Randell Snow if he had any questions.
- Mr. Snow stated that a comment was made that mold was on the second floor. Mr. Delaney responded that was correct.
- Mr. Snow asked how that was found. Mr. Delaney responded by air and tape samples. He asked if there were spores on the third floor also. Mr. Delaney confirmed that as well.
- Mr. Snow asked if there was an acceptable limit of contamination. Mr. Delaney responded that the goal for air quality is to be equal to the outside air. He noted that you also have to remember that things in a building can change daily. He noted that people coming in and out of the door, windows open, weather like what had been – damp and wet. He noted that when they do samples, typically you want to do it when you have had some dry weather; however, he noted the last three months that had not happened. He noted that you are supposed to compare the inside to the outside and if it is raining it has washed all of the mold spores out of the air. He noted that the goal was to get it to the outside air condition. He noted that could change depending upon weather.
- Mr. Snow inquired if a second air test had been done since the mold was removed from the air in the basement. Mr. Delaney responded that when the samples were taken the scrubbers were running and had been running for a while.
- Mr. Snow asked if a test had been done lately. Mr. Delaney responded that the test was done a week ago on Saturday.
- Troy Shifflett (inaudible).
- Mr. Delaney stated that stuff had been running in the basement getting it dry. He noted that the procedure was you could only use dehumidifiers if you discover mold and you get air scrubbers to try to get the air cleaned and vent it to the outside. He noted that they had that stuff running quickly just to minimize what was going on and hopefully not get worse. He noted that was a standard they had to do.
- Mr. Snow stated that it sounded like some of the Council had already made their minds up that the Town could not use the building again. He noted that if you watched a lot of shows on TV where they discover mold in buildings, it can be mitigated and it can be cured. He noted that before he made a decision, he would want to know the cost to mitigate it, can it be mitigated, what shape is it in because you do not know. He noted that nobody knows until they check it.
- Council member Comer stated that his only concern today was if there was a clear and present danger that the Town needed to get people out then make a decision about whether it would mitigated which was a secondary issue. He noted that the issue of the health of the employees was primary. Mayor Printz stated that was exactly right.
- Council member Comer stated that he had made no decisions. He noted that everyone would like to have a brand new building but the fact of the matter was that was not along the talking point. He noted that the talking point was the situation we got with what to do with that and going in and agreeing to have it mitigated does not fix the problem. He noted that the

- situation with the employees had to be taken care of and then they would move on from there.
- Vice Mayor Dean stated that once the Town started to mitigate the problem, the employees would have to go out anyway. He noted that they had to go somewhere.
- Troy Shifflett stated that he had someone coming in to give him a price on what it would cost to dig all the way around the outside of the building, pour 4 inch wall around the outside, black cat it, put in a drain field around it and the Town could do the walls inside once the walls were cleaned up. He noted the cost at approximately a couple hundred thousand dollars.
- Mr. Delaney stated that it purely becomes a financial decision because the basement is one issue, but there were water issues, windows – when you replace windows you have flashing and all of those different things, they did not put flashing around windows when they built that house, unless they had been redone. He noted what if there were roof problems. He noted that construction was totally different. He noted that a wall goes all the way up.
- He noted that an HVAC system; that he and Troy had spoken about using splits. He noted that it needed some sort of central type air conditioner system installed, something that could be maintained without so much moisture that just goes wherever it wants to. He noted that it was not as simple as just taking care of the basement. He noted from a financial standpoint it had to make sense for everyone here. He noted that he could have come and said that the Town needed to make all of the repairs, but it needed to be put out on the table – the numbers and say what needed to be done that makes sense.
- Chief Hammer asked if any of the asbestos had been removed. Mr. Delaney responded that it had not. He asked when that would take place and Mr. Delaney stated that they were waiting on the report and Tyler had been there and looked at it from Symco. He noted that it would depend on what Council told them to do as far as getting approval. He noted that the insurance company had the estimate.
- Mr. Delaney noted that there were two parts to the insurance company, an inside adjuster and an outside adjuster. He had not spoken with both of them. He sent a message to the outside adjuster regarding the meeting today with the Town Council.
- Chief Hammer asked how long the process would take. Mr. Delaney responded that he would need to speak with Tyler regarding scheduling.
- Chief Hammer stated his concern for access to the evidence room at the Town Hall. Mr. Delaney responded that the asbestos was there and only harmful if it got into a pulverized state (inaudible) friable which meant airborne. He noted that the asbestos did need to be done but did not present a danger right now. He noted it was not moving around.
- Troy Shifflett (inaudible).
- Mayor Printz asked why they couldn't get suited up like the other guys and go in there.
- Mr. Delaney stated that asbestos was most dangerous - it was a dangerous thing that scared people, around pipes and crumbled up easily. That was the dangerous asbestos that got airborne very easily. He noted the asbestos in floor tile had a much lower quantity in those products, but when water got underneath it, it must be removed. He noted it was not crumbling and friable.
- (inaudible)
- Mr. Delaney stated that most homes from the 50's, 60's and 70's had some type of floor tile installed such as carpet put over it or another layer of tile.

- Mayor Printz stated that before someone went in downstairs that ServePro was notified.
- A brief discussion took place regarding the evidence room.
- Mr. Delaney stated that the air scrubbers were running in the basement. He noted that for the most part, an N-95 mask would protect you from most any of the issues at the Town Hall. He noted that they were sold at Home Depot, Lowe's, etc…
- Mr. Delaney stated that homeowners could remove the asbestos tiles themselves. A company could not because your employees could be doing it multiple times thereby exposing them to large quantities.
- Treasurer Sipe inquired as to the levels in the building in regards to those employees that have worked there for 10-20+ years, do they need to be concerned with their health. Mr. Delaney responded no, unless the employee felt as if they were having problems. He noted as he had said before, to most people they do not exhibit any issues, but to some people you do. Again, he noted that he was not a doctor.
- Mr. Delaney stated that the majority of people got exposed to mold on a regular basis at varying levels and sometimes people react quite worse to it.
- Mayor Printz stated that he had missed the question. Treasurer Sipe repeated it for him.
- Mr. Delaney stated he was not a physician but typically you would exhibit some symptoms: rash, various symptoms in people.
- Gaither Hurt stated that they had some additional items highlighted for later.
- Mayor Printz stated that he had summoned the Town Attorney to come to the meeting immediately. He noted a closed session would be held.
- Mayor Printz asked permission from the Town Council to not allow anyone back into the building at all from this point in time until they talk to the attorney.
- Mayor Printz stated that he did not feel right until he found out what was legal, what was right, what was moral, mixed together.
- Mayor Printz requested that employees be sent home until they consult with the Town Attorney.
- Troy Shifflett stated that if the employees were going to be moved the computer systems would need to be moved immediately. He noted that bills had to be paid.
- Mayor Printz directed people to write down issues such as paperwork, files, and he would be asking Mr. Delaney for details.
- Mr. Delaney stated that items that were porous were of most concern. He noted that hard surface items could be wiped down.
- Mayor Printz asked if someone with a mask would wipe it down before it was removed or what was the process. Mr. Delaney responded that it would depend on the product.
- Mayor Printz stated that this was the employee's health and they were our families - it would be done right.
- It was determined that employee's would be allowed to remove some personal items for a brief period of time.
- Troy Shifflett stated that Mr. Delaney had additional reporting to inform Council of. He noted that Council would find out that it (mold) was coming from the air conditioners – old air conditioners.
- Mayor Printz stated that employees could get their stuff but they did not have to.

As there was no additional business, the meeting was adjourned.

Mayor: _____
Wayne E. Printz

Recorder: _____
Denise R. Monger, Clerk