

AT A REGULAR MEETING OF THE DUMFRIES TOWN COUNCIL, HELD ON FEBRUARY 7, 2012, AT 7:00 P.M., IN COUNCIL CHAMBERS, 17755 MAIN STREET, DUMFRIES, VIRGINIA:

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

IN RE: CALL TO ORDER

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

IN RE: INVOCATION AND PLEDGE OF ALLEGIANCE

Pastor Doug Geeting, Dumfries United Methodist Church gave an invocation and then all in attendance recited the Pledge of Allegiance to the Flag of the United States.

IN RE: APPROVAL OF THE MINUTES

Ms. Forrester moved, seconded by Mr. Toney, to approve the minutes from the July 12, 2011 Special Meeting, July 14, 2011 Special Meeting, September 6, 2011 Public Hearing, and January 3, 2012 minutes as presented. The motion carried and was approved by the following roll call vote: Ms. Barr, yes; Mr. Foreman, yes; Ms. Forrester, yes; Ms. Jurgensen, yes; Mr. Toney, yes; Ms. Washington, yes; Ms. West, yes.

IN RE: ADOPTION OF THE AGENDA

Ms. Jurgensen moved, seconded by Ms. Barr, to adopt the agenda with the change under Item V-D, Resolution Authorizing the Town Manager to Handle Right-of-Way Acquisitions for the Tripoli Heights Project from Christine Sandlin to Christine Sanders as the presenter. The motion carried by the following roll call vote: Ms. Barr, yes; Mr. Foreman, yes; Ms. Forrester, yes; Ms. Jurgensen, yes; Mr. Toney, yes; Ms. Washington, yes; Ms. West, yes.

IN RE: APPROVAL OF THE CONSENT AGENDA

Ms. Jurgensen moved, seconded by Ms. Barr, that the Consent Agenda be adopted with the following changes. Under Item V-B, Resolution Amending the Council's 2012 Regular Meeting Schedule to Accommodate for the Republican Presidential Primary and the Board of Zoning Appeals (BZA) Meeting Schedule, be changed to reflect that the meeting being changed for the Republican Presidential Primary is in March not May and that the BZA changed their meeting dates to the third Wednesday and not the third Thursday. Under Item V-C, Certificate of Appreciation to Girl Scout Troop 5894 for Participating in the 2012 Dumfries Christmas Parade be changed to read 2011 not 2012. The motion carried and the following resolutions were approved as amended 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.

TOWN COUNCIL MEETING SCHEDULE FOR 2012

WHEREAS, the Town of Dumfries Town Council schedules meetings with the Homeowner Associations located in the Town and Prince William County Supervisor Maureen Caddigan to discuss various matters regarding the Town each year; and

WHEREAS, these meetings have been scheduled on the following dates, times, and locations as follows:

Port of Dumfries	3-7-2012	Community Center 17757 Main Street	8:00 p.m.
Hampstead Landing	6-6-2012	Council Chambers 17755 Main Street	7:00 p.m.
South Cove	9-5-2012	Council Chambers 17755 Main Street	7:00 p.m.
Williamstown	12-12-2012	Council Chambers 17755 Main Street	7:00 p.m.
Maureen Caddigan	2-22-2012	Williams Ordinary 16764 Main Street	7:00 p.m.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Dumfries that this schedule containing the dates and times, is hereby adopted.

TOWN COUNCIL MEETING SCHEDULE FOR 2012

WHEREAS, the Town of Dumfries Town Council must schedule its meetings for the calendar year 2012; and

WHEREAS, Town Council considered and adopted its schedule on November 15, 2011 along with the Planning Commission, Board of Zoning Appeals, and Architectural Review Board; and

WHEREAS, Town Council adopted an amended schedule on December 6, 2011; and

WHEREAS, Town Council needs to change its March 6, 2012 meeting to March 7, 2012 to accommodate for the Republican Presidential Primary; and

WHEREAS, Town Council wants to change the Board of Zoning Appeals meeting dates as requested to the third Wednesday of each month.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Dumfries that the attached Council meeting schedule is hereby changed for the 2012 calendar year to reflect the changes needed for the Republican Presidential Primary and the Board of Zoning Appeals.



Resolution Number R-2012-011

A RESOLUTION TO AUTHORIZE THE TOWN MANAGER TO ACQUIRE RIGHT OF WAY FOR THE TRIPOLI HEIGHTS DRAINAGE IMPROVEMENT PROJECT

WHEREAS, Rinker Design Associates, P.C. (RDA) was previously awarded an on-call contract with the Town of Dumfries (Town) Department of Public Works for various services; and

WHEREAS, one of the projects associated with RDA's on-call contract is the Tripoli Heights/Boulevard Drainage Improvement Project (the "Project"); and

WHEREAS, the RDA recently met with the Town Attorney and Director of Public Works and informed them that the Project is now at a stage where the necessary rights-of-way must be negotiated and acquired by the Town for construction of the drainage improvements; and

WHEREAS, in order to acquire these rights of way, the Town Manager requires authorization from the Dumfries Town Council to approve the negotiations for and acquire the necessary rights-of-way for the Project.

THEREFORE BE IT RESOLVED by the Council of the Town of Dumfries on this the 7th of February, 2012, authorizes the Town Manager and/or his designee, to approve the negotiations for and acquire the rights-of-way necessary for construction of the Tripoli Heights Drainage Improvement Project.

IN RE: CITIZEN COMMENT PERIOD

Jeff Cox, Cropper's Towing, Tire, and Auto Care, wanted to bring an issue to Council concerning written zoning violations. He received a written violation notice on August 24 for not having a sign permit. Since that time, he has complied with not showing his wares or signs; however, other businesses like his are showing wares and several staff members have been aware of this and photos have been provided. He has abided by the rules for six months, which has had an effect on his business by not being able to show what he sells. He received a letter by certified mail, rather than a knock on his door for an issue that took five minutes to rectify. He was concerned with the letter stating that non-compliance of this violation could result in issuance of criminal summons or court appearance. He felt that was pretty threatening. He has waited six months since showing photos to staff and nothing is being done about the other businesses doing what he received a notice of violation for. Another concern he has is with violations of a conditional use permit (CUP). He mentioned that Ms. West had asked staff how violations of the CUP are enforced and she never really got an answer. There have been many photos of violators and nothing has been done.

CiCi Matthews was a little disappointed, yet encouraged by Mr. Cox. She had a wonderful visit today from Ms. Sandlin (Economic and Community Development Director) after being open for four months. She was concerned about opening a business and not receiving a welcome letter. She was told the reason for not receiving a welcome letter was that the Town did not have one. She was concerned with the way the Town conducted business. She has an issue with signs as well and is concerned. She requested a copy of the ordinance, which she never received; however, she did go online, and looked it up. She had a TV icon, a celebrity, come in that brought media attention to the Town. She thanked the Police Department for being there. She intends to bring in other celebrity friends. She has talked with several other businesses and what keeps coming up is that the businesses do not have the support of the Town. She noted that in a newspaper article it was stated that the Town welcomed new businesses. She was concerned since she had not been welcomed. She encouraged the Town to improve on welcoming businesses and stand behind what is being said.

IN RE: MAYOR'S COMMENTS

Mayor West thanked Vice mayor Toney for conducting the January 17 meeting and Council for allowing her to participate by telephone. She thanked staff for the card she received while she was recovering from surgery.

IN RE: PRESENTATIONS

A. CORRESPONDENCE RECEIVED FROM DUMFRIES, SCOTLAND (JURGENSEN)

Ms. Jurgensen noted that her Professor, June Forte, had the opportunity in May last year to visit Dumfries, Scotland and asked if she could take a message from the Town. She read the following letter that was received from the Provost of Dumfries, Jack Groom.

Your Ref:

Our Ref: MS/012/JG/SB

29 June 2011

The Honorable Fred E. Yohey, Jr., Mayor
17755 Main Street
P.O. Box 56
Dumfries
Virginia 22026-0056

Provost of Dumfries

Provost Jack Groom
Municipal Chambers
Buccleuch Street
Dumfries DG1 2AD

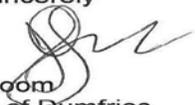
Tel: 01387 245960
Mob: 07825 633 175

Dear Mayor

Thank you for your Charter Day Resolution & Greeting dated the 3rd May 2011. I am delighted to advise that the Charter has been framed and displayed the Provosts room in Municipal Chambers, Buccleuch Street, Dumfries and this has generated considerable amount of public interest.

I am proud of our bonds of friendship and links with our sister city Dumfries, Virginia, and will continue to promote these to the best of my ability.

Yours sincerely


Jack Groom
Provost of Dumfries

Enc



Included with the letter were a brochure and a couple of newspapers articles. One has a picture of the declaration and resolution the Town sent. She asked that the materials be displayed somewhere for everyone to be able to view.

Ms. Barr asked that the materials be made available on the website.

Mr. Taber indicated that he would see if that could be done and that the materials would be available in Town Hall for viewing.

IN RE: ACTION ITEMS

A. RESOLUTION ACCEPTING A DONATION OF PERSONAL PROPERTY FROM THE DUMFRIES BUSINESS ASSOCIATION AND CERTIFICATE OF APPRECIATION (BARR)

Ms. Barr explained that a newsletter committee branched off from the website committee. The newsletter committee was looking at updating and giving the newsletter a contemporary look with some new types of articles. During the first meeting it was determined that without having an additional computer for people to use that this would not be doable. She and Ms. Jurgensen spoke to the Dumfries Business Association (DBA) about the situation and were amazed by the outpouring of support received. She wanted to thank the DBA publicly and several of its members for providing materials to allow the idea to move forward. The equipment being donated will not only be used for the newsletter but can also be used for the Town's programs. She thanked Chris Caldwell, Caldwell Consulting, for the donation of several computers, Rodney Cahow, Communication in Action, for communication support, Francis Halperin for office supplies, and Pete Singh for a printer with a year's supply of ink.

Ms. Barr made the motion, seconded by Ms. Jurgensen, to adopt the resolution accepting the donation of personal property. 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 ACCEPT THE DONATION OF PERSONAL PROPERTY

WHEREAS, §15.2-1108 of the Code of Virginia (1950) as amended, allows the Town of Dumfries to accept gifts or donations from any source which are related to the powers, duties, and functions of the Town; and

WHEREAS, members of The Dumfries Business Association (DBA), specifically, Caldwell Consultants via Chris Caldwell, Communication in Action via Rodney Cahow, Francis Halperin and Mr. Pete Singh, wish to donate computers, monitors, a printer and business supplies (the "donations") to the Town for use by the Town in its Department of Community Services, at the discretion of the Town Manager, or his designee; and

WHEREAS, the Town would like to accept the donation from the DBA members for use by the Town in its Department of Community Services at the discretion of the Town Manager, or his designee.

NOW THEREFORE BE IT RESOLVED by the Council of the Town of Dumfries on this 7th of February, 2012, accepts the generous donation by the DBA members for use by the Town at the discretion of the Town Manager, or his designee.

Ms. West presented certificates to Chris Caldwell, Rodney Cahow, and Francis Halperin.

B. ORDINANCE – PUBLIC HEARING – TO AMEND THE CAPITAL IMPROVEMENT PLAN FOR GINN MEMORIAL PARK PHASE 1 – GREG TKAC, PUBLIC WORKS DIRECTOR

Mr. Tkac advised that in 2010 the Town purchased property located at 3876 Graham Park Road, GPIN number 8188-88-5393, for a community park. The Town had funds budgeted for the park; however, it was overlooked and not included in the Capital Improvement Plan (CIP). Phase 1 will include a gravel parking facility outlined with timber, two stone dust trails; the first will connect the parking to a multi-purpose play area and the second trail will connect the existing sidewalk on Graham Park Road to the multi-purpose play area. The play area will consist of a multi-purpose court enclosed with fencing and a lockable gate suitable for basketball and other court activities, a multi-purpose field, which will be suitable for field sports, and a play area, which will include swings and benches. It was noted that there have been multiple public input meetings, a committee was formed, and a Planning Commission public hearing have been held. A more detailed plan will be available next month that will forecast out some of the later aspects of what the park plan will entail.

The public hearing was opened to public comments.

There being no comments the public hearing was closed.

Mr. Toney thanked everyone who has been involved in the project thus far.

Ms. West mentioned that when she first got on the Council the Port of Dumfries Homeowner's Association had offered the Town a small piece of property that abutted what was always referred to as the Donkey Farm. Since the piece was too small to think about using for a park the Town would not have been able to do anything with it and mentioned to the previous Town Manager, Kim Alexander, that it would be nice if the Town owned the Donkey Farm property.

Ms. Barr pointed out that there have been many comments about safety and security and wanted to assure everyone that there are components going in during Phase 1 to address the security issues.

Ms. Jurgensen made the motion, seconded by Ms. Barr, to introduce the ordinance to amend the Capital Improvement Plan for Ginn Memorial Park Phase 1. The motion carried by the following roll call vote: Ms. Barr, yes; Mr. Foreman, yes; Ms. Forrester, yes; Ms. Jurgensen, yes; Mr. Toney, abstain; Ms. Washington, yes; Ms. West, yes.

Mr. Toney explained the reason he abstained was because he was informed by Mr. Moss a couple of meetings ago that since his property was in close proximity there was a conflict of interest. He wanted everyone to know that he supports the project.

Mr. David Moss, Zoning Administrator/Town Planner, explained the conflict deals specifically to the approval of funding of the park. He noted that general votes to approve the park, its location, CIP amendments, which are separate from the Town's budget, are allowed.

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

Mr. Toney made the motion, seconded by Ms. Jurgensen, to introduce the ordinance to amend the Capital Improvement Plan for Ginn Memorial Park Phase 1. The motion carried by the following roll call vote: Ms. Barr, yes; Mr. Foreman, yes; Ms. Forrester, yes; Ms. Jurgensen, yes; Mr. Toney, yes; Ms. Washington, yes; Ms. West, yes.

C. DISCUSSION/DECISION ON RESOLUTION TO AWARD CONTRACT TO DPW – 12-03 FOR ON-CALL BUILDING INSPECTION AND RESIDENTIAL INSPECTION SERVICES TO SOIL CONSULTANTS ENGINEERING (SCE) – GREG TKAC, PUBLIC WORKS DIRECTOR

Mr. Tkac advised that two responses were received from the thirteen firms that were solicited for proposals. Staff recommends that Soil Consultants Engineering be awarded the contract.

Ms. Jurgensen made the motion, seconded by Ms. Washington, to adopt the resolution awarding a contract to Soil Consultants Engineering for building and residential inspection services. 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 AWARD THE DEPARTMENT OF PUBLIC WORKS CONTRACT DPW – 12-03 ON – CALL BUILDING INSPECTION AND RESIDENTIAL INSPECTION SERVICES TO SOIL CONSULTANTS ENGINEERING (SCE)

WHEREAS, a request for proposal for on-call inspection and residential inspection services ("the request for proposal") was issued by the Town of Dumfries (the "Town") on August 13, 2011 for on-call inspection and residential inspection services; and

WHEREAS, the request for proposal was published in the "Free Lance-Star" and the "News and Messenger" on August 17, 2011 and again on August 24, 2011, and posted for ten (10) days; and

WHEREAS, the Town received only two (2) qualified proposal packages in response to the request for proposal by September 20, 2011, the due date; and

WHEREAS, an internal panel of Town staff reviewed the qualified proposal packages and interviewed the two firms who submitted these proposal packages on December 13, 2011; and

WHEREAS, the panel selected Soil Consultants Engineering, Inc., ("Soil Consultants") of Manassas, Virginia, as meeting all of the criteria set forth in the request for proposal; and

WHEREAS, the Virginia Public Procurement Act and the procurement policies duly adopted by the Town of Dumfries have been followed; and

WHEREAS, in accordance with the foregoing, the panel recommends Soil Consultants to the Dumfries Town Council for approval to enter into a contract with the Town for a period of one (1) year with four (4) renewable one (1) year periods upon mutual consent.

NOW, THEREFORE BE IT RESOLVED by the Dumfries Town Council on this 7th day of February, 2012 awards Soil Consultants a contract in response to the request for proposal for on-call building inspection and residential inspection services, (DPW 12-03) Town for a period of one (1) year with four (4) renewable one (1) year periods upon mutual consent, and authorizes the Town Manager to enter into a contract with Soil Consultants for the purposes thereof.

D. RESOLUTION APPROVING THE NORTHERN VIRGINIA REGIONAL WATER SUPPLY PLAN – GREGORY TKAC, PUBLIC WORKS DIRECTOR

Mr. Tkac advised that the Northern Virginia Regional Commission has prepared a Regional Water Supply Plan. The Town is one member of multiple jurisdictions that is part of this Plan. The Town gets its water from the Prince William County Water Authority. This is a mandate from Virginia Code, Section 62.1-44.38:1 that requires a water supply plan. The Water Supply Plan consists of an entire inventory of the existing water sources throughout the Northern Virginia Region, existing water use, projected water demand for thirty years, the needs over a thirty year period, an analysis of alternatives, description of water demand management actions for drought conditions, and a contingency plan. The plan consists of 750 pages with about 800 pages of appendices of which one to two pages speaks about Dumfries. The Town paid \$5,000 of the \$250,000 it cost to prepare the Plan.

Ms. West noted that she sits on the Northern Virginia Regional Commission as the representative for the Town. She and Mr. Toney attended the public hearing last week and found it very informative.

Mr. Toney made the motion, seconded by Mr. Foreman, to adopt the resolution approving the Northern Virginia Water Supply Plan.

Mr. Toney noted the presentation given at the public hearing was very informative about where and how the mandate came about. He learned from the presentation that Dumfries is in a water rich area and the mandate may not even impact the Town; however, the fact is that the State has mandated that every region participate.

Mr. Tkac explained that the mandate came about because of the drought that occurred in the early 90's in the southwestern part of the State.

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 APPROVING THE NORTHERN VIRGINIA REGIONAL WATER SUPPLY PLAN

WHEREAS, the Town of Dumfries ("Town") is a participant in the Northern Virginia Regional Water Supply Planning Group; and

WHEREAS, Virginia State Water Control Board Regulation 9 VAC 25-780, Local and Regional Water Supply Planning, requires all counties, cities and towns in the Commonwealth of Virginia to prepare and submit a water supply plan to the Department of Environmental Quality (DEQ); and

WHEREAS, on January 31, 2012, the Town held a public hearing to accept public comment on the Regional Water Supply Plan; and

WHEREAS, the adopted Regional Water Supply Plan will be submitted to the DEQ upon adoption by the participating jurisdictions.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Dumfries this 7 day of February, 2012, does hereby adopt the Regional Water Supply Plan as it pertains to the Town. Approval and adoption of this regional plan indicates support for and general agreement with the regional planning approach, but does not indicate approval or disapproval of conclusions and recommendations presented in the plan as they pertain to other localities. The Town reserves the right to comment on specific water supply alternatives in the future even though such alternatives may be recommended in this adopted plan. The Town will not be limited to specific water supply alternatives in this adopted plan and reserves the right to recommend additional alternatives for consideration in the future.

BE IT FURTHER RESOLVED that the Town Council of the Town of Dumfries intends that the Regional Water Supply Plan shall be revised to reflect changes in relevant data at least once every five years and resubmitted to DEQ every ten years in accordance with the regulation and sound planning practice.

E. RESOLUTION SETTING THE CRITERIA FOR RECORDING, BROADCASTING, AND MINUTE TAKING FOR THE ARCHITECTURAL REVIEW BOARD (ARB), BOARD OF ZONING APPEALS (BZA), AND PLANNING COMMISSION – DAN TABER, TOWN MANAGER

Mr. Taber noted discussions have been held concerning this matter over the last couple of months. At the last meeting, there was concern raised about the consistency in the application of the rules and the second issue was the documenting of written minutes from the audio and video recordings. The resolution presented to Council will encompass all the decisions Council has made to date and will allow staff to move forward. The biggest change is that this will allow for the recording of the meetings, but they will not be broadcast until beginning May 1, 2012.

Ms. Jurgensen made the motion, seconded by Ms. Barr, adopt the resolution setting the criteria for recording, broadcasting, and minute taking for the Architectural Review Board, Board of Zoning Appeals, and the Planning Commission. 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 Setting the Criteria for Recording, Broadcasting, and Minute Taking for the Architectural Review Board, Board of Zoning Appeals Meetings, and the Planning Commission

Whereas, on January 3, 2012, the Dumfries Town Council passed a motion to video, audio record, and broadcast live all Planning Commission and Board of Zoning Appeals meetings and public hearings and to upload them to the Town website for viewing by the general public, the residents, and members of the business community unable to physically attend the meetings but can watch at home; and

Whereas, on January 3, 2012, the Dumfries Town Council passed a motion to audio record all Architectural Review Board meetings to use for clarification on comments made by an applicant requesting a Certificate of Appropriateness or members of the Architectural Review Board during the discussion of a case and to record discussions on policy or recommendations they will be taking to Council to consider: and;

Whereas, since then there has been concerns raised and discussions held concerning the taking of minutes during these meetings and a need to delay broadcasting live of these meetings; and

Whereas, the Council of the Town of Dumfries does hereby amend the motions made on January 3, 2012 as stated herein; and

Therefore Be It Resolved, effective immediately all Planning Commission and Board of Zoning Appeals meetings be video and audio recorded, and effective May 1, 2012, these meetings be broadcast live and uploaded to the Town website for viewing by the general public; and

Now Therefore Be It Resolved, effective immediately all Architectural Review Board meetings be audio recorded when an applicant requests a Certificate of Appropriateness or members of the Architectural Review Board discuss a case, policy or make recommendations it sends to Council for consideration.

Now Therefore Be It Further Resolved by the Council of the Town of Dumfries on this 7th of February, 2012, that in the case of all of the above Commissions and Boards that the Town Clerk will review the recorded video/audio recordings and produce written minutes of those meetings.

F. MID YEAR BUDGET REVIEW – DAN TABER, TOWN MANAGER

Mr. Taber provided the following information regarding the mid-year budget review.

“Mayor, Town Council Members, Citizens in attendance and viewing at home; I am pleased to present to you the FY12 Mid-Year Budget Review. As you know, even though I did not develop the current FY 12 Budget, as Town Manager I am entrusted with the duty of administering that budget in a professional and competent manner. I feel that with the changes I am recommending at mid-year, the Town of Dumfries will finish the fiscal year in a position of strength, well positioned to enter into the FY13 Budget process.

As you might already realize, the development of a budget is both an art and a science, with the lines between the two often blurred as unexpected and sometimes totally unpredictable events often occur and push and pull on the adopted budget throughout the budget year. My recommended budget adjustments are documented in the staff report that has been submitted for your review and represent both minor as well as significant adjustments. In many cases, my recommended budget adjustments have resulted from simply comparing the recommended original predicted expenses to actual

expenses but in several instances, there were larger issues at play that influenced the decisions made. Some of those issues include the following:

- DCJS Grant Repayment Issue that was unbudgeted
- Significant organizational changes in the Town after the budget was approved last June
- Unbudgeted changes in salary resulting at least in part from the organizational restructuring
- Unbudgeted Leave Payouts
- Under-budgeting of payroll taxes due to a mathematical error
- Loss of the DCJS Grant for FY 12 that was included as revenue
- Unbudgeted expenses related to the Town Manager Search
- Unknown rationale used to budget some of the expenditure amounts listed in the FY 12 adopted budget”

Ms. West noted that one of the items missed was the unbudgeted repairs to Town Hall. She pointed out that one of those repairs was the new carpeting in Town Hall that had some rips/tears that could be a tripping hazard.

Mr. Taber added that there were some repairs made to the air conditioning system, which are impossible to thoroughly budget for. He continued his mid-year budget review with the following comments.

“There were also positive events that included an unanticipated reimbursement of funds from the refinancing of an older bond, a partial reimbursement of our Worker’s Compensation Insurance premium based on our limited recent claim history, and some salary savings from vacant police positions.

The mid-year budget has a projected net increase in revenues of \$18,574. That total amount has been earmarked for inclusion in the Town’s LGIP Fund (savings). In addition, after making all of the other budget adjustments, total net expenditures were reduced by an additional \$35,973, and those funds were likewise earmarked for the LGIP savings fund for a final total increase of \$54,547.

I have included a \$10,000 increase in funding for Ginn Park to partially offset lost grant funding. In addition, I have increased funding in the Police Department under Capital Outlay in the amount of \$38,000 for the purchase of a fully equipped marked police vehicle. This purchase will eliminate the need to fund that vehicle purchase through our normal lease/purchase process in FY 13-14-15, reducing our expenditures in those years.”

Ms. Forrester thanked Mr. Taber for all of his hard work on the mid-year budget review. She was looking forward to the next proposed budget. She noted that even after all she and Mr. Foreman went through with the last two budgets and being told by the previous Town Manager it was as lean as it could get and that there was not enough money to provide a night shift differential for the Police Department there managed to be enough money to take care of the emergency repairs, buy a police car, set aside \$10,000 for the Ginn Memorial Park project, and put over \$50,000 in savings.

Ms. Jurgensen made the motion, seconded by Ms. Washington, to adopt the resolution authorizing the Town Manager to reappropriate unencumbered funds between different town departments. 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 AUTHORIZE THE TOWN MANAGER TO REAPPROPRIATE UNENCUMBERED FUNDS BETWEEN DIFFERENT TOWN DEPARTMENTS

WHEREAS, on June 7 2011, the Dumfries Town Council adopted the FY-2012 Budget, effective beginning July 1, 2011 and ending June 30, 2012; and

WHEREAS, the Town Manager has completed a mid-year review of the FY- 2012 Budget and has determined that adjustments must be made to re-appropriate unencumbered funds between different Town departments; and

WHEREAS, Section 6.06 of the Dumfries Town Charter sets forth provisions for amendments to the Town budget after adoption, and specifically subsection (d) of Section 6.06 of the Dumfries Town Charter, states, *inter alia* “upon written request by the manager, the council may by ordinance or resolution transfer part of all of any unencumbered appropriation balance[s] from one department, office or agency to another”; and

WHEREAS, the Town Manager is hereby requesting that Council approve re-appropriation of unencumbered funds between different Town departments in accordance with Section 6.06 (d) of the Dumfries Town Charter and the FY-2012 Mid-Year Review Spreadsheet, attached thereto.

THEREFORE BE IT RESOLVED by the Council of the Town of Dumfries on this the 7th of February, 2012, that the Town Manager is authorized to re-appropriate unencumbered funds from the FY-2012 budget in accordance with the foregoing.

FY12 MID-YEAR BUDGET REVIEW

STAFF REPORT

DEPT: REVENUE

AMOUNT	LINE ITEM NUMBER	REASON/COMMENTS
<\$13,000>	10-311-0102 – Delinquent Real Estate Taxes Decrease	Amount collected at mid-year below projections
\$1,086	10-311-0201 – Real Estate Taxes – Public Service Increase	Amended is ACTUAL amount received
<\$20,000>	10-312-0501 – Vehicle Tags - Decrease	Amended Projections
\$3,7472	10-312-0001 – Transient Tax – Increase	Amended Projections Based on Mid-Year Collected Amount
\$17,000	10-318-9914 – Miscellaneous Revenue Increase	Reimbursement on Workman's Comp Payments
<\$338>	10-324-0407 – Litter Control Decrease	Amended is ACTUAL amount received
<\$2,500>	10-324-0410 – Blighted Property Decrease	Amended Projections Based on Mid-Year Collected Amount
<\$71,250)	10-324-0416 – DCJS Grant Decrease	No grant funds awarded – ENS Issue
\$2,000	10-324-0417 – DMV Grants Increase	Additional grant funds awarded
<\$2,000>	10-324-0418 – Wal-Mart Police Grant Decrease	No grant funds awarded
\$5,000	10-324-0422 – Wal-Mart Grant Increase	Unanticipated Community Services Grant Received
<\$500>	10-324-0700 – Community Center Fees Decrease	Amended Projections Based on Mid-Year Collected Amount
\$50,000	10-324-0902 – SWM Fund Transfer Increase	Additional Storm Water Management Projects/Costs
\$6,785	10-324-1201 – Christmas ion Dumfries Increase	Additional Donations
\$385	10-324-1206 – Fire Fund Program Increase	Amended is ACTUAL amount received
\$7,434	10-324-1300 – Stormwater Management Increase	Amended Projections Based on Mid-Year Collected Amount

FY12 MID-YEAR BUDGET REVIEW

STAFF REPORT

DEPT: GOVERNING BODY EXPENDITURES

AMOUNT	LINE ITEM NUMBER	REASON/COMMENTS
\$724	10-411-0300 – Payroll Taxes Increase	Wrong percentage used in original calculations

FY12 MID-YEAR BUDGET REVIEW

STAFF REPORT

DEPT: ADMINISTRATION EXPENDITURES

AMOUNT	LINE ITEM NUMBER	REASON/COMMENTS
\$5,000	10-412-0100 – Manager Salary Increase	Raise and leave payout
<\$32,000>	10-412-0101 – Assist. Town Manager Salary Decrease	Position eliminated and returned to Community Services
\$4,696	10-412-0102 – Treasurer Increase	Temp. salary increase due to added duties
<\$18,500>	10-412-0103 – Town Clerk Decrease	Position vacant several months
\$5,441	10-412-0300 – Payroll Taxes Increase	Wrong percentage used in original calculations
<\$9,625>	10-412-0400 – Pensions Decrease	Current Town Manager gets no pension
<\$2,994>	10-412-0401 – Benefits Decrease	Current Town Manager gets no benefits
<\$5,000>	10-412-0500 – Travel/Training Decrease	Reevaluation of budgeted training costs
\$9,784	10-412-1002 – Independent Auditor Increase	Amended is ACTUAL COST
<\$2,000>	10-412-2300 – Equipment/Repairs Decrease	Reevaluation of budgeted costs
<\$71,250>	10-412-6300 – DCJS Grant Decrease	ENS Service Delivery issue

FY12 MID-YEAR BUDGET REVIEW

STAFF REPORT

DEPT: ECONOMIC DEVELOPMENT EXPENDITURES

AMOUNT	LINE ITEM NUMBER	REASON/COMMENTS
\$6,000	10-413-0100 – Director’s Salary Increase	Reorganization and salary increase
\$1,779	10-413-0300 – Payroll Taxes Increase	Wrong percentage used in original calculations
\$1,143	10-413-0400 – Pensions Increase	Salary increase
<\$2,573>	10-413-0500 – Travel/Training Decrease	Reevaluation of actual needs
<\$1,143>	10-413-0600 – Tradeshows/Conferences Decrease	Reevaluation of actual needs
\$68	10-413-3000 – Office Supplies Increase	Actual Expenditure

FY12 MID-YEAR BUDGET REVIEW

STAFF REPORT

DEPT: INFORMATION TECHNOLOGY EXPENDITURES

AMOUNT	LINE ITEM NUMBER	REASON/COMMENTS
\$6,200	10-414-0100 – Director’s Salary Increase	Reorganization and salary increase
\$1,411	10-414-0300 – Payroll Taxes Increase	Wrong percentage used in original calculations
\$1,182	10-414-0400 – Pensions Increase	Salary Increase
<\$6,200>	10-414-3301 – Telecommunications Decrease	Reevaluation of actual needs
\$7,007	10-414-6000 – Maintenance Contracts Increase	Added internet related services

FY12 MID-YEAR BUDGET REVIEW

STAFF REPORT

DEPT: BUILDING AND GROUNDS EXPENDITURES

AMOUNT	LINE ITEM NUMBER	REASON/COMMENTS
<\$319>	10-415-1100 – Janitorial Supplies	Reevaluation of actual needs
\$2470	10-415-4000 – Merchant Park	Storm damage/tree removal/fence repair
<\$2,470>	10-415-4002 – Lockett House	Reevaluation of actual needs
<\$3,000>	10-415-4003 – Lockett House	Reevaluation of actual needs
\$319	10-415-4004 – Maintenance Shop	Actual Expenditure
<\$10,000>	10-415-4005 – Community Center	Reevaluation of actual needs
\$20,400	10-415-4006 – Town Hall	Unbudgeted Air Conditioning Repairs/Carpet/Painting/Chairs
\$10,000	10-415-4007 – Ginn Park	Carpet Issues Are a Safety/Liability Concern
		Increase due to loss of grant funding

FY12 MID-YEAR BUDGET REVIEW

STAFF REPORT

DEPT: PUBLIC SAFETY EXPENDITURES

AMOUNT	LINE ITEM NUMBER	REASON/COMMENTS
\$5,000	10-231-0100 – Chief's Salary Increase	New Chief/New Contract
<\$22,724>	10-431-0101 – Admin Migr/Captain Salary Decrease	Adjustment due to vacancy
<\$28,899>	10-431-0105 – Sr. Police Officer Salary Decrease	Adjustment due to vacancy
<\$13,000>	10-431-0108 – Police Officer Salary Decrease	Adjustment due to vacancy
<\$9,600>	10-431-0111 – Police Officer Salary Decrease	Adjustment due to vacancy
\$2,000	10-431-0202 – DMV Grants - Salary	Increase in grant amount awarded
<\$468>	10-431-0205 – Line of Duty Act Decrease	Actual expenditure
\$13,000	10-431-0300 – Payroll Taxes Increase	Wrong percentage used in original calculations
<\$4,000>	10-431-0500 – Travel/training Decrease	PWCPD switched to FY billing
\$3,000	10-431-0700 – Uniforms/Maintenance Increase	Vacancies filled
\$1,680	10-431-0900 – Court Appointed Attorney Fees Increase	New item – was not tracked in the past
\$5,000	10-431-2000 – Vehicle Maint/Opns Increase	Several unanticipated large repairs
\$6,785	10-431-4200 – "Christmas in Dumfries" Increase	Actual amount collected
\$58,899	10-431-5800 – Capital Outlay Increased	Includes already approved funds for radio system with additional funding to purchase a new marked police vehicle

FY12 MID-YEAR BUDGET REVIEW

STAFF REPORT

DEPT: STREET MAINTENANCE EXPENDITURES

AMOUNT	LINE ITEM NUMBER	REASON/COMMENTS
\$903	10-441-0300 – Payroll Taxes Increase	Wrong percentage used in original calculations
\$9,012	10-441-1400 – Maintenance Contracts Increase	Reevaluation of actual needs
\$1672	10-441-3300 – Materials Increase	Actual expenditure
<\$1672>	10-441-4500 – Snow Removal & Other Decrease	Milder winter than expected

FY12 MID-YEAR BUDGET REVIEW

STAFF REPORT

DEPT: COMMUNITY DEVELOPMENT EXPENDITURES

AMOUNT	LINE ITEM NUMBER	REASON/COMMENTS
<\$1,577>	10-442-0100 – Director Salary Decrease	Department Reorganization
<\$12,000>	10-442-0101 – Property Maintenance Official Decrease	Department Reorganization
\$15,000	10-442-0102 – Planner/Zoning Admin. Salary Increase	Department Reorganizations and Unbudgeted Salary Increase
<\$7570>	10-442-0400 – Pensions Decrease	Recalculation of costs
<\$10,500>	10-442-0401 – Benefits Decrease	Recalculation of costs
<\$4,000>	10-442-0600 – Inspections Decrease	Done by Public Works
<\$925>	10-422-0700 - Uniforms	Reevaluation of actual need
<\$1,625>	10-422-2000 – Vehicle Maintenance Decrease	Done by Public Works
<\$959>	10-422-2001 – Fuel Decrease	Done by Public Works
<\$575>	10-422-2300 – Equip/Repairs Decrease	Done by Public Works
\$219	10-442-3000 – Office Equipment Increase	Actual expenditure
<\$219>	10-442-3001 – Ads and Notices Decrease	Reevaluation of Actual Need
<\$5,000>	10-442-6300 – Blighted Property Decrease	Reevaluation of Actual Need
<\$215>	10-442-6400 – Community Enhancement Decrease	Reevaluation of Actual Need

FY12 MID-YEAR BUDGET REVIEW

STAFF REPORT

DEPT: PUBLIC WORKS EXPENDITURES

AMOUNT	LINE ITEM NUMBER	REASON/COMMENTS
\$3,513	10-443-0102 – Asst. Dir.of Public Works Salary Increase	Higher than budgeted salary
<\$4,050>	10-443-0104 – Maint. Worker Salary Decrease	Vacancy
\$1,048	10-443-0300 – Payroll Taxes Increase	Wrong percentage used in original calculations
<\$9,433>	10-443-0400 – Pensions Decrease	Reevaluation of actual need
\$3,500	10-443-0500 – Travel/Training Increase	Certification training
<\$1,025>	10-443-0700 – Uniforms and Maintenance Decrease	Reevaluation of actual need
\$10,200	10-443-1000 – Professional Services Increase	Comp Plan Services
<\$2,000>	10-443-2000 – Vehicle Maintenance Decrease	Reevaluation of actual need
<\$2,000>	10-443-2001 – Fuel Decrease	Reevaluation of actual need
<\$3,000>	10-443-2300 – Repairs Decrease	Reevaluation of actual need
\$9,433	10-443-2600 – Contractor Services Increase	Reevaluation of actual need
\$625	10-443-3200 – Office Supplies Increase	Reevaluation of actual need
<\$2,500>	10-443-3300 – Shop Supplies Decrease	Reevaluation of actual need
<\$23,500>	10-443-9100 – CDAR Road Const. Tripoli Heights Decrease	Project Expenses
<\$800>	10-443-9200 – Supplies/Maint./Equip Decrease	Reevaluation of real need

FY12 MID-YEAR BUDGET REVIEW

STAFF REPORT

DEPT: STORMWATER MANAGEMENT EXPENDITURES

AMOUNT	LINE ITEM NUMBER	REASON/COMMENTS
\$8,197	10-444-0102 – Asst. Direct. Public Works Salary Increase	Higher than budgeted salary
\$1,789	10-444-0300 – Payroll Taxes Increases	Wrong percentage used in calculations
\$1,562	10-444-0400 - Pensions Increase	Higher than budgeted salary
\$2,544	10-444-0401 – Benefits Decrease	Recalculation and adjustment
<\$4,268>	10-444-0500 – Travel/Training Decrease	Reevaluation of actual need
<\$1,500>	10-444-2000 – Vehicle Maintenance Decrease	Reevaluation of actual need
<\$2,000>	10-444-2001 – Fuel Decrease	Reevaluation of actual need
<\$500>	10-444-2300 – Equipment/Repairs Decrease	Reevaluation of actual need
\$48,611	10-444-2600 – Professional Contracts Increase	Flooding issues and multiple failures of storm water facilities and outfalls
<\$1,500>	10-444-3100 – Advertising and Outreach Decrease	Reevaluation of actual need
\$9,587	10-444-5600 – Miscellaneous Increase	Reevaluation of need

FY12 MID-YEAR BUDGET REVIEW

STAFF REPORT

DEPT: COMMUNITY SERVICES EXPENDITURES

AMOUNT	LINE ITEM NUMBER	REASON/COMMENTS
\$52,200	10-472-0100 – Director’s Salary Increase	Department Reorganization
\$3,993	10-472-0300 – Payroll Taxes Increase	Department Reorganization
\$9,949	10-472-0400 – Pensions Increase	Department Reorganization
\$5,088	10-472-0401 – Benefits Increase	Department Reorganization
\$95	10-472-0500 – Travel/Education Increase	Department Reorganization
\$6,531	10-472-2800 – Programs Increase	Add Additional Programs
<\$12,201>	10-472-3100 – Advertising Decrease	Reevaluation of actual need
<\$1,531>	10-472-6000 – Christmas Parade Decrease	Actual Expenditure
\$106	10-472-6101 – Special Events increase	Actual Expenditure

FY12 MID-YEAR BUDGET REVIEW

STAFF REPORT

DEPT: BOARDS AND COMMISSIONS EXPENDITURES

AMOUNT	LINE ITEM NUMBER	REASON/COMMENTS
\$1,250	10-481-4300 – ARB Increase	Additional Meetings
\$900	10-481-4400 – BOZA Increase	Additional Meetings

FY12 MID-YEAR BUDGET REVIEW

STAFF REPORT

DEPT: NON-DEPARTMENTAL EXPENDITURES

AMOUNT	LINE ITEM NUMBER	REASON/COMMENTS
\$54,547	10-491-5600 Increase-Transfer to LGIP Fund Increase	When the Town refinanced a bond, there was a return of interest paid in an amount that allows the placement of additional funds into the Local Government Investment Pool.

G. CODE ENFORCEMENT CONCERNING BUSINESS OPERATIONS (FOREMAN)

Mr. Foreman noted that the Town of Dumfries encompasses an area of approximately 1.63 square miles, or 1,048 acres, with a population of 4,961 with 1,689 dwellings. There are over 224 businesses licensed in the

Town. There are 83 businesses with expired licenses in the Town as of April 2011. His concern has been, since he was elected and continues to be, the demands on the Town's staff time. Repeatedly as ordinances, regulations, and code enforcement proposals have been brought before Council he has stated time and again that there is only one person who is enforcing the violations. He did not believe that one hour a week in a forty-hour workweek was too much to ask. This small time commitment is necessary to drive the Town and ensure that there is equity in enforcement. Council owes this to the residents and business owners. Compared to previous establishments where staff has worked previously, Dumfries is pretty darn small. This is a simple problem, with a simple solution. Why does one owner receive a warning and another owner receives a fine? The incidences he is going to discuss are just a few examples of the inequity of enforcements or the appearance of inequity of enforcements that have been brought to his attention. By addressing these issues, the Town will create precedence for both residents and business owners. Businesses know that the Town staff does not work on weekends. Saturday, January 14, he stopped by Dollar Tires and spoke to the Owner. He had a tire rack displayed up front, a banner, and he was performing maintenance on vehicles in the forward stalls that were visible to Route 234. What were his conditions when the Town approved his conditional use permit (CUP)? The business zones have slowly grown and mixed with residential properties over the years. Currently zoning is mixed or intertwined by businesses being adjacent or in residential areas. Daily operations of businesses and vehicular traffic are utilizing the same transportation infrastructure. There is a very real time confrontation between noise, signage, and everyday living conditions. These operational factors are all pieces of a standard of living puzzle for a daily life in the Town. Not one piece is any more important than the other; therefore, the stakeholders are the residents and the business owners. The Council and staff need to understand and never take lightly that business operations affect the standard of living for the stakeholders in the Town. Council tends to pick on the Potomac Landfill for its odor and because you can see its operation from just about anywhere in the Town, but the fact of the matter is there are businesses that are infringing on the standard of living in Town. Noise Abatement: this ordinance, resolution, code enforcement needs to be addressed to ensure there is a standard of living being maintained for residents in the Town. This article is enforced and administered by the Town's Police Department. The 24-hour service car wash located at 17848 Main Street is coin operated, you can power wash and vacuum your vehicle whenever you please, 24 hours a day, seven days a week. All types of street vehicles utilize this facility. There are standard vehicles, 4 x 4's, motorcycles, vehicles with trailers towing off-road vehicles, ATV's, etc. The operators of these vehicles wash the exterior of their transportation, as well as their engines and under carriage. They gun their engines afterwards. While the vehicle owner vacuums and washes his transportation, it is not uncommon to have the stereo blaring with the sounds of their favorite songs. There are floodlights illuminating the facility and there are trash receptacles to discard items taken from their vehicle. The business is properly zoned. There is, for lack of a better description, a Heavy Vehicle Truck repository located adjacent to Possum Point Road. There are multiple truck and freight

companies operating from this location. These trucks are required to be started every day and they undergo a safety inspection, which includes testing hi and low beams, raising and lowering their booms, raising and lowering their dumping beds, operating their pettibones, releasing air from their brakes, testing their horns, and lastly ensuring that their backup sounding horn is operating. They will on occasion idle their vehicles for up to 30 minutes prior to driving off the lot. There are floodlights illuminating the facility and there are trash receptacles to discard items. This business is also properly zoned. Next to the car wash and the heavy truck repository, there are homes. These homes have residents who come home after a hard day's work, or are retired and just want to relax. Currently the noise abatements are not being enforced. This means that rather between the hours of 10 p.m. and 7 a.m., where there should be silence, there is constant noise. Currently the residents have no relief. At both locations the neighboring residents have on occasion, which to happen once is far too often, been subject to 24 hours a day seven days a week noise. He was requesting that the Police Department properly enforce noise abatement restrictions so that residents' expectations can be met concerning the proper standard of living. He is asking that two poles and a chain be installed or looked into at the entrance to the car wash so that 10 p.m. nightly no access is permitted. Displaying of business wares: this ordinance, resolution, code enforcement needs to be addressed to ensure there is equity in enforcement. This article is enforced and administered by the Planner/Zoning Administrator. If he were an auto dealership, he could build a lot and display vehicles right up to the curb with prices in the windows. If he were an antique dealer, he could put rusted, dried out, wooden wares on the front lawn with balloons and price tags dangling from a string. If he were a franchise owner of a McDonalds, he could have a huge "M" neon sign 20 feet in the air. If he sold soft serve ice cream, he could have a trashcan in the shape of an ice cream cone in front of the building. If he owned a beauty salon, he could display a lady's face with a nice haircut on a sign. But, to tell automotive repair and towing locations that they cannot display a clean rack of tires at the entrance to their business he did not think was equitable. He exchanged e-mails with staff on October 12 and 17 concerning temporary sign and banners. He did a little research on his own and found that Culpepper charges \$35.00 with a \$75.00 review fee, Fredericksburg charges \$50.00 for a sign, Manassas charges \$67.11 for a sign and \$25.00 for a banner, Manassas Park charges \$100.00 for a sign, Stafford charges \$120.00 for a sign, and Warrenton charges \$30.00 for a sign. Currently the Town charges \$37.40 for a permanent sign and \$74.85 for a banner. He recommended incentivizing the banner permits. This could easily be accomplished by awarding each business owner, paid to date, in good standing, to annually display a banner for 30 days free. Additionally, allow all new businesses opening in Dumfries to have a grand opening advertisement banner. He was requesting tonight that the Town Manager look into and report back to Council on the following four items.

1. The Town of Dumfries Police Department enforcing the noise abatement code on the truck repository, the Campbell property, and the car wash located at 17848 Main Street between 10 p.m. and 7 a.m. daily.

2. Change the permanent sign fee. The recommendation is \$75.00 for a permanent sign and the banner fee be changed to \$35.00.
3. Allow the business owner in good standing to annually display a banner for 30 days free. Allow all new businesses operating in Dumfries to have a grand opening advertisement banner free for a short time or as determined by the Town.
4. Allow a business properly licensed to sell tires to display a clean rack of tires at the entrance of their business.

Staff got back to him on some of the questions he asked. The answer he got for why one business owner receives a warning and another owner receives a fine is that the only entity that issues fines in zoning violation cases is the court. Town staff issues a letter with a date to comply by and if it is not complied with by that date, it goes to the court for a decision. In response to the October 12 and 17 e-mails concerning temporary sign permits and banners, staff began a review of the fee schedule of the Town. The request that the permanent sign fee be changed is being addressed.

Mr. Taber explained that this is an on-going process. Not only is staff looking at the fees for signs and banners, but also for all the fees charged for services the Town provides, which is long overdue, in order to accomplish this with one ordinance amendment. He has every expectation that this will be completed and ready for adoption with an effective date of July 1 this year. If Council would like to allow properly licensed businesses in the automotive repair industry to display tires staff could prepare the changes needed to accomplish this.

Mr. Foreman requested that the other Council members receive the information that was provided to him addressing the items he was concerned with and were discussed this evening.

Mr. Taber indicated that he would get those to the Council.

Ms. Barr requested the spreadsheet too.

Ms. Sanders stated the spreadsheet of fees is a work in progress and would be more meaningful if it was provided to Council once completed.

Ms. Barr indicated that information that is provided to one member of the Council is normally provided to the rest of the Council.

Ms. West asked Chief Forker if the car wash was being monitored more closely already.

Chief Forker noted that a complaint was received in November last year. Two officers spoke with the complainant. An officer was assigned to monitor the car wash and quite a bit of noise was observed. Staff met with the owner of the car wash on November 30. An agreement was made that additional signs would be posted by the vacuums; the Police Department was given permission to no trespass individuals whose conduct was disorderly, and that a chain would be placed across the vacuum area from about 9 p.m. to about 7 a.m. The Police Department sent a confirmation letter going over the meeting and what was agreed to on December 1.

For two weeks, there was target enforcement of the car wash where surveillance was conducted 37 times, which does not include just driving by. There were no violations spotted during that time. He has been unable to contact the owner to follow up. The Police Department will continue to watch the situation and keep Council aware of what is going on.

Ms. Forrester noted that she did not need a partially filled out spreadsheet. She pointed out that the rule is that if one Council member asks for something that all members be provided with the information; however, at every single meeting she hears or reads things that have been brought up that she was not aware of.

Mr. Foreman heard that the chain was in front of the vacuums and not at the entrance. The request was for the chain to be placed across the entrance. He clarified that the information he was provided with was discussed just before the Council meeting this evening and was unscheduled. He noted that the Town Manager did his due diligence and wanted to clarify a few things prior to the meeting.

Ms. Barr clarified that Council established some rules on communication when she first got on Council because of problems that were being experienced with over burdening staff and deliberately belittling staff. She agreed with the enforcement of the two areas. She felt that the enforcement should be throughout the Town.

Ms. Washington felt that this might be a good time to add Mr. Cox's concerns of things not being equitable and staff might want to look at that.

Mr. Foreman noted the thrust of the discussion was that enforcement was not being done. He did not know that there was a noise abatement law until talking with some of the residents. He felt that if the Town starts to form a pattern, train for it, and look at it, more will fall. The two businesses mentioned are the most known. The truck repository can be heard from anywhere in the Town and the residents around the car wash are making themselves known that they are there too. The second part of this is equitable enforcement across the board.

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

Mr. Taber reported the following items.

- He spent a good portion of his time in the past month working on the mid-year budget review along with the normal duties of a Town Manager.
- On January 31, he went before the General Assembly and spoke before two of the legislative committees on the Senate side dealing with the ability of a local jurisdiction to hire a Police Chief who is retired from the Virginia Retirement System on a full time basis without affecting those benefits negatively and the ability to offer a discount for payment of real property taxes that are in paid full on or before the due date of such tax, instead of making two payments. Both bills were unanimously voted out of committee and will proceed to the next step in the legislative process.

Ms. Jurgensen recognized Ms. Barr for the suggestion to provide a discount to those who paid their tax bills in full.

Ms. Barr mentioned the idea was introduced last year, which did not go anywhere. Senator Toddy Puller helped move it along this year. She explained the idea is if a citizen pays their taxes in full, the Town would not need to send out a bill for the second half, which saves the Town money.

B. CHIEF OF POLICE – ROBERT FORKER

Chief Forker reported the following items.

- The new Captain was hired, Becca Edwards.
- Officer Vazquez was introduced and took the Law Enforcement Oath of Honor.
- In April, the Police Department was at full staff after hiring the last Officer, which will allow coverage seven days a week.
- Presently there are two Officers in training.

Mr. Foreman asked that Jake braking be explained, whether there was any reason for a big rig or heavy truck to use its Jake brake on Possum Point Road when the speed limit is 25 miles per hour, and whether there is an ordinance that covers constant Jake braking. Do other municipalities have it and if Dumfries does not, what would it take?

Chief Forker explained a Jake brake is a switch activated engine break. The device acts as a drag on the engine and slows the vehicle up. The reason for using the Jake brake is to save wear on the brakes. He was not sure why Jake braking is loud. He did not know if it could be regulated through the noise ordinance by taking a decibel reading from a meter. He has seen other jurisdictions that have enacted ordinances and have signs posted “No Jake Braking” and was not sure if that was the way to go.

Mr. Foreman questioned whether a truck should be Jake braking at 25 miles per hour.

Chief Forker felt there was no reason for Jake braking in a small community like Dumfries.

Mayor West asked where the trucks were going.

Chief Forker understood they were going to the Virginia Electric and Power Company. He noted that back in June of 2010, the Police Department went out there to look into a noise problem and determined it was the vehicular traffic making the noise.

Mr. Toney wanted to make the Police Department aware of some comments made to him about unsavory activities occurring between Old Triangle and the Port-of-Dumfries.

Chief Forker advised that Officer Vazquez has observed some things occurring around the store and along Graham Park Road, they are being looked into, and he will report back to Council in a couple of weeks about the actions taken.

Ms. Barr wanted to remind the Town Manager the sound wall was promised to go completely through the Town as things start to progress along Highway 95.

Mr. Taber noted he would make sure to keep the voice loud and strong and see what could be done.

Ms. West was glad to see that there would be coverage on nights and weekends now.

Mr. Forker noted that the Police Department last month had 30 hours of foot patrol in the communities and shopping centers.

Mr. Foreman knew that the Homeowners Association's have a police officer assigned to them. He asked if the areas that do not have a Homeowners Association could have an Officer assigned.

Mr. Forker explained that the Town has been divided into different sections for the Officers and will need to be redrawn now that there are additional Officers on the force.

Mr. Foreman asked if the information could be placed in the newsletter and on the community channel.

Mr. Forker explained that he provided the Dumfries Business Association with a list of who was assigned to the various businesses in the Town. He asked for a couple of weeks to come up with squad assignments to put the information together.

C. DIRECTOR OF PUBLIC WORKS – GREG TKAC

Mr. Tkac reported the following items.

- Comprehensive inspection of the stormwater management system continues.
- Temporary drainage ditch has been installed on Fairfax and Washington Streets. A more permanent solution will be worked on during the Mine Road closure.
- A Request for Proposal was approved and a recommendation will be made soon for Building Inspection and Residential Inspection Services.
- The Mine Road closure for the water line project will be Monday through Friday from 8:00 a.m. to 5:00 p.m.
- The Soil and Water Conservation District in coordination with Rippon Middle School will provide the Town with creek water monitoring, which is a requirement, through a new educational program being offered.

Ms. Barr noted that the sign for Mine Road states the closure will be from February 20 through April 30 and wanted to know why it would take 6 to 10 weeks to complete the project.

Ms. West received an automated phone call that water pipes would be installed and the road would be closed from early February through June 1.

Mr. Taber mentioned this item was on the agenda to be discussed with Supervisor Maureen Caddigan on February 22.

Mr. Tkac explained that the contract was awarded through the Prince William County Service Authority for 180 days. He mentioned the discussions he has had and the schedule he received is for a maximum of 90 days.

Mr. Toney asked what was happening with the eight small houses off Graham Park Road near the entrance of the Port of Dumfries that seem to have been abandoned and are in various degrees of decay.

Mr. Taber advised that was County property.

Mr. Moss explained that Prince William County has received a site plan for multiple single-family homes and the owner is probably waiting for approval.

Ms. Jurgensen mentioned that the graffiti she spoke about awhile back was taken care of; however, it appears that the area has been tagged again on the north side of the Route 234 commuter lot.

D. DIRECTOR OF COMMUNITY & ECONOMIC DEVELOPMENT – DEBI SANDLIN

Ms. Sandlin reported the following items.

- Stakeholder surveys are in the final stage of completion for mailing and being available on the website.
- The demographics have been posted and updated on the Town's website.
- In reference to a question that was asked at the last Council meeting, there are seven, of the twelve, bus stops with shelters.

Ms. Barr noted that there is a welcome packet on the website; however, she understood that welcome packets were also being mailed.

Ms. Sandlin noted there is a resource guide for businesses on the website.

Ms. Barr questioned whether the Town was providing any information to the new businesses.

Ms. Sandlin noted the Town has not been doing that and will work on providing information to new businesses.

Mr. Taber indicated that would be a priority and mentioned that with the turnover of positions, unintentionally, some things got lost and were not carried forward.

Ms. Barr suggested putting a push here button on the website for new residents and one for new businesses.

Mr. Taber noted this is a great opportunity for the Dumfries Business Association with its new leadership.

Ms. West mentioned receiving an invitation from RHI Management LLC, in the Triangle Shopping Plaza, for a ribbon cutting ceremony that occurred this morning at 9:00 a.m. She asked Ms. Sandlin if she was aware of this new business.

Ms. Sandlin believed that the business has been operating for a while now. She indicated that she had not received the invitation that was being discussed.

Mr. Foreman recalls one of the proudest moments he had when he opened his business in Florida was the grand opening ceremony. The Mayor and the Economic Development Director attended, he had his photo taken that was published in the paper, and he received a plaque from the Town that hung in his business. He did

not know why the Town could not do that. He mentioned that the presentation broadcast on television is a PowerPoint, which he knows that it has to be, however, yellow should not be used because it washes out, the font should be no less than 16, and red is harsh as a background.

Ms. Barr asked if this matter could be added to the first meeting in March.

Mr. Taber advised that it has been noted.

Ms. West mentioned that she has reported on the trash problem on Lansing Court that continues to remain unsightly on Main Street. There is trash in the dumpsters, around the dumpsters, and in smaller trashcans around the dumpsters.

Mr. Moss explained that he would be doing a full sweep of the Town on garbage containers and dumpsters having to be enclosed by opaque materials, address numbers being the right size according to code, handicap parking being marked properly and painted, and signs.

Mr. Foreman thanked Mr. Moss for providing the list of violations. He asked if the listing of zoning violations could be reproduced with names and addresses.

Mr. Moss explained that any information put on paper or stated regarding a zoning violation could be termed an official zoning violation and the reason why discussion of any specific violation could be discussed in a closed session.

Mr. Foreman explained that there is information that is provided to the Council that the citizens are not privy to. There have been times that Council has been provided a list of businesses and homeowners who are delinquent on their taxes. He pointed out that is the reason why he requested that all newly elected Council members go through an orientation class. Having a case number tells him nothing and does not tell him what businesses are repeat offenders.

Ms. Sanders advised that the information that Council receives in their packets is available on the website with the exception of closed session materials. Closed sessions are limited to certain matters.

Mr. Foreman questioned being provided with delinquent account information.

Ms. Sanders noted that delinquent accounts are public records.

Mr. Foreman asked if zoning violations were not open to the public.

Ms. Sanders explained that any Town record is subject to the Freedom of Information Act; however, any violation that is going to go into pending litigation or there is any discussion or questions about the violation, it would be better to be discussed in a closed session. Any notice of violation is a public record.

E. DIRECTOR OF COMMUNITY SERVICES – CYDNY NEVILLE

Ms. Neville reported the following items.

- The next Senior Luncheon will be held on February 17. She thanked Joann Barron for the presentation on genealogy that was provided at the last luncheon. Chief Forker will be doing identification cards and Emoni's will be present.

- There are 21 parents signed up for the parenting class that starts tomorrow.
- February is Black History Month. Congressman Connolly will be present for the Black History Month Celebration on February 11.
- April 21 is the Quantico Creek Clean Up followed with the Easter Egg Hunt.
- May 5 is the Multicultural Festival.
- September 8 will be the Fall Festival.
- The Women's Empowerment Program will be on March 24.
- On April 25, the NAACP will host a Dumfries Candidates Event.
- In June, there will be a Gang Prevention presentation.

Ms. Barr questioned the Easter Egg Hunt being held after Easter and asked that to be fixed.

Ms. Forrester asked when the Charter Day was.

Ms. Neville advised that would be May 12 and will be hosted by Historic Dumfries.

IN RE: DISCUSSION ON COMMUNITY CENTER USE (JURGENSEN) – DAN TABER

Mr. Taber noted that the materials provided to Council are a compilation of the history of discussions that have been had regarding the use of the community center and have not been officially adopted. Some of the issues discussed over the use of the community center have included preserving the historical integrity of the community center, the use of alcohol in the parking lot, and a wide variety of other things. There has been discussion about him going back and presenting an amended policy for the use of the facility. The reason for the item is to get clarification and input from Council because of the expansion to the community service program the upstairs is no longer available for use by the public. The use would be for just the bottom level of the community center. He wanted any guidance Council would like to provide. State law would require an ABC permit to allow the use of alcohol. There is a general policy that residents, Homeowners Associations, and some groups in the community have been allowed to use the facility.

Ms. Jurgensen asked if the activities that are occurring, such as the art class, whether the individual has a business license for the Town and whether the benefit is offered to anybody else.

Mr. Taber asked that any suggestions be emailed to him over the next three weeks.

IN RE: COUNCIL MEMBER COMMENTS

Ms. Forrester requested that she not be provided a hard copy of the packet. She noted she would review the materials on the website.

Mr. Foreman read the following letter.

To: Daniel Tabor
Town Manager
Town of Dumfries
17755 Main Street
Dumfries, Virginia 22026

From: Gerald M. Foreman II
17583 Summer Duck Drive
Dumfries, VA. 22026

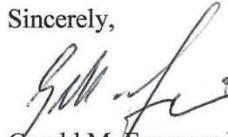
February 7th, 2012

Dear Mr. Taber,

As we enter the FY12 Town of Dumfries Operating Budget Mid-Year Review and preliminary stages of the FY13 Town of Dumfries Operating Budget, I am surrendering my annual salary for the period of 1 July 2012 through 30 June 2013. I will not accept a salary while performing duties and responsibilities on the Town Council.

As in FY11 & FY12 when returning my salary to the Town, I remain committed to lowering taxes levied against the businesses and citizens, having a viable plan and partitioning monies for the Town's future development, and there is financial security in resources so that our Town employees do not have to be furloughed in order to meet budgetary requirements; I cannot in good conscience accept a salary.

Sincerely,



Gerald M. Foreman II
Councilman
Town of Dumfries

He mentioned that February 20 is President's Day and wished everyone a safe day.

Mr. Toney hoped that everyone could come to the Black History Month Celebration.

Ms. Washington mentioned that Dumfries Elementary School is holding the Read Across America program and thanked Chief Forker for getting so many of his Officers to sign up. She invited everyone to the Black History Month Celebration.

Ms. Barr welcomed RHI Management LLC to the Town. She thanked all the businesses who attended this evening, the Dumfries Business Association for their contributions, and encouraged other businesses in the Town to attend the meetings.

Ms. Jurgensen thanked the Potomac Senior High School National Honor Society who collected denim and jeans for the "Jeans for Teens" to benefit the victims in Holly Acres. She wished her daughter Katy a Happy Birthday.

FEBRUARY 7, 2012 COUNCIL MEETING MINUTES

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IN RE: CLOSED SESSION (NONE SCHEDULED)

IN RE: ADJOURNMENT

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 H. West
Mayor