



## DUMFRIES, VIRGINIA

Virginia's Oldest Continuously Chartered Town

CHARTERED 1749 INCORPORATED 1961

17755 Main Street  
Dumfries, Virginia 22026-2386  
Tel: 703-221-3400 / Fax: 703-221-3544  
[www.Dumfriesva.gov](http://www.Dumfriesva.gov)

### **TOWN COUNCIL MEETING MINUTES December 6, 2011, Tuesday, 7:00 PM**

**Present:** Mayor Nancy West, Vice-Mayor Willie Toney, Council Members Dorothea Barr, Gerald Foreman, Kristin Forrester, Michelle Jurgensen, and Gwen Washington

**Others Present:** Daniel Taber, Town Manager; Christine Sanders, Town Attorney; Richard West, Assistant Director of Public Works; Debi Sandlin, Director of Community & Economic Development; David Moss, Zoning Administrator; Cydney Neville, Director of Community Services; Dawn Hobgood, Town Clerk; Teresa Johnson, Information Technology Manager, and approximately 8 citizens.

Mayor West called the meeting to order at 7:00 p.m.

Mr. Foreman gave an invocation and then all in attendance recited the Pledge of Allegiance to the Flag of the United States.

#### **CITIZEN COMMENT**

Wade Menear, Steele Court, President of the Williamstown Homeowners Association, owns property adjacent to the property purchased by the Town that is planned to be a park. He wanted to express concerns the Board of Directors of Williamstown have about egress from that property into the subdivision. The citizens in the community that own lots along the boundary line do not want any foot traffic from the park. They have playground equipment and basketball courts that have been a total waste of money from being destroyed. He noted that if the park were built without a police substation it would be a waste of taxpayer dollars. Without supervision, the park will become a drug hangout.

#### **ADOPTION OF THE AGENDA**

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

#### **MAYOR'S COMMENTS**

Ms. West thanked Ms. Michèle McQuigg, Clerk of Circuit Court for Prince William County, for swearing her in as Mayor and Ms. Washington as a Council Member. She thanked staff for their assistance in making the Memorial Service, held Tuesday, November 29, for Mayor Yohey at the

United Methodist Church so special, and especially the Town Manager, Dan Taber. She welcomed Gwen Washington as the newest Council Member. She indicated that Ms. Washington was no stranger since her husband, Clyde Washington, served on the Town Council for 26 years. Ms. Washington is a native of Dumfries and that Town Hall was dedicated in honor of her father, John Wilmer Porter. Her mother, Mary Washington, was a teacher at Dumfries Elementary School and the Porter Traditional School was named in her honor.

**STAFF REPORTS** (Attached to the minutes for the official record)

- a. **Town Manager** – Mr. Taber announced the addition of Dawn Hobgood as the Town Clerk to staff. He advised that there have been some issues brought to his attention about the Town’s record keeping and will be bringing forward some suggestions over the next year asking for funding to modernize the record keeping system. Due to several senior citizens speaking with a Council Member regarding the senior citizen luncheons being discontinued, he wanted to clarify that the luncheons have not been discontinued. He announced that the Senior Citizen Luncheons are held the third Friday of every month at 1:00 p.m. The next luncheon is being held December 16 at 1:00 p.m. in the Community Center. He invited the Council to attend the luncheon because it is going to be a combination Christmas Luncheon for the Senior Citizens and Town Staff.

Ms. Barr asked what the General District Court Appearance was that was attended.

Mr. Taber explained that was a court appearance from his previous position as the Town’s Chief of Police.

- b. **Chief of Police** – Chief Forker was not present. There were no changes to his October 2011 report.

Ms. Jurgensen recognized the Police Department and staff for Christmas in Dumfries. She asked how many children were served and the number of volunteers.

Mr. Taber believed the last count was 46 children and 23 volunteers.

Ms. West pointed out that the Police Department is involved in the schools by having lunch with the students.

Mr. Taber noted the Police Department has taken an active role in the safety patrols. The Police Department has provided new equipment and assisted in training. The Police Officer’s also act as mentors working with faculty and staff with the schools.

- c. **Director of Public Works** – Mr. West noted that the transportation portion of the report was not included. It was indicated that a full report would be issued next week.

Ms. West asked if the ditch lines that were redefined behind the Williamstown Park were around the swimming pool area.

Mr. West noted that was correct.

- d. **Director of Economic and Community Development** – Ms. Sandlin announced FederalConference.com recently relocated from Tallahassee, Florida to the Town of Dumfries on Main Street. This will bring 45 jobs to the Town. She noted that David Moss, Town Planner, has been diligently working on a database of all the Town’s commercial uses that is being compared with the existing business license list. This is in advance of next year’s business license applications being sent out for 2012. This will provide the Town with another tool that can be used to analyze the zoning, the Business/Professional/Occupational Licenses (BPOL) in the Town, and this will provide a better awareness of the existing commercial uses in the community, which is an economic development tool.

Mr. Moss noted the project is called the “Occupancy Update Project.” The intent is to make sure there is a record of all the existing businesses in the Town to determine when the last occupancy inspection was performed and ensure that they are up to date. For instance, there are businesses that have been in Town since the 1980’s that have their original occupancy certificates. Some inspections are performed by the Fire Department; however, they do not cover all the commercial businesses in the Town. This will ensure that the Town knows what exists and when the last inspection was performed on exit lights, whether fire doors are clear and kept unlocked, etc. While working on zoning text amendments staff was asked how many businesses would be affected by the changes. Staff was unable to provide a number without having to do some extensive research.

Mr. Foreman asked what the statement, “...staff, received, reviewed, and sent out for comments from other agencies site plans for the new...” meant. Specifically what was meant by other agencies site plans?

Mr. Moss clarified that site plans were received and distributed to outside agencies as required. For example, McDonald’s site plan only has to be reviewed by the Virginia Department of Transportation; however, additional agencies may be required to review site plans that might include Rinker Design Associates or the Army Corp of Engineers.

Ms. Barr pointed out that the top three countries to visit the Town’s website were the United States, United Kingdom, and Canada.

Mr. Toney noted in the section titled Economic Development, second paragraph, in the last line that it should reflect Vice Mayor West’s Council seat instead of Vice Mayor Toney’s Council seat.

Ms. West asked if there was any information regarding the opening of the new 7-11 located on Route 234.

Ms. Sandlin had not heard anything and with it being open only a couple of days it was too early to make an observation.

Mr. Taber noted he had stopped in and asked staff how things were going. It was indicated that on the first day of business a record number of people came in for an opening in this area. It was mentioned that there is a lot of walk-in traffic coming from the area of the trailer park and Tripoli Heights. He did not see it, but there is a gate behind the 7-11 from that area. It appears that the

citizens are taking advantage of the location and time will determine whether the 7-11 will continue to prosper.

Ms. West mentioned a comment was made about the trouble with the foot traffic coming from the commuter lot across the road not using the crosswalk at the light. She recalled the fatality that occurred where the McDonald's is when the commuter lot opened.

Mr. Taber noted he would advise the Chief of Police in order to provide proper patrol in the area to convince pedestrians to use the sidewalk.

- e. **Director of Community Services** – Ms. Neville noted that a Thanksgiving meal was provided for the Senior Luncheon in November. She thanked Sonia Hoehn, Instructor, for volunteering with the English as a Second Language (ESL) class and Mr. Taber for finding the resource. The class was held earlier in the day with six participants. The Christmas Parade will be held this Saturday, rain or shine. There will be some new participants in the parade including the Ms. Northern Virginia Pageant. She thanked the parade committee for helping her with the parade.

Ms. Jurgensen announced that she will be the Master of Ceremonies (MC) for the event and asked Council to let her, or Ms. Neville, know if there would be any special guests riding or walking with them in order to make sure that they are recognized.

Ms. Barr mentioned that in recent years numerous photographs were taken and placed on the website. She asked if there would be a photographer at the event to take pictures since she would not be able to take as many as she has in the past.

Ms. Neville noted she would be taking pictures since she would be assisting with the parade traffic. Ms. Washington, from the Ms. Northern Virginia Pageant, will have a photographer taking pictures too. During the sign in process, the participants will be checking off that they are okay with having their pictures published. The Potomac Local will also be taking photographs.

**APPROVAL OF THE CONSENT AGENDA**

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

Minutes of Regular Council Meeting, November 1, 2011 (not attached - see Meeting Minutes 2011 for official record) and the Receipts and Expenditures for October 2011 (provided November 15, 2011) (Attached to the minutes for the official record).

Adopt State of Virginia 2012 Employee Holiday Schedule

State of Virginia 2012 Holiday Schedule as published by the Virginia Department of Human Resource Management <http://www.dhrm.state.va.us/payandholidaycalendar2012.pdf>

January 2 - New Year's Day (Observed)

January 13 - Lee-Jackson Day

January 16 - Martin Luther King, Jr. Day  
 February 20 - George Washington Day  
 May 28 - Memorial Day  
 July 4 - Independence Day  
 September 3 - Labor Day  
 October 8 - Columbus Day  
 November 12 - Veterans Day (Observed)  
 November 21 - Close at Noon  
 November 22 - Thanksgiving  
 November 23 - Day after Thanksgiving  
 December 24 - Offices Closed  
 December 25 - Christmas

Amendment to 2012 Meeting Dates for Council

# Town of Dumfries

*est. 1749*

Council, Boards, and Commission

## Meeting Dates

# 2012

All meetings held in Council Chambers  
 at 17755 Main Street unless otherwise  
 specified

Adopted 11-15-11      Amended 12-6-11

*All meetings are open to the public*

<p><b>Town Council</b></p> <p>Tuesdays</p> <p>7PM</p>	January 3, 2012
	January 17, 2012
	February 7, 2012
	February 21, 2012
	March 6, 2012
	March 20, 2012
	April 3, 2012
	April 17, 2012
	May 8, 2012

<p><b>Planning Commission</b></p> <p>Mondays</p> <p>7PM</p>	January 9, 2012
	February 13, 2012
	March 12, 2012
	April 9, 2012
	May 14, 2012
	June 11, 2012
	July 9, 2012
	August 13, 2012
	September 10, 2012
	October 15, 2012
	November 26, 2012
	December 17, 2012

<p><b>Architectural Review Board</b></p> <p>Tuesdays</p> <p>6:30PM</p>	January 10, 2012
	February 14, 2012
	March 13, 2012
	April 10, 2012
	May 15, 2012
	June 12, 2012
	July 10, 2012
	August 14, 2012
	September 11, 2012
	October 16, 2012
	November 20, 2012
	December 18, 2012





Whereas, legislative decisions made by the General Assembly often have intended or unintended consequences on municipalities throughout Virginia; and

Whereas, the Town of Dumfries fully supports the legislative program, agenda, and policy statements made by the Virginia Municipal League.

Now Therefore Be It Resolved by the Council of the Town of Dumfries that the General Assembly and the Governor of Virginia are hereby requested to fully support the legislative program, agenda, and policy statements issued by VML.

Ms. Jurgensen moved, seconded by Ms. Barr, to adopt the resolution opposing any proposal to reduce annual road maintenance funding. The motion carried and the following resolution was adopted by the following roll call vote: Ms. Barr yes; Mr. Foreman, yes; Ms. Forrester, yes; Ms. Jurgensen, yes; Mr. Toney, yes; Ms. Washington, yes; Ms. West, yes.

**A RESOLUTION OPPOSING ANY PROPOSAL TO  
REDUCE ANNUAL ROAD MAINTENANCE FUNDING**

Whereas, it has come to the attention of the Council of the Town of Dumfries that the General Assembly may, at its next session in 2012, consider certain legislation which would potentially have unanticipated but devastating economic consequences to municipal governments across the Commonwealth of Virginia; and

Whereas, it appears that legislation may be introduced which would reduce annual road maintenance payments from the State to those localities which maintain their own streets, which would result in a reduction of approximately 20% of the total current funding; and

Whereas, this proposed change in funding would reduce the funding available to localities to maintain an aging road system thereby shifting the road maintenance burden from the State to the localities; and

Whereas, it appears that this proposal, if adopted, would have severe and devastating impacts upon local municipal governments, including the Town of Dumfries.

Now Therefore Be It Resolved by the Council of the Town of Dumfries that it does hereby express its strong opposition to the adoption of the above referenced proposed legislation which would change and reduce the annual road maintenance payments from the state to localities which maintain their own streets and requests that State lawmakers vote against any such legislation at the 2012 legislative session.

Ms. Barr moved, seconded by Ms. Jurgensen, to adopt the resolution opposing House Joint Resolution 693, which proposes amending the State constitution regarding the use of eminent domain.

Mr. Toney asked what was proposed in the amendment.

Ms. Barr explained that they want to give eminent domain some teeth that would be adverse to some of the projects that many municipalities would like to do by making them cost prohibitive. Many of the projects that the Town is working on would end up becoming fiscally impossible.

Mr. Toney clarified that the Council is opposing these changes.

Ms. West gave the following example. The day of the parade, some of the businesses will be shut off from conducting business and if the proposed amendment were passed the business could sue the Town for the lost income.

Ms. Barr noted that if the amendment were passed then the Town would probably require documentation to prove that the business did lose income due to the parade.

Ms. West mentioned receiving an email from the Town of Leesburg in opposition of the proposed amendment.

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

**A RESOLUTION OPPOSING HOUSE JOINT RESOLUTION 693 WHICH PROPOSES AMENDING THE STATE CONSTITUTION REGARDING THE USE OF EMINENT DOMAIN**

Whereas, the Town of Dumfries provides a wide range of services for its citizens, including the construction, maintenance, and enhancement of local roads, bridges, sidewalks, the operation of community festivals and parades, and pursuing economic development opportunities; and

Whereas, the Council of the Town of Dumfries is continually confronted with challenges in funding these services and is concerned about the unanticipated effects of the proposed amendment and believes that it will ultimately increase taxes and slow job growth and development opportunities; and

Whereas, House Joint Resolution 693, which proposes amending the State Constitution regarding eminent domain, appears to require the Town to pay property owners for “lost access” and “lost profits” caused by the Town’s efforts to build, improve, or repair Town infrastructure, or hold a Town festival, whether or not any land is acquired from the property owners, and whether or not eminent domain is exercised to complete the project or carry out the activity; and

Whereas, the Town acknowledges the fact that many of its concerns could be the result of considerable speculation – not all of which may be accurate – about the impact of the proposed amendment. However, the Town is concerned about the general lack of clarity surrounding the issue and feels that more information should be provided before any eminent domain initiative is put before the voters.

Now Therefore Be It Resolved that the Council of the Town of Dumfries does hereby oppose House Joint Resolution 693 which proposes amending the State Constitution

regarding eminent domain, and requests that the lawmakers vote against the legislation at the 2012 Legislative Session.

Ms. Jurgensen moved, seconded by Ms. Barr, to adopt the resolution in support of Business/Professional/Occupational License (BPOL) taxes in the Commonwealth of Virginia.

Mr. Foreman asked what a yes vote would mean.

It was clarified that the resolution is requesting that the General Assembly and the Governor of Virginia NOT reduce or restrict local taxing authority by repealing or restricting the BPOL tax or any other local tax. A yes vote means that the Council does not want the authority taken away from local government to have a BPOL tax.

The motion carried and the following resolution was adopted by the following roll call vote: Ms. Barr yes; Mr. Foreman, no; Ms. Forrester, no; Ms. Jurgensen, yes; Mr. Toney, yes; Ms. Washington, yes; Ms. West, yes.

**A RESOLUTION IN SUPPORT OF BPOL TAXES IN THE COMMONWEALTH OF VIRGINIA**

Whereas, the Town of Dumfries has the authority to collect Business Professional Occupational License Tax pursuant to Section 58.1-3703 of the Code of Virginia; and

Whereas, the Town of Dumfries is a small town with a population of less than 5000 citizens; and

Whereas, the BPOL tax is a vital tax for the Town of Dumfries, and it makes up 9.18% of the total revenue for the Town; and

Whereas, the Town of Dumfries relies heavily on the revenue from BPOL taxes for daily operational costs and for the successful provision of Town services to our residents; and

Whereas, the BPOL tax has become the target of severe scrutiny and negative attention at the state level of government; and

Whereas, the Town of Dumfries is extremely concerned that state government officials may not have a comprehensive understanding of how limitations on this essential source of revenue would affect the budgets and operations of smaller municipalities; and

Now Therefore Be It Resolved by the Council of the Town of Dumfries that the General Assembly and the Governor of Virginia are hereby requested NOT to reduce or restrict local taxing authority by repealing or restricting the BPOL tax or any other local tax.

Ms. Barr moved, seconded by Ms. Jurgensen, to adopt the resolution supporting VTrans 2035 statewide, long-range multimodal transportation plan. The motion carried and the following

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

**A RESOLUTION IN SUPPORT OF VTRANS 2035 STATEWIDE, LONG-RANGE MULTIMODAL TRANSPORTATION PLAN**

Whereas, it has come to the attention of the Council of the Town of Dumfries that the General Assembly will, at its next session in 2012, consider certain legislation which will deal with transportation funding throughout the Commonwealth; and

Whereas, the Council of the Town of Dumfries supports the continuing emphasis on transportation funding initiatives; and

Whereas, there is a critical need to identify and dedicate an ongoing source of non-general fund revenue to support 65 billion dollars in transportation needs as identified in VTrans 2035; and

Whereas, there is a need to place and keep the Fraley Boulevard/Route 1 expansion on the long-term VDOT road construction project priority lists along with proper funding for the ultimate completion of the project.

Now Therefore Be It Resolved by the Council of the Town of Dumfries that the General Assembly and the Governor of Virginia are hereby requested to fully support any initiative that will identify and dedicate an on-going source of non-general fund revenues to support the transportation needs identified in VTrans 2035.

Ms. Jurgensen moved, seconded by Ms. Barr, to adopt the resolution opposing amendments to Section 58.1-3832 of the Code of Virginia in regards to cigarette tax enforcement. The motion carried and the following resolution was adopted by the following roll call vote: Ms. Barr yes; Mr. Foreman, yes; Ms. Forrester, yes; Ms. Jurgensen, yes; Mr. Toney, yes; Ms. Washington, yes; Ms. West, yes.

**A RESOLUTION IN OPPOSITION OF AMENDMENTS TO SECTION 58.1-3832 OF THE CODE OF VIRGINIA IN REGARDS TO CIGARETTE TAX ENFORCEMENT**

Whereas, Town of Dumfries has the authority to collect local taxes on the sale or use of cigarettes pursuant to Section 58.1-3832 of the Code of Virginia; and

Whereas, the Town of Dumfries is a small town with a population of less than 5000 citizens; and

Whereas, the Cigarette Tax is a vital tax for the Town of Dumfries, and it makes up 5.33% of the total revenue for the Town; and

Whereas, the Town of Dumfries relies heavily on the revenue from Cigarette taxes for daily operational costs and for the successful provision of Town services to our residents; and

Whereas, the Cigarette tax and related enforcement has become the target of scrutiny and negative attention by the Wholesalers Association; and

Whereas, the Town of Dumfries is extremely concerned about the effects that placing limitations on the enforcement of this essential source of revenue would have on the budgets and operations of smaller municipalities.

Now Therefore Be It Resolved by the Council of the Town of Dumfries that the General Assembly and the Governor of Virginia are hereby requested to OPPOSE any changes in Section 58.1-3832 of the Virginia Code that would place further limitations on the administration and enforcement the Cigarette Tax.

Ms. Jurgensen moved, seconded by Ms. Barr, to adopt the resolution opposing the \$1.2 trillion in defense cuts over 10 years. The motion carried and the following resolution was adopted by the following roll call vote: Ms. Barr yes; Mr. Foreman, yes; Ms. Forrester, yes; Ms. Jurgensen, yes; Mr. Toney, yes; Ms. Washington, abstain; Ms. West, yes.

**A RESOLUTION TO OPPOSE THE \$1.2 TRILLION IN DEFENSE CUTS OVER 10 YEARS**

Whereas, the Town of Dumfries has identified and taken under consideration the Department of Defense's(DoD) announcement to cut defense spending by \$1.2 trillion over the next 10 years; and

Whereas, the Town Council understands the need for the federal government to cut spending; however, the Town specifically opposes the directive to cut the defense budget by an additional \$1.2 Trillion over the next 10 years; and

Whereas, the Town of Dumfries is a small Town with a population of less than 5,000, with limited revenues and an already struggling economy; and

Whereas, the Town of Dumfries is located between Quantico Marine Corps Base and Fort Belvoir, and it is home to a wide variety of DoD contractors and subcontractors; and

Whereas, this decision will negatively affect businesses in the Town of Dumfries holding DoD contracts ; and have a significant impact on an already strained economy; and

Whereas, Subcontractors located in the Town of Dumfries will also be negatively impacted by this directive; and

Whereas, the Town of Dumfries and the Commonwealth of Virginia are thoroughly committed to economic development, and defense related contracts are of paramount importance to both Dumfries and Virginia; and

Whereas, in FY 2009, 13.9% of the Commonwealths gross domestic product was derived from defense spending; accounting for \$38.7 billion in contracts in Virginia, with \$1.8 billion generated out of Quantico Marine Corps Base; and

Whereas, Virginia is expected to take the hardest hit in regards to these funding reductions, which could prove devastating to certain local economies, including Dumfries.

Now Therefore Be It Resolved that the Town of Dumfries hereby requests that the Governor of Virginia and the General Assembly consider the direct and indirect impacts this directive will have on the Commonwealth and Virginia's local communities, and the Town requests that Virginia's elected and appointed officials formally oppose the implementation of this federal directive.

Ms. Barr moved, seconded by Ms. Jurgensen, to adopt the resolution supporting legislation enabling real estate tax bill discounts when annual taxes are paid in full by first-half deadline.

Ms. West reminded the Council that this was discussed last year when Council found out that as a locality they could not enact this without having enabling legislation.

Mr. Toney pointed out that the most important part is that the taxes have to be paid in full.

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

**A RESOLUTION TO SUPPORT LEGISLATION ENABLING REAL ESTATE TAX BILL DISCOUNTS WHEN ANNUAL TAXES ARE PAID IN FULL BY FIRST-HALF DEADLINE**

Whereas, the Town of Dumfries has the authority to collect Real Estate Taxes pursuant to Section 58.1-3200 of the Code of Virginia; and

Whereas, the Town of Dumfries is a small town with a population of less than 5000 citizens, the majority of whom qualify as Low and Moderate Income; and

Whereas, taxes are necessary in order to provide adequate services, however taxes are often burdensome on all citizens, but especially on households with lower incomes; and

Whereas, the Town of Dumfries desires to make the Town an appealing place to live and work, and the Town is exploring creative ways to "give back" to its citizens; and

Whereas, many other localities in other states throughout our nation offer discounts on real estate taxes when the annual amount is paid in full by the first-half deadline; and

Whereas, the Town of Dumfries and the Commonwealth of Virginia recognize that tax incentives and discounts are of paramount importance to our citizens and to potential businesses desiring to relocate; and

Whereas, the Town of Dumfries and the Commonwealth of Virginia are committed both to Economic Development and to enhancing the quality of life of our residents.

Now Therefore Be It Resolved that the Dumfries Town Council requests that the General Assembly consider adopting legislation that would enable localities to provide discounts on real estate taxes when the annual amounts for those taxes are paid in full by the first-half deadline.

Ms. West noted the next resolution was for the authorization for small towns to hire a full-time Police Chief who has retired in good standing from another VRS member agency.

Ms. Barr moved, seconded by Ms. Jurgensen, to adopt the resolution supporting a modification to the Virginia Retirement System. The motion carried and the following resolution was adopted by the following roll call vote: Ms. Barr yes; Mr. Foreman, yes; Ms. Forrester, yes; Ms. Jurgensen, yes; Mr. Toney, yes; Ms. Washington, yes; Ms. West, yes.

**RESOLUTION TO SUPPORT A MODIFICATION TO VIRGINIA RETIREMENT SYSTEM**

Whereas, the Town of Dumfries is a member of the Virginia Retirement System and is prohibited from hiring a retired VRS member as a full-time Police Chief; and

Whereas, the Town of Dumfries is limited in any search for a full-time Police Chief by not being allowed to open the selection process to highly qualified law enforcement executives because of the VRS exclusion; and

Whereas, smaller jurisdictions with limited resources are often unable to offer the competitive salaries that are required to attract the most highly qualified candidates for employment; and

Whereas, smaller jurisdictions are frequently troubled with some of the most problematic issues, and they often face scrutiny for tolerating lower standards of professionalism; and

Whereas, smaller jurisdictions with limited resources should be afforded the same opportunity to benefit from highly educated and experienced personnel as larger jurisdictions with greater resources; and

Whereas, the Town of Dumfries and the Commonwealth of Virginia recognize that Public Safety is of paramount importance to our citizens and that police services are one of the most important services that localities provide; and

Whereas, a change in the VRS rule would allow small towns a wider selection of qualified, Virginia Certified candidates; and

Whereas, it is suggested that the General Assembly amend the Virginia State Code to allow towns with populations under 10,000 residents the option of hiring a full-time Police Chief who has retired in good standing from another VRS member agency while not impacting the VRS retirement benefit of the candidate.

Now, Therefore Be It Resolved that the Dumfries Town Council direct the Clerk of Council to mail a true copy of the approved Resolution to Delegate Luke E. Torian and Senator Linda T. Puller.

Ms. Barr moved, seconded by Ms. Jurgensen, to adopt the resolution supporting funding for water quality improvements in the Commonwealth. The motion carried and the following resolution was adopted by the following roll call vote: Ms. Barr yes; Mr. Foreman, yes; Ms. Forrester, yes; Ms. Jurgensen, yes; Mr. Toney, yes; Ms. Washington, yes; Ms. West, yes.

**A RESOLUTION IN SUPPORT OF FUNDING FOR WATER QUALITY IMPROVEMENTS IN THE COMMONWEALTH**

Whereas, Virginia's local governments face mounting costs for water quality improvements for urban storm water management; and

Whereas, the Town of Dumfries is a small town with limited financial resources available to deal with water quality related issues; and

Whereas, the Virginia Municipal League urges the federal government and the Commonwealth to provide adequate funding for these water quality improvements.

Now Therefore Be It Resolved by the Council of the Town of Dumfries that the General Assembly and the Governor of Virginia are hereby requested to support any legislation and policy that would provide funding at the local level for the improvement of water quality and erosion control efforts.

Ms. Jurgensen moved, seconded by Ms. Barr, to adopt the resolution supporting a change in the criteria for designating HUBZones located in towns within the Commonwealth and across the country.

Mr. Toney asked for some clarification on the matter.

Mr. Foreman read the following from the resolution to help clarify the matter.

"Now Therefore Be It Resolved by the Council of the Town of Dumfries that it requests that the Dumfries Town Council direct the Clerk of Council to mail a true copy of the approved Resolution to Delegate Luke E. Torian and Senator Linda T. Puller requesting that they lobby their federal government counterparts to support action that will authorize the Small Business Administration's HUBZone Program to change the criteria for small Towns less than 3 square miles in size and with a disadvantaged income level to qualify the entire community as a designated HUBZone."

Ms. Sandlin explained the eastern side of Route 1 in the Town of Dumfries is a HUBZone, which allows defense companies to move to the top of the pile to qualify for contracts with the federal government. The purpose is to create more job opportunities in disadvantaged communities. With the current criteria the Town is part of Prince William County, so the average income level and population level is used for the entire County even though the Town is a separate, incorporated town, and the residents pay taxes in both localities. This is common throughout the country where smaller disadvantaged communities are a part of a larger community, because of that smaller communities are penalized. This is really a federal matter;

however, to percolate the matter to that level the local legislators have to take charge and move the matter forward.

Mr. Foreman knows that the Town of Dumfries consists of 1.6 square miles with approximately 5,000 residents. He wanted to know what the demographics were for the Town in regards to the per capita employees for salaries and household income. He asked, as one of the communities in Prince William County, whether the Town was one of the poorest or the second poorest.

Ms. Sandlin indicated she would have to do some research to answer that question.

Mr. Foreman knows what a HUBZone is and that typically consists of an area chosen to be designated as a HUBZone. He pointed out that the language in the resolution refers to designating the whole Town as a HUBZone.

Ms. Sandlin explained that the request is to create criteria for communities that have less than three square miles the ability to designate the entire community as a HUBZone.

Mr. Foreman agreed that was correct.

Ms. Sandlin noted that currently HUBZones are designated by a formula. Demographic and income level information is entered into a system to determine what areas of a community are truly considered a designated HUBZone. In the Town's case, Prince William County's demographics are used.

Mr. Foreman understood that if the Council passed the resolution, they would be saying that the entire Town of Dumfries would be a HUBZone.

Ms. Sandlin reiterated that the resolution is requesting that criteria be established to allow the entire community to be designated a HUBZone.

Mr. Taber explained it is as if an imaginary line was drawn through the community designating one side to be a HUBZone but not the other, which would allow one business to qualify while one across the street would not. It is not about declaring a community totally disadvantaged. It deals more with the way small communities tend to develop along corridors. It is a suggestion to make a simple change in the criteria that would solve the problem, not only for the Town of Dumfries but also for communities throughout the states. It is not being said that the Town of Dumfries is disadvantaged. In order to help attract businesses, which would help increase economic development with the Town, the criteria used for the designation needs to be modified.

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

**A RESOLUTION TO SUPPORT A CHANGE IN THE CRITERIA FOR  
DESIGNATING HUBZONES LOCATED IN TOWNS WITHIN THE  
COMMONWEALTH ACROSS THE COUNTRY**

Whereas, the Town of Dumfries, a 1.6 square mile municipality, with a population of 5,000, is one of a few municipalities that have a designated HUBZone in Northern Virginia; and

Whereas, only a section of the Town, located east of Rt. 1, is a designated HUBZone area within the Town's limits; and

Whereas, the Town is seeking to have the Small Business Administration's HUBZone Program change the criteria for small Towns less than 3 square miles in size and with a disadvantaged income level to qualify the entire community a designated HUBZone; and

Whereas, by changing the criteria for small Towns dependent upon military installations to attract businesses and higher income jobs to their communities, these Towns will be better positioned to increase the revenues needed to provide services to residents and businesses; and

Whereas, such designation will result in new job creation, higher paying jobs, increased revenue to Towns with limited ability to raise new revenues, and improved services for the communities residents and businesses; and

Whereas, the Town of Dumfries although an incorporated Town, is considered part of Prince William County, Virginia, a larger county with a population of over 400,000, does not receive financial assistance from the County, although the Town's residents pay taxes to both the County and the Town; and

Whereas, changing the criteria for small Towns would provide the community with an additional resource to attract new businesses, retain existing businesses, and generate much needed revenue without having to burden the residents through additional taxes.

Now Therefore Be It Resolved by the Council of the Town of Dumfries that it requests that the Dumfries Town Council direct the Clerk of Council to mail a true copy of the approved Resolution to Delegate Luke E. Torian and Senator Linda T. Puller requesting that they lobby their federal government counterparts to support action that will authorize the Small Business Administration's HUBZone Program to change the criteria for small Towns less than 3 square miles in size and with a disadvantaged income level to qualify the entire community as a designated HUBZone.

Ms. West asked if the meeting that was scheduled with Delegate Torian and Senator Puller had been delayed

Ms. Sandlin verified that was correct.

Mr. Taber explained that there is a deadline set by the General Assembly that allows Senators and Legislators a window of opportunity, prior to the Session actually starting, to submit as many suggestions for legislation; however, after December 20 they will only be allowed to submit five more. He advised that next year the Council would be working on their legislative package in early November.

Ms. West noted that it is more difficult to get the legislative package done during an election year.

- b. Selection of Council Member to sit on Comprehensive Plan's Park and Recreation subcommittee

Ms. Forrester moved, seconded by Ms. Jurgensen, to adopt the resolution appointing Mr. Toney to the Comprehensive Plan Parks and Recreation Subcommittee. The motion carried and the following resolution was adopted by the following roll call vote: Ms. Barr yes; Mr. Foreman, yes; Ms. Forrester, yes; Ms. Jurgensen, yes; Mr. Toney, yes; Ms. Washington, yes; Ms. West, yes.

**A RESOLUTION APPOINTING A COUNCIL MEMBER TO SIT ON THE COMPREHENSIVE PLAN PARKS AND RECREATION SUBCOMMITTEE**

Whereas, the Town of Dumfries has appointed the Planning Commission; and

Whereas, the Planning Commission is working on sections of the Comprehensive Plan, and

Whereas, the Planning Commission requests that a Council member be appointed to serve on the Parks and Recreation Subcommittee to assist in an update to the Comprehensive Plan.

Now Therefore Be It Further Resolved that the Dumfries Town Council appoints Willie J. Toney as the Council's representative to serve on the Planning Commission's Parks and Recreation Subcommittee for a term that shall expire once completed.

**COUNCIL COMMENTS**

Ms. Jurgensen made the following comments.

- She thanked the citizens who attended.
- She acknowledged Chief Esther and those at the Dumfries-Triangle Rescue Squad - they had their installation dinner Saturday and she looks forward to working with them with the offer made to assist with the park.
- She wished everyone a Happy Holiday and a Happy New Year.

Ms. Barr made the following comments.

- She welcomed Ms. Washington to the Council.
- She congratulated Mr. Toney on his appointment to the Planning Commission's Parks and Recreation Subcommittee.
- She mentioned the Community Center was a collection point for Toys for Tots.
- She thanked those who donated to Christmas in Dumfries – with recognition to the Dumfries-Triangle Rescue Squad and Maureen Caddigan, Potomac Magisterial District Supervisor Prince William County.
- She wished everyone a Merry Christmas.

Ms. Washington made the following comments.

- She thanked those who nominated and supported her for serving on the Council.

- She thanked the McLaughlin's for putting her name forward as a candidate to serve on the Council.
- She is not a politician, but a passionate caring educator who makes decisions based on the citizens she serves in Dumfries, who are students and parents.

Ms. Forrester made the following comments.

- She asked at the last meeting for clarification from the parliamentarian on two issues.
  - The first was seeking guidance prior to going into a closed session since there were some matters she wanted to handle in closed session and others that she did not – the response she was given was whatever Council wants to do.
  - The second was after coming back into open session a single motion was made to appoint several people to various positions, which she questioned. A fellow Council Member advised that there was already a motion on the floor and the parliamentarian agreed.
- For clarification, she explained that once a motion is made to divide the question, which is the only motion that can be made when there is an existing motion on the floor. If the matters bundled together in the motion are not related to one another, the matters are to be divided upon the request of any one Council Member; however, if the matters do relate in some way then there is to be a motion made to divide, a second, and then a subsequent vote to divide. If the motion fails then the original motion stands.
- She felt none of the items were related and the matters should have been divided.

Ms. Sanders understood the frustration around Robert's Rules of Order. She wanted Council to understand that there are a number of versions of Robert's Rules of Order. Robert's Rules are not always the best tool to run a meeting, such as a Town Council meeting. There are other rules of procedure, which Council may choose to deliberate over and adopt. It was discussed previously about adopting different rules and procedures, which she did not see that a majority of the Council wanted to move forward with. She advised that if Council, as a group, wants to look into adopting a different procedural method she can do some research and bring some examples back to the Council for consideration. She clarified that the Council adopted the Robert's Rules of Order Newly Revised in Brief and the only guide that can be used when advising Council on motions. There is no motion to divide the question in this particular book. It is a complex motion that could be made in other versions of Robert's Rules. There is always the opportunity to submit an amended motion to a motion on the floor. She misunderstood the question that was asked of her by Ms. Forrester earlier that the evening about the closed session and apologized for that.

Ms. Forrester understood that Council adopted Robert's Rules of Order and the in brief version is like a cliff note to help understand what the most used rules are.

It was clarified that the resolution passed by Council adopted Robert's Rules of Order Newly Revised in Brief.

Ms. West clarified that Council comments was not a time for discussion, but a time to make comments.

Mr. Foreman read the following statement.

**"Tomorrow, December 7th is Pearl Harbor Day. The attack on Pearl Harbor resulted in a loss of 2,402 souls. Pearl Harbor Day serves as a harsh reminder of the challenges the men and women of our armed services face on a daily basis, as**

they stand in harm’s way defending our nation, its liberty, and our values. Thank you to the veterans of not just World War II, but to all those who have served in the Military and Public Service. I sincerely appreciate your service, your dedication to duty and your commitment to keeping our way of life free.

This is the month of December and I want to say Merry Christmas to everyone. The United States has always been and will continue to be a Country based on religious freedoms. In 1870, Christmas celebrating the birth of Jesus Christ was designated as a Federal Holiday in the United States by Congress and President Ulysses S. Grant. Christmas is December 25<sup>th</sup>, this year, the Federal, State and Local Government Offices will be off on December 26<sup>th</sup> in observance of Christ’s birth. So as we approach this festive time of year and as we remember our Military and Public servants that can’t be home this Christmas; I’d like wish everyone a Very Merry Christmas when celebrating Our Lord’s Jesus Christ’s birth.”

Mr. Toney made the following comments.

- He announced that The Creative and Performing Arts Center is holding an Open Casting Call for Amazing Grace with production occurring in the summer. Auditions will be taking place at the McCoart Building on January 12, 13, 19, and 20 from 6:30 p.m. to 9:00 p.m. and January 14 and 21 from 10:00 a.m. to 1 p.m. Auditions can be scheduled by calling 703-441-2479 or walk-ins are welcome. They are looking for children between the ages of 5 and 16, adults 17 and older, and dancers between the ages of 5 and 16.
- He congratulated Mayor West and Ms. Washington. He was honored and appreciative of being elected the Vice-Mayor.
- He announced the 3rd annual Christmas Bird Giveaway. In conjunction with the Christmas in Dumfries program, 24 birds were given away and can be picked up on December 17 at Todos Supermarket. He does this in conjunction with Thomas Castro, owner of Todos Supermarket. He announced that there are about 18 birds left to be distributed.
- He sent a speedy recovery to his Mother who is under the weather in North Carolina.
- He wanted the citizens to remember the reason for the season by commemorating the birth of Christ in whatever manner is appropriate for them. He wished everyone a happy and safe holiday season.

**CLOSED SESSION (none scheduled)**

**ADJOURNMENT (8:10 p.m.)**

Ms. Jurgensen moved, seconded by Ms Barr, to adjourn the meeting. The motion carried by the following voice vote: Ms. Barr yes; Mr. Foreman, yes; Ms. Forrester, yes; Ms. Jurgensen, yes; Mr. Toney, yes; Ms. Washington, yes; Ms. West, yes.

Minutes submitted by

Approved by

\_\_\_\_\_  
Dawn Hobgood  
Town Clerk

\_\_\_\_\_  
Nancy West  
Mayor