

AT A REGULAR MEETING OF THE DUMFRIES TOWN COUNCIL, HELD ON OCTOBER 1, 2013, AT 7:00 P.M., IN COUNCIL CHAMBERS, 17755 MAIN STREET, DUMFRIES, VIRGINIA:

THERE WERE PRESENT: Mayor Gerald Foreman
Vice-Mayor Willie Toney
Charles Brewer
Kristin Forrester
Helen Reynolds
Derrick R. Wood
Daniel Taber, Town Manager

THERE WERE ABSENT: Gwen Washington

IN RE: CALL TO ORDER AND ROLL CALL

Mayor Foreman called the meeting to order. Dawn Hobgood, Town Clerk, took roll call.

Mayor Foreman received an email from Ms. Washington informing him that she would be unable to attend the meeting.

IN RE: MOMENT OF SILENT PRAYER AND REFLECTION AND PLEDGE OF ALLEGIANCE

There was a moment of silent prayer and reflection, then all in attendance recited the Pledge of Allegiance to the Flag of the United States.

IN RE: APPROVAL OF THE MINUTES

There were no minutes available for approval.

IN RE: ADOPTION OF THE AGENDA

Ms. Forrester moved, seconded by Mr. Toney to adopt the agenda as presented. The motion carried and was approved by the following roll call vote: Mr. Brewer, yes; Mr. Foreman, yes; Ms. Forrester, yes; Ms. Reynolds, yes; Mr. Toney, yes; Ms. Washington, absent; Mr. Wood, yes.

IN RE: CONSENT AGENDA

Mr. Foreman moved, seconded by Ms. Forrester, to approve the Consent Agenda as presented. The motion carried and the following resolutions were adopted by the following roll call vote: Mr. Brewer, yes; Mr. Foreman, yes; Ms. Forrester, yes; Ms. Reynolds, yes; Mr. Toney, yes; Ms. Washington, absent; Mr. Wood, yes.

Resolution Recognizing Jennifer Stringfellow for her Years of Service on the Architectural Review Board

Whereas, Jennifer Stringfellow was appointed to the Architectural Review Board (ARB) August 7, 2007, and appointed as Secretary July of 2008; and

Whereas, at the time of appointment Jennifer Stringfellow was a Museum Specialist at the National Museum of the Marine Corps and had three years of museum experience with the

federal government, including positions with the National Park Service and the National Museum of Natural History at the Smithsonian Institution; and

Whereas, Ms. Stringfellow holds a Masters degree in Anthropology/Museum Training from George Washington University and a Bachelor's degree in Historic Preservation from Mary Washington College; and

Whereas, Ms. Stringfellow used her wealth of knowledge in archaeology, preservation law, preservation planning, identification of architectural styles, and documentation of historic buildings to aid in the professionalism of the ARB; and

Whereas, while Ms. Stringfellow was on the ARB she took very accurate and detailed notes, was dedicated to preserving the historic character of the Town, and conducted extensive research when the Historic Design Guidelines were being created.

Now Therefore Be It Resolved that the Town Council of the Town of Dumfries does hereby recognize Jennifer Stringfellow's six years of dedicated service to the Town by serving on the ARB.

**Resolution Adopting Application for Committee, Commission, and Board
Appointments**

WHEREAS, the Town of Dumfries encourages citizen involvement and participation on Town Committees, Commissions, and Boards; and

WHEREAS, the Town Council has the sole authority in appointing qualified citizens to participate as members of Town Committees, Commissions, and Boards; and

WHEREAS, the Town Council wishes to appoint only those citizens that are qualified to serve as members of Town Committees, Commissions, and Boards; and

WHEREAS, the Town Council has decided that a background check is an appropriate tool that will help them select qualified individuals to serve on Town Committees, Commissions, and Boards; and

WHEREAS, the Town Council has discussed a proposed questionnaire and background check to be used in the selection process.

NOW THEREFORE BE IT RESOLVED, that the Town Council does hereby approve a limited background check for all applicants for appointment as citizen members of Town Committees, Commissions, and Boards and the use of the attached form to collect information needed to conduct an appropriate background check of such individuals.

were not for him, the project would not have happened. She recognized the following individuals who assisted on Saturday.

- Lexi Lashbaugh, Benjamin H. Russell, Katyana K. Russell, Ethan O. Russell, and William O'Kelly Russell
- Chris Padberg, who provided a truck and trailer, wheelbarrows, and other equipment.
- Richard Padberg, Mary Beth Padberg, Jack Padberg, and Khrissy Padberg
- Willie Toney
- Dan Taber, who donated tools and provided pizza, soda, donuts and coffee.
- Mayor Foreman and his wife, Carmela Foreman.
- Dumfries Nursery, who provided a substantial discount on the materials bought for the memorial.
- Chief Ester, who donated an additional bench.
- Lowes Home Improvement of Woodbridge, who donated five bags of concrete mix.

IN RE: MAYOR'S COMMENTS

Mayor Foreman expressed appreciation and recognized the volunteers and staff who work hard on the Town's events and strengthen the community.

IN RE: COUNCIL MEMBER COMMENTS

Ms. Reynolds thanked the staff and volunteers.

Mr. Toney thanked all of the individuals for the work done on the memorial at Ginn Memorial Park. He expressed condolences for the loss of Robert Wilson, who was a resident of the Town, and was killed in the recent Washington Navy Yard shootings.

Mr. Wood recognized October as Cancer Awareness Month. Graham Park Middle School is celebrating its 50th anniversary with a golf tournament on the 18th and on the 19th there will be additional activities at the school. The Parks and Recreation Commission is still seeking two members. He stated Business/Professional/Occupational License (BPOL) taxes generate \$300,000 per year and in order to replace that income the real estate tax rate would have to be increased by 11 cents. Until there is a way to replace that income feasibly, he could not support eliminating BPOL.

IN RE: PRESENTATIONS

A. RESOLUTION TO COMMEND THE DUMFRIES UNITED METHODIST CHURCH FOR ITS SERVICE TO THE COMMUNITY – MAYOR FOREMAN

Mayor Foreman presented a resolution to Pastor Dale Gillis commending Dumfries United Methodist Church for its service to the community.

Pastor Gillis thanked the Council for the resolution and their leadership. The Church stands ready to interface and help within the community in any way in the future and looks forward to a continued partnership. Any time that the Church can be of service, please call.

The resolution was adopted on September 3, 2013.

B. RESOLUTION RECOGNIZING JOHN WEBB FOR HIS CONTINUED YEARS OF SERVICE ON THE PLANNING COMMISSION – MAYOR FOREMAN

Mayor Foreman presented a resolution to John Webb recognizing his continued years of service on the Planning Commission.

Mr. Webb thanked the Council and staff for everything that they have done and he looks forward to continuing his service on the Planning Commission for many more years to come.

The resolution was adopted on September 3, 2013.

IN RE: BOARDS AND COMMISSIONS

A. ARCHITECTURAL REVIEW BOARD (ARB)

There was no report.

B. BOARD OF ZONING APPEALS (BZA)

There was no report.

C. HISTORIC DUMFRIES

Joann Barron reported the following items.

✓ A bus of travel planners, writers, and bloggers was hosted in August. We dressed in both Colonial and Civil War attire and hosted a mini tea to promote our Town. One great result was an article in the Philadelphia Sun. Another tour for travel planners and travel bloggers is scheduled for October 15.

✓ As part of the Virginia Governor’s Historic Homes free admission was provided to the Weems-Botts Museum on September 14 and 15. Over 100 people visited the Museum each day.

✓ The Haunted Ghost Walks are being held Friday and Saturday night through the end of October. On Saturday nights, the Museum will be hosting haunted lock-ins. A fundraiser that has become very popular.

✓ CBS “Spirited History” did an investigation of the Weems-Botts Museum and will be scheduling a live on-air investigation and fundraiser for Historic Dumfries on October 12 at 7:30 to 10:30 p.m.

✓ A Civil War encampment will be held this upcoming weekend.

D. PLANNING COMMISSION (PC)

John Webb, Chair, reported the following items.

- ✓ Held a work session and regular meeting on September 9.
- ✓ Yard Sale Ordinance was reviewed. The PC recommended Council review the Yard Sale Ordinance and then schedule a joint public hearing.
- ✓ Next meeting is on October 7.

Mr. Toney asked about the discussion on the conditional use permit (CUP) for the Word of Faith Christian Fellowship Church.

Mr. Webb stated the PC approved the CUP with conditions. The conditions included the parking area, which needs parking spaces and traffic flow marked.

IN RE: COUNCIL REPORTS

A. BOYS AND GIRLS CLUB

Ms. Reynolds reported she will be meeting with representatives of the Boys & Girls Club this Friday.

B. EVENTS COMMITTEE

The report will be given during Staff Comments from the Director of Community Services.

C. PARKS AND RECREATION COMMISSION

Mr. Wood reported the Commission met on September 24. Discussions about the Mayor Yohey Memorial were had and Council will be discussing a dedication ceremony later on this evening. The Commission's focus for the next few months will be on completing the bylaws and the community use policy. Next meeting is scheduled for October 16 at 5 p.m. to work on the bylaws. He mentioned the Mayor submitted questions and comments to the Commission. It was the consensus of the Commission that when planning future concerts the feedback and comments the Mayor made will be taken into consideration.

Mayor Foreman pointed out that Action in Community Through Service (ACTS) puts out a brochure which is mailed to all Prince William County (PWC) residents and it would be good to have the concerts listed. It is incumbent upon committee liaisons to get the information out and take advantage of free publicity. He and O'Kelly Russell walked the entire Ginn Memorial Park after working on the memorial discussing the plans that were done for the Park. During the discussion, it was mentioned that it is time to get a survey done of the Park, so this may be something that Council will want to discuss in order to budget for a surveyor. He also met with the Kiwanis Club who have a program for playground equipment. The program is a partnership, cost of the equipment is split, and they help get volunteer assistance. The information was provided to the Town Manager. He asked if pictures of the new playground equipment and the work that has been done so far on the memorial at Ginn Memorial Park

could be put on the Town’s website. He asked if staff was working on what the expense was for staff to assist in the concert.

Mr. Taber would provide that information to Council by email.

Mayor Foreman asked when Council was going to see the survey results.

Mr. Wood noted a Commission member would be emailing that information to Council by Friday.

Mayor Foreman mentioned the need for a way to measure success when doing can drives in conjunction with the Town’s events.

Mr. Wood noted the Commission had discussed setting a benchmark of weight or a certain number of cans, but decided not to set a benchmark.

D. NORTHERN VIRGINIA REGIONAL COMMISSION (NVRC)

Mayor Foreman reported the NVRC held a retreat in Purcellville. The focus of the meeting was to determine what the NVRC was trying to accomplish, set goals, and look at what was done well and what needed improvement.

E. NORTHERN VIRGINIA TRANSPORTATION AUTHORITY COMMISSION (NVTA)

Mayor Foreman reported the NVTA meeting focused on House Bill 2313. The money coming from Richmond for transportation is new, so everyone wants to do due diligence prior to doling out the money.

IN RE: STAFF COMMENTS

A. DIRECTOR OF COMMUNITY SERVICES – CYDNY NEVILLE

Ms. Neville reported the following.

- ✓ The Events Committee met to go over everything for the Fall Festival. The Fall Festival was a big success. She thanked everyone who assisted in making the festival such a success. There are 140 pictures on the Town’s Facebook page from the festival. She stated that the festival was covered in the Prince William Today paper.
- ✓ She thanked the Information Technology Manager for covering the senior luncheon.
- ✓ The next senior luncheon will be a Halloween Party and is scheduled for October 18.
- ✓ The Christmas Parade will be held on December 14 at 12 p.m. The theme is “The Sights and Sounds of Christmas.” The application deadline is November 22 and there is a mandatory meeting scheduled for December 4.

- ✓ The Quantico Marine Band has confirmed they will be participating in the parade. The Army Band has not responded yet.
- ✓ The Dumfries Cares program was off to a good start, with eight elementary, four middle, and three high school students signed up.
- ✓ The Department of Criminal Justice Services (DCJS) awarded the Town a grant for \$93,000 to continue the Dumfries Cares program this fiscal year.

Mayor Foreman stated that at the NVRC meeting discussions were had about the power of education and leveraging things regionally. He wondered if there was a way to talk with Northern Virginia Community College (NOVA) about offering a class at the Community Center to help reduce commuting, especially at night and during the winter months.

Mr. Taber mentioned having contacts with NOVA. He explained that NOVA has a well-established program at the Quantico Marine Corps Base. Due to budgetary constraints, NOVA is raising the number of students from 12 to a minimum of 21 to hold a course, but he would pursue it.

Mayor Foreman mentioned the need for crowd control and a reviewing stand for the Christmas Parade.

Ms. Neville noted that was mentioned to the Events Committee, who will be meeting next week, and it will come down to the number of volunteers they get. The registration form states that you cannot hand out Christmas gifts in the parade route.

Mayor Foreman advised that Quantico used a flatbed trailer last year for their grandstand, which holds the judges, emcee, Council, and guest(s) of honor.

Ms. Forrester stated there needs to be a way to work on crowd control and safety without eliminating the ability to hand out Santa hats and candy. There needs to be a balance between fun and safety.

Ms. Neville understood the problem was with an individual who was handing out gifts, which caused the crowd to congregate toward the presents.

Mr. Wood asked who the lead was on the grant for the Virginia Foundation for Healthy Youth.

Ms. Neville was the lead and is due on October 15.

B. PLANNING/ZONING ADMINISTRATOR – LAURA O'DELL

Ms. O'Dell reported the following.

- ✓ A CUP application was received for a daycare facility to be located at the former Emoni's that was located on Main Street. The applicant is scheduled to meet with the PC next week.

- ✓ Met with Rick Barbee to review development plans for Orange Street, with more discussions to follow.
- ✓ Met with Mr. Singh about his project on Main Street who wants to board up all of the homes along Main Street until his project begins. He was advised that was not an option and would require approval from the ARB or an alternate way to secure the properties in order to fit the nature of the historic district.
- ✓ Met with representatives from PWC's Planning, Zoning, and Community Development Department to discuss their revitalization plans for Route 1, which Dumfries could model.
- ✓ Grace Church wants to add several hundred parking spaces along Fraley Boulevard, which creates some traffic and expansion concerns. The Church will be meeting with the PC to start discussions.

Mr. Brewer asked where the Church's parking spaces were going to go.

Ms. O'Dell explained the plans the Church have has the parking encroaching into the resource protection area and the Chesapeake Bay Watershed area.

Mr. Brewer asked if the light pole in Triangle Plaza, on the Curtis brother's property, was going to be removed.

Ms. O'Dell understood the pole was removed.

Mr. Toney asked how many spaces the Church had. He pointed out that buildings typically have a required number of spaces.

Ms. O'Dell noted the Church meets the minimum requirement and there is nothing that says they cannot exceed that number.

Ms. Forrester asked about the food vendor in Dumfries Shopping Plaza, as they seemed to be a mobile vendor, which was not her understanding of what they were going to be.

Ms. O'Dell stated the vendor would be tying into gas, power, and sewer, and would be establishing a ground area, so it will be fairly permanent. The applicant has come in with conceptual plans, but nothing has been finalized.

Ms. Forrester said that if it is going to stay like it is now, it is clearly a mobile truck, and this did not make sense to her.

Ms. O'Dell explained that the applicant has rented a large space there to set up picnic tables for an outdoor ice cream establishment. She agreed there needed to be some sort of distinction between permanent and a mobile food vendor.

Mr. Taber explained that the applicant will be tearing up some of the parking lot to hook up to water etc. and the intention is to skirt the wheels. Staff will ensure that it meets the requirements of approval as it moves forward.

Mayor Foreman toured the Hashimi's property and they have removed a building, capped off a well, and addressed the streambed. He said that they are to the point now where they are waiting for the top of the hill to be shaved where they are planning to put the building, but that is dependent on Pete Singh, which puts them at a standstill. He asked them to contact the Town Manager to get on the agenda to provide Council with a brief. PWC has a vision plan from several years ago, and in discussing the revitalization plan recently, the County agreed that the Town could have access to all of those documents. He pointed out that the Town can rezone as much as it wants, but if a business was there prior to the rezoning, the Town would have to work with the business unless the nature of the business changes. He asked if staff had visited the location at 17775 Main Street, where there was trash and building debris on the left side of the building.

Mr. Taber responded that Terry Myers looked at the site, but had encountered some legal access issues. He would provide additional information as it became available.

Mayor Foreman mentioned the property at 17882, 17884 Main Street has very high grass, and vehicles are parked on the lawn.

Mr. Taber and Mr. Myers drove the Town and will be sending a letter to notify them of the grass violation.

Mr. Wood asked if the notice of violation for the furniture store sign was on a vehicle or the road.

Ms. O'Dell responded that it is a portable sign on a van, which is against the code.

Mr. Wood asked if Grace Church had a checklist of everything needed for the application to expand the parking lot.

Ms. O'Dell replied that staff did not have a checklist. It is up to the PC to determine what it wants to see done with the site.

Mr. Toney asked if the Hashimi's property would revert back to the Town since they had not broken ground by the required date.

Mr. Taber said the land reverted back to the Town, but the Hashimi's plan to come before Council to talk about developing that property again.

Mr. Toney explained the Town was excited about the possibilities for that property and Main Street, but it has been several years and there has been little movement. He hoped the Town could work with these individuals to help bring about change.

Mr. Brewer did not want Dumfries to end up like Woodbridge, so Council needs to be careful in terms of what is allowed in the B-1 and B-2 zoning districts. Currently Dumfries has nothing more than car dealerships, repair shops, churches, and hair cutting places.

Ms. Reynolds asked if the Word of Faith Church withdrew its request for a daycare facility.

Ms. O'Dell responded that they decided not to move forward due to the cost. There is a for rent sign on that space.

Mayor Foreman mentioned the Town met with the building owner who provided plans for the parking lot, as well as coming up with a plan to move the parking to the side of the building. Staff indicated moving the parking to the side was possible and encouraged the owner meet with the PC.

Ms. O'Dell explained the matter was on the PC's last agenda, however, when she spoke with the property owner, he indicated it was cost prohibitive to make the needed improvements to the parking lot, so he decided not to proceed.

Mr. Wood asked again if it was possible to establish a checklist of items that applicants need, as they are often confused about what was required.

Ms. O'Dell clarified that staff could make a checklist of requirements for submittal of a CUP or rezoning application, but not a checklist of conditions for a property as each site has its own specific requirements and obstacles. She said the applications being discussed would have ended the same, with or without a checklist. A checklist of what is required to be submitted can be developed.

C. DIRECTOR OF PUBLIC WORKS – RICHARD WEST

Mr. West reported that the Town was entering the utility relocation phase with Dominion Virginia Power and Verizon for the Tripoli Boulevard Drainage Improvement Project, which is expected to take approximately four to five months to complete. They will be working with Virginia Department of Transportation (VDOT) to do some borings on Main Street, south of Graham Park Road, in mid-October as part of the Graham Park Road/Curtis Drive/Route 1 project.

Mayor Foreman received an email from the Alliance for the Chesapeake Bay regarding their watershed local government forum on September 26 and 27, and asked if the Town had sent someone.

Mr. West had planned to go, but was already scheduled that Friday to attend the VDOT Local Assistance Program workshop. He would have gone on Saturday except he felt it was better for him to gain the knowledge on transportation, so he stayed at that event.

Mayor Foreman asked which sidewalks were budgeted in FY14 for the Town.

Mr. West noted the sidewalk for FY14 included the north section along Route 1 from Route 234 to Main Street, and for FY17 the portion of Old Triangle Road south to Graham Park Road was budgeted.

The stormwater management work on Possum Point Road and Route 1 would be complete with railing and reinstallation of foliage. The sidewalk would be installed later when funding was available.

Mayor Foreman pointed out the roof on the pavilion/gazebo at Merchant Park was tin and is rusting. He asked the Town Manager when he met with the Kiwanis to ask about their volunteer program, which works to fix things like that. The Town would need to work with Weems-Botts on this particular project, but it was important to find volunteer opportunities. He asked on August 7 whether the Town was required to have a building inspector under State code.

Mr. West asked the Town Attorney prior to her departure, but did not receive a response.

Mayor Foreman mentioned back in May curb painting, getting that on a schedule, and including it in the report. He understood budget restraints, but this cannot be dropped.

Mr. West explained it is not a budget issue, but staff has been struggling to get vendors to come in and provide an estimate. Just recently, two vendors completed bids.

Mr. Taber noted he had just signed off on a purchase order for the striping near Town Hall and Williamstown Boulevard, but the curbs need to wait until mid-year to shift funding around. Those items are on Terry Myers list to be included in the next budget cycle.

Ms. Reynolds heard that there is money in the budget for sidewalks along Route 1. She did not understand the comment that there was no money in the budget for the sidewalks.

Mr. West responded that there was money in the capital improvements program (CIP) budget for FY14 for Route 1 from Route 234 to Main Street. The next funding in the CIP is for FY17 for Old Triangle Road south of Graham Park Road and that is the only money he has seen in the CIP or the budget for sidewalks.

Ms. Reynolds stated Council discussed this at length and money was put in the budget for sidewalks.

Mr. Brewer stated the money for the sidewalks was asked for after the budget was approved.

Ms. Reynolds said that it was not.

Mayor Foreman stated the only money approved in the budget was for sidewalks from Tripoli Heights to bring it down and connect it. The Possum Point Road sidewalks was part of a discussion about bus stops. The Town Manager advised Council that there was a project underway and he would look into putting sidewalks in during that project. There is a multi-modal plan with VDOT, and staff has to follow that plan. When he asked the question about the Possum Point project, the Town Manager told him that they were possibly going to put sidewalks in. Now it is being said that vegetation and railing are being done.

Ms. Reynolds pointed out that her only request was for sidewalks. She is concerned with the youth, elderly, and disabled walking in the streets. Now there is no money in the budget for it. She reiterated that she wants a detailed report on the sidewalk funding, because she wants to know where the money went.

Mr. Taber stated that Council approves the budget and the funding for sidewalks did not make it in the FY14 budget. The discussion happened after the budget was approved. There may be bond money available for sidewalks along Possum Point Road, but there never was money placed in the FY14 budget for sidewalks.

Ms. Reynolds felt she was misinformed or misled about money in the budget for sidewalks. Other Council Members got what they wanted, but she did not get the sidewalks. From this point forward, she wants it in writing. She was very upset about this.

Mayor Foreman stated the narrative in the budget needs to include detail on what sidewalks would be installed, and perhaps between now and the mid-year budget, Council should discuss how to use the money. Sidewalks have always been an issue. The connectivity study focused on Graham Park Road, Prince William Estates, and Old Town. Not the northern part of Town. It is not as simple as Council saying they want sidewalks, because VDOT needs to have them in their plans. He suggested a multi-modal discussion be scheduled for the work session.

Mr. Wood asked what was being done with the litter prevention and recycling grant.

Mr. West explained the litter and recycling grant is used every year to assist with efforts to clean up the Town. A part-time maintenance person does litter patrols and walks the Town daily picking up trash. The maintenance crew scans the park weekly or bi-weekly. The grant is a small amount of funding from the State and non-competitive. He will be working with American Disposal on outreach, education, and actual services for recycling.

Mr. Wood asked about water hookup at Ginn Memorial Park. Whether there was a way to get water fountains, so that people could get a drink of water when playing basketball or having a cookout.

Mr. Taber explained there never was water hookup on the property. There were wells that had to be abandoned due to quality and safety concerns. The next step is to connect through the PWC Sewer Authority for water and sewer, at an estimated cost of \$50,000 to \$60,000. This needs to be a work session item. He would try to make it a priority for a future agenda.

Mr. Brewer asked if the Town had a program for repairing sidewalks and curbs.

Mr. West responded there is a maintenance program that lists streets to be worked on. Survey work just started to improve the drainage and paving on Cameron Street. Also, when sidewalks get damaged,

road settlement occurs, or an immediate paving repair is needed, staff looks at these and are taken care of on a case-by-case basis. He mentioned wanting to do a street-by-street analysis.

Ms. Forrester recalled when the Town last had a building inspector, the Town Attorney, at the time, determined towns of this size were required to provide certain services and a building inspector was not one of them and the Town could use PWC's inspector. Her recollection of the discussion on sidewalks matched Ms. Reynolds' exactly. Town staff told Council that if sidewalks were temporary, they would not require VDOT approval.

Mr. Toney mentioned that water and electricity were part of the future phases for Ginn Memorial Park. The reason William O'Kelly Russell is with the Parks and Recreation Commission is for continuity. He stated money had to be prioritized for the Park; however, many discussions have occurred on how to provide infrastructure.

Mr. Brewer stated the discussions about the sidewalk came up after the budget was over with, because the question was repeatedly asked, "Don't we have emergency funds?" The response from staff was that there were no emergency funds, just a general fund, and a savings account. It was explained then that if monies were left over from other projects, it would be possible to do the sidewalks.

Ms. Reynolds did not agree with the statement made and Council did indeed discuss sidewalks during the budget process.

D. POLICE CHIEF – REBECCA EDWARDS

Chief Edwards reported the following.

- ✓ On September 18, Sergeant Mark Robinson attended the first session of the Direct Leadership Course. A 14-week leadership program that focuses on direct face-to-face leaders.
- ✓ On September 20, staff attended the D.A.R.E. graduation ceremony in Williamsburg. Officer Renee Moody became a certified D.A.R.E. officer successfully completing the two-week training program.

Mr. Brewer asked if PWC had been the lead agency involving the incident in Ginn Memorial Park. He asked how many officers the Town had total.

Chief Edwards was aware of the incident and that PWC is the lead agency. There are four patrol officers. There are eleven total in the agency including the school resource officer, and herself. She has an officer attending the academy, so they are short three officers and a captain.

Mr. Brewer noted that the point of building the Park was to give youth something to do, but it seemed the only things going on were a few basketball games and a lot of illicit activities.

Mr. Wood saw a lot of activity at the Park, including church services being held on site. He commended Chief Edwards for the strong police presence there. He asked if there had been many applications for the open positions.

Chief Edwards responded that the department has received approximately 27 applications. The deadline was extended in order to receive additional applications.

Mr. Toney reiterated Mr. Woods' comments about positive use of the Park. He had seen a birthday party with about 20 people, with kids in the field receiving lacrosse instruction and others playing basketball. He commended Chief Edwards for the police involvement at the Park. Parents have told him it was a safe environment for their kids. He mentioned that PWC's crime prevention group came over and assessed the Park. Suggestions were made and they were all incorporated. The Park is beautiful, people are taking care of it, and it is being used. He expressed appreciation to the administration for their work on the Park.

Mayor Foreman reminded everyone that the Town has three parks: Garrison, Merchant, and Ginn Memorial Park. Each Park has its own challenges. He commended Chief Edwards for the excellent job the police were doing. If there were a few incidents per year that would be typical of any park.

Mr. Brewer asked if the police had applied for any grants through DCJS or the Department of Motor Vehicles (DMV).

Chief Edwards responded that they had received a \$10,000 DMV grant for traffic enforcement.

Mr. Brewer recalled that previously there had been funding for drug searches.

Chief Edwards was not familiar with funding specifically for drug searches, but they could do traffic stops. She said the DMV grant money could be used for checkpoint detail, but the department had not chosen to use the funds in that way.

E. TOWN ATTORNEY

There was no report.

F. TOWN MANAGER – DANIEL TABER

Mr. Taber reported the following.

- ✓ A presentation on Potomac Shores with an update on the project, especially how it relates to the traffic situation at the intersection of Route 1 and Route 234 has been scheduled for the October 22 work session. The request was made to have Marie Sinner from VDOT and Tom Blaser from PWC Department of Transportation attend. Unfortunately, neither can attend. Tom Blaser did state that Potomac Shores

had not made any additional submissions regarding the project, since submitting the rezoning request to PWC.

- ✓ Council had asked about the development of Main Street between Town Hall and the ACTS property. The developer had planned to bring forth a new submission for the use of that property and during the last 10 days, a lot of surveying has occurred on the properties involved. The developer plans to control all of the property and will be proposing a plan similar to what was proposed about two years ago.
- ✓ The initial interviews for the Town Attorney position have taken place.

Mayor Foreman mentioned one of the things that emerged from the NVRC meeting was a question about membership in regional organizations. He asked for a list of all organizations in which Dumfries was a member. The Town pays dues but does not always participate. The reason for inviting Ms. Sinner and Mr. Blaser to the work session, or a staff member, is that they attended the briefs that were given to the PWC Planning Commission (PWPC) and Board of Supervisors (BOS).

Mr. Taber suggested postponing the work session. He would check with all parties involved what their availability is and reschedule the presentation.

Mayor Foreman explained that when Potomac Shores made the presentations to the PWPC and the BOS, they both had questions of the staff about what was presented. He noted Mr. Blaser and Ms. Sinner could send another staff member.

Mr. Taber would ask again; however, in the meantime he will cancel the presentation.

Mr. Foreman noted that while he was in Purcellville there was a display in their front area of handouts from the Department of Water, Disaster Preparedness, Buckle Up, etc., and these are supplied by VDOT, senior citizen awareness groups, etc. He thought it would be good to get on the distribution list in order to display them in the lobby at Town Hall. Purcellville also has a card with businesses listed that offer a 10 percent discount and they have 17 locations on their walking tour. The Town's website needs updating and upgrading to include a tab for committees and meeting agendas.

Mr. Wood asked when the individual hired for the front office starts.

Mr. Taber explained the individual is still working at ACTS. Once he finishes there, he will begin.

Ms. Forrester requested revisiting the protocol of a regular session versus a work session, because the point was to streamline the process, which is not happening. If Council was going to have long meetings, they should have the opportunity to vote.

**IN RE: COUNCIL REPORT ON MEETINGS WITH ELECTED OFFICIALS
PERTAINING TO THE TOWN**

There was no report.

IN RE: ACTION ITEMS**A. PUBLIC HEARING – AMEND ARTICLE II NUISANCES, CHAPTER 26 ENVIRONMENT, SECTION 26 BY ADDING 26-22(a)(14) GRAFFITI PREVENTION AND REMOVAL – LAURA O’DELL**

Ms. O’Dell reported that graffiti has become a problem in certain areas of Town. Currently there is no code to regulate the activity of graffiti being sprayed, written, marked, or drawn. Language has been drafted to be placed in the nuisance ordinance to address graffiti.

The public hearing was opened to public comments.

There being no comments the public hearing was closed.

Mr. Foreman moved, seconded by Ms. Forrester, to introduce the amendment to the nuisance ordinance by adding 26-22(a)(14) Graffiti Prevention and Removal and move it to the Consent Agenda for adoption on November 12. The motion carried and was approved by the following roll call vote: Mr. Brewer, yes; Mr. Foreman, yes; Ms. Forrester, yes; Ms. Reynolds, yes; Mr. Toney, absent; Ms. Washington, absent; Mr. Wood, yes.

B. PUBLIC HEARING – ADD ARTICLE IV VIRGINIA MAINTENANCE CODE, CHAPTER 14 BUILDINGS AND BUILDING REGULATIONS, SECTION 14-190 THROUGH 14-195 TO ADOPT THE VIRGINIA MAINTENANCE CODE – LAURA O’DELL

Ms. O’Dell reported that at the last work session, she gave a presentation on the Virginia Maintenance Code, which was permanently responsible for protecting the health, safety, and welfare of the community at the least possible expense to the property owner, to keep properties held to the minimum level of safety, standards of maintenance and care.

The public hearing was opened to public comments.

There being no comments the public hearing was closed.

Mr. Foreman moved, seconded by Mr. Brewer, to introduce the amendment to the nuisance ordinance by adding Article IV Virginia Maintenance Code, Chapter 14 Buildings and Regulations, Section 14-190 through 14-195 and move it to the Consent Agenda for adoption on November 12. The motion carried and was approved by the following roll call vote: Mr. Brewer, yes; Mr. Foreman, yes; Ms. Forrester, yes; Ms. Reynolds, yes; Mr. Toney, yes; Ms. Washington, absent; Mr. Wood, yes.

C. PUBLIC HEARING – FEE SCHEDULE FOR SP-1 ZONING DISTRICT AND FOR TEMPORARY BANNER SIGNS FOR RELIGIOUS INSTITUTIONS AND NONPROFIT ORGANIZATIONS – DAN TABER

Mr. Taber stated Council held a work session on this item, which would set a fee for the SP-1 zoning district and establishing in writing that there is no charge for temporary banner signs for religious and nonprofit organizations.

The public hearing was opened to public comments.

There being no comments the public hearing was closed.

Mr. Foreman moved, seconded by Mr. Brewer, to introduce the amendments to the fee schedule for SP-1 Zoning District and for temporary banner signs for religious and nonprofit organizations and move the uncodified ordinance adopting these changes to the Consent Agenda for adoption on November 12. The motion carried and was approved by the following roll call vote: Mr. Brewer, yes; Mr. Foreman, yes; Ms. Forrester, yes; Ms. Reynolds, yes; Mr. Toney, yes; Ms. Washington, absent; Mr. Wood, yes.

D. PUBLIC HEARING – AMENDMENTS TO THE TEMPORARY ROADSIDE FOOD VENDORS ORDINANCE – DAN TABER

Mr. Wood read the following statement. “I the undersigned, Derrick Wood, pursuant to Virginia Code, declare an interest in a transaction before the Town Council. Item D, Amendments to the Temporary Roadside Food Vendor Ordinance that is going to be discussed October 1, 2013. As the owner of Dyvine BBQ in Motion, I have a personal interest in a business entity that may realize a reasonable foreseeable direct or indirect benefit from the Council’s action on the agenda item, Amendments to the Temporary Roadside Food Vendor Ordinance. I disqualify myself from participating in the transaction above and shall not vote or in any manner act on behalf of the Council in the transaction.”

Mr. Taber noted the issue has been discussed at a number of meetings. He was confident that the wording has incorporated all of Council’s concerns, and was available to answer any questions Council may have.

The public hearing was opened to public comments.

There being no comments the public hearing was closed.

Mayor Foreman asked if the issue on the Business/Professional/Occupational License (BPOL) taxes was that this particular niche should not pay BPOL or that the whole category should not. Meaning all restaurants, or does Council want to eliminate BPOL altogether.

Ms. Forrester responded that this ordinance did not speak to restaurants or whole categories, only temporary roadside vendors, and it seemed to be a waste of time to discuss BPOL taxes unrelated to the subject now.

Mayor Foreman explained that BPOL was indeed relevant, roadside vendors are in direct competition with restaurants and other food service establishments in Town who pay BPOL taxes.

Ms. Forrester responded the point has been made several times, but any discussion of BPOL related to restaurants or the whole category is not part of this ordinance and has no place in this discussion. Brick and mortar businesses have multiple advantages over roadside vendors. She suggested that if a

business felt roadside vending is more to their business interests they could apply for a roadside vendor permit.

Mayor Foreman suggested eliminating all BPOL for all restaurants.

Ms. Forrester stated the matter of eliminating BPOL was not before them for a vote.

Mayor Foreman said Council could change the ordinance so that this business paid BPOL like everyone else then Council could address removing BPOL in the future.

Mr. Brewer agreed that any business entity within the Town should be paying BPOL until it is eliminated. Council can let their vote reflect what they decide now.

Ms. Forrester moved, seconded by Mr. Toney, to introduce the amendment to the Temporary Roadside Food Vendor Ordinance and move the ordinance adopting these changes to the Consent Agenda for adoption on November 12. The motion carried and was approved by the following roll call vote: Mr. Brewer, no; Mr. Foreman, no; Ms. Forrester, yes; Ms. Reynolds, yes; Mr. Toney, yes; Ms. Washington, absent; Mr. Wood, abstain.

E. RESOLUTION TO RE-APPOINT A MEMBER TO ARCHITECTURAL REVIEW BOARD – LAURA O’DELL

Ms. O’Dell noted the Town has advertised for several months vacancies on the ARB. In closed session two months ago, Council discussed the re-appointment of James Ksanznak. There have been no other applicants and staff would like to move forward with the re-appointment.

Ms. Forrester moved, seconded by Mr. Toney, to adopt the resolution re-appointing James Ksanznak to the ARB. The motion carried and the following resolution was adopted by the following roll call vote: Mr. Brewer, yes; Mr. Foreman, yes; Ms. Forrester, yes; Ms. Reynolds, yes; Mr. Toney, yes; Ms. Washington, absent; Mr. Wood, yes.

ARCHITECTURAL REVIEW BOARD (ARB)

WHEREAS, Town Council is the governing body responsible for appointing members to the Architectural Review Board (ARB); and

WHEREAS, Council has learned that there are appointments needed to the ARB; and

WHEREAS, Council is prepared to reappoint James Ksanznak to serve an additional term that shall expire on June 30, 2016.

NOW, THEREFORE BE IT RESOLVED that the Town Council for the Town of Dumfries hereby appoint James Ksanznak to continue serving on the Architectural Review Board.

F. RESOLUTION AUTHORIZING THE TOWN MANAGER TO ENTER INTO A PROJECT ADMINISTRATION AGREEMENT WITH PRINCE WILLIAM COUNTY FOR THE US ROUTE 1 WIDENING PROJECT – RICHARD WEST

Mr. West explained what was before Council was a resolution authorizing the Town Manager enter into a project administration agreement, modeled after a standard project agreement signed between a locality and VDOT when a locality asks VDOT to administer the project for them. Because of the size and scope of the Route 1 widening project staff does not have the staffing or resources in the Town. PWC has the staff and resources to assist and act as the administrator for the Town. This needs to be in place by November 1 to help retain the \$1.6 million for the project, which would get the project scope, engineering work, and possibly up to the right-of-way work completed.

Mr. Brewer moved, seconded by Mr. Toney, to approve the resolution as presented.

Ms. Forrester has some lingering concerns about giving PWC the lead. PWC has not always been cooperative and seems to enjoy taking over and running the show. The Town has issues and concerns with widening and road projects in general and PWC, and whatever developer is involved at the time, seem to ignore.

Mr. West noted the Town would still be holding the purse strings on the project, attending all the meetings with PWC, and would be speaking for the Town's interest. It is not a PWC project and will remain a Dumfries project. This will be a Federal Highway project and the Town is not in a position to administer it.

Ms. Forrester asked why PWC could just handle what the Town is unable to do and needs help with, while the Town stays in control of the project.

Mr. West explained he had that written into the agreement, as much as he could, that the Town would retain control and communication.

Ms. Forrester asked about the ability to pull out of the agreement if it was suddenly heading in a direction the Town did not support.

Mr. Taber read the following statement, "This Agreement may be terminated by either party upon 60 days advance written notice. Eligible expenses incurred through the date of termination shall be reimbursed to the COUNTY subject to the limitations established in this Agreement." Staff will be reporting to the Council on a monthly basis and it is written into the agreement that a PWC project representative will appear before Council on a quarterly basis with an update on the project.

Ms. Forrester asked if the decisions being made would affect the intersection at Potomac Shores.

Mr. Taber responded that these are two separate projects and this project has nothing to do with the intersection other than the widening itself. The agreement does not give PWC any more authority to make decisions on the intersection then it already has.

Mayor Foreman mentioned the agreement did not state that they are two different projects. The agreement states that PWC is doing Route 1.

Mr. Taber clarified that it states in the agreement US Route 1 Widening Project and staff would ensure the difference was made clear.

Mayor Foreman mentioned that Potomac Shores views the intersection at Route 234/Route 1, and Tripoli Boulevard/Stagecoach Road as part of the Route 1 widening. The document needs to clearly articulate that final approval of design is made by the Town Council, although it alluded to it, that point could be subject to legal challenge. Council requested the document and was told it would be available July 1 and it is now October 1. Council asked PWC to be a part of the Potomac Shores briefing; they could not find the time to attend. The document states that PWC will administer Route 1 and he wants to be able to go to the NVTA with a FY15 plan for the widening and not a PWC plan for 2030. He emphasized that the project requires regional cooperation.

Mr. Taber stated the issues raised could be added to the document noting that the document has to be finalized by November 1.

Mayor Foreman was frustrated because this was supposed to be signed in July. He asked if PWC was invited to attend the meeting this evening.

Mr. Taber stated that PWC was not asked to be at this particular meeting.

Mayor Foreman stated that Potomac Shores has continued to ignore the wishes of the Town, and his concern was that if they turn the Route 1 project over, Council will no longer maintain oversight. The Council has to maintain oversight of the project.

Ms. Forrester indicated the document clearly needed to be reviewed by an attorney, but the Town does not have an attorney at this time. She will not vote for it until an attorney reviews the document.

Mr. Taber stated that he would confirm with VDOT what the final deadline is and whether it would be possible to hire an outside attorney to review the document.

Mr. Brewer asked why they had to enter into an agreement with PWC and whether another locality, like Stafford, could administer the project.

Mr. Taber noted the other locality would have to be willing to manage it and it seemed Stafford might be less willing since they do not have history or stake in the project. Discussions were had about the possibility of VDOT or the Town's consultant managing the project; however, Council voted to go with PWC at the time. The Berkeley Group, the Town's consultant, can be asked to submit a proposal. He will send information by email to Council as he gets it in order to stay on the current timeline.

Mayor Foreman suggested the memorandum of agreement be for one year, at the end of the year, revisit it, and if it is renewed, have PWC present to answer any questions or concerns along with the new Town Attorney.

The motion on the floor made by Mr. Brewer was withdrawn.

G. DISCUSSION CONCERNING THE NEXT QUARTERLY MEETING WITH PWC SUPERVISOR MAUREEN CADDIGAN – MAYOR FOREMAN

Mr. Taber reminded Council about the discussions had regarding the scheduling of a quarterly meeting with PWC Supervisor Maureen Caddigan. The request included holding the meeting in Council Chambers in order to have it televised. The request was made to the PWC County Administrator who responded that Ms. Caddigan wanted to continue to have the meeting at Williams Ordinary and follow the same format that has been used for years.

Mayor Foreman indicated he was open to whatever Council decides.

Ms. Forrester stated this would be a Town of Dumfries meeting and Council extended an invitation to Ms. Caddigan to attend. Citizens were not interested in hearing what has always been done and there is new technology available through which to host a meeting.

Mr. Brewer pointed out that Williams Ordinary was a very small venue. Holding it in Council Chambers would allow for more attendance and for it to be televised.

Mr. Toney respectfully disagreed. He pointed out that Council has been attending a quarterly meeting hosted by the PWC Supervisor for quite a while. Circumstances discontinued the practice. He noted that at some point the PWC Supervisor started meeting with Mayor Yohey to talk about issues pertaining to the Town. Eventually Mayor Yohey got the PWC Supervisor to host the quarterly meeting again. If the Council wants to host the meeting then it should be called something else. He felt that the Council should still hold the quarterly meeting in the interest of the citizens and to deal with the issues, not focus on personalities. The PWC Supervisor's relationship with the citizens is different from her relationship with Council, and the Town needs her more than she needs the Council.

Mr. Wood mentioned the need to set up a group email. He was not in the email stream and could not reply to all. He agreed if Supervisor Caddigan was hosting the meeting it should be on her terms. Communication is essential to moving forward and getting the Council's ideas and thoughts across. He is okay with meeting at Williams Ordinary.

Mayor Foreman was all about meeting with Supervisor Caddigan. He firmly believes that since he was elected that Council should meet with its elected officials. Supervisor Caddigan is the Magisterial District Supervisor for Potomac, they have common issues, and it would do well to work together. It is okay for the two staffs to work together, but as elected officials, we need to talk about those concerns.

Mr. Toney advised he was unable to attend the meeting on the 28th.

Mr. Foreman moved, seconded by Ms. Reynolds, to meet with Potomac Supervisor Maureen Caddigan at Williams Ordinary. The motion carried by the following roll call vote: Mr. Brewer, abstain; Mr. Foreman, yes; Ms. Forrester, no; Ms. Reynolds, yes; Mr. Toney, yes; Ms. Washington, absent; Mr. Wood, yes.

Mr. Taber would provide alternate dates in order for Mr. Toney to attend.

H. DISCUSSION ON MOVING THE TOWN'S BIENNIAL ELECTION TO THE NOVEMBER GENERAL ELECTION – DAN TABER

Mr. Taber reminded Council that at the last meeting the decision on whether to have a referendum or hold a public hearing to move the elections from May to November was placed on hold because the question came up as to how many registered voters there were in the Town. The number is approximately 2,600. Information was provided by the Board of Elections of questions asked by another jurisdiction as to what the effect would be of moving the election date. The reason for placing it on the agenda is for Council to decide which way to go in order to get public input.

Mayor Foreman recalled the reason for the question was to determine how many signatures would be required in order to get ten percent, which is required to do a referendum. The other option was to hold a public hearing to get input from the citizens. He asked Council what their thoughts were on going with one over the other.

Ms. Forrester expressed concern about the process of information gathering that staff has done in researching the issue and asked who would be gathering signatures. Given the limited participation in public hearings, the only fair way to do this would be by referendum. If the elections were moved to November, political parties would become highly involved in the process. She wanted the elections to stay in May.

Mr. Taber noted advertising could be put out via blackboard and the TV channel that a petition was available at Town Hall.

Ms. Forrester moved, seconded by Mr. Brewer, to hold a referendum versus public hearing with the petition available at Town Hall for a period of time.

Mr. Brewer agreed with Ms. Forrester that moving the elections to November would open up the process to heavy involvement from political parties, which happened in 2002. He wants to keep the elections in May and keep them non-partisan.

Mr. Toney asked if the 260 signatures were collected whether it would be on the ballot in May or would holding a public hearing be faster.

Mr. Brewer explained that it would still need to come back to the Council for an ordinance change and then sent to the State legislature in order to change the Town's charter.

Ms. Forrester stated if this was truly what the citizens want, the referendum is the only way to know that.

Ms. Reynolds noted that the public hearing process would make it faster. Moving elections to November would increase voter turnout and save the Town election costs. The sooner the matter was put on the ballot, the better. She preferred holding a public hearing.

Ms. Forrester wanted to have more voter turn out too, but those who knew more about the candidates and not just what political parties tell them.

Mr. Wood asked if Council was allowed to go door to door to get the signatures.

Mr. Taber, in his opinion, did not think it would be a problem for Town Council to seek those signatures as long as there was no representation of a particular party and done in a neutral situation, but he was not an attorney.

Mayor Foreman agreed with the referendum as the most equitable process, but he would not want it to be open ended, but have a final date to end in order to determine how many signatures have been collected.

Ms. Forrester amended her motion to include being open for 60 days.

Mr. Brewer agreed.

Ms. Reynolds asked how quickly a public hearing could move forward.

Mr. Taber indicated a public hearing could be held November 12.

Mr. Wood asked Ms. Forrester if she was willing to go door to door, because he did not think citizens would come to Town Hall to sign a petition.

Ms. Forrester explained she would go to a citizen's home if they were unable to get to Town Hall. She questioned why Council would want her to go door to door since she was not in favor of the change.

Doug Geib, PWC General Registrar, explained that whether done by a public hearing or referendum, it would not go into effect until after 2014.

Ms. Reynolds asked what would happen if the required number of signatures are not gathered.

Mayor Foreman stated the issue would be dropped, which would be the same as holding a public hearing and no one showed.

The motion on the floor to proceed with a referendum to gather signatures for 60 days failed. The motion was defeated by the following roll call vote: Mr. Brewer, yes; Mr. Foreman, yes; Ms. Forrester, yes; Ms. Reynolds, no; Mr. Toney, no; Ms. Washington, absent; Mr. Wood, no.

Mr. Toney moved, seconded by Ms. Reynolds to schedule a public hearing for the first meeting in December.

Ms. Forrester would vote in favor of a public hearing; however, unless there are people coming out to the public hearing and expressing their interest to change the election from May to November, it would be disingenuous for them to vote in favor of this.

Mr. Brewer agreed, stating that unless ten percent of the electorate was present and in favor of this change, he would vote no.

Ms. Forrester stated that individuals who come in to sign a petition have to be voting residents; however, anyone can come in and express their opinion at a public hearing and Council has no way of knowing whether they are registered voters.

Mr. Toney indicated Council could require this is for citizens who hold a registered voters card in the Dumfries voting precinct.

It was questionable about whether that was permissible and needed an attorney's opinion.

Mr. Geib agreed that was a question for the attorney; however, there was nothing to stop a citizen from starting his or her own petition.

The motion carried by the following roll call vote: Mr. Brewer, no; Mr. Foreman, yes; Ms. Forrester, yes; Ms. Reynolds, yes; Mr. Toney, yes; Ms. Washington, absent; Mr. Wood, yes.

I. DISCUSSION CONCERNING THE STATUS OF YOHEY MEMORIAL AND PLANS FOR A DEDICATION CEREMONY – COUNCILMAN WOOD/CHAIR PARKS & RECREATION COMMISSION

Mr. Wood stated the Parks and Recreation Commission was considering a date for the dedication ceremony. He wanted input from Council and suggestions of who to invite to the event. He confirmed that the family wanted to have the dedication ceremony on October 12.

Mayor Foreman noted a VIP list was created that consisted of past Council Members, Mayors, and elected officials and he would work with staff to get invitation letters out as soon as possible.

Mr. Wood moved, seconded by Ms. Reynolds, to hold the Mayor Yohey Memorial Dedication Ceremony on October 12 at 11:00 a.m., with a reception to follow at the Community Center. The motion carried by the following roll call vote: Mr. Brewer, yes; Mr. Foreman, yes; Ms. Forrester, yes; Ms. Reynolds, yes; Mr. Toney, yes; Ms. Washington, absent; Mr. Wood, yes.

IN RE: CLOSED SESSION

Mr. Wood moved, seconded by Mr. Foreman, to convene in closed session. The motion carried and the following resolution was adopted by the following roll call vote: Mr. Brewer, yes; Mr. Foreman, yes; Ms. Forrester, yes; Ms. Reynolds, yes; Mr. Toney, yes; Ms. Washington, absent; Mr. Wood, yes.

WHEREAS, the Dumfries Town Council desires to discuss a particular subject in Closed Session during the course of its meeting of October 1, 2013; and

WHEREAS, the nature of the subject is the discussion of personnel matters The discussion of same in Closed Meeting is expressly permitted by Section 2.2-3711(A)(1) of the Code of Virginia, 1950, as amended; and

WHEREAS, the nature of the subject is the discussion of acquisition of land for a public purpose. The discussion of same in Closed Meeting is expressly permitted by Section 2.2-3711(A)(3) of the Code of Virginia, 1950, as amended.

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

Mr. Foreman noted that Ms. Forrester did not participate in the closed session.

Mr. Wood moved, seconded by Mr. Foreman, to reconvene into open session. The motion carried and the following resolution was adopted by the following roll call vote: Mr. Brewer, yes; Mr. Foreman, yes; Ms. Forrester, absent; Ms. Reynolds, yes; Mr. Toney, yes; Ms. Washington, absent; Mr. Wood, 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 Council of Dumfries does hereby reconvene in Open Session at its meeting of October 1, 2013 and certifies the matters set forth in Section 2.2-3712(D) of the Code of Virginia, 1950, as amended.

IN RE: ADJOURNMENT

Mr. Toney moved, seconded by Mr. Wood, to adjourn the meeting. The motion carried by the following roll call vote: Mr. Brewer, no; Mr. Foreman, yes; Ms. Forrester, absent; Ms. Reynolds, yes; Mr. Toney, yes; Ms. Washington, absent; Mr. Wood, yes.

Minutes submitted by

Approved by

Dawn Hobgood
Town Clerk

Gerald M. Foreman
Mayor