

# Town of Dumfries Council Meeting Packet



Derrick R. Wood, Mayor  
Monaé S. Nickerson, Vice Mayor  
Tyrone Brown, Councilmember  
Shaun Peet, Councilmember  
Selonia B. Miles, Councilmember  
Cydny A. Neville, Councilmember  
Brian K. Fields, Councilmember

Keith C. Rogers, Jr., Town Manager  
Sharon E. Pandak, Town Attorney  
Tangi R. Hill, Town Clerk

July 5, 2022



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## DUMFRIES, VIRGINIA

Virginia's Oldest Continuously Chartered Town  
CHARTERED 1749 INCORPORATED 1961

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### **DUMFRIES TOWN COUNCIL MEETING TUESDAY, JULY 5, 2022 AT 7:00 PM COUNCIL CHAMBERS**

- I. Call to Order and Roll Call
- II. Moment of Prayer
- III. Pledge of Allegiance
- IV. Adoption of Agenda
- V. Approval of Minutes
  - A. Dumfries Town Council Meeting Minutes of June 21, 2022 – Pages 1-2
- VI. Citizen Comment Period
- VII. Mayor and Council Comments
- VIII. Action Item (Public Hearing)
  - A. Ordinance Authorizing Local Firearm Buyback Program – Vice Mayor Monae Nickerson and Councilwoman Selonia Miles – Pages 3-5
- IX. Adjournment

**DUMFRIES TOWN COUNCIL  
MEETING MINUTES  
TUESDAY, JUNE 21, 2022**

**MEETING HELD IN COUNCIL CHAMBERS**

A video recording of this meeting is available on the Town's Website at [www.dumfriesva.gov](http://www.dumfriesva.gov) and YouTube Channel at <https://www.youtube.com/watch?v=IOkR-TLgLmc>

**I. Call to Order and Roll Call**

At 7:00 PM, Mayor Wood called the meeting to order. The following members were recorded as present: Brown, Fields, Peet, Miles, Neville, Nickerson, and Wood.

**II. Moment of Prayer & Pledge of Allegiance**

A moment of silent prayer was followed by the Pledge of Allegiance.

**III. Adoption of the Agenda**

On a motion made by Councilwoman Miles, seconded by Councilman Peet, to adopt the agenda as presented. Vote 7-0 (Yes: Brown, Fields, Miles, Neville, Nickerson, Peet, and Wood; No: N/A; Abstain: N/A)

**IV. Approval of the Minutes**

On a motion made by Councilman Peet, seconded by Councilwoman Miles to approve the minutes of the June 7, 2022 Town of Dumfries Council meeting. Vote 7-0 (Yes: Brown, Fields, Miles, Nickerson, Neville, Peet, and Wood; No: N/A; Abstain: N/A)

**V. Citizen Comment Period**

**VI. Reports and Presentations**

Town Manager's Report for the Month of June 2022 – Town Manager Rogers

Town Manager Rogers presented his report.

## **VII. Introduction Item**

Ordinance Authorizing Local Firearm Buyback Program (Public Hearing: July 5, 2022) – Vice Mayor Nickerson and Councilwoman Miles

On a motion made by Councilwoman Miles, seconded by Councilman Brown, to hold a public hearing on Tuesday, July 5, 2022, at 7:00 pm, to consider an Ordinance Authorizing Local Firearm Buyback Program. Vote 7-0 (Yes: Brown, Fields, Miles, Neville, Nickerson, Peet, and Wood; No: N/A; Abstain: N/A)

## **VIII. Adjournment**

Mayor Wood adjourned the meeting at 7:44 PM.

**AT A REGULAR MEETING OF THE DUMFRIES TOWN COUNCIL HELD IN COUNCIL CHAMBERS, 17739 MAIN STREET, SUITE 200, ON JULY 5, 2022: ON A MOTION DULY MADE BY \_\_\_\_\_, AND SECONDED BY \_\_\_\_\_, THE FOLLOWING RESOLUTION WAS ADOPTED BY THE FOLLOWING VOTE:**

Tyrone A. Brown, \_\_\_\_;  
Brian K. Fields, \_\_\_\_;  
Selonia B. Miles, \_\_\_\_;  
Cydney A. Neville, \_\_\_\_;  
Monae S. Nickerson, \_\_\_\_;  
Shaun R. Peet, \_\_\_\_;  
Derrick R. Wood, \_\_\_\_;

**ORDINANCE AUTHORIZING LOCAL FIREARM BUYBACK PROGRAM**

**WHEREAS**, the Council desires to consider a proposed ordinance authorizing a local firearm buyback program to be administered by the Police Department and funded with non-Town funding; and

**WHEREAS**, pursuant to Va. Code § 15.2-915.5, the Council may authorize such a program by adoption of an ordinance; and

**WHEREAS**, pursuant to the requirements in the Town Code and all other applicable laws, the Town Council further desires to deliberate upon and review a proposed ordinance as set forth below and provide the public the opportunity to be heard on the matter.

**NOW, THEREFORE, BE IT RESOLVED** by Town Council that the Town Manager is authorized to advertise a public hearing to consider an ordinance authorizing a local firearm buyback program as set forth below:

**Sec. \_\_\_ - \_\_.1 Firearm Buyback Program**

**Sec. \_\_\_ - 1.** Purpose. To authorize the Town’s participation in a firearm buyback program with another individual or entity partnering with the Town, pursuant to Va. Code § 15.2-915.5, and in connection therewith to authorize the Town Manager, on behalf of the Town, to execute a contract between the Town and another individual or entity partnering with the Town for the purpose of authorizing a firearm buyback program in accordance with Va. Code § 15.2-915.5 to reduce gun violence by decreasing the number of available firearms in the Town of Dumfries.

**Sec. \_\_\_ -2.** Consistent with Va. Code § 15.2-915.5, the Town is authorized to participate in a firearm buyback program with another individual or other entity partnering with the Town pursuant to a contract the execution of which Subsection 4 of this ordinance authorizes.

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<sup>1</sup> Codification section numbers to be determined later.

**Sec. \_\_\_\_-3.** In accordance with Va. Code § 15.2-915.5(B), any firearm received pursuant to a firearm buyback program, except a firearm of the type defined in Va. Code § 18.2-288<sup>2</sup> or § 18.2-299<sup>3</sup> or a firearm the transfer for which is prohibited by federal law, shall be destroyed by the Town unless the person surrendering the firearm requests in writing that the firearm be offered for sale by public auction or sealed bids to a person licensed as a dealer pursuant to 18 U.S.C. § 921 *et seq.* Notice of the date, time and place of any sale conducted pursuant to this subsection shall be given by advertisement in at least two newspapers published and having general circulation in the Commonwealth, at least one of which shall have general circulation in the Town. At least 30 days shall elapse between the publication of the notice and the auction or the date on which sealed bids will be opened. Any firearm remaining in possession of the Town or agent of the Town after attempts to sell at public auction or by sealed bids shall be disposed of in a manner the Town deems proper, which may include destruction of the firearm or, subject to registration requirements of federal law, sale of the firearm to a licensed dealer.

**Sec. \_\_\_\_-4.** The Town Manager, on behalf of the Town, is authorized to execute a contract between the Town and another individual or entity partnering with the Town for the purpose of a firearm buyback program which contract would fund the firearm buybacks with non-Town funding. The contract shall be approved as to form by the Town Attorney and shall be administered by the Police Department.

**By Order of Council:**

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Derrick R. Wood, Mayor

**ATTEST:**

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Town Clerk

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<sup>2</sup> § 18.2-288 – Uniform Machine Gun Act - "Machine gun" applies to any weapon which shoots or is designed to shoot automatically more than one shot, without manual reloading, by a single function of the trigger.

<sup>3</sup> § 18.2-299 – "Sawed-off Shotgun" and "Sawed-off Rifle" Act – "Sawed-off shotgun" means any weapon, loaded or unloaded, originally designed as a shoulder weapon, utilizing a self-contained cartridge from which a number of ball shot pellets or projectiles may be fired simultaneously from a smooth or rifled bore by a single function of the firing device and which has a barrel length of less than 18 inches for smooth bore weapons and 16 inches for rifled weapons. Weapons of less than .225 caliber shall not be included.

"Sawed-off rifle" means a rifle of any caliber, loaded or unloaded, which expels a projectile by action of an explosion of a combustible material and is designed as a shoulder weapon with a barrel or barrels length of less than 16 inches or which has been modified to an overall length of less than 26 inches.



## **AGENDA ITEM REQUEST FORM**

### Item Type

Award     Proclamation     Resolution/Ordinance     Motion     Discussion

### Statement of Purpose

Ordinance Authorizing Local Firearm Buyback Program

### Background/References

Per state code, a local ordinance is required to allow local police departments to host/participate in local firearm buyback programs.

### Fiscal Impact

N/A

### Suggested Motion

Motion to Approve

### Requested Meeting Date

Public Hearing July 5, 2022  
Co-Patrons: Vice Mayor Nickerson; Councilwoman Miles

### Attachments:

- *For awards and proclamations, please attach desired language*