

AT A WORK SESSION OF THE DUMFRIES TOWN COUNCIL, HELD ON FEBRUARY 17, 2015, 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
Derrick Wood
Daniel Taber, Town Manager
Christine Sanders, Town Attorney

THERE WERE ABSENT: William Murphy

IN RE: CALL TO ORDER AND ROLL CALL

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

IN RE: INVOCATION

Father Kevin Downey provided the invocation.

IN RE: PLEDGE OF ALLEGIANCE

All in attendance recited the Pledge of Allegiance to the Flag of the United States.

IN RE: ADOPTION OF THE AGENDA

Mr. Taber requested pulling the presentation from Historic Manassas Main Street Revitalization Program – Debbie Haight, Executive Director Historic Manassas, and Solarize NOVA Program - Cynthia Adams, Executive Director LEAP (Local Energy Alliance Program).

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

IN RE: CITIZEN COMMENT PERIOD

There were no citizen comments.

IN RE: INFORMATION ITEMS

**A. TREASURER’S REPORT/NEW BUSINESS REPORT (JANUARY 2015) –
RETTA LADD**

There were no questions.

B. PUBLIC WORKS REPORT – RICHARD WEST

Mr. West advised the date scheduled for the Quantico Creek Cleanup is April 11.

IN RE: DISCUSSION ITEMS

**A. CROWN CASTLE CONTRACT RENEWAL – TOWER ON CANAL STREET
– OLAUN SIMMONS**

Mr. Simmons explained the resolution is to amend a cell tower lease between Cellular One and the Town. The requested action is to move the resolution to amend the lease under the consent agenda for adoption at the March 3 meeting. The Town currently leases 5,000 square feet to Cellular One, who is currently making rental payments to the Town in order to operate a wireless cell tower located on Town property. The lease expires December 31, 2019. In order to be proactive, the process of negotiating the terms of the extension of the current lease was started. At this point, Cellular One has agreed to a rent increase that would be a maximum of three percent per year based on the Consumer Price Index, a one-time rent increase of ten percent of the annual rent, and a one-time payment of \$10,000 to be paid within 60 days of executing the lease. The Town has given Cellular One the right to first refusal, which means if the Town intends to sell the property it has to be offered to Cellular One first. All of the provisions are standard provisions for a wireless cell tower lease.

Mr. Toney asked how often the lease agreement comes up for renewal.

Mr. Simmons explained that it depends on the terms of the lease, but typically, it is every five years.

Mr. Brewer asked what the current rental payment is.

Mr. Simmons did not have that information.

Mr. Brewer mentioned there has been a one-time payment before and wanted to know what the current contract stipulates.

Mr. Taber noted there would be a one-time ten percent increase on the rental amount with the signing of the lease. The original one-time payment amount proposed was \$5,000. He would get the information that Mr. Brewer was looking for to Council.

Mr. Brewer noted the company leases the tower and turns around and leases it to other companies. The point he was making is that the Town may be collecting a minute amount compared to what the company may be collecting.

Mr. Taber noted that information is proprietary and not open to the public.

Mayor Foreman asked if there is free WiFi being offered in the Town.

Mr. Taber noted there are certain locations that provide this service.

Mr. Brewer moved, seconded by Ms. Washington, to move the resolution to the consent agenda for adoption at the March 3 meeting. The motion carried by the following roll call vote: Mr. Brewer, yes;

Mr. Foreman, yes; Mr. Murphy, absent; Ms. Reynolds, yes; Mr. Toney, yes; Ms. Washington, yes; Mr. Wood, no.

B. STORMWATER MANAGEMENT ORDINANCE REVISIONS – RICHARD WEST

Mr. West explained the Department of Environmental Quality (DEQ) asked the Town to update its stormwater management program, which was last updated in May of 2014. Most of the changes are not substantive, but more of a technical nature. The changes include more clarity on some of the definitions and permit fees were removed from the ordinance and included in the Fee Schedule.

Mr. Brewer asked if any of these changes came with unfunded mandates from the State.

Mr. West stated there was nothing new being mandated.

Mr. Wood moved, seconded by Ms. Washington, to move the resolution to the consent agenda for adoption at the March 3 meeting. The motion carried by the following roll call vote: Mr. Brewer, yes; Mr. Foreman, yes; Mr. Murphy, absent; Ms. Reynolds, yes; Mr. Toney, yes; Ms. Washington, yes; Mr. Wood, yes.

C. LETTER OF ENDORSEMENT FOR CONGRESSMAN CONNOLLY, WHO IS REQUESTING A FEASIBILITY STUDY FOR THE EXTENSION OF THE METRO IN PRINCE WILLIAM COUNTY (PWC) – COUNCILMAN WOOD

Mr. Wood noted that HR779 was introduced February 5, 2015. It is a follow up to the last three bills previously introduced to Congress to do a feasibility study. The Prince William Chamber of Commerce did a letter of endorsement. He was unable to get the letter that Delegate Futrell did. One of the complaints he has heard as to why people do not want to get involved on the various boards and commissions is because by the time people get home from work they are beat from the traffic. The commute time has been one of those conversations that is ongoing. Council has constantly talked about it on the dais. He did not think there is much more Council can do on the local level besides what is already written in the transportation plan. He wanted Council to offer a letter of endorsement to do just a study on what could be done to ease the traffic down this corridor. One of the things that has been on the table for several years is the Metro and he was looking at the success Silver Line had in Tysons Corner and Reston. He knows that up in Woodbridge they have been studying the ferry and doing test runs near the Pentagon, but not in PWC.

Mr. Brewer asked if the request came from Congressman Connolly or Delegate Futrell.

Mr. Wood explained this was a continuation from the conversation had during the legislative social when he asked about the Metro.

Mr. Brewer asked if there was any type of letter received that asks Council to do this.

Mr. Wood noted it was just based off that conversation.

Mayor Foreman mentioned this is a hot button subject that is going to come up during the County elections and at the State level. Council tends not to bring subjects up, when there are Town elections, from the dais that can be viewed as taking a position. He cautioned Council about bringing things up from now until November that are hot button issues. Since 2011, Congressman Connolly has introduced a bill annually requesting a study. He provided the following example of party politics. Congressman Connolly's explanation as to why his bill was not passing was "it is political, and the Republicans in Congress are not enthusiastic about funding the big transit projects and the climate is inhospitable." For this reason alone, the Town should not be discussing this subject in this forum. Council should be discussing the Metro Rail as a participant of a larger organization from which the Council currently belongs. Congressman Connolly introduced the Northern Virginia Metrorail Extension Act, which would study extending the Orange Line to Centreville, the Yellow Line down Route 1 to Fort Belvoir, and the Blue Line down Interstate 95 to Potomac Mills Mall. So, there are three Lines here. The Silver Line Phase One cost three billion dollars. The cost of Phase Two is expected to be five point seven to six point eight billion dollars. The approximate construction cost to Woodbridge is two point five to three billion dollars and the PWC portion would be at least five hundred million dollars in construction costs alone. This cost does not take into account a second line as proposed by Congressman Connolly. In addition, PWC would need to negotiate an entry into the Metro Compact. This would entail PWC absorbing part of the Metro's mountain of billions of dollars debt. PWC does not have a Metro Plan in its Long-Term Transportation Improvement or Comprehensive Plan (CP). PWC has no representatives on the Board of Washington Metropolitan Area Transit Authority (WMATA), and pays no tax subsidy to ensure the Metrorail service. Currently eight localities participate in the WMATA and each participant will pay six million dollars a year. PWC's transportation budget will be gobbled up by Metro costs. Between the planning, environmental impact studies, the engineering, the agreements between multiple jurisdictions, the state and federal government, and the inevitable lawsuits from multiple aggrieved parties, there is no telling how long it would take before a shovel would even be in the ground. Delegate Torian submitted a bill annually since 2010, which would create the PWC Metrorail Improvement District to provide a means of financing an extension of the commuter rail from Fairfax County into PWC. Delegate Torian's bill would address how the Metrorail would be funded and constructed in PWC. Besides getting into the study, the project would need funding from four different entities: businesses in PWC, as well as local, state, and federal governments. Delegate Torian's bill calls for an appointed Board dedicated to exploring how and where the Metrorail would be built in PWC, with the power to implement a Metrorail improvement fee, which would be collected in the same manner as PWC taxes are collected. The fee would be decided by

property owners who own real estate in an area designated for Metro expansion. He agrees with Congressman Connolly when he stated, “We have to start talking about choices and alternatives right now. We may decide that light rail is better. Or bus rapid transit. But let us have the debate now.” He believes Delegate Torian and Congressman Connolly should be working with our State Senator in Richmond as well as PWC, Fairfax County, the Urban Crescent, the Northern Virginia Regional Commission (NVRC) and the Northern Virginia Transportation Authority (NVTA), which does not address the Metro in the TransAction 2040 plans. These entities would automatically include the Town, because we are a member, in dialogue and support. While the Town is a member of the Urban Crescent, the NVRC and participates in the NVTA, the Town leverages its voice with these entities not separate of our jurisdictional alliances. Towns such as Occoquan and Quantico who are not participants in these entities would do well by writing a letter of support. So to recap a way forward, the Town should not sign a letter in the singular form; rather the Town should leverage our signature with the NVRC, NVTA, and the Urban Crescent. The Council has talked about the ferry system and the Town could not participate because the railroad track goes across our Bay. Discussions have been had about the Potomac and Rappahannock Transportation Commission (PRTC) expanding the lots. Council would be better served with signing a letter from the NVRC, NVTA, or the Urban Crescent.

Ms. Reynolds thanked Mr. Wood for bringing up this endorsement. When an item is brought up for endorsement, it is just that, just an endorsement. It seems like someone is always playing politics here. This is not a one person politic here. Council is looking at something for our community that would better our community. A letter of endorsement is just that. It is just a letter that states that you agree on what is being brought forth. Council is not voting on whether it will pass, not voting for anything. All this is doing is letting the Congressman know that Council is behind him. It really hurts her to be on the dais and there are always people on the dais that always take the political route to destroy items that would help a community for their own agenda. All that is being asked for is an endorsement. She supports this endorsement.

Mr. Toney advised that there is more than one way to skin a cat. He understands the benefit of being a member of the various committees that the Mayor sits on. He saw this as another iron in the fire and did not see a problem with supporting a letter of endorsement.

Mayor Foreman asked Mr. Wood if he had the current Prince William Chamber endorsement letter.

Mr. Wood stated the one written in 2013 was the last one written. He noted the Prince William Chamber has not written a letter because this was just introduced. This will have no impact or take funds from the Town’s budget. He agreed that an endorsement should be done through the other organizations

as well. This would just be saying the Town wants to get behind the study. It has been said, if Council does nothing 30 years from now, what does that do to the commute time. He stated that widening the roads is like loosening the belt on an obesity problem. Just more room to put more food and more cars on the road. It has to be studied, looked at in other ways, to ease the congestion, get people home earlier, and attract more jobs.

Mayor Foreman noted the cost of Congressman Connolly's study is one point five million dollars this year. He did not know how much Delegate Torian's was going to cost. He noted if Council is going to do one, the Council needs to do both.

Mr. Wood noted the letter could be amended to include both.

Mayor Foreman asked how Mr. Wood felt about Delegate Torian's study group that has the possibility of levying taxes.

Mr. Toney stated the discussion needed to stick with the request.

Ms. Reynolds agreed.

Mayor Foreman explained the discussion on the floor is about the Metrorail. The question is whether to do a letter of endorsement. He pointed out that there are two efforts, they marry together, and both efforts study almost the same lines. The costs are a little bit different. The Town belongs to three organizations that can provide leverage. He asked where Senator Puller sat on the issue.

Mr. Wood did not know.

Mayor Foreman noted that Senator Puller did not attend the legislative social and what Congressman Connolly stated that night was that one of the things Council needed to talk about was this.

Ms. Washington asked if there was a time limit in which the letter can be sent.

Mr. Wood reiterated the bill was just introduced.

Ms. Washington felt Council had some time. She figured the letter of endorsement for the feasibility study is something Council is going to have to do; however, she agrees that when you are a part of a group you should try to work within the group first. She thought writing a letter to the organizations the Mayor belongs to and asking for their support to endorse Congressman Connolly would be a start. When you belong to a group with different localities, there are different concerns. If the organizations are not willing to support the feasibility study of the Metro coming to PWC then this matter can be re-introduced to Council. She thought it was worth trying to see if the other organizations would write a letter of support.

Mr. Toney reiterated that this is a letter of endorsement for a feasibility study as proposed by Congressman Connolly. He supports the effort. He believes it will benefit this community. As was indicated, there is no impact to the budget. It would simply be saying the governing body of Dumfries

endorses the idea of a study to see if it is feasible to extend one of the Metro lines down here. When the subway comes to your community, it creates a boom and benefits everybody. It is a win-win situation from his viewpoint. He thinks the Council should prepare a letter of endorsement.

Mayor Foreman felt this was a good conversation to have and felt it bears more conversation. He mentioned getting a speaker to come before Council to explain what the costs are to the area and what that will mean to the taxpayers. After that, he felt Council could endorse the study.

Mr. Brewer noted that all feasibility studies come with a cost. It is not a direct cost to the Town; however, it will be an increase on taxes. Nothing is free. He does not care what it is. Before Council jumps on any bandwagon for a feasibility study the Council needs to know more about it what exactly it entails, what it is going to cost, and what the cost is to every taxpayer in this region. The citizens are absorbing costs for the Tyson area that was just opened and are not getting any benefit from it. He suggested taking a minute, stepping back, and looking at it, because it is absolutely political.

Mayor Foreman noted this is a legislative item that could be part of next year's legislative agenda. If Council is going to go forward with this, the Council should ask PWC to come down and tell Council what the costs are because the Town is going to pay PWC taxes for this.

Mr. Wood moved, seconded by Ms. Reynolds, that staff be directed to draft a letter of endorsement to be adopted under the March 3 consent agenda. The motion failed by the following roll call vote: Mr. Brewer, no; Mr. Foreman, no; Mr. Murphy, absent; Ms. Reynolds, yes; Mr. Toney, yes; Ms. Washington, no; Mr. Wood, yes.

D. HOSTING A DINNER IN RICHMOND FOR OUR ELECTED STATE REPRESENTATIVES – DAN TABER

Mr. Taber noted there was a discussion early on about the best way for Council to communicate with elected officials in Richmond. There was a legislative social held in the Community Center and one of the elected representatives attended. He is looking for guidance. The options he sees for next year for presenting the Town's Legislative Agenda include making the meeting more formal, continue to do the same informal meeting, or hold off and at the Legislative Day in Richmond the Council Members who are attending can meet with the elected officials. The meal would run about \$30.00 per person and would require a staff member be assigned to coordinate the event. It is cheaper and easier to coordinate if it is held in Dumfries.

There was no discussion on the matter.

E. 2030 VISION STATEMENT – DAN TABER

Mr. Taber noted this was removed from the agenda at the last meeting due to having an incorrect statement. The correct statement has been inserted. He was looking for Council to move the 2030 Vision Statement to the March 3 consent agenda for adoption.

Mr. Toney moved, seconded by Mr. Wood, to place the 2030 Vision Statement under the March 3 consent agenda for adoption.

Mayor Foreman asked if the youth program was going to be defined at a later time.

Mr. Taber stated the direction from Council was to include the youth program in the 2030 Vision Statement and the program would be defined, what it would represent, and the cost involved at a later work session.

The motion carried by the following roll call vote: Mr. Brewer, yes; Mr. Foreman, yes; Mr. Murphy, absent; Ms. Reynolds, yes; Mr. Toney, yes; Ms. Washington, yes; Mr. Wood, yes.

F. AGENDA ITEMS FOR DISCUSSION AT THE UPCOMING JOINT MEETING WITH THE PARKS AND RECREATION COMMISSION AND HISTORIC DUMFRIES VIRGINIA, LLC – DAN TABER

Mr. Wood noted the Parks and Recreation Commission submitted a proposed agenda to the Town Manager. The agenda was refined to include the various items that Council has discussed. He was looking for any additional items Council would like to see.

Mayor Foreman asked when Council would see a package noting there are items on the agenda that need to be reviewed. He asked if the review was going to take place at the meeting.

Mr. Wood indicated that something could be emailed later this evening.

Mayor Foreman noted there were items on the agenda that were not discussed at the special meeting the Parks and Recreation Commission had last week. He was wondering how the decision was made to put them on the agenda and who was going to discuss them. He asked if a policy was ever approved by Council for the Community Gardens Use Policy or if a draft of the policy was provided for review. Normally Council gets meeting materials at least four to five days before the meeting. He asked about the materials for the following items.

- ✓ Copy of the bylaws;
- ✓ copy of the community use policy;
- ✓ the schedule for the remainder of the year's budget;
- ✓ the Capital Improvement Plan (CIP) needs;
- ✓ the budget request for fiscal year 16; and
- ✓ the budget request for Ginn Memorial Park.

He asked if Council was going to get the documentation tomorrow and whether staff has reviewed the documents. He asked if the Town Manager has seen the documentation in order to prepare for the mid-year budget review. Last year Council got a verbal brief on all of this. He asked if Council was going to get the documents tomorrow.

Mr. Wood asked the Mayor if he wanted to take some of the items off the agenda.

Mayor Foreman did not want anything taken off. He wanted to discuss everything on the agenda. The point being made is the Commission, the staff, and the Council should be presented the package prior to showing up at the meeting. He asked how a meaningful discussion could be held if Council has not been briefed on it.

Mr. Wood asked the Mayor for a recommendation.

Mayor Foreman asked what the intent was.

Mr. Wood stated it was a joint meeting to talk about the CIP, budget, and the scheduled events going forward. He pointed out that the agenda had a lot of the items the Mayor brought up and wanted to talk about. Questions the Mayor asked.

Mayor Foreman pointed out this was the Commissions meeting tomorrow. He wanted to see the items discussed. He knows that the items have been discussed at previous Commission meetings. He noted that in November the Community Garden Use Policy and Community Use Policy were discussed. The documents were provided to staff, changes were suggested, and then provided back to the Commission. All the items he asked to be placed on the agenda were on the Commissions agenda and discussed since June. He was looking for status updates. If the documents have been reviewed and the documents have been changed, the Council is owed those items to look at and read, this will allow the Council an opportunity to ask the Commission questions.

Mr. Wood stated a package was not prepared for this evening. He explained the purpose of this item was to get discussion topics to be covered at the meeting.

Mayor Foreman noted that Mr. Wood was not present at the special meeting he called.

Mr. Wood pointed out that he did attend and had a meeting prior to the Commission meeting.

Mayor Foreman noted he sat at the Commission meeting for 45 minutes and Mr. Wood was not there. He indicated that on the Commissions agenda there was an item to discuss the agenda for the joint meeting. He noted the joint meeting was going to be long because he would be reading the materials prior to any discussion. He pointed out that this is not the way to conduct a meeting. He expected a package before the meeting, not at the meeting.

Ms. Reynolds recalled hearing Mr. Wood state earlier that the materials were going to be emailed to the Council. She did not think that message got through to everybody.

Ms. Washington was prepared to make a motion to cancel tomorrow night's meeting if the Commission is not ready with all the materials. The meeting could be scheduled for the following Wednesday to give the Commission the opportunity to get the documents together.

Mr. Wood did not know if all of the Commissioners would be available.

Ms. Washington thought the meeting needed to be postponed since the documentation was not prepared ahead of time in order to provide the time to collect the documents and give Mr. Wood the opportunity to determine what would work best for the Commissioners.

Mr. Wood noted the agenda could be condensed down.

Ms. Washington felt that everything on the agenda would be good things for the Council to know. She thought it would be good if Council had copies of the documents. She got that Mr. Wood planned to do the meeting a different way so additional time is going to be needed to prepare the documentation.

Mr. Wood noted it was what Council desired.

Ms. Washington asked if all the documents could be put together by tomorrow.

Mr. Wood stated they could.

Mr. Brewer acknowledged that Mr. Wood might be able to; however, it does not provide the time Council needs to review all the documentation. He pointed out that there is a lot of stuff on the agenda. In order for the Council to be prepared to discuss the items he felt it was best to postpone the meeting, provide the documents to Council, give Council time to review the documents, and then maybe some of the items can be removed from the agenda.

Mr. Toney agreed with Ms. Washington's proposal. He did not feel that 18 items on an agenda was feasible. If all the items generate discussion, which the past has shown they will, there is no way all the items will be covered in one meeting. He thought Council might want to take the time tonight to condense the agenda to three or four significant items that are time sensitive. That way when Council meets with the Commission tomorrow there can be substantive discussion. If he were the Chair of a committee, he would not accept the agenda. He would never take an agenda to a meeting and state that there are going to be 18 items discussed. The agenda he is looking at would warrant two or three meetings. He suggested to Mr. Wood that if he wanted to have the meeting to propose a couple of items that the information could be provided to Council.

Mr. Wood noted the Commission wanted to discuss the CIP, the budget, the event schedule, and the calendar. That was the reason for the meeting.

Mr. Toney reiterated that as the Chair, Mr. Wood sets the agenda. If what someone else wants to discuss can be worked in fine, but if not, you can have other side conversations.

Mr. Brewer explained the majority of the items on the agenda have to do with the upcoming budget discussions. The Commission needs to iron out what they want to see and do. The other items are policy uses that need to be ironed out before having events and things of that nature. There are a lot of items on the agenda, but it has been stated it would be best if the Council had the documentation prior to the discussion, allowing time to review, that would in itself allow the meeting to go faster.

Ms. Reynolds asked if the documentation was ready and available for the CIP and the budget in order to email it to Council tonight.

Mr. Wood stated it was.

Ms. Reynolds asked if the documentation for the other items could be sent to Council to review for another meeting. She asked Mr. Wood if he wanted to have the meeting to discuss the CIP and the budget.

Mr. Wood added he wanted a discussion on the scholarship walk and the letter about donations that was sent in January for Council's review.

Ms. Reynolds asked if those items were prepared for the meeting tomorrow.

Mr. Wood stated they were.

Mayor Foreman pointed out that there are only five items to discuss on the agenda. There is no need for 18 items. He noted there is the budget year to date, budget for next year, the CIP, the governing policies, and the bylaws. These five items will cover all 18 that are listed on the agenda. He noted if he were the Chair that would have been the way the agenda would have been presented. The Chair does prepare the agenda and present it to Council for approval. The policies have been worked on over the past year and should be presented to Council. This meeting is the Commissions culminating event. If the budget and CIP are being presented to Council the Town Manager should see it first. He asked if the Town Manager has seen the CIP and budget.

Mr. Taber noted he has not seen the items.

Mayor Foreman advised that Council members sit with the Town Manager to go over what they would like in the budget, so too should the Commission before bringing it to Council. One of the questions that will be asked of the Town Manger is whether the budget is executable.

Mr. Wood mentioned the Commission had a detailed discussion about the CIP and everything.

Mr. Taber agreed but it was not in specifics. One of the unresolved issues was from a question that came up with Council about the end view with the phased in type plan, what would be the next phase. The information has not been compiled yet. There is some logic to postponing the meeting. He could have staff available, even on a Saturday, to help the Commission flush out all of the issues.

Mayor Foreman was onboard with delaying the meeting as long as the Town Manager was okay with it. He noted that the packet has to be provided three to four days prior to the meeting. He pointed out that last year the Commission did not come before Council until after the budget was adopted, which he supported.

Mr. Taber indicated that there are 14 days, so the meeting could be delayed, or the meeting can move forward if the Chair is ready.

Mr. Wood noted he would hold off on the meeting with Council for two weeks.

Ms. Reynolds wanted to clarify a statement that was made that was incorrect. She noted that when the Mayor said he went along with the budget, if you go back and check the record that is not a correct statement.

Mayor Foreman advised that he voted yes for the budget last year. He requested that the vote be checked and placed in the minutes and the discussion be removed if he was correct.

Ms. Reynolds stated if the vote was no she wanted it in bold.

*(Budget was adopted on 6-3-14 under the consent agenda 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)

Ms. Washington wanted to take a few minutes to make sure the Commissioner knows exactly what Council would like when the meeting is scheduled. She felt the Community Gardens Policy should be intact and ready to be looked at, so that if Council has any changes these could be pointed out. She noted the update on the bylaws with the changes should be provided. The Council should have the Community Use Policy and the CIP/Budget request. The calendar of events for the events that are already in the planning stages and where they are at in the process.

It was decided that the agenda would consist of the five topics to include the events with a breakdown of each.

Mr. Wood asked if the topic of televising the Commission meetings needed to be included.

Mayor Foreman advised he would ask that question.

G. RESOLUTION TO RELEASE A PERFORMANCE BOND FOR GRACE CHURCH – OLAUN SIMMONS

Mr. Simmons explained that this is a resolution to release a letter of credit for Grace Church. The requested action is to move the resolution to the consent agenda for adoption on March 3. On March 23, 2012, Grace Church posted an irrevocable letter of credit for site improvements on Grace Church property. The Department of Public Works has reviewed Grace Churches project and advised that there are no issues on the site and recommends releasing the letter of credit in the amount stated in the resolution.

Mr. Toney moved, seconded by Ms. Washington, to move the resolution to the March 3 Consent Agenda for adoption.

Mr. Brewer asked Public Works if everything on the bond had been satisfied.

Mr. West confirmed that it had.

The motion carried by the following roll call vote: Mr. Brewer, yes; Mr. Foreman, yes; Mr. Murphy, absent; Ms. Reynolds, yes; Mr. Toney, yes; Ms. Washington, yes; Mr. Wood, yes.

IN RE: CLOSED SESSION

Mr. Wood made the motion, seconded by Ms. Reynolds, to convene into closed session. The motion carried and the following resolution was adopted by the following roll call vote: Mr. Brewer, yes; Mr. Foreman, yes; Mr. Murphy, absent; 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 February 17, 2015; 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

WHEREAS, 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; and

WHEREAS, the discussion of personnel matters. The discussion of same in Closed Meeting is expressly permitted by Sections 2.2-3711(A)(1), 2.2-3711(A)(3) and 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 made the motion, 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; Mr. Murphy, absent; Ms. Reynolds, yes; Mr. Toney, yes; Ms. Washington, 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 February 17, 2015 and certifies the matters set forth in Section 2.2-3712(D) of the Code of Virginia, 1950, as amended.

Mr. Wood moved, seconded by Mr. Foreman, to move to the consent agenda a resolution authorizing the Town manager schedule a public hearing for the PWC Service Authority. The motion carried by the following voice vote: Mr. Brewer, yes; Mr. Foreman, yes; Mr. Murphy, absent; Ms. Reynolds, yes; Mr. Toney, yes; Ms. Washington, yes; Mr. Wood, yes.

IN RE: ADJOURNMENT

Mr. Foreman moved, seconded by Mr. Wood, to adjourn the meeting. The motion carried by the following voice vote: Mr. Brewer, yes; Mr. Foreman, yes; Mr. Murphy, absent; 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