

AT A WORK SESSION OF THE DUMFRIES TOWN COUNCIL, HELD ON NOVEMBER 18, 2014, 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
Helen Reynolds
Gwen Washington
Kristin Forrester
Derrick R. Wood
Daniel Taber, Town Manager
Olaun Simmons, Town Attorney

THERE WERE ABSENT: None

IN RE: CALL TO ORDER AND ROLL CALL

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

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: ADOPTION OF THE AGENDA

Mr. Taber requested the addition of a proclamation in support of Childhood Cancer Awareness Week.

Mr. Foreman moved, seconded by Mr. Wood, to adopt the agenda as amended. 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, yes; Mr. Wood, yes.

IN RE: CITIZEN COMMENT PERIOD

Ernie Coupe presented 45 blankets for the Syrian Refugees on behalf of Boy Scout Troop 454 and the Church of Jesus Christ of Latter Day Saints.

Pastor Jay Anthony Perkins from the Freedom of Praise Worship Center noted that his wife spoke with Maria from the Town today. He announced that on Saturday the church is holding a Thanksgiving Dinner for the homeless. Maria told his wife that they could drop off flyers tonight and just wanted to let the Town know about the event.

IN RE: INFORMATION ITEM(S)

A. TREASURER'S REPORT/NEW BUSINESS REPORT (October 2014) – RETTA LADD

Mayor Foreman asked if there was money in the budget to hold a special election.

Mr. Taber commented the cost is around \$2,500 and there is money in the overall budget to cover the costs should Council decide to hold one.

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Mayor Foreman announced that Ms. Forrester is leaving and the next election is in May 2016. He explained that Council has the option to assign someone to fill the vacancy for the duration or a special election can be held.

Mr. Foreman moved, seconded by Mr. Brewer, to schedule a special election to fill the seat upon Ms. Forrester's departure.

Ms. Forrester thanked everyone for the opportunity to serve the Town. It is with mixed emotions that she and her daughter, Emily, are moving on to the next chapter in their lives. Being here has meant a lot to both of them and she hopes that they have contributed a little bit during the four and a half years that they have been a part of the Town. The December meeting will be her last meeting as she is to report January 5. She asked Council to appoint someone to fill her seat. She requested having the floor again following the vote if Council chooses not to hold a special election.

Mr. Toney indicated the language in the Town's Charter, which was brought to his attention by a couple citizens; states the Council SHALL appoint an individual to fill in the remainder of the term of a vacated seat. He would like to defer to the Town Attorney since he brought it to his attention for an opinion.

Mr. Simmons agreed the Town's Charter does state that Council shall appoint someone, but in order to give a more complete answer he would like to put something in writing to provide the law in totality in regards to filling a seat on Council that has been vacated before the term expires.

Mr. Toney noted the Town has appointed people to fill seats that have been vacated in the past. It is not unprecedented for the Council to appoint an individual.

Ms. Washington agreed with appointing an individual and reminded Council that she was appointed for a two-year term when she started. There was not an overwhelming number of candidates in the last election; she felt there would not be an overwhelming number for the special election. By appointing someone and allowing the citizens to see what is going on in the Town and the new development coming others in the Town might want to run for office by the time the next election comes around.

Mayor Foreman withdrew his motion. He asked that the matter be placed on the agenda as an action item at the next meeting. He would like the Town Attorney's determination too. He announced that any resident of the Town who would like to be considered for this position should contact Council, the Town Manager, and or the Town Attorney in order to have a list of viable candidates.

Ms. Forrester wanted it to be clear that she does not want to go against the Mayor's wishes and that she discussed this with the Mayor prior to the meeting. She would like an opportunity to assist in

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choosing the person that will fill her seat. She noted Lou Praino would be an excellent choice. She pointed out that he has done a great job for the short stint on Council, has experience on various Boards and Commissions, and has a lot of historical knowledge. She thinks he would be a voice of reason and bring people together.

Ms. Forrester moved, seconded by Ms. Reynolds, that a resolution appointing Lou Praino to fill the remainder of her term be placed under the consent agenda for approval at the December 2 meeting. She noted he would need to be asked to make sure he would agree to serving.

Mayor Foreman commented he removed his motion because the Town Attorney was going to gather information to be discussed at the next meeting. Now, another motion is being made to appoint someone without waiting for the Town Attorney's opinion. He would be voting no because he wants to hear from the Town Attorney. This will also give citizens two weeks to put their names in for consideration.

Ms. Forrester thought the Town Attorney was going to provide information on whether Council had an option to hold a special election.

Mr. Wood asked what the process is since he is knew to all this and wanted to know if Council should make the decision now or should it be discussed in a closed session meeting.

Mayor Foreman stated that in the past Council has gone into a closed session to consider names then come back to the regular meeting and direct the Town Manager to contact the individual to ensure they want to serve.

Mr. Wood asked if the discussion could be moved to the closed session that is already on the agenda.

Ms. Forrester stated that her motion stands. She did not see a reason to discuss it in closed session. She could see it if multiple candidates were going to be discussed.

Mayor Foreman stated this was just dropped on the citizens and he does not know if any citizen has come forward and asked that they be considered. Two weeks will not change anything. Council can discuss the names during closed session.

Mr. Brewer indicated that making a decision right now is premature and not fair to the citizens. There might be candidates out there that would like to serve on the council.

Mr. Toney supported the Mayor's position. He believed Council needed to go through the process.

Ms. Forrester clarified the process was being followed. A motion has been made to appoint someone and there is nothing that would require Council to discuss anything in closed session. The next

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meeting is her last meeting. Therefore, if for some reason something is not decided, she will not be able to comment on her own replacement. The candidate she has proposed is not controversial.

Mr. Toney suggested allowing citizens submit resumes to the Town Manager even though there is a quick turnaround. They should be able to consider all of the possibilities.

Ms. Washington agreed with the Mayor and the Vice Mayor. She has never really been through the process but her understanding of the process, up to this point, has involved a closed session discussion regarding all interested individuals. She has someone she would like to suggest.

Ms. Forrester reiterated that she feels that this is her last opportunity to voice her opinion.

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

IN RE: DISCUSSION ITEM(S)

A. RESOLUTION APPROVING THE FIRST TOWN CENTER SITE PLAN – DARREN COFFEY

Mr. Coffey received a site plan from Dumfries Development Group, LLC for a proposed mixed-use project, First Town Center that utilizes 19 existing parcels for two proposed buildings and their associated site improvements. Building A will consist of approximately 54,000 square feet (SF) of retail/commercial space. Building B will have approximately 368,707 SF within five stories with a mixture of commercial and residential (up to 230 units) development. The proposed maximum residential density is 24.47 dwelling units/acre (du/ac) and the maximum commercial floor area ratio (FAR) is 0.25. On October 20, the Planning Commission (PC) reviewed the site plan and voted unanimously to forward the site plan to Council with the recommendation to approve.

Ms. Forrester moved, seconded by Ms. Washington, to move the resolution approving the site plan to the consent agenda for adoption on December 2. 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, yes; Mr. Wood, yes.

B. RESOLUTION APPROVING THE PLANNING COMMISSION BYLAWS – DARREN COFFEY

Mr. Coffey noted the PC reviewed and amended their bylaws per Council's recommendation along as a few housekeeping changes. On November 10, the PC voted to move the bylaws to Council for approval.

Ms. Washington moved, seconded by Mr. Toney, to move the resolution approving the amended PC bylaws to the consent agenda for adoption on December 2. The motion carried by the following roll

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call vote: Mr. Brewer, yes; Mr. Foreman, yes; Ms. Forrester, yes; Ms. Reynolds, yes; Mr. Toney, yes; Ms. Washington, yes; Mr. Wood, yes.

C. UPDATE ON FRALEY BOULEVARD LIGHTING – RICHARD WEST

Mr. West commented that during the last Council meeting Virginia Dominion Power mentioned the lights had been installed on Fraley Boulevard. He inspected these lights and found that conditions have been improved. He recommended during the next budget cycle that Council consider adding more lights to the area. Additional lighting would require new poles.

Mayor Foreman asked for clarification on what new poles meant.

Mr. West stated the existing poles were used for the lights and in order to get any additional lighting along Fraley Boulevard new poles would have to be installed.

Mr. Toney agreed there is a significant improvement; however, there is room for improvement. He mentioned there are a couple of poles that do not have lights on them between Williamstown Drive and Possum Point Road. There are portions of the area that are heavily treed and are very dark. He thanked Mr. West for the work and he looked forward to a proposal for additional improvements. Officers are issuing tickets to speeders in that area, which help temper the traffic.

Mayor Foreman added this is a safety related issue and the during the mid-year budget review Council may want to take advantage of the current cost.

D. VIRGINIA TREES FOR CLEAN WATER GRANT OPPORTUNITY – RICHARD WEST

Mr. West advised Council of a grant opportunity that staff would be trying to take advantage of coming out of the US Forestry Service and the Department of Conservation and Recreation. Staff is considering a riparian tree planting in Garrison Park in the Resource Protection Area (RPA). This would not conflict with Mr. Singh's plans for the Park. They are working with William O'Kelly Russell who is assisting with the plan for the project.

Mr. Brewer stated this is something that has been done before. Over 200 trees were planted in this area that washed out when the flooding occurred. It is a 50-50 match. The trees need to be sizable so they are sustainable.

Mr. West noted the grant would be for trees that are a minimum two-inch caliper in size. They still need to determine whether this project would provide stabilization for the area before decided to move forward on the grant.

Mr. Toney asked if the tree planting is congruent with Mr. Singh's plan for the Park.

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Mr. West commented that Mr. Singh was proposing a gazebo in the RPA but the Town is requiring this be placed outside the RPA and the stage area is also outside the RPA. The two projects will complement each other.

Mayor Foreman mentioned the Boy Scouts would be great volunteers to plant the trees.

E. STATUS OF STORMWATER MANAGEMENT PROJECTS – RICHARD WEST

Mr. West mentioned that this past year's storms have tested the Town's stormwater management system and not always at a favorable light. As soon as the contractor has completed the Possum Point Road sidewalk and a few paving repairs work in Prince William Estates will begin with the removal of trees, brush, and debris that are impeding the ditch that runs between Lyda Lane and Curtis Drive to provide some immediate relief of some of the local, small flooding occurring in that area. A request for proposal (RFP) was given to the Town Manager and Town Attorney to review for designing a Best Management Practice (BMP) for Ginn Memorial Park, to look further upstream of Prince William Estates that is affecting that area, an area of concern on Tripoli Court, and a recently uncovered drainage issue on White Haven Drive. A storm drain that should be in the Town's right-of-way is actually located on private property. The RFP will be out very soon.

Mr. Brewer asked if the Town has to get permission from the property owner in Prince William Estates to access the easement.

Mr. West responded the Town has a deeded 20-foot wide easement and do not need permission; however, a letter will be mailed out to inform the residents who abut the area about the upcoming work.

Mr. Brewer commented that in 2002 the project along White Haven Drive was completed. The contractors the Town used messed up and it had to be done again. He was not sure what staff is currently looking at and whether or not this is the same issue that was dealt with back then. He explained there was a problem with the elevation of the road in conjunction with the yards. The curb and gutter that was installed was not functioning so drop-inlets were installed and the piping to the inlets was a problem.

Mr. West stated that staff is looking at the drainage sub-system that picks up Virginia Department of Transportation's (VDOT) drainage at Main Street and White Haven Drive. It cuts across and goes down Willow Road to Quantico Creek. Staff has the RFP written to look at the way it is coming in from Main Street and the rest of the sub-drainage area down and see how much work there needs to be done.

Mayor Foreman asked what the status is for stormwater management for Ginn Memorial Park.

Mr. West noted that is part of the RFP.

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F. RESOLUTION REQUESTING FUNDING FOR POSSUM POINT ROAD UTILIZING HB2313 – RICHARD WEST

Mr. West explained this is the funding that is funneled through the Northern Virginia Transportation Authority (NVRTA) to Prince William County (PWC) to the Town. The 30 percent from House Bill 2313 is reserved for new projects. The funding is currently being applied to the sidewalks on Possum Point Road. The resolution would formalize the relationship with the funding.

Mr. Foreman moved, seconded by Ms. Forrester, to move the resolution to the December 2 consent agenda for adoption. 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, yes; Mr. Wood, yes.

Mayor Foreman noted during next year's budget cycle a better job needs to be done at identifying projects for HB2313. Once the project is determined, Council should pass a resolution soon thereafter.

G. RESOLUTION AUTHORIZING THE TOWN MANAGER ADVERTISE FOR A PUBLIC HEARING ON AN ORDINANCE TO VACATE MARKET STREET – OLAUN SIMMONS

Mr. Simmons asked that the resolution be moved to the December 2 consent agenda to authorize the Town Manager advertise a public hearing to vacate Market Street.

Ms. Forrester moved, seconded by Mr. Wood, to move the resolution to the December 2 consent agenda for adoption. 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, yes; Mr. Wood, yes.

H. UPDATE ON COMCAST FRANCHISE AGREEMENT – OLAUN SIMMONS

Mr. Simmons stated he has spoken to the Towns representative from Comcast. Comcast is unwilling to reopen a center because there is not enough business being conducted. The office was getting about 13 percent of the business the other offices do. Given the Towns desire to revitalize the area, the representative indicated Comcast may consider re-opening an office in the future. Comcast has an agreement with The UPS Store in Dumfries that allows customers to return equipment there. The representative is willing to come in and address Council's concerns. He suggested having the representative come when the public hearing is being held to address Council's concerns.

Mr. Brewer asked if Comcast understands there are 5,000 people in the Town who are not all going to be there at the same time every day of the week.

Mr. Simmons indicated that Comcast believes it is a bad business decision to open an office in the Town.

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Mr. Brewer commented that most people went to the office to exchange equipment not drop off. He noted the Dale City location is really busy.

Ms. Washington asked if the citizens are aware of the location where they can pay their bills.

Mr. Simmons replied it is Paul Cash Inc. located at 18103 Triangle Shopping Center.

Ms. Washington commented that the residents probably do not know this and this would be a good thing to have on the Towns website. She asked if there is a service where you can return equipment via UPS and Comcast will send new equipment back.

Mr. Simmons stated the UPS Store is only for returning equipment.

Mr. Brewer indicated the problem with that is a delay of service. He recalled when the agreement was originally drafted there was an office located in the Town. He wanted the representative to come and speak with Council.

Mr. Toney commented that moving the public hearing up in the meeting would allow interested citizens to participate and then leave afterward.

It was clarified that Council could advertise a specific time to start public hearings. Council would start the meeting and conduct business until the time the public hearing was advertised to start, any business being discussed would be placed on hold, the public hearing held, and then Council would go back to the business it was previously discussing.

Mr. Toney stated that Council should make this change. He felt the objective was to enhance the participation of the citizens.

Mayor Foreman commented the reason he requested an office in the Town was because he thought Council had leverage with the contract. The Potomac Shore development will be building 2,000 homes, the First Town Center development in the Town will have 220 units, and some townhomes were just approved. Currently citizens from Triangle, Graham Park, Quantico, Dumfries, South Bridge, Montclair, etc. have to drive to one location in Dale City. The thrust of the discussion was Comcast needs to provide a location in southeastern PWC. The representative needs to sit down with PWC's Economic Developer and the Town to understand the amount of development that is going on. Comcast has never provided anything other than an anecdotal answer. The representative needs to come ready to answer questions. The citizens need to know when to expect a location in this area.

Mr. Wood asked if they have a date set for public hearing.

Mr. Simmons would have an ordinance for Council to review at the next work session.

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I. RESOLUTION DESIGNATING A REVITALIZATION AREA – OLAUN SIMMONS

Mayor Foreman noted that Mr. Singh came to the Town and stated he can qualify for a no or low interest loan through the Department of Housing and Urban Development if the area where his project is located was designated as a revitalization area. He sat down with the Town Manager and came up with the area along Main Street from Fraley Boulevard to Graham Park Road to designate as a revitalization area. The request is for Council to move the resolution designating the area between Fraley Boulevard, Main Street, Graham Park Road, and Curtis Drive as a revitalization area to the December 2 consent agenda for adoption.

Ms. Reynolds moved, seconded by Ms. Forrester, to place the resolution designating the area between Fraley Boulevard, Main Street, Graham Park Road/Curtis Drive as a revitalization area to the December 2 consent agenda for adoption.

Mr. Wood asked if the designated area included the Triangle and Dumfries Shopping Centers.

Mayor Foreman responded that it does not cover the Triangle Shopping Center.

Mr. Wood asked if Council could include the Triangle Shopping Center. He indicated that Ace Hardware was looking at locating there and there are some empty spaces still available.

Mayor Foreman recalled the instructions mentioned a percentage, but it did not come out and state a percentage of the Town. He thought that if the Triangle Shopping Center was included, the Dumfries Shopping Center should be too. Nothing says Council cannot come back later and expand the area. He was trying to fit Mr. Singh's timeline. Council can direct staff research the issue and determine if these areas can be included.

Mr. Wood indicated that adding the shopping centers would only be a small percentage and should not be a problem. He asked if this was too big of an area.

Mr. Taber stated there is a limit. He would look into the matter and report at the next meeting.

Mayor Foreman asked to include the parcel numbers for the two shopping centers.

Ms. Reynolds agreed to the amendment.

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, yes; Mr. Wood, yes.

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J. RESOLUTION AUTHORIZING THE TOWN MANAGER ADVERTISE FOR A PUBLIC HEARING TO DISPOSE OF TOWN OWNED LAND (GPIN 8189-91-1574) – OLAUN SIMMONS

Mr. Simmons stated that Council is considering selling a portion of Town land to Dumfries Development Group, LLC. in order to facilitate the development and completion of the First Town Center/Promenade Project.

Ms. Forrester moved, seconded by Ms. Washington, to place the resolution authorizing the Town Manager schedule a public hearing to the December 2 consent agenda for adoption.

Mayor Foreman asked Mr. Simmons to describe where the property is located.

Mr. Simmons stated the property is located at 17740 Market Street and is approximately 3.3581 acres of vacant land. The fair market value has been determined and is written into the ordinance.

Mayor Foreman commented the land is behind the Sears homes and ACTS and is adjacent to the stormwater management area next to Fraley Boulevard. It is currently a paper street. The action being taken with this motion is the land is being turned over to the developer, so the developer has to maintain the property.

Mr. Simmons clarified that the action is to authorize the public hearing.

Mayor Foreman noted that was correct and he wanted to make sure that everyone was aware of what was going to happen.

Ms. Simmons stated the land is more than the paper street.

Mayor Foreman wants the citizens to understand where the property is.

Mr. Simmons noted that a site plan would be provided for the public hearing.

Mayor Foreman asked that the paperwork provided shows what it looks like now and what the developer is proposing.

Mr. Simmons explained there are two different things that need to occur. One is the vacation of Market Street and the second one is the purchase of the property for the First Town Center. He noted that Council is discussing the sale and conveyance of the property.

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, yes; Mr. Wood, yes.

K. RESOLUTION ADOPTING THE 2015 MEETING/HOLIDAY CALENDAR – DAN TABER

Mr. Taber noted the calendar for the 2015 Council meetings, work sessions, and holidays were provided. He noted the Town follows the Virginia Department of Human Resource Management holiday schedule. He pointed out that a couple of the meetings fall on a Wednesday.

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Mr. Wood recalled Council discussing taking a meeting off in the summer months due to the lengthy discussion on the budget. He pointed out that this year Council met every week in June.

Ms. Forrester indicated Council discussed taking the month of July off.

Mayor Foreman commented that Council could approve the schedule and cancel a meeting anytime if needed.

Mr. Toney was concerned and verified that the first meeting in July and September did not cause a problem for him. The dates scheduled did not.

Ms. Forrester indicated Council looked at what other localities do and most of them take a break during the summer and it is not unprecedented.

Mayor Foreman has no problem meeting July 7 because it is the first meeting of the fiscal year. He suggested removing the July 21 meeting.

Mr. Wood indicated that Council puts a lot on staff and Council could take off the August 5 meeting as well.

Mr. Wood moved, seconded by Ms. Forrester, to remove the July 21 and August 5 meetings.

Mr. Brewer stated that Council is paid by the citizens to meet 24 times a year. He did not think it was fair to the citizens to be putting business off. Staff is going to be working these particular days. Council has to have budget meetings for debate. If there has to be additional budget meetings, so be it. Council owes it to the citizens.

Mayor Foreman commented that this is about the Council's meeting schedule not the staff's schedule. He is in favor of taking one meeting off in July. He commented that this is not about the staff. The town Manager handles the staff and compensates them with days off etc. He noted that staff works harder putting events together than they do for Council meetings. He would not support removing two meetings.

Mr. Toney stated that removing one meeting is acceptable. He does not mind meeting either. He is okay with taking the July 21 meeting off.

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

Mr. Foreman moved, seconded by Mr. Toney, to move the resolution adopting the 2015 schedule as amended, removing the July 21 meeting, to the December 2 consent agenda for adoption. 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, yes; Mr. Wood, yes.

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L. LEGISLATIVE AGENDA – DAN TABER

Mr. Taber noted there were several parts to his presentation. He mentioned that Council was lamenting over the fact that it is difficult to determine the level of support received from elected officials on the State level in pursuing the Town's Legislative Agenda. He has come to the conclusion that Council is right. There is so much work that is done in the General Assembly in closed and some open committee meetings it is really hard to gauge exactly the support leading up to the passage or failure of certain bills. He did not have anything to report about that. He met with Tracy Gordon, Assistant County Executive of Legislative Affairs for PWC. He was pleased to announce that Ms. Gordon has agreed to be in contact with him regarding the Town's Legislative Agenda and the things that occur with the items included the Legislative Agenda and the things that come up that are unexpected. Ms. Gordon attends the full length of the Legislative Session. He notified the Virginia Association of Counties (VACo) that the Town would like to receive legislative alerts. He provided a proposed Legislative Agenda with items Council has asked be included. He pointed out that a lot of jurisdictions in Virginia have the same items because they are common concerns. He included a narrative explaining how it is important to the Town specifically.

Mayor Foreman stated this is better than last year. He explained that the more items Council has, the more the items get lost on the floor in Richmond. Now Council is focusing on seven items. He provided the following synopsis of each item.

- Recognizing Town as a Locality: All too often the language comes out of Richmond that "localities can". When money is involved with the locality sometimes, it is interpreted to mean PWC. He wanted to make it clear that every town has the same problem as the county.
- Transportation: Deals with having a fair shot with getting the Route 1 project approved and House Bill 2313 & House Bill 2.
- Recognition and Consideration of Towns as a Separate Entity in All Legislation Especially as it Pertains to Transportation Funding: This is all about the current effort underway with the NVTA, Northern Virginia Regional Commission (NVRC), and the Commonwealth Transportation Board (CTB). Currently the Town's Route 1 project is competing with every other transportation project in Northern Virginia. PWC can float bonds and the citizens of the Town pay for some of that with taxes. The Town is competing with them for that funding. If the town were to float a bond it is in essence double taxing the citizens.
- Aid to Localities: Is a holdover from last year.
- Unfunded Mandates: Is a holdover from last year.
- Aid to local law enforcement: Is a holdover from last year.

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Mr. Brewer commented that every year Council says it opposes the reduction. He wants the wording changed to say Council wants an increase in 599 funding.

It was the consensus of Council to amend the language as suggested.

- Environment: This is in reference to the resolution that was passed by Council about Quantico Creek and stream restoration.

Mr. Brewer indicated this is the problem Council has had in the past with privately owned landfills. Department of Environmental Quality (DEQ) does not have enough enforcement powers to levy fines against a violation unless the property owner agrees with the fine. He believes this is ridiculous. He wanted language added that would provide DEQ authority to enforce and levy fines for violations to privately owned landfills.

Mr. Taber stated that it was in last year's agenda and can put it in this year if Council wishes.

It was the consensus of Council to add the language.

- School Resource Officer (SRO) Funding: Last year's language was to mandate SROs in elementary schools. This year Council is asking for the State to fund the current SRO.

Ms. Forrester commented that if the State funds the position and then later removes the funding, she did not want the Council to think that meant that there would no longer be an SRO. She stated the Council made the motion and approved the funding for this position.

Mayor Foreman moved, seconded by Mr. Brewer, to make the suggested changes and place the Town's Legislative Agenda under the December 2 consent agenda for adoption. 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, yes; Mr. Wood, yes.

M. PROCLAMATION IN SUPPORT OF CHILDHOOD CANCER AWARENESS WEEK – MAYOR FOREMAN

Mayor Foreman noted the resolution was self-explanatory. The American Cancer Fund for Children and Kids Cancer Connection Inc. report cancer is the leading cause of death by disease among U.S. children between infancy and age 15. This recognizes December 21 through the 27th.

Mr. Wood moved, seconded by Ms. Washington, to place the proclamation under the December 2 consent agenda for adoption. 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, yes; Mr. Wood, yes.

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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, yes; Mr. Wood, yes.

WHEREAS, the Dumfries Town Council desires to discuss a particular subject in Closed Session during the course of its meeting of November 18, 2014; and

WHEREAS, the nature of the subject is the discussion and consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body and the discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Town. The discussion of same in Closed Session is expressly permitted by Section 2.2-3711(A) (3) and Section 2.2-3711(A) (7) 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. Wood moved, seconded by Ms. Forrester, 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, yes; Ms. Reynolds, absent; Mr. Toney, yes; Ms. Washington, yes; 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 November 18, 2014 and certifies the matters set forth in Section 2.2-3712(D) of the Code of Virginia, 1950, as amended.

Mr. Wood reported that the Town Attorney was to proceed as discussed regarding litigation with AMG Motors.

NOVEMBER 18, 2014 COUNCIL MEETING MINUTES

IN RE: ADJOURNMENT

Mr. Foreman moved, seconded by Ms. Forrester, to adjourn the meeting. 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, yes; Mr. Wood, yes.

Minutes submitted by

Approved by

Dawn Hobgood
Town Clerk

Gerald M. Foreman
Mayor