

**AT A REGULAR MEETING OF THE DUMFRIES TOWN COUNCIL, HELD ON JANUARY 3, 2012,  
IN COUNCIL CHAMBERS, 17755 MAIN STREET, DUMFRIES, VIRGINIA:**

**THERE WERE PRESENT:** Mayor Nancy West  
Vice-Mayor Willie Toney  
Dorothea Barr  
Gerald Foreman  
Kristin Forrester  
Michelle Jurgensen  
Gwen Washington  
Daniel Taber, Town Manager  
Christine Sanders, Town Attorney

**IN RE: CALL TO ORDER**

Mayor West called the meeting to order.

**IN RE: INVOCATION AND PLEDGE OF ALLEGIANCE**

Minister Harold Jones, Peace Christian Church, gave an invocation and then all in attendance recited the Pledge of Allegiance to the Flag of the United States.

**IN RE: APPROVAL OF THE MINUTES**

Ms. Barr moved, seconded by Ms. Jurgensen, to approve the minutes from the July 20, 2011 minutes as amended and the December 6, 2011 minutes as presented. The motion carried and was approved by the following roll call vote: Ms. Barr yes; Mr. Foreman, yes; Ms. Forrester, yes; Ms. Jurgensen, yes; Mr. Toney, yes; Ms. Washington, yes; Ms. West, yes.

**IN RE: ADOPTION OF THE AGENDA**

Ms. Barr moved, seconded by Mr. Toney, to adopt the agenda as presented. The motion carried by the following roll call vote: Ms. Barr yes; Mr. Foreman, yes; Ms. Forrester, yes; Ms. Jurgensen, yes; Mr. Toney, yes; Ms. Washington, yes; Ms. West, yes.

**IN RE: APPROVAL OF THE CONSENT AGENDA**

Ms. Sandlin advised that any item under the Consent Agenda could be pulled for discussion; however, staff has advised Council the applicant has complied with all the appropriate code sections and meets all the requirements.

Mr. Foreman questioned whether site plans should be voted on together or as individual items.

Ms. Sandlin advised that site plans are ministerial acts, staff has reviewed them, and they comply with the code provisions. It would just be a matter of whether Council wanted to discuss the items.

Ms. Washington asked what the procedure would be if a Council member wanted to vote on items individually on the Consent Agenda.

Ms. Sandlin advised the item would be pulled from the Consent Agenda and then Council would move forward accordingly.

Ms. Jurgensen moved, seconded by Ms. Washington, that the Consent Agenda be adopted as presented. The motion carried and the following resolutions were approved by the following roll call vote: Ms. Barr yes; Mr. Foreman, yes; Ms. Forrester, yes; Ms. Jurgensen, yes; Mr. Toney, yes; Ms. Washington, yes; Ms. West, yes.

**A RESOLUTION TO APPROVE SITE PLAN #SP11-001, McDonald's**

WHEREAS, a site plan (#SP11-001, McDonald's) has been submitted for a portion of the property known as GPIN 8188-68-8791 for a fast-food restaurant; and

WHEREAS, the site plan was reviewed by Town staff and external agencies for conformance with all applicable federal, state, and local codes; and

WHEREAS, the Town of Dumfries Planning Commission reviewed the site plan at their December 12, 2011 meeting, and recommended that Town Council approve the site plan; and

WHEREAS, the Dumfries Town Council finds that the site plan is in conformance with the Town of Dumfries Zoning Ordinance.

NOW, THEREFORE BE IT RESOLVED by the Council of the Town of Dumfries on this the 3rd day of January, 2012 that the site plan #SP11-001, McDonald's, is hereby approved.

**A RESOLUTION TO APPROVE SITE PLAN #SP11-002, Grace Church**

WHEREAS, a site plan (#SP11-002, Grace Church) has been submitted for the property known as GPIN 8189-91-2623 for a religious institution; and

WHEREAS, the site plan was reviewed by Town staff and external agencies for conformance with all applicable federal, state, and local codes; and

WHEREAS, the Town of Dumfries Planning Commission reviewed the site plan at their December 12, 2011 meeting, and recommended that Town Council approve the site plan; and

WHEREAS, the Dumfries Town Council finds that the site plan is in conformance with the Town of Dumfries Zoning Ordinance.

NOW, THEREFORE BE IT RESOLVED by the Council of the Town of Dumfries on this the 3rd day of January, 2012 that the site plan #SP11-002, Grace Church, is hereby approved.

**IN RE: CITIZEN COMMENT PERIOD**

Dr. Derek Grier thanked Council for getting Grace Church to this point with the Site Plan.

**IN RE: MAYOR'S COMMENTS**

Ms. West made the following comments.

"Welcome each of you to the first Town Council meeting of 2012. Tonight I am going to bring the State of the Town Address. The President has a State of the Union Address, the Governor has a State of the State Address, and the Chairman of the Board of Supervisor's has a State of the County Address, so why not have a State of the Town Address.

As we bring one year to a close and welcome a New Year this is an opportunity to reflect on the past and a time to start new traditions. As your Mayor, it is my honor and privilege to start a new tradition in 2012, the presentation of the first State of the Town Address.

This is an exciting yet bittersweet time for me. Reflecting back over the past year, I cannot help but think of the loss of a very dear friend and a great ambassador for our community, Mayor Fred Yohey.

Fred was passionate about our community and a true visionary. He was always looking to the future and did not let obstacles and challenges get in his way of moving the Town forward. He was driven by his love of his community and worked tirelessly to develop policies and programs to ensure the economic sustainability of the Town not only for today's citizens, but for future generations. Fred was always a strong advocate for our community's youth and was resolve in putting a strong foundation in place to help our youth succeed in life.

His dream was for the Town to become a place for people to come to, not just drive through. As Mayor, I am committed to seeing Fred's vision come to fruition.

I want to use this time tonight to reflect on what this Town is about, what we do well and what we need to do to keep moving forward.

As we look to the future, there are two overreaching goals that must be attained for the Town to succeed and thrive.

First, we must adapt to succeed. The weakening economy is causing us to rethink how we do things and to work more collaboratively with our county partners, and to challenge the status quo by working not just harder, but smarter.

Second, we need to remain strong in our vision of the Town as a thriving and self -sustaining community. We cannot let the adversity of the short term define who we are as a community nor distract us from our long-term goals. We must commit the necessary resources to ensure the Town remains strong and viable well into the future.

As we move forward, it is also a time to reflect on our achievements and identify ways to build upon our successes.

As we look back over the past year, there are many accomplishments that we can be proud of, to include, but certainly not limited to:

1. Creating a one-way flow of traffic on Fairfax Street;
2. Completion of the design phase of the Tripoli Heights Project and initiation of right of way acquisitions;
3. Initiation of storm water management projects at various locations throughout the Town;
4. Purchase of the land to build Ginn Memorial Park and successfully preparing the site for development of a new Town Park to create a safe place for the Town's youth to participate in recreational opportunities and a place for all residents to go and enjoy outdoor activities;
5. Redesigning our Town website to provide better access to information for our residents, businesses and visitors;
6. Attracting several new companies that have opened businesses in the Town and the expansion of existing businesses, including Chenega CTI, Abacus, Armed Force Services Corporation, and

Federalconference.com. These companies combined have created over 100 new jobs and occupy over 20,000 square feet of office space in the Town;

7. Continued restructuring of the Police Department through recruitment and selection of highly qualified personnel;
8. Rebuilding community trust and support for the Police Department through community outreach at all levels including the successful initiation of the Kid's Academy Program and the continuation of the "Christmas in Dumfries" program;
9. Significant expansion of the time periods Dumfries police officers are providing direct police coverage to the Town along with a corresponding increase in foot patrols;
10. Completion of minor updates to the Comprehensive Plan that focus on Land Use, Transportation, and Historical and Cultural Resources in the Town;
11. Creation of a database of the business use of all properties in Town and the zoning status of each property;
12. Adoption of Zoning Text Amendments to update allowed uses in the B-1, B-2, and F/BO-1 zoning districts;
13. Updating of the Town Zoning Map to conform to existing uses;
14. Increasing zoning enforcement;
15. Collection of overdue taxes; and
16. Revamping the Department of Community Services and initiating several new programs aimed at our youth while expanding the scope of existing programs.

Today we have the opportunity and the responsibility to take bold and innovative steps toward a better future for our residents by focusing on and improving core services and programs, including:

1. Continuing to support and build our outstanding Police Department;
2. Improving our aging infrastructure;
3. Restoring citizen confidence in Town government, and
4. Creating Economic Development opportunities.

In the recent past, we have faced many challenges. As Mayor, I challenge my fellow Council members to set aside our differences and to work together in a collaborative spirit to develop a fiscally responsible budget, but at the same time not lose sight of moving our Town forward by investing in the future growth of our community.

We are at an exciting crossroad. Each challenge requires new thinking, new levels of creativity, openness, and decisiveness.

Over the last several years, I have learned much about how progress is made in government. As the elected leaders of your community, we play a pivotal role. We have a responsibility to discuss and deliberate major issues and dedicate resources to make things happen. For Council, success depends on our ability to make wise decisions about resources and being committed to clearing away the obstacles that prevent us from implementing the necessary steps to achieve our goals.

Many of the challenges we face today are actually opportunities. What we do with these opportunities is up to us. Now is the time to position ourselves to be ahead of the curve and emerge as leaders in a new economy.

So how can we do this? To be successful we need to identify and build on our existing strengths and develop and pursue strategies that will put us in the forefront of new development and redevelopment in the region.

One of the biggest challenges we will face this year as elected officials will be to apply a different way of thinking when we make decisions. We need to move away from the traditional thinking of “this is how we have always done things” to a more open-minded and forward thinking approach.

Although many challenges may seem daunting, we need to confront these challenges now so future generations inherit a Town that is fiscally strong, vibrant and full of opportunities.

Now, I want to take a moment to recognize the people who day-in and day-out make this Town run, and who do the jobs that make the quality of each of our lives better.

I cannot say enough about the great effort put forward on a day-by-day basis by the team of professionals we have here in Town Hall. We have an exceptional staff that gets the job done no matter what and they are committed to a life of public service. What they accomplish individually and collectively, especially given the economic environment, is extraordinary.

We as a Council are fortunate to have a highly talented and knowledgeable staff with a great deal of experience that we can turn to for valuable advice when considering changes to policies and/or establishing programs. They are professionals in every sense of the word and we are lucky to have them as resources.

Thanks to strong policies of accountability and transparency being put in place by our Town Manager, Mr. Taber, our residents and businesses will see improved communication. All are provided with access to the same information and support materials Town Council and Boards and Commission are provided with prior to actual meetings. He and his staff are working hard to restore trust and confidence in our organization. They have started meeting with local and regional partners as well as local and regional business leaders to establish better working relationships, to open the lines of communication, to seek their input and to encourage an honest and frank discussion on the issues and challenges we are faced with.

I join our Town Manager in encouraging you, the citizens, to reach out to us and share your concerns, recommendations and opinions.

It is never easy making decisions that affect the lives of the people who live and do business in a community. We do not take this responsibility lightly, and we make these decisions with the knowledge that we cannot please everyone.

As Mayor I would rather we make hard decisions that although not popular at the time, are the best choice for the long-term growth of the Town. It is always easier to make decisions that may be popular at the moment, but are not necessarily the best choice for the future growth of the Town.

This year the Town Council, the Town Manager, and I, will work even harder to serve the community in a way that will ensure accountability to all taxpayers.

My job as Mayor is to keep us on track. To see that we, as a government, continue to make decisions which are in the best interest of all our residents, and to streamline operational costs where it makes sense and continue to invest in the areas that need investing.

As Mayor, I promise to work with our Town Council and talented staff to develop responsible policies and initiatives to shape the future growth of our community. The Town is on the threshold of transforming from a place people drive through to a place people come to live, work and visit.”

IN RE: ACTION ITEMS

**A. REZONING – PUBLIC HEARING – PROPERTY LOCATED AT 17650 POSSUM POINT ROAD FROM B-1 TO FB/O-1, JJ CAPITAL ONE, LLC**

David Moss, Town Planner/Zoning Administrator, advised the rezoning is for 17650 Possum Point Road approximately 500 feet east of the intersection of Route 1 immediately behind one of the red brick office buildings that is located on Route 1. The proposed rezoning is to change from the current zoning of B-1, which matches the properties on Route 1, to Flex Business/Office, which matches the properties immediately to the southeast of the property. The property is mostly surrounded by B-1; office uses on the northwest side, industrial and flex office uses on the southeast side with some townhouses, and other residential uses are located on the northeast side. This is a straight rezoning with no proffers or development plan proposed. The owner of the property plans, over time, to enhance the building. Some improvements will need to be made to the parking lot due to stormwater management issues, which is separate from the rezoning. The long-range land use plan shows the bulk of the property as being Light Industrial – Flex Industrial/Office with the front of the property being Greenway/Open Space/Recreational-Limited Development simply because of the easement for the electrical lines. The current uses of the property include Image Church and an import/export business.

The applicant had no additional comments.

The public hearing was opened to public comments.

There being no comments the public hearing was closed.

Ms. Washington made the motion, which was seconded by Ms. Barr, to introduce the ordinance for the rezoning of 17650 Possum Point Road from B-1 to FB/O-1.

Mr. Toney asked if the church would be a by-right use with the rezoning.

Mr. Moss advised that the church as of September 20, 2011 became non-conforming and if the rezoning is approved it will bring it back into conformity.

The motion carried by the following roll call vote: Ms. Barr yes; Mr. Foreman, yes; Ms. Forrester, yes; Ms. Jurgensen, yes; Mr. Toney, yes; Ms. Washington, yes; Ms. West, yes.

**B. ORDINANCE PUBLIC HEARING – TO RATIFY, RECONFIRM, AND READOPT THE OFFICIAL ZONING MAP**

Mr. Moss advised that based on Council adopting the ordinance for the rezoning, presented prior to this matter, at the next Town Council meeting, Council will then vote on updating the zoning map. The map shows the various zoning districts, the historic district overlay, and the resource protection areas as mapped by the Prince William County Mapper. The reason for updating and readopting the zoning map is because it has not been done for many years, some changes were made, and property was rezoned. The zoning map was not kept up to date which has caused some confusion on what the actual zoning is on some property in the Town and the reason for ratifying, reconfirming, and readopting the zoning map. Again, the map reflects the rezoning applied

for at 17650 Possum Point Road, which will be voted on prior to adopting the ordinance for the zoning map at the next Council meeting.

The public hearing was opened to public comments.

There being no comments the public hearing was closed.

Mr. Foreman questioned the corner of Graham Park Road and Main Street being zoned B-2, neighborhood business, rather than B-1, general business, where the Dunkin Donuts is currently located.

Mr. Moss explained that was the former zoning of the property. The Town would not actively pursue changing the zoning; however, the property owner could.

Ms. Barr made the motion, seconded by Ms. Washington, to introduce the ordinance to ratify, reconfirm, and readopt the official zoning map. The motion carried by the following roll call vote: Ms. Barr yes; Mr. Foreman, yes; Ms. Forrester, yes; Ms. Jurgensen, yes; Mr. Toney, yes; Ms. Washington, yes; Ms. West, yes.

**C. 2012 COMPREHENSIVE PLAN PUBLIC HEARING**

Mr. Moss reminded Council that a presentation was given about a month and a half ago at which time he went over the overriding policies for the Comprehensive Plan being updated and an explanation of the process. Subcommittees were formed for land use, transportation, and the historical and cultural resources portions of the Comprehensive Plan. The Plan was Town driven by including members of Council, citizens, Planning Commission members, engineers, architects, business owners, and people who work in the Town. Prince William County was provided with a copy of the changes being proposed. Although the section dealing with Prince William County’s plans for around the Town was not being updated, they requested that section be updated to coincide with their Comprehensive Plan. Some of the other changes made were based on comments made by from Council members. The changes included deleting sentences that were unclear, changes to sentences to be more in focus with the other parts of the Plan, a couple of policies were amended, and grammatical and formatting errors were corrected. Some of the specific changes noted are as follows.

**Original Proposed Language**

**Final Proposed Language**

Cost:

Current Projected Cost as of 7/1/11:

Develop a plan that considers the impact of a development in this flood prone area.

Develop a plan that considers the impact of a development in floodplain areas.

Because the continued presence of underutilized and blighted properties along the Main Street area combined with the Town’s desire to revitalize the Main Street area offers several additional opportunities for redevelopment, encourage a mixture of both high and medium density residential and commercial uses in and around the Main Street area to improve the economic

Encourage a mixture of both high and medium density living and working areas to improve the economic vibrancy of the area and to create a sense of community that enhances the identity, cohesiveness and pride of the community for its Main Street area

vibrancy of the area and to further promote a pedestrian friendly environment.

Additionally, all dates referring to the 2011 Plan were changed to 2012. The colors used in the plan were updated to reflect colors that are part of the officially adopted Architectural Review Board color chart to continue to promote the historic nature of Virginia’s Oldest Town.

The public hearing was opened to public comment.

There being no comments the public hearing was closed.

Ms. Washington asked if you were located in the Historical District if the color chart that was referred to had to be used or if a color that falls within the historical realm could be used.

Mr. Moss explained that there is some flexibility; however, the chart includes 149 colors. He noted there are specific colors that one can aim for to try to match the color.

Mr. Toney questioned the change made to include businesses of all sizes in employment centers to encourage a fair degree of mixed uses.

Mr. Moss explained that employment centers, in economic development terms, are aimed at larger employers like technology firms, big office companies, and consultants; however, with the way it was written it did not allow for smaller businesses that might want to serve the larger businesses and this tries to incubate some of those smaller businesses.

Mr. Toney asked about a business the size of a WalMart locating in an employment center.

Mr. Moss explained that an employment center is specifically aimed at larger businesses, technology firms, corporations, and is not for retail.

Mr. Toney pointed out that the proposed change below included the word “in” and it did not seem to fit.

Continue to preserve, develop, and support the Weems Botts Museum, Merchant Park, Williams Ordinary, and other sites identified by the Town in through ongoing education and promotion.

Continue to preserve, develop, and support the Weems Botts Museum, Merchant Park, Williams Ordinary, Prince William County Courthouse (Fourth) and Jail site, Quantico Church Site and Dumfries Cemetery, Tebbs-Mundy House Site, and other sites identified by the Town in through ongoing education and promotion.

Mr. Moss agreed that the word “in” needed to be removed.

Ms. West questioned the Potomac and Rappahannock Transportation Commission Transit Center being located on Dale Boulevard and not Telegraph Road.

Mr. Moss noted that the Transit Center borders both Dale Boulevard and Telegraph Road.

Ms. Jurgensen asked whether the Prince William County Courthouse was the actual final proposed language.

Mr. Moss noted it was. The Prince William County Courthouse (Fourth) and Jail site refers to the property on Main Street that was the fourth courthouse of Prince William County.

Ms. Barr thanked everybody who was involved in updating the Comprehensive Plan.

Ms. Barr made the motion, seconded by Ms. Washington, to approve the resolution adopting the 2012 Comprehensive Plan with the one amendment noted previously. The motion carried and the following resolution was adopted by the following roll call vote: Ms. Barr yes; Mr. Foreman, yes; Ms. Forrester, yes; Ms. Jurgensen, yes; Mr. Toney, yes; Ms. Washington, yes; Ms. West, yes.

**A RESOLUTION TO ADOPT THE 2012 COMPREHENSIVE PLAN  
OF THE TOWN OF DUMFRIES**

WHEREAS, the 2012 Comprehensive Plan of the Town of Dumfries is a guide for the physical development of the territory within the Town of Dumfries; and

WHEREAS, a comprehensive plan update committee, under the authority of the Planning Commission, studied existing conditions and trends of growth; and

WHEREAS, the 2012 Comprehensive Plan has been made with the purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the territory which will, in accordance with present and probable future needs and resources, best promote the health, safety, morals, order, convenience, prosperity and general welfare of the inhabitants, including the elderly and persons with disabilities; and

WHEREAS, the Town of Dumfries Planning Commission, after holding a duly advertised public hearing at their November 7, 2011 meeting, recommended that Town Council adopt the 2012 Comprehensive Plan of the Town of Dumfries; and

WHEREAS, the Dumfries Town Council held a duly advertised public hearing on January 3, 2012; and

WHEREAS, the Dumfries Town Council finds that the 2012 Comprehensive Plan is general in nature, contain goals for the provision of transportation infrastructure, include long-range recommendations, and otherwise conforms to the requirements of Virginia State Code.

NOW, THEREFORE BE IT RESOLVED by the Council of the Town of Dumfries on this the 3rd day of January, 2012 that the 2012 Comprehensive Plan of the Town of Dumfries is hereby adopted.

**D. RECORDING PLANNING COMMISSION, ARCHITECTURAL REVIEW BOARD,  
AND BOARD OF ZONING APPEALS MEETINGS – DEBI SANDLIN**

Ms. Sandlin noted the Town Attorney and Town Planner/ Zoning Administrator recommended that the Planning Commission (PC), Architectural Review Board (ARB) and Board of Zoning Appeals (BZA) public hearings and meetings be recorded. At the October 11, 2011 meeting, Council discussed the matter and made the decision to defer any further discussion until staff had an opportunity to get feedback from the respective boards and commissions on recording meetings and gather information from other localities on how they handle recording their boards and commissions. The primary concerns were that free flow of discussion would be

curtailed and seats that become vacant would be difficult to fill. Staff found that each of the four jurisdictions spoken to, which included the Town of Leesburg, City of Falls Church, City of Fairfax, and the City of Fredericksburg, recorded all of their boards and commission meetings in their entirety from beginning to end and strongly recommended the Town consider doing the same. She explained that takes away the he said, she said that might have taken place in a meeting. Staff has provided six recommendations for Council to consider.

Mr. Foreman pointed out that staff recommended option 4. "To video, audio record and broadcast live all PC and BZA meetings and public hearings for viewing by residents and members of the business community unable to physically attend the meetings but can watch from home." He wanted the following wording included from option 2, "to upload to the Town website" to afford the opportunity for business owners, who do not live in the Town, to view the meetings.

Ms. Sandlin noted that recommendation was for the PC and the BZA and there was a separate recommendation for the ARB.

Mr. Foreman wanted the website included for all the options since that is where most people will view the meetings.

Mr. Foreman made the motion to go with option 4 with the added language, to upload to the Town website for viewing by the general public.

Ms. Sanders asked for clarification on whether that was to include the ARB.

Mr. Foreman indicated it was.

Ms. Sandlin stated that was what she was trying to clarify since staff gave a separate recommendation for the ARB.

Mr. Foreman added to his motion, to include the ARB.

Ms. Washington asked that the motion be read aloud so that everyone could hear and understand the motion.

Mr. Foreman made the motion, which was seconded by Ms. Barr, to video, audio record and broadcast live all PC, BZA, and the ARB meetings and public hearings for viewing by residents and members of the business community unable to physically attend the meetings but can watch from home and to upload to the Town's website for viewing by the general public and/or keep on file in the Town Hall.

Ms. West questioned adding the ARB since staff had made a separate recommendation. She understood that at the joint meeting with the ARB held on December 13 they only wanted the recording when they were approving an application for a Certificate of Appropriateness.

Ms. Sandlin noted that was correct. The recommendation was to include recording any cases before the ARB for consideration of a Certificate of Appropriateness or any policy recommendations that would be brought before Council for consideration.

Ms. West asked if the motion that was made goes beyond what the ARB was willing to accept.

Ms. Barr asked if the ARB was included in the motion.

Several Council members confirmed that the ARB was included in the motion.

Ms. Barr withdrew her second to the motion.

Mr. Foreman withdrew his motion.

Mr. Foreman made the motion, which was seconded by Ms. Washington, to video, audio record and broadcast live all PC and BZA meetings and public hearings and to upload to the Town website for viewing by the general public, the residents, and members of the business community unable to physically attend the meetings but can watch from home. The motion carried by the following roll call vote: Ms. Barr yes; Mr. Foreman, yes; Ms. Forrester, yes; Ms. Jurgensen, yes; Mr. Toney, yes; Ms. Washington, yes; Ms. West, yes.

Mr. Foreman made the motion, which was seconded by Ms. Barr, to audio record all ARB meetings to use for clarification on comments made by an applicant requesting a Certificate of Appropriateness or members of the ARB during the discussion of a case and to record discussions on any policy or recommendations the ARB will be taking to Council to consider. The motion carried by the following roll call vote: Ms. Barr yes; Mr. Foreman, yes; Ms. Forrester, yes; Ms. Jurgensen, yes; Mr. Toney, yes; Ms. Washington, yes; Ms. West, yes.

**E. PARTIAL RELEASE OF EROSION AND SEDIMENT CONTROL BOND FOR DANFORTH HOMES LLC – GREGORY TKAC**

Mr. Tkac advised a letter was received from Mr. Leinberger of Danforth Homes LLC requesting the reduction of an erosion and sediment control bond for the Miller & Erbe project located at 17682, 17700 and 17674 Possum Point Road. Staff recommends retaining 20 percent of the original bond amount, which would be \$5,641.70. This subdivision has half the town homes built and the remaining balance will secure erosion and sediment control items that will be required when ground is broken for the next five town homes.

Mr. Toney made the motion, seconded by Ms. Jurgensen, to approve the resolution partially releasing an erosion and sediment control bond for Danforth Homes LLC. The motion carried and the following resolution was adopted by the following roll call vote: Ms. Barr yes; Mr. Foreman, yes; Ms. Forrester, yes; Ms. Jurgensen, yes; Mr. Toney, yes; Ms. Washington, yes; Ms. West, yes.

**A RESOLUTION TO PARTIALLY RELEASE AN EROSION AND SEDIMENT CONTROL BOND FOR MILLER AND ERBE SUBDIVISION**

WHEREAS, on September 26, 2006, Danforth Homes LLC, (Danforth) posted an erosion and sediment control bond (the E & S Bond) with the Town of Dumfries, (the Town) in the amount of \$28,208.50 for the construction of erosion and sediment controls necessitated by the construction of the Miller and Erbe Subdivision located at 17682, 17700, and 17674 Possum Point Road; and

WHEREAS, the Department of Public Works (DPW) has reviewed the project, and it recommends releasing all but 20 percent of the E & E Bond or releasing \$22,566.80 to Danforth; and

WHEREAS, DPW recommends retaining twenty percent (20%) of the E & S Bond or \$5,641.70 for the construction of erosion and sediment controls which may be necessitated by the construction of the final phase of the project.

NOW, THEREFORE BE IT RESOLVED by the Council of the Town of Dumfries on this the 3rd of January, 2012, that \$22,566.80 of the E & S Bond be returned to Danforth.

**F. PARTIAL RELEASE OF PERFORMANCE BOND FOR DANFORTH HOMES LLC  
– GREGORY TKAC**

Mr. Tkac advised a letter was received from Mr. Leinberger of Danforth Homes LLC requesting the reduction of a performance bond for the Miller & Erbe project located at 17682, 17700 and 17674 Possum Point Road. Staff recommends retaining 10 percent of the original bond amount, which would be \$25,333.00. The remaining bond would be held to cover any damage that might occur to the existing infrastructure when the next five town homes are constructed.

Mr. Toney made the motion, seconded by Ms. Barr, to approve the resolution partially releasing the performance bond for Danforth Homes LLC.

Ms. West asked if the pile of hardened cement bags have been cleared away.

Mr. Tkac did not recall whether the cement bags were still there, but he would check.

The motion carried and the following resolution was adopted by the following roll call vote: Ms. Barr yes; Mr. Foreman, yes; Ms. Forrester, yes; Ms. Jurgensen, yes; Mr. Toney, yes; Ms. Washington, yes; Ms. West, yes.

**A RESOLUTION TO PARTIALLY RELEASE A PERFORMANCE BOND FOR MILLER  
AND ERBE SUBDIVISION**

WHEREAS, on September 26, 2006, Danforth Homes LLC, (Danforth) posted a performance bond (hereinafter “the Bond”) with the Town of Dumfries, (hereinafter “the Town”) in the amount of \$253,333.02 of which the Town is still holding \$126,667.52 for the construction of project infrastructure at the Miller and Erbe Subdivision located at 17682 , 17700, and 17674 Possum Point Road; and

WHEREAS, the Department of Public Works (DPW) has reviewed the project as it exists today and it recommends releasing \$101,334.52 of the Bond to Danforth; and

WHEREAS, the DPW recommends retaining \$25,333.00 (representing 10% of the original bond amount) of the Bond for surety that Danforth will complete the items outstanding on the project infrastructure for the project to date.

NOW, THEREFORE BE IT RESOLVED by the Council of the Town of Dumfries on this the 3rd of January, 2012, that \$101,334.52 of the Bond be released to Danforth.

**IN RE: STAFF COMMENTS  
A. TOWN MANAGER – DAN TABER**

Mr. Taber reported the following items.

- The mid-year budget review will be done at the February 7 meeting.
- Notification was received from the Commonwealth regarding a 6.47 percent increase in rates for the Virginia Retirement System (VRS) for fiscal year 2013/2014. Discussions will occur in the General Assembly this session about revenue and distribution of funds to localities, which will be part of the fiscal year 2013 budget proposal presented to Council.
- Dennis Leake of the Potomac Landfill has requested the opportunity to make a presentation to Council dealing with issues surrounding the operation of the landfill. The Mayor has met with Mr. Leake. Mr. Leake indicated the presentation would take approximately two and a half hours, which makes it difficult to do at a regularly scheduled meeting. One of the options Council has is to hold the meeting on a Saturday. The Saturday that seems to be open and allows for proper notification to the public would be on Saturday, January 28, at 9 a.m. or another time depending on what Council decides.

Ms. West advised that she met with Mr. Leake and Mr. Reed for about three hours back in December. She felt the entire Council needed to get the information at the same time from Mr. Leake. She noted several proposals were made during the discussion in addition to talking about the problems at the landfill.

Mr. Toney was contacted by Mr. Leake to have a meeting too. He felt that it was appropriate for Mr. Leake to meet with the Mayor since she represents the Council. He suggested that Ms. West make the recommendation whether to proceed with a meeting since she met with Mr. Leake for three hours.

Ms. West noted there was a lot of material covered during the meeting with Mr. Leake. She recommended Council meet with Mr. Leake so that everyone can get answers at the same time to any questions.

Ms. Washington asked if the information could be condensed and materials provided prior to the meeting in order to be prepared and keep the meeting from being long.

Mr. Taber mentioned he had requested the presentation be shortened to an hour, which would allow it to be given at a regular meeting. Mr. Leake indicated that would be very difficult and stated that if the meeting were held on Saturday, January 28, that he would provide as much written material as he could prior to the meeting. It would be within Council's purview to set a timeframe for the meeting.

Ms. West thought that Ms. Washington had a good suggestion. She agreed that there should be a timeframe with information provided prior, if Council decides to have the meeting.

Ms. Washington noted that another way would be to have different groups working on different items with a report given at the end if there is that much material to go over.

Ms. Forrester understood that the meeting should not take up a whole Saturday; however, she thought it was important that Council not limit the time on a business who wants to come and share. Just like any other meeting held outside the regular schedule citizens can attend, stay as long as they want, or not attend. One

Council member may want to hear about something that another member does not. Any Council member has the ability to leave too.

Ms. West asked Ms. Forrester if she was saying that any Council member could stay afterwards to ask questions if the meeting were set for 9:00 a.m. to 11:00 a.m.

Ms. Forrester agreed that was correct.

Mr. Foreman pointed out the meeting is open to the public. He did not understand why documentation could not be burned to a single disc, provided to the Town, and distributed to Council. He would read all the documentation provided. Any questions Council has can be provided in advance, if the materials are provided in a timely manner. Based on those questions Mr. Leake would know what documents needed to be discussed which would eliminate the majority of them. He envisions Mr. Leake providing an agenda with a minimum amount of documentation, coming to the meeting, and providing more documents. If that is the case, Council will be there for a long time. He explained that there are seven different people, with seven different personalities, looking at the documents seven different ways. Put the onus on the landfill to provide a disc by next Friday, which will allow two weeks for Council to look at the materials. He read the Comprehensive Plan three times and when staff held its meeting, everyone was gone in 30 to 45 minutes. The documents are going to be public record and there should be no closed meeting materials. This would allow Council to read it, highlight it, and provide questions. He was sure additional questions would come up once the meeting starts, but this would assist in the process.

Ms. Jurgensen made the motion, seconded by Mr. Foreman, to meet with Dennis Leake and possibly Burwin Reed on January 28 at 9:00 a.m. in Council Chambers.

Mr. Toney clarified that he did not refuse to meet with Mr. Leake. He felt it was appropriate for Mr. Leake to meet with the Mayor. If the Mayor were unable to meet with Mr. Leake then as Vice-Mayor, he would have met with Mr. Leake. He felt it was inappropriate to meet with Mr. Leake and should receive the information at the same time his colleagues did. He wanted to make it clear that there was no lingering animosity from prior encounters.

The motion carried by the following roll call vote: Ms. Barr yes; Mr. Foreman, yes; Ms. Forrester, yes; Ms. Jurgensen, yes; Mr. Toney, yes; Ms. Washington, yes; Ms. West, yes.

It was noted that the recommendations made by Council would be passed on to Mr. Leake in order to streamline the conversation on Saturday, January 28.

**B. CHIEF OF POLICE – ROBERT FORKER**

Chief Forker reported the following items.

- The “Christmas in Dumfries” event was held on December 3 with over 50 children participating. He thanked the Council members, staff, and citizens who donated money and/or time to make the event a success.

- The Holiday Parade was held on December 10. The Police Department provided 19 officers, the County's Sheriff's Office provided three Deputies, the Dumfries Rescue Squad provided four members, and six of the Town's Officers assisted. This event was very successful. Some suggestions were made for improvement for the Police Department that are being considered to make the event even better.
- The Police Department hired a new officer, Officer Tyler Merritt. Officer Merritt was unable to attend since he was at the range qualifying.
- Rebecca Edwards who was hired to fill the vacant Captain's position. She started as a Patrol Officer in Fishers, Indiana when there were only 10 Officers. She was a player as the department grew to 46 Officers where she also grew through the ranks of the Police Department. She was a vital part of the growth and played a role in establishing and developing community and police initiatives. She is a graduate of Ball State University and a graduate of the FBI's National Academy. She came to Spotsylvania County as a civilian employee, was sworn in as a Deputy, and rose to the rank of Major. At the time she left, she was number three in the hierarchy of the Sheriff's Department that had over 250 sworn Officers.

Chief Forker introduced Captain Edwards.

Ms. West congratulated Captain Edwards and welcomed her to the Town of Dumfries. She felt it spoke a lot about the Town to be able to recruit people of her caliber and shows that the changes made by Mr. Taber and Chief Forker have helped the Police Department.

Captain Edwards was honored to be selected for the position. She visited the Town on several occasions and was impressed with the enthusiasm of the citizens living in the Town. She thanked the staff she met earlier in the day who were very friendly and welcomed her. She was looking forward to moving Dumfries forward.

Chief Forker noted there was importance in getting involvement from the community during the interview process. He thanked Bob Price, a citizen, who was asked to sit on the interview panel, for his assistance.

Captain Edwards took the Oath of Honor pledge.

Ms. Barr thanked the Officers who were in the Knolls of Dumfries that assisted with the water main break. She noted there has not been an incident that was not handled right away.

**C. DIRECTOR OF PUBLIC WORKS – GREG TKAC**

Mr. Tkac reported the following items.

- Public Works enjoyed assisting with the Christmas Parade.
- In February, a new waterline will be going in on the eastbound side of Mine Road. The Prince William County Service Authority issued a six-month contract for the construction of the waterline. He did not think it would take six months and anticipated a five to ten day installation

time. Residents will be notified of road closures on the blackboard, at Council meetings, and with variable message signs. The Town has not received a fully developed traffic plan. There will be no notice to proceed given until it can be communicated to the citizens and Council exactly how the project is going to proceed. While the project is underway, improvements will be made to the curve by the cemetery. The road will be widened to the south and a ditch will be created. In essence, the westbound lane will be further south allowing for better drainage with super elevation done to the curve, which will assist with the problems of pooling water and ice.

Ms. West understood that the County would be putting in the waterline and the Town will be doing the ditch area.

Mr. Tkac confirmed that was correct. He noted that the work would be done simultaneously because of the paving.

Ms. West asked who would be coordinating the closures.

Mr. Tkac advised the Prince William County Service Authority would be handling the closures and the notification. He wanted to make sure that dual efforts occurred to properly communicate to the residents what will be taking place.

Ms. West wanted to make sure that notification would be given several days in advance to alert people of the closure.

Mr. Tkac indicated the variable message signs would be used for that purpose.

Mr. Taber asked Mr. Tkac to provide an update on the work that is being done on Washington Street.

Mr. Tkac noted that as part of the stormwater management system program staff is going through the whole Town to determine where deficiencies are with stormwater management. One of the major issues is on Washington Street that has progressed to Fairfax Street. Staff has identified and is making repairs to pipes that have never functioned properly due to being improperly installed. The work should be completed by the end of the week.

Ms. Jurgensen had read that Public Works was working closely with the consultant finalizing the proposed detention facility for the Tripoli Heights project. She wanted to know where staff was with the right of way negotiations.

Mr. Tkac needed to schedule a meeting with Mr. Taber and Ms. Sanders to discuss what protocol will be used for the acquisition of property that will be provided to the consultant who is ready to move forward.

Ms. Jurgensen questioned receiving a letter two months ago indicating someone would be talking to the residents.

Mr. Tkac advised that there has been activity regarding the project. He mentioned discussions have been held with the various utilities to make sure the easements the Town sees as being needed for the project will also incorporate future needs.

Ms. Jurgensen asked if the groundbreaking was going to occur in the spring of 2012.

Mr. Tkac noted that would be when it will be advertised.

Ms. Jurgensen asked what advertised meant.

Mr. Tkac indicated that is when the Town will be going out for the contractor. At the end of spring, the Town should be breaking ground.

Ms. Jurgensen asked Mr. Taber about the bonds the Town received for the project.

Mr. Taber noted that there is money set aside for the project. He explained that with any project things that do not appear on the surface cannot be predicted.

Ms. Jurgensen asked when the Town has to start paying back the bond money.

Mr. Taber noted there is some bond money being paid in fiscal year 2013; however, this particular bond will start being paid in fiscal year 2014.

Ms. Jurgensen understood that no bond money for this project has been spent.

Mr. Taber noted that would be with the exception of some initial consulting money.

Mr. Tkac advised that none of the bond money received for this project have been used. He noted the consulting fees were coming out of the urban construction funds.

Ms. Jurgensen pointed out that the Town is going to have to start paying back this debt soon and nearly two years have already gone by with no work being done.

Mr. Taber advised that during the budget presentation he would try to paint a better picture of the debt service and when it will be due.

Ms. West mentioned the money put aside for the streetscape needed to be looked at too.

Ms. Washington thanked staff for the temporary work that is taking place on Mine Road. She asked if the repairs that are being done in February would include running a pipe under the road.

Mr. Tkac noted that is the plan.

**D. DIRECTOR OF COMMUNITY & ECONOMIC DEVELOPMENT – DEBI SANDLIN**

Ms. Sandlin reported the following items

- Meetings have been held between the Town's Project Team (the Town Manager, Town Attorney, Town Planner, Director of Public Works and Assistant Director of Public Works) and Mr. Singh's Project Team to discuss the amended responses submitted by the applicant for staff to consider to the First Town Center project.
- The Town Planner continues working on the "Occupancy Update" project. A letter is being prepared to be included in the 2012 tax bills to as part of a comprehensive enforcement program.
- Statistics on Traffic Sources for the Website
  - i. Search Engines – Internet – 72.45%
  - ii. Direct Traffic – 16.31%

iii. Referring Sites – referred to from another site like the Chamber of Commerce – 11.24%

Mr. Foreman noted that Mr. Singh provided a concept for the building next door that included a restaurant, which was approved, that has ended up being something else. He wanted staff to ask Mr. Singh what he was going to do to attract and ensure there is a restaurant in this Town.

Ms. Sandlin noted staff could ask.

Ms. West asked what was moving in on the ground floor of the building next door.

Ms. Sandlin noted it was Lead to Succeed, a defense related company.

Mr. Toney asked if that space was marked for a restaurant.

Ms. Sandlin noted that it was marked for retail, not specifically a restaurant.

**E. DIRECTOR OF COMMUNITY SERVICES – CYDNY NEVILLE**

Ms. Neville thanked everyone who helped with the parade: especially Council, staff, the Police Department, the Public Works Department, and the Committee, which included Ms. Jurgensen and Mr. Toney. She mentioned the parade was a lot of work, her first parade, and was a total learning curve. She looked forward to doing it again on December 8, 2012. She hoped there would be more volunteers next year and thanked those who volunteered and participated. On the Town's facebook page, there are pictures and a video. She went over the following coming events. She thanked Mr. and Mrs. Claus for taking the time to come to Dumfries.

- The next Senior Luncheon is scheduled for January 20.
- The Annual Black History Month Celebration will be held February 11 at Little Union Baptist Church. The time is to be determined and announced later.

Ms. Barr mentioned that she used TechSmith when she was posting pictures to the Town's website.

Ms. Neville noted that several other things were tried like YouTube.

Ms. Johnson noted that the Town's website would be using Ustream in the near future.

Mr. Foreman asked when the Quantico Creek cleanup would be this year.

Ms. Neville indicated that a meeting was being held in order to schedule all of the event dates for this year and next year. She noted she would follow-up with Council next week.

Mr. Foreman advised that he spoke with the Quantico Marine Corps Band about participating in this year's parade. He went ahead, submitted the request, and provided the documentation to Ms. Neville. He noted that a confirmed commitment could not be made until 90 days prior to the event and that a phone call would need to be made in September to follow-up.

Ms. Neville mentioned she was hired in October and when she contacted them, they already had a commitment.

Mr. Toney felt the point was being missed that Ms. Neville was hired in October and was able to pull off the parade, which goes back to the comments the Mayor has made about how professional the Town's staff is. It

was a pleasure for him to work with Ms. Neville and he looked forward to working with her in the future on other events.

Mr. Foreman was not insinuating anything and just wanted to make sure that the Town was scheduled for this year.

Ms. West thanked Ms. Neville for all the work that was done on the Senior/Staff/Council Christmas Luncheon. She thought it was the best the Town has ever had.

Ms. Neville acknowledged the help of Dawn Hobgood, Town Clerk, and Retta Ladd, Treasurer.

Ms. West noted it was nice to have an elf on staff.

Mr. Toney mentioned the singing Police Officer.

Ms. Washington congratulated Ms. Neville on the tutorial session that is being offered. She and the Principal of Dumfries met with Ms. Neville and were very impressed with all the work that was being done and that the effective parenting classes would be offered. She wanted to meet with Ms. Neville, along with any other members of Council, to see about getting some business and community partners to help with the fee since there is a \$40.00 charge. She did not want to see anyone left out because of financial reasons. She wanted to make sure that all the parents were aware that the classes were being offered.

Ms. Neville noted the classes are being advertised through the Cooperative Extension and in the Dumfries Charter Newsletter.

Ms. Washington suggested checking with the school system about getting some flyers out.

Ms. West requested that staff change the names on the indicator panel.

**IN RE: COUNCIL COMMENTS**

Ms. Washington challenged parents in the community to become more involved in their children's education by being part of the Parent Teacher Association or the Parent Teacher Organization who are not just in need of fees but also parents to volunteer.

Ms. Barr thanked those individuals who participated in the events last year, those who have attended meetings this past year, and she hoped to see the attendance continue.

Ms. Jurgensen felt it was vital to the community to have volunteers participate actively and engage the youth. Some great youths are out there that need inspiration and mentors. She suggested contacting Cydney Neville to get involved.

Mr. Foreman noted that last year was his first year participating in the Quantico Creek cleanup. He had fun, learned a lot about the Town and Quantico Creek, and is a real community event. He challenged the churches, non-profits, Girl Scouts, and Boy Scouts to come out. The event is typically over by 1:00 p.m., usually with food being provided. It is a great opportunity to meet people, build camaraderie, and get to know the Town.

Mr. Toney welcomed Captain Edwards. He mentioned that the Ginn Memorial Park Committee has met twice. He noted that the Committee has showed a real interest in the development of the park. He thanked Mr. Taber for his support provided through Mr. Tkac, who has taken a lead on the project. He was impressed by the offer from the Girl Scouts to volunteer and that shows that people are really taking an interest. He wanted the citizens to know that the project is moving forward. He thanked Chief Hester from the Rescue Squad for his assistance and resources moving forward.

Ms. West asked about the property that the Port of Dumfries offered to donate.

Mr. Taber advised that he has not received a response from his letters or emails.

Ms. Barr suggested discussing that during the joint meeting with the Homeowners Association.

Ms. West asked when that was scheduled.

Ms. Barr noted she had not seen the schedule yet.

Mr. Taber noted that the meetings have not been scheduled yet.

Ms. West spoke with Maureen Caddigan, Supervisor for Prince William County for the Dumfries District, who is willing to meet quarterly with Council. She requested that Mr. Taber contact Susan Roltsch, Deputy County Executive of Prince William County, to schedule a meeting for late February or early March.

**IN RE: CLOSED SESSION**

Ms. Jurgensen made the motion, seconded by Ms. Barr, to convene into closed session. The motion carried and the following resolution was adopted by the following roll call vote: Ms. Barr yes; Mr. Foreman, yes; Ms. Forrester, yes; Ms. Jurgensen, yes; Mr. Toney, yes; Ms. Washington, yes; Ms. West, yes.

**WHEREAS, the Dumfries Town Council desires to discuss a particular subject in Closed Session during the course of its meeting of January 3, 2012; and**

**WHEREAS, the nature of the subject is the discussion and consultation with legal counsel regarding probable litigation. The discussion of same in Closed Session is expressly permitted by Section 2.2-3711(A)(7) of the Code of Virginia, 1950, as amended.**

**NOW, THEREFORE, BE IT RESOLVED that the Town of Dumfries does hereby convene in Closed Session for the purpose(s) herein expressed pursuant to the legal authorities herein recited.**

Mr. Foreman made the motion, seconded by Ms. Forrester, to reconvene into open session. The motion carried and the following resolution was adopted by the following roll call vote: Ms. Barr yes; Mr. Foreman, yes; Ms. Forrester, yes; Ms. Jurgensen, yes; Mr. Toney, yes; Ms. Washington, yes; Ms. West, yes.

**WHEREAS, the Town Council of Dumfries has completed its discussion in Closed Session, and now desires to continue its meeting in Open Session; and**

**WHEREAS, each and every member of this said Council who votes affirmatively for the adoption of this Resolution does thereby certify that, to the best of his/her knowledge, only public business matters lawfully exempted from Open Session were heard, discussed, or considered during the Closed Session, and that the only subjects heard, discussed, or considered in said Closed Session were the matters identified in the Resolution by which it was convened.**

NOW, THEREFORE, BE IT RESOLVED that the Town of Dumfries does hereby reconvene in Open Session at its meeting of January 3, 2012 and certifies the matters set forth in Section 2.2-3712(D) of the Code of Virginia, 1950, as amended.

Mr. Foreman made the motion, seconded by Ms. Jurgensen, to request ENS return all equipment and materials purchased with DCJS grant number 11-A2154AD08 funds or in the alternative request ENS pay the Town for the value of these items. The motion carried and the following resolution was adopted by the following roll call vote: Ms. Barr yes; Mr. Foreman, yes; Ms. Forrester, yes; Ms. Jurgensen, yes; Mr. Toney, yes; Ms. Washington, yes; Ms. West, yes.

**A RESOLUTION TO REQUEST ENS RETURN ALL EQUIPMENT AND MATERIALS PURCHASED WITH DCJS GRANT NO. 11-A2154AD08 FUNDS OR IN THE ALTERNATIVE REQUEST ENS PAY THE TOWN FOR THE VALUE OF THESE ITEMS**

WHEREAS, on June 29, 2010, the Town of Dumfries (the Town) entered into a contract with the Virginia Department of Criminal Justice Services (DCJS), under which DCJS agreed to provide grant funding to the Town for a program for services for at-risk youth; and

WHEREAS, ENS was to carry out this program under Project Frontline (Frontline); and

WHEREAS, the Town and ENS entered into a Memorandum of Agreement (MOA) for ENS's implementation of Frontline; and

WHEREAS, pursuant to Section 9.6 of the MOA *"Any equipment, data or material . . . purchased with grant funds shall remain the property of the Town. And when said equipment data or material is no longer needed by ENS for the performance of this AGREEMENT, it shall be returned to the Town"*; and

WHEREAS, ENS purchased equipment and materials with Grant funds; and

WHEREAS, the Town terminated its relationship with ENS under the Agreement; and

WHEREAS, subsequent to the termination of the MOA, the Town requested in correspondence dated August 25, 2011, September 22, 2011, and again on November 29, 2011, that ENS return the equipment and materials that ENS purchased with the Grant funds; and

WHEREAS, ENS has not returned the requested materials and equipment and has refused to return the materials and equipment that it acknowledges that it was purchased with Grant funds; and

WHEREAS ENS has demanded that the Dumfries Town Council (the Council) be notified of the request to return the materials and equipment and further, ENS asks that the Council allow ENS to keep the Grant funded equipment and materials; and

WHEREAS, pursuant to the rules governing the Grant to the Town, DCJS is auditing the Town's Grant and the ENS Frontline program; and

WHEREAS, the Town must properly account for all expenditures with DCJS Grant funds, including the purchase of equipment and materials with Grant funds.

**THEREFORE BE IT RESOLVED** by the Council of the Town of Dumfries on this the 3<sup>rd</sup> of January, 2012, that the Town Manager and Town Attorney are authorized to request the return of all materials and equipment purchased with Grant funds from ENS or in the alternative request ENS pay the Town for the value of these items.

**IN RE:           ADJOURNMENT**

There being no further business Ms. West adjourned the meeting.

Minutes submitted by

Approved by

---

Dawn Hobgood  
Town Clerk

---

Nancy West  
Mayor