



**DUMFRIES, VIRGINIA**  
Virginia's Oldest Continuously Chartered Town  
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**DUMFRIES TOWN COUNCIL  
REGULAR SESSION MINUTES  
NOVEMBER 3, 2010, 7:00 PM**

**Present:** Mayor Yohey, Vice-Mayor West, Councilors Barr, Foreman, Forrester, Jurgensen, Toney

**Others Present:** Kim Alexander, *Town Manager*; Cathy Holtzlander, *Asst. Town Manager*; Chief Taber, *Chief of Police*; Rob Forker, *Administrative Manager (DPD)*; Greg Tkac, *Dir. of Public Works*; Jatinder Khokhar, *Dir. of Community Development*; Debi Sandlin, *Dir. of Economic Development & Marketing*; Teresa Johnson, *IT Manager*; Catherine Koslicki, *Town Clerk* and 7 citizens.

Mayor Yohey called the meeting to order at 7:00 PM, followed by a moment of silence and the Pledge of Allegiance.

The following changes were made to the agenda:

Discussion Items:

- add Potomac Landfill
- remove Strategic Planning

**CITIZEN COMMENTS**

Donna Hancock-Grayson Village- has not been able to attend a meeting since the new Council members were elected, but she gets questions regularly from the residents asking what Council is doing. She feels the Council needs to work together, remember they are accountable to the people and should not allow the Town Manager to rule everything. She thanked Council Lady Forrester for letting the citizens know what goes on. She does not see any problem with the Town working with the landfill, they are not going anywhere.

Jeff Cox-Croppers Towing-asked why a meeting with the landfill would need to go through the Town Manager, they are not run by the Town. He feels there is nothing wrong with anyone trying to bring new business to the Town. He feels Council needs to work together. He advised everyone to use caution at the intersection in front of the Dumfries Café when making a left onto Fraley Blvd (RT.1 Northbound) from Canal due to an overgrown tree blocking the view of oncoming traffic. He also cautioned drivers about navigating around vehicles blocking the intersections of Graham Park/Fraley Blvd and Curtis Drive/Main Street, noting he has responded to several accidents recently.

**MAYOR & COUNCIL COMMENTS**

**Mayor Yohey** has spoken with Mr. Leake from the Potomac Landfill and was told they will complete the study on the best uses for the land and he suggested Council should consider extending Mr. Leake an invitation to attend a future meeting to discuss the findings.

**Council Lady Forrester** had several items she wanted to address for the benefit of the citizens. She tries to do what she was elected to do, but feels as though she continuously hits roadblocks. She was very surprised by the Town's lack of involvement in BRAC and thinks the Town should establish their own relationship with Quantico. She contacted Mr. Melendez, Quantico Facilities Director to open direct communications between the base and the Town and during their conversation (she stated) he mentioned possible plans for a recycling center offsite. Council Lady Forrester advised Mr. Melendez of the landfill located in Dumfries and (she stated) he asked if a tour of the landfill was a possibility as he was not familiar with the site. She advised Mr. Melendez she would facilitate the introduction and try to schedule a tour.

She recently had a conversation with the Governor in which she mentioned a transportation issue. He (she stated) suggested she meet with Secretary (of Transportation) Connaughton to discuss the matter. Council Lady Forrester called and made an appointment with the Secretary. She emailed the meeting information to Council members and the Town Manager and was shocked at the responses she received. A member of the Secretary's staff contacted Council Lady Forrester (she stated) and cancelled the meeting with no availability to reschedule in the near future.

She did not notify Council (or staff) of the meeting between Quantico and the Landfill because the Town is not involved. The meeting was between Quantico and a private business (the Landfill) located within the Town. Her role was merely making an introduction. She did not feel this was inappropriate and stated other members have established relationships and meet with individuals on a regular basis and this has never been an issue. She tries not to be "part of the problem."

(Council Lady Forrester read multiple emails regarding the Landfill meeting into record. Council Lady Barr read additional emails regarding the same issue into record. See Attachment A.)

In response to the email from Council Lady Barr, Council Lady Forrester said she has nothing to hide. The Landfill did contribute to her campaign, as did other business in the Town including Vincent & Vincent, the local grocery store, Amoco and Dunkin' Donuts. She will always accept money or time from anyone willing to donate and they will get the same thing, what she already promised in her campaign. She has received an email from a former Council member (Brewer) accusing her of taking money. She researched requirements for reporting contributions at the Town level and there are no requirements. She was also threatened with the Hatch Act (a federal law that prohibits federal employees-civil servants-from engaging in partisan political activity). She stated she is not in violation by serving as a member of Council.

She promised the citizens she would behave ethically and watch the Town's budget. She should not be shamed for asking questions. She is not going to stop trying to make relationships with other leaders to bring attention to the Town. She did not run for Council for the money. She encourages the other Council members to use the relationships they have to make things happen for the Town.

*(Mayor & Council Comments, cont.)*

**Vice-Mayor West** thinks things that Council Lady Forrester has done are not without merit, but have left Council and the Town Manager out of the loop. She feels as a courtesy, a phone call to the Town Manager informing her of the meeting would have been appropriate. She disagrees with Council Lady Forrester's opinion that Council has no business at the landfill meeting; it is the Council's business to be involved with things in the Town.

She reported attending the NVRC meeting with Mr. Khokar where the topics discussed were BRAC, the legislative agenda and the budget for FY2012. The Town will pay \$2477 for its membership in the organization. She also reminded Council and staff of the joint meeting with the ARB on November 9<sup>th</sup>.

**Councilman Toney** attended the 15<sup>th</sup> anniversary celebration of the Dr. Luke Torian, Pastor of First Mount Zion Baptist Church. It was a great occasion and he was amazed by the number of attendees. When Dr. Torian first came to congregation they had approximately 600 parishioners, and today they have over 4000. Dr. Torian also represents Dumfries in the General Assembly and Councilman Toney hopes Council can build better relationships with the area leaders in the future.

**Councilman Foreman** extends his belated congratulations to the US Navy for celebrating its birthday in October and congratulates the US Marine Corp for celebrating its birthday on November 10<sup>th</sup>. He reminded everyone of Veteran's Day on November 11<sup>th</sup> (11<sup>th</sup> hour on the 11<sup>th</sup> day) and asked that the holiday be shown the proper respect.

He stated he believes our forefathers did it for nothing and he is doing it for nothing. He was accused in local papers and even the New York Times of going back on his campaign promises. He has not. He encourages all members of Council to meet with anyone they want to, but do not commit town resources. All members need to act responsibly and brief the rest of Council and staff as necessary. He will facilitate any meeting and listen to any issues, but he will not commit Town resources. This should be uniform for all Council members from this day forward. This takes place at all levels of government (Congress, General Assembly, Board of Supervisors.)

**Council Lady Barr** has been a resident of the Town for 20 years and the Landfill has always been an issue. She is not in favor of 1 person doing something that could potentially affect all the citizens. She does not agree with Council Lady Forrester.

**Council Lady Jurgensen** said there are 3 items on the agenda (proposed ordinance amendments relating to Town Manager duties) as a result of an issue with the Landfill and "some dirt." Because the Landfill is always a concern with the citizens, she would have liked the opportunity to attend the meeting (between Quantico and the Landfill), or have Council discuss their concerns for Council Lady Forrester to address at the meeting.

Mayor Yohey agrees that Council does not need to be involved in the meeting between Quantico and the Landfill. Council cannot close a business just because they do not like it. The Landfill is not going anywhere as long as they follow the regulations, they will be open for at least 40 years.

**STAFF REPORTS**

- a. **Town Manager:** Ms. Alexander submitted her report as provided and highlighted a few items. She updated Council on the vacant positions. Interviews have been conducted for the Maintenance Worker position and it will be filled soon and applications are still being reviewed for the Asst. Director of Public Works. She advised Council there were 2 additional items to be considered for the Legislative packets. Completed packets should be distributed by the end of November. She also advised Council the County did not approve the CDBG application. She feels it was mostly likely because the Town did not have a ratified contract to purchase the property identified in the grant proposal.

Council Lady Forrester asked what this means for the project, the Town will have to wait until next year. Ms. Alexander stated yes, unless funding comes from another source.

- b. **Assistant Town Manager:** Ms. Holtzlander submitted her report as provided and highlighted a few items. The 9<sup>th</sup> Annual Fall Festival was a great success. She thanked the Public Works Maintenance crew and her family for their hard work and support. The monthly Senior lunch was on Oct. 15<sup>th</sup> where the attendees heard a presentation from Daphne Van Tiem from the Prince William Area Agency on Aging on services available. The next lunch will be Nov. 19<sup>th</sup> with a presentation on living trusts and estate planning. The Citizens Academy has been placed on hold until after the holidays due to lack of resident interest. The 36<sup>th</sup> Annual Holiday Parade is Saturday, Dec. 11<sup>th</sup> at 1 pm.

Councilman Foreman commended Ms. Holtzlander for success of the Fall Festival and stated she did a great job. He especially liked the petting zoo.

He suggested (regarding the Invocation), Council members meet with area pastors to explain the Town's policy, instead of them reading it on their own, which may increase participation.

Council Lady Barr understands the lack of willingness to participate. She did not vote for the Resolution because she felt it was asking for the leaders not to be true to their faith.

- c. **Chief of Police:** Chief Taber submitted his report as provided and highlighted his continued citizen outreach efforts. Mr. Forker has begun making follow-up calls to citizens (at random) to gain feedback on the department. Also, as part of the community outreach efforts, Chief Taber said he and his officers were out on Halloween giving candy to residents. He noticed some of the children were very reluctant to approach. This is just one example of the things DPD is working on to change the culture in the Town. He was happy to report, due to increased police presence, there were no vandalism reports at the Dumfries Cemetery following Halloween. He has contacted Ms. Powers, with Streetlight Community Outreach Ministries and they are working on getting the program up and running.

Council Lady Jurgensen thanked the Chief for his work in the community. She asked if he had any information on the recent shootings of government buildings. Chief Taber stated he has been working with the FBI, but the individual is still at large. His officers have been instructed to look out for anyone who fits the profile.

Councilman Foreman thanked the Chief for updating Council on the progress of the General Orders.

*(Staff Reports-Chief of Police, cont.)*

Council Lady Barr thanked the Chief for the updates in his report. She asked for an update on the issues with the intersection (Main St & Curtis Dr). Chief Taber advised DPD is aware of the problem with cars blocking the intersection and once the 2 new officers are released by the FTOs, the department will be able to increase coverage.

Mayor Yohey asked (on behalf of a citizen) what happened recently on PPR, several police vehicles were in the area. Chief Taber deferred the question to Mr. Forker who stated he believes the incident in question was a fire at a group home, possibly a result of arson.

- d. Director of Public Works:** Mr. Tkac submitted his report as provided and highlighted the planning and coordination of the Graham Park Road sidewalk projects has been completed and the work should be finished soon. He updated Council on the continual problem with beaver dams and stated the Town currently has a contract for trapping and relocating. Recently, he has spent a lot of time walking the drainage areas and working with residents on drainage issues. Storm Water Management uses a lot of time and resources.

He has met with VDOT regarding the RT.1/Main St intersection issues addressed by Council Lady Barr. According to VDOT, there are 2 control panels, working independent of each other, that operate the signals at these intersections. He is working to get these signals operated by 1 control panel to move traffic more effectively. He would not recommend at this time for the Town to invest in cameras at these intersections because the current issues do meet the criteria that would warrant such a camera (ex. accidents, etc.)

Council Lady Barr thinks it is a miracle there have not been any accidents. She constantly sees people trying to turn the wrong direction. She feels the intersection is a “disaster waiting to happen.” She considers the cameras as a way to generate revenue for the Town and wonders if this could be an opportunity to partner with VDOT.

Council Lady Jurgensen asked Mr. Tkac for an updated on the issues with RT.234 that recently resulted in a death. Mr. Tkac advised he recently spoke with PWC and they have a signal planned for the entrance to the Park & Ride lot. The project has been accelerated, but he is not sure of a time frame. Council Lady Jurgensen asked if a crosswalk was to be included in the plan. Mr. Tkac stated he believes so.

Councilman Toney addressed the issue of pedestrian traffic on Fraley Blvd. He hopes this project can move up on the list (for the DPW.) Mr. Tkac advised Council he would be recommending part of the next budget (FY12) include money for this issue (M-MT). Federal funds would also be available for this type of project.

Councilman Foreman addressed the issue of having no crosswalks at the intersections of RT.1/Poosum Pointe Rd & RT.1/RT.234. Mr. Tkac said he would be hesitant at establishing crosswalks where there is no pedestrian walkway. He thinks sidewalks would be needed, but he will look into the legalities.

*(Staff Reports-Dir. of Public Works, cont.)*

Vice-Mayor West inquired about a paved surface for RT.1 heading toward RT.234 (on the same side as Kentucky Fried Chicken). She stated there is a lot of pedestrian traffic along this route. Mr. Tkac advised Council he is always open to suggestions from them as well as from citizens, it helps him to prioritize projects for the Town. She asked if he planned on attending the SWM conference. He stated he will attend.

Council Lady Barr asked if “overage” could be used from local cement companies to create sidewalks. Vice-Mayor West agreed with Council Lady Barr. Mr. Tkac said he would research the possibility.

- e. **Director of Community Development:** Mr. Khokhar submitted his report as provided and highlighted 4 items. Formal requests for volunteer participation in updating the CP have been sent. Responses are due by November 12, 2010. He attended (with Vice-Mayor West) the NVRC meeting on Oct. 28<sup>th</sup>. He advised Council, the Town has not been charging a code academy fee (2% of the building permit) in accordance with the Virginia uniform statewide building code and the Code of Virginia. The Town will adjust the permit cost structure accordingly to recoup the fee as mandated by the state. Ms. Frye, the Property Maintenance Official, is currently working with the Town Attorney regarding the inoperable vehicle ordinance and he hopes to present the proposed ordinance to Council at the November Work Session. Ms. Frye is also currently working on implementing the Town’s Rental Ordinance and additional details will be provided at a future meeting.

Council Lady Forrester asked if collecting the fee from citizens is mandatory or optional. If recouping the fee is optional, she would ask Council to consider not passing the fee along to the citizens. Mr. Khokhar stated he believes the code requires localities to collect the fee from its citizens, but he will examine the code sections and report his findings to Council at the next meeting.

Council Lady Jurgensen asked if an ordinance regarding inoperable vehicles was passed recently. Ms. Alexander advised the ordinance adopted by Council recently regarded parking on non-paved surfaces.

Vice-Mayor West stated (to Council Lady Forrester) the construction code reads “fees shall be collected.” Mr. Khokhar advised he will still review the code sections and provide information to Council.

- f. **Director of Economic Development & Marketing:** Ms. Sandlin submitted her report as provided and highlighted the website update. The RFP will be included in the agenda packets for the November 16<sup>th</sup> Work Session. She would like for Council to consider approving the release of the RFP at that time. She also wanted to inform Council of the praise she has heard from the business community for having the foresight to establish the Economic Development department.

Vice-Mayor West asked about item number 6 on the Memorandum included with Ms. Sandlin’s monthly report. Ms. Alexander explained the memo was included as part of the Strategic Planning that was removed from the agenda.

**ADOPTION OF CONSENT AGENDA**

Councilman Toney made a motion to adopt the consent agenda with a second by Council Lady Jurgensen. On roll call the vote was unanimous, motion carried.

**ACTION ITEMS**

- a. **Consider amendment to Town Code Section 2-83.b(5), Town Manager Duties (language prepared by Kristi Caturano, Town Attorney)**
- b. **Consider amendment to Town Code Section 2-83.b(5), Town Manager Duties (language submitted by Mayor Yohey)**
- c. **Consider amendment to Town Code Section 2-83.b(5), Town Manager Duties (language prepared by Councilman Foreman)**

Neither Action Item a, nor Action Item b received a motion, Mayor Yohey moved to Action Item c.

Councilman Foreman explained the Council had discussed on this ordinance on several occasions regarding Town buildings. Currently the Town Council does not have any authority with respect to changes inside a building. The Town Manager has full control. The language he as proposed would require the consent of Council. The Town Manager would develop a plan and present it to Council for a vote.

Council Lady Barr the proposed ordinance amendment is a result of a change in the use of the conference room. The Town Manager notified Council of the changes and has not done anything she did not make Council aware of.

Councilman Foreman made a motion to adopt his amendment to Town Code Section 2-83.b(5), Town Manager's Duties with a second by Council Lady Forrester. Ayes: Foreman, Forrester, Toney; Nays: Barr, Jurgensen, West, Yohey. Motion failed, 3-4.

Mayor Yohey made a motion to adopt his amendment to Town Code Section 2-83.b(5), Town Manager's Duties. The motion received no second, no vote was taken. Motion failed.

Council Lady Forrester made a motion to adopt the amendment to Town Code Section 2-83.b(5), Town Manager's Duties (language prepared by Kristi Caturano, Town Attorney) with a second by Councilman Toney. Ayes: Foreman, Forrester, Toney; Nays: Barr, Jurgensen, West, Yohey. Motion failed, 3-4.

Mayor Yohey stated since none of the proposed amendments passed, the current language of Town Code Section 2-83.b(5), Town Manager's Duties stands.

- d. **Consider Resolution in Support of Legislation Enabling Real Estate Tax Bill Discounts when Annual Taxes are paid in full by first –half deadline**

Vice-Mayor West states this resolution is a result of an idea brought to Council last year by Council Lady Barr. The resolution would save the citizens some money and save the Town money on postage.

(Action Items-d, cont.)

Council Lady Forrester asked if the resolution was asking for permission to have the ability to give a discount. If the Town can afford to give a discount, why not reduce the tax burden for all residents and not just those that can afford to pay the year in full.

Council Lady Barr stated the purpose is to increase cash flow up front which would increase the ability to budget and businesses give discounts for full payments all the time.

Council Lady Forrester stated government is different from business. Citizens do not have an option to participate (regarding taxes), they are not customers. Customers have a choice.

Council Lady Barr feels if a citizen is able to pay in full there should be a benefit.

Vice-Mayor West made a motion to adopt the Resolution in Support of Legislation Enabling Real Estate Tax Bill Discounts when Annual Taxes are paid in full by first –half deadline. A second was made by Council Lady Jurgensen. Ayes: Barr, Foreman, Jurgensen, Toney, West, Yohey; Nays: Forrester. Motion passed, 6-1.

- e. **Consider Resolution Opposing the Secretary of Defense’s Directive to Reduce Funding of “Service Support” Contractors:** Ms. Alexander explained the resolution is asking for the assistance of the Governor and the members of the General Assembly in opposing a federal directive regarding reducing funding for military contractors.

Council Lady Forrester made a motion to adopt the resolution with a second by Council Lady Jurgensen. On roll call the vote was unanimous, motion carried.

### **DISCUSSION ITEMS**

- a. **Discussion of Strategic Planning for the Town:** Item was removed from the agenda.

- b. **Potomac Landfill:** Item was added to the agenda at the start of the meeting.

Mayor Yohey asked if there was any further discussion was needed on this item, as it had been discussed earlier in the meeting.

Council Lady Jurgensen thanked Council Lady Forrester for her efforts to bring business to the Town. She would like for Council Lady Forrester to hear issues and/or questions from other Council members in the future.

Council Lady Forrester explained she did not solicit feedback, because questions would have been pre-mature. The meeting was only an introduction. She hears and appreciates the concerns of her fellow Council members, but feels they may be expressing their concerns as citizens not as Council members. She would be attending the meeting as “Council Lady Forrester,” but only for the purposes of the introduction. Quantico expressed a need and the Town has a business that could potentially meet that need.

(Discussion Items-b, cont.)

Council Lady Jurgensen asked (Council Lady Forrester) how this could benefit the Town. Council Lady Forrester explained that any business with a federal entity in the Town would be a good thing in her opinion. Council Lady Jurgensen stated she was not convinced that an additional business at the landfill, which could bring increased traffic, was good for the Town.

Mayor Yohey offered to assist Council Lady Forrester if she would like to work with him. He will work closely with the Town Manager. Everyone needs to try to work together.

Councilman Toney recognizes that email is the communication method of today, but he would caution his fellow Council members of the language that is used. He believes all members of Council want to see the Town move forward. He likes the Town Manager, but believes oversight is needed. He feels debate is healthy, but he reminded Council to be mindful of how they are represented in public. Everyone must remember the main goal is to move the Town forward, which will require change. If there is no change, you will be left with the same result. Every member has their own skills and background they bring to the table and it is important for them to all work together for the common good. He asked that all members of Council try to do better.

**ADJOURN**

Council Lady Forrester made a motion to adjourn with a second by Council Lady Jurgensen. All Ayes. The meeting adjourned at 10:25 PM.

Minutes submitted by

Approved by

\_\_\_\_\_  
Catherine H. Koslicki  
Town Clerk

\_\_\_\_\_  
Fred E. Yohey, Jr.  
Mayor