

AT A REGULAR MEETING OF THE DUMFRIES TOWN COUNCIL, HELD ON JULY 10, 2012, 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
Louis Praino
Helen Reynolds
Gwen Washington
Daniel Taber, Town Manager
Christine Sanders, Town Attorney

THERE WERE ABSENT: Kristin Forrester

IN RE: CALL TO ORDER AND ROLL CALL

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

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

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

IN RE: APPROVAL OF THE MINUTES

There were no minutes available for approval.

IN RE: ADOPTION OF THE AGENDA

Mr. Taber asked Council to consider amending the agenda to include Item XII, C, Commuter Parking Tripoli Heights, at the request of Mr. Brewer.

Mr. Brewer moved, seconded by Mr. Praino, to adopt the agenda as amended to include Item XII, C, Commuter Parking Tripoli Heights. The motion carried by the following roll call vote: Mr. Brewer, yes; Mr. Foreman, yes; Ms. Forrester, absent; Mr. Praino, yes; Ms. Reynolds, yes; Mr. Toney, yes; Ms. Washington, yes.

IN RE: APPROVAL OF THE CONSENT AGENDA

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

**RESOLUTION TO COMMEND THE SERVICE OF
NANCY H. WEST AS A COUNCIL MEMBER OF THE TOWN OF DUMFRIES**

WHEREAS, Nancy West will have served with distinction as a Council Member of the Town of Dumfries from July 2008 to June 2010; and

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WHEREAS, Ms. West served as the Vice-Mayor starting in July 2010 and took over the administrative duties of Mayor when the then Mayor, Fred Yohey, took ill; and

WHEREAS, in November 2011, upon the passing of Mayor Yohey, Council voted to appoint Ms. West as the Interim Mayor until a special election could be held; and

WHEREAS, in serving the Town of Dumfries, she was committed to developing policies and initiatives that would shape the future growth of the Town to ensure the community would be self sustaining for future generations; and

WHEREAS, she was passionate about transforming the Town from a place people drive through to a place people want to live, work, play, and visit; and

WHEREAS, she assisted in crafting the Town's 2020 Vision Statement and was an advocate for youth, senior citizens, walkability, and economic development; and

WHEREAS, she was a strong advocate for purchasing the property to develop the Ginn Memorial Park and believed the park would become an epicenter for the children and youth in the Town to participate in recreational activities; and

WHEREAS, she was a leader for having accountability for both the Police Department and Town staff; and

WHEREAS, in acknowledging the importance of participation as a Council Member, Ms. West served on the Virginia Municipal League Town Section Committee and the Northern Virginia Regional Commission.

NOW, THEREFORE BE IT RESOLVED, that the gratitude and best wishes of the Town Council, the Town staff, and the citizens of the Town of Dumfries, are hereby extended to Ms. West and her husband Gary, for continued good health, good fortune, and happiness in all future endeavors.

RESOLUTION TO COMMEND THE SERVICE OF DOROTHEA D. BARR AS A COUNCIL MEMBER OF THE TOWN OF DUMFRIES

WHEREAS, Dorothea Barr will have served with distinction as a Council Member of the Town of Dumfries from July 2008 to June 2012; and

WHEREAS, Ms. Barr served as the Town's representative on the 2010 and 2011 Virginia Municipal League Transportation Policy Committee; and

WHEREAS, in acknowledging the importance of participation as a Council Member she served on the Comprehensive Plan Update for the Land Use and Transportation Committees, the Newsletter Committee, assisted in developing and starting the Committee structure for Council, and established bi-annual meetings with the Homeowner's Associations; and

WHEREAS, she promoted walkability and Main Street and Graham Park Road and assisted in crafting the Town's 2020 Vision; and

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WHEREAS, she was an advocate for updating the Town's website and keeping citizens informed by using the community blackboard system; and

WHEREAS, she has played a major role as the Co-Chair of the Ginn Memorial Park Committee in providing a recreational park for the youth and residents to have a place to go to enjoy the outdoors, participate in recreational activities, and cultural activities; and

WHEREAS, in serving the Town of Dumfries, she has been an advocate for micro-businesses in the Town and has encouraged micro-businesses to become engaged in the process of growing the Town; and

WHEREAS, throughout her tenure she has been an advocate for developing policies that will promote redevelopment opportunities, encourage growth, the expansion of existing businesses, and attracting new businesses and investment to the community.

NOW, THEREFORE BE IT RESOLVED, that the gratitude and best wishes of the Town Council, the Town staff, and the citizens of the Town of Dumfries, are hereby extended to Ms. Barr for continued good health, good fortune, and happiness in all future endeavors.

RESOLUTION TO ADOPT THE NORTHERN VIRGINIA HAZARD MITIGATION PLAN UPDATE

WHEREAS, the Disaster Mitigation Act of 2000, as amended, requires that local governments develop, adopt, and update natural hazard mitigation plans in order to receive certain federal assistance; and

WHEREAS, the Northern Virginia Regional Hazard Mitigation Plan has been prepared in accordance with FEMA requirements at 44C.F.R.201.6; and

WHEREAS, a Mitigation Advisory Committee (MAC), comprised of representatives from the Counties of Arlington, Fairfax, Loudoun, and Prince William; the Cities of Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park; and Towns of Clifton, Dumfries, Haymarket, Herndon, Leesburg, Middleburg, Purcellville, Occoquan, Quantico, Round Hill, and Vienna, was convened in order to assess the risks of hazards facing the Northern Virginia region, and to make recommendations on actions to be taken to mitigate these hazards; and

WHEREAS, a request for proposals was issued to hire an experienced consulting firm to work with the MAC to update a comprehensive hazard mitigation plan for the Northern Virginia region; and

WHEREAS, the plan incorporates the comments, ideas and concerns of the community and of the public in general, which this plan is designed to protect, ascertained through a series of public meetings, publication of the draft plan, press releases, and other outreach activities.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Dumfries this 10th day of July, 2012 does hereby approve and adopt the Northern Virginia Hazard Mitigation Plan Update dated December 7, 2011, and directs the Town Manager to submit updated information on the Town of Dumfries portion of the plan to the MAC for the record, and

BE IT FURTHER RESOLVED that the Town of Dumfries recognizes that recent events of the Virginia Earthquake, Hurricane Irene, and Tropical Storm Lee are not captured in the current FEMA approved plan or the pending update of the local Hazard Mitigation Plan. Being committed to mitigation planning and activities, the Town of Dumfries, as part of the next update, will fully endeavor to identify, evaluate, and include these events and their impacts.

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**Employer Contribution Rates for Counties, Cities,
Towns, School Divisions and Other Political Subdivisions
(In accordance with the 2012 Appropriation Act Item 468(H))**

Resolution

BE IT RESOLVED, that the Town of Dumfries, 55301 does hereby acknowledge that its contribution rates effective July 1, 2012 shall be based on the higher of a) the contribution rate in effect for FY 2012, or b) seventy percent of the results of the June 30, 2011 actuarial valuation of assets and liabilities as approved by the Virginia Retirement System Board of Trustees for the 2012-14 biennium (the "Alternate Rate") provided that, at its option, the contribution rate may be based on the employer contribution rates certified by the Virginia Retirement System Board of Trustees pursuant to Virginia Code § 51.1-145(I) resulting from the June 30, 2011 actuarial value of assets and liabilities (the "Certified Rate"); and

BE IT ALSO RESOLVED, that the Town of Dumfries, 55301 does hereby certify to the Virginia Retirement System Board of Trustees that it elects to pay the following contribution rate effective July 1, 2012:

(Check only one box)

- x The Certified Rate of 19.09% The Alternate Rate of _____%; and

BE IT ALSO RESOLVED, that the Town of Dumfries, 55301 does hereby certify to the Virginia Retirement System Board of Trustees that it has reviewed and understands the information provided by the Virginia Retirement System outlining the potential future fiscal implications of any election made under the provisions of this resolution; and

NOW, THEREFORE, the officers of the Town of Dumfries, 55301 are hereby authorized and directed in the name of the Town of Dumfries to carry out the provisions of this resolution, and said officers of the Town of Dumfries are authorized and directed to pay over to the Treasurer of Virginia from time to time such sums as are due to be paid by the Town of Dumfries for this purpose.

**Member Contributions by Salary Reduction for Counties, Cities,
Towns, and Other Political Subdivisions
(In accordance with Chapter 822 of the 2012 Acts of Assembly (SB497))**

Resolution

WHEREAS, the Town of Dumfries, 55301 employees who are Virginia Retirement System members who commence or recommence employment on or after July 1, 2012 ("FY2013 Employees" for purposes of this resolution), shall be required to contribute five percent of their creditable compensation by salary reduction pursuant to Internal Revenue Code § 414(h) on a pre-tax basis upon commencing or recommencing employment; and

WHEREAS, the Town of Dumfries, 55301 employees who are Virginia Retirement System members and in service on June 30, 2012, shall be required to contribute five percent of their creditable compensation by salary reduction pursuant to Internal Revenue Code § 414(h) on a pre-tax basis no later than July 1, 2016; and

WHEREAS, such employees in service on June 30, 2012, shall contribute a minimum of an additional one percent of their creditable compensation beginning on each July 1 of 2012, 2013, 2014, 2015, and 2016, or until the employees' contributions equal five percent of creditable compensation; and

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WHEREAS, the Town of Dumfries, 55301 may elect to require such employees in service on June 30, 2012, to contribute more than an additional one percent each year, in whole percentages, until the employees' contributions equal five percent of creditable compensation; and

WHEREAS, the second enactment clause of Chapter 822 of the 2012 Acts of Assembly (SB497) requires an increase in total creditable compensation, effective July 1, 2012, to each such employee in service on June 30, 2012, to offset the cost of the member contributions, such increase in total creditable compensation to be equal to the difference between five percent of the employee's total creditable compensation and the percentage of the member contribution paid by such employee on January 1, 2012.

BE IT THEREFORE RESOLVED, that the Town of Dumfries, 55301 does hereby certify to the Virginia Retirement System Board of Trustees that it shall effect the implementation of the member contribution requirements of Chapter 822 of the 2012 Acts of Assembly (SB497) according to the following schedule for the fiscal year beginning July 1, 2012 (i.e., FY2013):

Type of Employee	Employer Paid Member Contribution	Employee Paid Member Contribution
Plan 1	%	%
Plan 2	%	%
FY2013 Employees	4%	1%

(Note: Each row must add up to 5 percent.); and

BE IT FURTHER RESOLVED, that such contributions, although designated as member contributions, are to be made by the Town of Dumfries in lieu of member contributions; and

BE IT FURTHER RESOLVED, that pick up member contributions shall be paid from the same source of funds as used in paying the wages to affected employees; and

BE IT FURTHER RESOLVED, that member contributions made by the Town of Dumfries under the pick up arrangement shall be treated for all purposes other than income taxation, including but not limited to VRS benefits, in the same manner and to the same extent as member contributions made prior to the pick up arrangement; and

BE IT FURTHER RESOLVED, that nothing herein shall be construed so as to permit or extend an option to VRS members to receive the pick up contributions made by the Town of Dumfries directly instead of having them paid to VRS; and

BE IT FURTHER RESOLVED, that notwithstanding any contractual or other provisions, the wages of each member of VRS who is an employee of the Town of Dumfries shall be reduced by the amount of member contributions picked up by the Town of Dumfries on behalf of such employee pursuant to the foregoing resolutions.

NOW, THEREFORE, the officers of the Town of Dumfries, 55301 are hereby authorized and directed in the name of the Town of Dumfries to carry out the provisions of this resolution, and said officers of the Town of Dumfries are authorized and directed to pay over to the Treasurer of Virginia from time to time such sums as are due to be paid by the Town of Dumfries for this purpose.

IN RE: CITIZEN COMMENT PERIOD

There were no citizen comments.

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IN RE: MAYOR’S COMMENTS

Mr. Foreman read the following.

“I’d like to take this time to thank staff for working very hard to maintain a quality of life for Town residents and business owners that is the standard for other communities to emulate. The staff’s efforts over the course of the past two weeks have been nothing short of exceptional.

The water main break, the severe winds response activities, the truck on Mine Road that snared a line, the power outage updates, clearing roads and sidewalks by removing fallen debris, directing traffic, fielding phone calls, talking to citizens, making a positive presence and lastly keeping Council and Staff informed with timely e-mails. You all have done it all.

I have watched and read how you have maintained contact with County and utility officials in order to restore, cleanup and maintain services.

Your professionalism is second to none. Thank you for making a difference.

I’d like to welcome Councilman Brewer and Councilwoman Reynolds to the Council. I look forward to working with you both over the next 24 months. I know that you both have a lot to add to the governmental process as you bring your attention to agenda items.

There is a Town Council Orientation scheduled for this Saturday, July 14, 2012, at 9 A.M. The dress is casual.

Lastly, please do not forget the Dumfries Farmer’s Market this weekend. It starts at 8 A.M. and will go to noon. Hope to see everyone there.”

IN RE: PRESENTATIONS (NONE SCHEDULED)

IN RE: STAFF COMMENTS

A. TOWN MANAGER – DAN TABER

Mr. Taber reminded citizens the Town can only control what the Town can control. Although staff was trying to facilitate contacting the individual power companies, staff has no control over how they respond. In most cases the main concern was just getting the power back on, then throughout the weeks to follow repairing poles, removing trees off lines, etc. The power company has been contacted again about Possum Point Road and the low hanging trees over those lines. He asked that citizens not bother those lines because they are live. Staff has met with the Prince William County (PWC) Fire Marshall’s office about a Memorandum of Understanding (MOU) for increased presence and activities for inspections and safety issues in the Town. All the employees who drive a Town vehicle have completed a Virginia Municipal League (VML) driver-training program, which will reduce the Town’s vehicle insurance rate by five percent. There has been a significant increase in notices of violation issued resulting in noticeable voluntary compliance. He explained that there is a process involved in issuing notices of violation and can take up to 90 days before anything is done. There will be increased business

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license enforcement taking place over the next three months. He mentioned that the adopted budget is available online and encouraged citizens to look at it. He explained that the document guides what staff is able to accomplish over the next fiscal year.

Mr. Brewer asked if there was a previous MOU with the PWC Fire Marshall's office to provide services.

Mr. Taber explained that according to Chief Curt Brodie there was a MOU in the works two years ago, that was never finalized. The Town is using that MOU to move forward.

Mr. Toney noted that a citizen in Tripoli Heights was out of power who listened to WTOG on the radio to get information and the Town was not mentioned.

Mr. Taber noted that was an excellent suggestion to contact the local radio station. Another lesson learned occurred when the cell phones went down. The Town will be investing in some short distance direct FM radios. He was going to make sure the radio station was notified during the next event.

Mr. Toney mentioned that the same citizen suggested using the blackboard system.

B. CHIEF OF POLICE – ROBERT FORKER

Chief Forker reported the following items.

- The Kids Academy is July 16 and 17 with graduation at 5:30 p.m. on the 17th.
- The National Night Out caravan is August 8 at 6:30 p.m. starting at Town Hall.

Mr. Toney asked for elaboration on what a hoarder is.

Chief Forker explained that is when items are collected to a point that things are stacked high enough to cover windows or there is only a small pathway to navigate through the house. One would not be able get out safely if there were an emergency.

C. DIRECTOR OF PUBLIC WORKS – GREG TKAC

Richard West, Assistant Director of Public Works, was available to answer any questions Council may have in the absence of Mr. Tkac.

Mr. Toney asked about a streetscape grant that was applied for to put utility lines underground.

Mr. Taber explained that the streetscape was part of a bond referendum for the intersection work on Main Street and Graham Park Road that will include some utility lines being placed underground. He will schedule a brief update to Council on what will be done and where the money will be spent.

Ms. Washington was still concerned with the Van Buren/Mine Road intersection. She was aware that was not in the Town; however, Mr. Tkac had told Council that the Virginia Department of Transportation (VDOT) was going to be doing some widening at the intersection.

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Mr. West explained VDOT has a hazard road removal program. He believes that a preliminary plan has been submitted to VDOT for execution and an update will be included in the email being sent to Council this Friday.

Ms. Washington asked that Council be informed on anything they can do to expedite the process.

Mr. Brewer asked if there was a start date on the Tripoli Heights Project.

Mr. West spoke with the consultant today and there has been a substantive delay with the right-of-way and easement progress caused by utility relocations involved in the project. The consultant informed him that the advertising for construction would be, at the earliest, February 2013.

Mr. Brewer mentioned there have been quite a few water main breaks around Town. He knew that the PWC Service Authority would have to do the relocation of the water mains on Tripoli Boulevard. He asked if during the construction of the project the water mains could be replaced.

Mr. West was not sure what work has been done on those lines. He would look into the feasibility and get back to Council.

Mr. Brewer mentioned the last repair occurred between Tripoli Court and Tripoli Boulevard where there is patch, after patch, after patch.

D. DIRECTOR OF COMMUNITY & ECONOMIC DEVELOPMENT – DEBI SANDLIN

Ms. Sandlin reminded Council that Bowhead would be having its grand opening July 18 at 2:00 p.m. She asked Council if they had any questions before having Morgan Brim, Planner/Zoning Administrator, give an update on the Comprehensive Plan (CP).

Mr. Brewer asked if all the properties have been cataloged in the Town.

Ms. Sandlin noted Mr. Moss started that and Mr. Brim is working on finishing it. She explained that each property would be cataloged with its use.

Mr. Brewer asked who the Economic Development Advisory Group was.

Ms. Sandlin advised the group consists of five Chief Executive Officers or executive level business leaders and would send the list to Council.

Mayor Foreman asked who was going to brief Council on the Ginn Park Committee.

Ms. Sandlin noted a meeting is scheduled for tomorrow night starting at 5:30 p.m. The meeting held last month finalized some details about what each phase will consist of.

Mr. Toney mentioned meeting with the Chief of Police to look at the safety and security issues that were part of a crime prevention report.

Mr. Brim provided the following information about the Planning Commission (PC) and the CP.

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- The PC will hold a public hearing on applicant driven text amendments that will be before Council in August.
- The Council driven text amendments on property uses will be before Council around October/November.
- The Transportation, Historical/Cultural, and a section of the Land Use Plan of the CP have been updated and adopted.
- The next steps include finishing the Land Use Plan, establishing an Economic Development Plan, updating the Demographics section of the Plan, and adding a Facilities Plan to take into consideration things such as Ginn Memorial Park.
- The updates to the CP would start around November with no less than five or six months before being voted on.
- Upon completion of the CP, a technical update of the zoning ordinance should be completed to make sure that the two mesh with each other.

Mayor Foreman felt this needed to be done strategically. He noted that the text amendments that were sent back to be relooked at were better than what was in the ordinance; however, they just do not work.

E. DIRECTOR OF COMMUNITY SERVICES – CYDNY NEVILLE

Ms. Neville introduced the 2012 Summer Youth Employment Program participants:

- ✓ Police Department – Carson Hill
- ✓ Community Services – Isaiah Clagget
- ✓ Public Works – Fernando Ruiz
- ✓ Economic Development – Mathew Critchley

She announced the Department of Criminal Justice Services approved the Byrnes Justice Assistance Grant Program for \$75,000 with the purpose of implementing Dumfries Cares. It is a mentoring program to reduce the number of unsupervised children in the afternoon, on weekends, and during the Summer. To reduce the potential and/or actual number of youth participating in juvenile crime and/or drug abuse, increase the number of parents receiving parenting training, programs, and services, and improve academic performance of at risk and underserved youth. This program will create a part-time position for a program assistant and a part-time program intern.

- Applications are being accepted for the Fall Festival, which will include Dumfries Has Talent competition, and Wine Tasting.
- Grand Opening for the Farmer's Market will be Saturday at 8:00 a.m.

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- Healthy Heart Symposium will be held July 21 from 2:00 p.m. to 4:00 p.m. in the Community Center.

Mr. Brewer mentioned that seven years ago when Council was looking at a mentoring program the attorney advised Council that VML would not insure the Town.

Mr. Taber would look into the matter.

IN RE: ACTION ITEMS

A. DISCUSSION/DECISION ON CHANGING CITIZEN COMMENT(S) DURING COUNCIL MEETINGS TO INCLUDE ITEMS ON THE AGENDA – GERALD FOREMAN

Mayor Foreman explained there is already a place on the agenda for citizen comments. Citizens have three minutes and organizations have five minutes. He was not asking for this slot to change or to allow citizens to talk and address subjects during the meeting other than during the allotted Citizen Comment Period at the beginning of the meeting. At the start of the meeting, after the Approval of the Consent Agenda, the public will be invited to comment on any item including items on that meeting's agenda. This allows citizens an opportunity to address agenda items before Council takes action on them. Citizen comments should be valuable to Council and staff. In the best interest of time, citizen comments are scheduled at the beginning of each meeting. Traditionally, the Citizen Comment Period is not a dialogue. Rather, it is an opportunity to be heard regarding issues of concern. Citizens should not expect this to be an opportunity for a two-way conversation. Due to the necessity of efficiently running a meeting, there should not be an expectation for Council to address a citizens concern immediately. Rather, expect that the concern will be recorded and an effort will be made to address it in the near future. However, it is possible that a citizen will receive an immediate response to their concern(s) or comment(s). He is requesting that a vote be taken to modify current Council policy to allow citizens the opportunity to comment on any item to include items on that meeting's agenda.

Mr. Brewer agreed; however, he felt that the citizen should be given five minutes.

Mr. Taber clarified that public hearing comments were scheduled separately.

Mayor Foreman moved, seconded by Mr. Brewer, to modify the current Council policy to allow citizens the opportunity to comment on any item to include items on that meeting's agenda and for the time to go from three minutes to five minutes for citizens.

Mr. Toney made the friendly amendment to allow organizations eight minutes rather than the five minutes currently being given.

Mayor Foreman and Mr. Brewer accepted the friendly amendment.

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Clarification was made that a citizen is allowed one opportunity to give his time to another citizen or organization and if a citizen speaks on an item on the agenda that the agenda item will not be moved.

The motion to modify the current Council policy to allow citizens the opportunity to comment on any item to include items on that meeting's agenda, for the time to go from three minutes to five minutes for citizens, and from five minutes to eight minutes for organizations carried by the following roll call vote: Mr. Brewer, yes; Mr. Foreman, yes; Ms. Forrester, absent; Mr. Praino, yes; Ms. Reynolds, yes; Mr. Toney, yes; Ms. Washington, yes.

B. DISCUSSION/DECISION ON DISSOLVING COMMITTEES AS APPROPRIATE, APPOINT MEMBERS, OF COUNCIL TO ACTIVE COMMITTEES, AND ESTABLISHING AN AGENDA ITEM FOR COUNCIL COMMITTEE REPORTS- GERALD FOREMAN

Mayor Foreman explained that in 2009 the then Councilman Willie Toney and Councilwoman Dorothea Barr submitted a proposal for establishment of a committee structure for the Town. The standing Committees are Public Safety, Public Works, Environment and Parks & Recreation, Finance and Revenue, and Economic Development & Community Services. Since 2009, the Ginn Memorial Park, Town Newsletter, Website, and Audit Committees were created. Council nominates Council members to the Virginia Municipal League (VML) Policy Committees. The Northern Virginia Regional Commission (NVRC) has one member of each governmental subdivision who shall be the chief elected officer from the governing body or his/her designee. The Northern Virginia Regional Cigarette Tax Board (NVCTB) has one member of each governmental subdivision who has entered into an agreement for the enforcement of the cigarette tax ordinances.

It was decided to start with the VML 2012 Policy Committee Nominations.

Ms. Washington requested being removed from the Environmental Quality Committee and volunteered for the Human Development & Education Committee.

Mayor Foreman was willing to continue being on the Community & Economic Development Committee.

Mr. Toney was willing to continue being on the General Laws Committee.

Ms. Reynolds volunteered to sit on the Finance Committee.

Mr. Brewer volunteered to sit on the Transportation Committee.

Mayor Foreman volunteered to sit on the Environmental Quality Committee.

Mayor Foreman made the motion, seconded by Ms. Reynolds, to nominate the VML 2012 Policy Committee seats as selected. The motion carried by the following roll call vote: Mr. Brewer, yes; Mr.

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Foreman, yes; Ms. Forrester, absent; Mr. Praino, yes; Ms. Reynolds, yes; Mr. Toney, absent; Ms. Washington, yes.

Mr. Toney stepped out of the meeting during the vote.

Mayor Foreman noted he attended the last meeting of the NVRC, has read their bylaws, and spoke with the executive Secretary and Vice Chair. This is typically set up for the Mayor and County Supervisors, so his name is almost a default.

Mr. Brewer moved, seconded by Ms. Reynolds, to appoint Mayor Foreman to the NVRC. The motion carried and the following resolution was adopted by the following roll call vote: Mr. Brewer, yes; Mr. Foreman, yes; Ms. Forrester, absent; Mr. Praino, yes; Ms. Reynolds, yes; Mr. Toney, absent; Ms. Washington, yes.

APPOINTMENT TO THE NORTHERN VIRGINIA REGIONAL COMMISSION (NVRC)

WHEREAS, the Town of Dumfries adopted and executed in 1991 the Northern Virginia Regional Commission's (NVRC) Charter Agreement; and

WHEREAS, the NVRC promotes orderly development of the region's physical, social, and economic requirements by helping governmental subdivisions plan for the future; and

WHEREAS, the NVRC consists of Arlington, Fairfax, Loudoun, and Prince William County's, the City's of Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park, and the Town's of Herndon, Leesburg, Purcellville, Vienna, and Dumfries; and

WHEREAS, the membership shall be composed of representatives of the member governmental subdivisions, on the basis of one member of each governmental subdivision who shall be the chief elected officer from the governing body or his/her designee; and

WHEREAS, with the election of a new Mayor an appointment is needed to fulfill the remainder of an unexpired term; and

WHEREAS, Council is prepared to make an appointment to fulfill the unexpired term to include an additional three year term.

NOW, THEREFORE BE IT RESOLVED by the Town of Dumfries Town Council that Gerald M. Foreman hereby be appointed as the Town of Dumfries representative for a term that will begin immediately to fulfill an unexpired term until June 30, 2012 and continue with a term of three years that shall expire on June 30, 2015.

Mayor Foreman mentioned the next appointment needed is to the NVCTB. He noted Ms. Jurgensen was the representative previously assigned and Mr. Toney attended the last meeting.

Mr. Toney rejoined the meeting.

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Ms. Washington moved, seconded by Ms. Reynolds, to appoint Mr. Toney to the NVCTB. The motion carried and the following resolution was adopted by the following roll call vote: Mr. Brewer, yes; Mr. Foreman, yes; Ms. Forrester, absent; Mr. Praino, yes; Ms. Reynolds, yes; Mr. Toney, yes; Ms. Washington, yes.

APPOINTMENT TO THE NORTHERN VIRGINIA CIGARETTE TAX BOARD (NVCTB)

WHEREAS, the Town of Dumfries entered into an agreement with the Northern Virginia Cigarette Tax Board (NVCTB); and

WHEREAS, the Virginia Department of Taxation issues a Dual VA-NVCTB stamp that must be affixed to all cigarette packages sold or distributed in the jurisdictions of the Board; and

WHEREAS, the NVCTB consists of Fairfax County, the City's of Fairfax, Alexandria, Falls Church, and Manassas, and the Town's of Lovettsville, Hillsboro, Middleburg, Haymarket, Dumfries, Purcellville, Leesburg, Warrenton, Clifton, Herndon, and Vienna; and

WHEREAS, the NVCTB is responsible for the enforcement of the cigarette tax ordinances pursuant to these ordinances and Section 15.1-21 and 58.1-3830 et seq., of the Code of Virginia, (1950), as amended for the seventeen jurisdictions; and

WHEREAS, with the resignation of Councilwoman Michele Jurgensen an appointment is needed; and

WHEREAS, Council is prepared to make an appointment to immediately serve a term of one year starting the term immediately.

NOW, THEREFORE BE IT RESOLVED by the Town of Dumfries Town Council that Willie J. Toney hereby be appointed as the Town of Dumfries representative for a term that will expire on June 30, 2013.

Mayor Foreman indicated the next item was for the committees established due to the committee structure.

Mr. Toney mentioned he and Ms. Barr spent a considerable amount of time researching the matter; however, Council never adopted the committee structure and the other committees were created ad hoc, which dissolve once the specific matter is resolved.

Mayor Foreman asked which committees needed to have appointments made. He did not see a reason to have an Audit Committee.

Mr. Brewer moved, seconded by Mayor Foreman, to dissolve the Audit Committee.

Mayor Foreman asked about the Website Committee.

It was determined that there was no longer a need for a Website Committee.

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Ms. Washington felt that there needed to be someone to oversee that area and be responsible for letting Council know when changes needed to be made.

Mayor Foreman noted the Town Manager's position should be in charge of the Newsletter and the Website. The Town Manager would report to Council about any changes that were going to be made.

Ms. Washington's concern was citizen involvement. She trusted the Town Manager with that responsibility.

Mayor Foreman moved, seconded by Mr. Brewer, to dissolve the Website Committee.

Mayor Foreman moved, seconded by Mr. Toney, to dissolve the Newsletter Committee.

Mayor Foreman moved, seconded by Ms. Reynolds, to keep the Ginn Memorial Park Committee.

Mayor Foreman moved, seconded by Mr. Brewer, to not create the Public Safety, Public Works, Environment and Parks & Recreation, Finance and Revenue, and Economic Development & Community Services Committees.

The motions on the floor to dissolve or not create the committees previously discussed and to keep the Ginn Memorial Park Committee carried by the following roll call vote: Mr. Brewer, yes; Mr. Foreman, yes; Ms. Forrester, absent; Mr. Praino, yes; Ms. Reynolds, yes; Mr. Toney, yes; Ms. Washington, yes.

Mayor Foreman mentioned having all appointments to committees be for a period of one-year, Chairs report to Council once a month, and that the reporting be listed on the agenda as a separate item and not with Staff Comments.

Mayor Foreman asked if two members of Council needed to be placed on the Ginn Memorial Park Committee.

Mr. Toney felt with the Chief and Captain of Police, the Fire and Rescue Chief, Public Works Director, Economic and Development Director, Planning Director, Chair of the Planning Commission, the Town Manager, along with a Council member that there was no need for two Council Members to serve on the Committee. He noted all the plans are in place and the Committee is in the process of monitoring the implementation.

Mr. Taber mentioned the Events Committee was not addressed.

Mr. Toney felt that meetings outside of these committees with other dignitaries, etc. should be reported to Council too for open and transparent government.

Mayor Foreman moved, seconded by Mr. Brewer, that one Council member be appointed to serve on a committee for a period of one-year, Chairs report to Council once a month, and that the

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reporting be listed on the agenda as a separate item and not with Staff Comments. The motion carried by the following roll call vote: Mr. Brewer, yes; Mr. Foreman, yes; Ms. Forrester, absent; Mr. Praino, yes; Ms. Reynolds, yes; Mr. Toney, yes Ms. Washington, yes.

Ms. Washington questioned the nominations being reported to VML before the policy committees meet.

Mr. Taber explained that the shortness of the notice would not be a problem.

Mayor Foreman moved, seconded by Ms. Washington, to nominate Mr. Toney as the Chair to the Ginn Park Memorial Committee. The motion carried by the following roll call vote: Mr. Brewer, yes; Mr. Foreman, yes; Ms. Forrester, absent; Mr. Praino, yes; Ms. Reynolds, yes; Mr. Toney, yes; Ms. Washington, yes.

Mayor Foreman moved, seconded by Mr. Toney, that the Events Committee remain active. The motion carried by the following roll call vote: Mr. Brewer, yes; Mr. Foreman, yes; Ms. Forrester, absent; Mr. Praino, yes; Ms. Reynolds, yes; Mr. Toney, yes; Ms. Washington, yes.

It was asked whether there was a need for two members to sit on the Events Committee. After a brief discussion it was determined that a second member of Council could sit, but would not be appointed since the previous motion stated that only one Council member would be appointed to a committee.

A brief discussion of who was going to serve on the Events Committee was held.

Mr. Toney moved, seconded by Ms. Reynolds, that Ms. Washington serve as the Chair on the Events Committee. The motion carried by the following roll call vote: Mr. Brewer, yes; Mr. Foreman, yes; Ms. Forrester, absent; Mr. Praino, yes; Ms. Reynolds, yes; Mr. Toney, yes; Ms. Washington, yes.

Mayor Foreman noted that the suggestion made by Mr. Toney to have Council members report on meetings held with dignitaries would be placed on an agenda item form for the next meeting to discuss whether or not to create a policy.

IN RE: INFORMATION ITEM (S) (NONE)

IN RE: DISCUSSION ITEMS

A. TOWN COUNCIL ANNUAL AGENDA FY13 – GERALD FOREMAN

Mayor Foreman explained the citizens elected the Council, Council Members were elected on platforms and agendas, and it is the Council who needs to be cognizant of what the citizens want. Council Member priorities need to be communicated to each other and the Town Manager. A clearly articulated and well-understood vision, clearly understood goals, and prioritization of tasks should be something that is available for citizens to view. These agreed upon priorities become the Council's Annual Agenda. Council Members collectively and individually can speak with elected officials,

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government agencies, and the citizens and will be supporting common goals and these priorities. This will also provide the Town Manager and staff direction. Once accepted by Council, the Town Council's Annual Agenda should be published and posted for all citizens, business owners, and taxpayers to view. The Town Council's Annual Agenda should be reviewed during the Mid-Year Budget Review to measure accomplishments against goals. The Town Council's Annual Agenda should be established annually during the preparation of the next fiscal year's annual operating budget. When this was brought up last time for discussion, it was confused with the Town Managers annual assessment. The item is for discussion only this evening. The subject would come back at the next meeting with each Council Members suggestions of what they would like to see on the Annual Agenda. He noted his Annual Agenda items would be Route 1 widening efforts, holding an Economic Summit, dredging of Quantico Bay & Port of Dumfries (educating elected officials and applying for grants), Quantico Creek homes erosion barrier (working with homeowners on transfer of access of property and applying for grants), Town Vision Statement rewrite, historical markers placement, and review of business ordinances & business zone usage. Normally this would be done when the budget is being formulated.

Mr. Toney felt that if this was going to be implemented it would have to be coordinated with the Town Manager. He did not see it as being any different from the priorities set for the Town Manager.

Ms. Washington agreed with Mr. Toney. She felt that Council should develop an Annual Agenda of no more than three items to work toward for the year, which the Town Manager would be part of performance goals toward achieving those items. She was sure that the Town Manager already does that and it is a matter of changing the dynamics and calling it something different. She noted the Council would be carrying out the Annual Agenda in addition to the Town Manager.

Mr. Brewer explained that these were two different things being discussed. You have the Council's Annual Agenda and the Town Managers goals and objectives. He felt they could tie in together but Council would have to meet on the items separately. The Council will set goals and objectives for the Town Manager; however, the Annual Agenda is not only goals and objectives that the Town Manager is going to carry out but some of them can be political, such as the Route 1 widening. He pointed out that the Town Manager is not going to widen Route 1 and it is up to Council to talk to elected officials higher up to get the project moving. He felt that Council needed to do both and should be two different things.

Ms. Reynolds asked when the goals and objectives were set for the Town Manager and when his evaluation was done.

Mr. Foreman mentioned that it is in the August/September timeframe.

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Mr. Praino asked if the Annual Agenda could be adjusted mid-year or was it locked and whether a quarterly review could be done.

Mayor Foreman explained it is typically done at the beginning of the year with a mid-year review. He imagined if something catastrophic came up that it could be adjusted. He did not think Council should get in the habit of reviewing things quarterly.

Mr. Praino did not think the Town Manager would necessarily have the resources to accomplish some goals and should not be held against him.

Mayor Foreman agreed.

Mr. Praino asked about setting parameters on the size and type of item.

Mayor Foreman felt that would percolate out once all the priorities were presented.

Mr. Toney saw the relation with the Town Manager.

Ms. Reynolds did not want the Town Manager held accountable for something that he has no control over.

Mr. Taber indicated he would let Council know if he could not handle something.

Ms. Washington noted that when starting out the goals and objectives are going to be very broad.

Mayor Foreman explained the idea is for Council to have a common vision and goals.

Council made the decision to move forward with creating an Annual Agenda at the next Council meeting.

Ms. Washington asked citizens to contact Council with items they would like considered.

Mr. Taber reminded Council he became the Interim Town Manager in August last year and was asked to assume the position two months later. When he came on the Town Manager, Assistant Town Manager, Town Clerk, Zoning Administrator, and Code Enforcement Officer left. Council did not sit down and set goals and objectives for him. There have been many changes made since then. He felt this was an opportunity for Council to set goals and objectives for him and have the review done in January, which will fit nicely with the Capital Improvement Plan, Mid-Year Budget Review, etc. On page 11 of the budget narrative, he selected 19 goals for administration to achieve. He suggested looking at those as a starting point.

Mr. Brewer felt that was a good starting point.

B. DISCUSSION ON ADOPTING A RESOLUTION OPPOSING THE VIRGINIA DEPARTMENT OF TRANSPORTATION'S PROPOSAL TO INSTALL TOLL FACILITIES ON INTERSTATE 95 – DAN TABER

Mr. Taber explained this started when the Hanover County Board of Supervisors passed a resolution against toll facilities along Highway 95. Even though VDOT was limiting the area of

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Highway 95 where the toll facilities would be imposed there was concern that once the authority was given there was potential of that area being extended. Hanover's Board of Supervisors gave the Town Manager the direction to contact and share the resolution they passed to the governing bodies in surrounding localities along Highway 95 to see if they too wanted to pass a similar resolution opposing the toll facilities along Highway 95.

Mr. Toney moved, seconded by Ms. Washington, to draft a resolution opposing toll facilities along Highway 95. The motion carried by the following roll call vote: Mr. Brewer, yes; Mr. Foreman, yes; Ms. Forrester, absent; Mr. Praino, yes; Ms. Reynolds, yes; Mr. Toney, yes; Ms. Washington, yes.

C. COMMUTER PARKING TRIPOLI HEIGHTS – CHARLES BREWER

Mr. Brewer noted there were a number of citizens in Tripoli Heights complaining about commuters parking at the corner and along Maple Street and Tripoli Boulevard. He reminded Council there were problems a while back with commuters parking along Wilson Street. To rectify the problem no parking signs were installed. The concern is for safety vehicles and school buses being able to navigate along the streets.

Chief Forker noted that several months ago Council directed Public Works to look into the matter and make recommendations. What was found was that Council adopted a Parking Policy in 2008. The policy dictated that if 75 percent of the residents of a specific area signed a petition and agreed to have special parking regulations enforced the information would be provided to Public Works. Once the signatures were confirmed to be residents of that area Public Works would move forward with parking restrictions.

Mr. Brewer had asked if rather than lining the streets with no parking signs whether a no commuter parking sign could be placed at the entrance to Tripoli Heights.

Chief Forker indicated that could be done to try to deter people from parking, but it would not be enforceable. In order to be enforceable it would require an ordinance change or stickers designed for a specific area. He suggested having no parking between the hours of 11:00 a.m. to 1:00 p.m. signs that would make it difficult for commuters.

Mr. Brewer noted he would discuss the matter further with Chief Forker and the Town Manager to try to limit the amount of commuters parking in that area.

IN RE: COUNCIL MEMBER COMMENTS

Ms. Reynolds thanked the citizens of the Town for electing her.

Mr. Brewer thanked his family, friends, and constituents for electing him.

Ms. Washington thanked staff for the professional way in which they handled the emergency.

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Mr. Toney congratulated the new Council Members and thanked the citizens for their trust.

IN RE: CLOSED SESSION

Mr. Toney made the motion, seconded by Mayor Foreman, 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; Ms. Forrester, absent; Mr. Praino, yes; Ms. Reynolds, yes; Mr. Toney, yes; Ms. Washington, yes.

WHEREAS, the Dumfries Town Council desires to discuss a particular subject in Closed Session during the course of its meeting of June 10, 2012; and

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

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

Mr. Toney made the motion, seconded by Mayor Foreman, to reconvene into open session. The motion carried and the following resolution was adopted by the following roll call vote: Mr. Brewer, yes; Mr. Foreman, yes; Ms. Forrester, absent; Mr. Praino, yes; 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 of Dumfries does hereby reconvene in Open Session at its meeting of July 10, 2012 and certifies the matters set forth in Section 2.2-3712(D) of the Code of Virginia, 1950, as amended.

Mr. Brewer made the motion, seconded by Ms. Washington, to reappoint Gina Critchley and Chris Padberg to the Planning Commission, appoint Naeem Arshad and Racine Gilliam to the Planning Commission, and appoint Kirk Copeland to the Architectural Review Board. The motion carried and the following resolutions were adopted by the following roll call vote: Mr. Brewer, yes; Mr. Foreman, yes; Ms. Forrester, absent; Mr. Praino, yes; Ms. Reynolds, yes; Mr. Toney, yes; Ms. Washington, yes.

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PLANNING COMMISSION (PC)

WHEREAS, the Town Council has previously appointed a Planning Commission to carry out the responsibilities of this organization in state law; and

WHEREAS, Council has learned that four (4) appointments are needed to the Planning Commission; and

WHEREAS, Council is now prepared to make these four (4) appointments according to law.

NOW, THEREFORE, BE IT RESOLVED by Town Council that the following individuals be hereby appointed to the Planning Commission for terms that shall expire on June 30, 2016.

Gina Critchley and Chris Padberg to be reappointed and Naeem Arshad and Racine Gilliam be newly appointed.

ARCHITECTURAL REVIEW BOARD (ARB)

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

WHEREAS, with the resignation of Don Little there is a vacancy that needs to be filled; and

WHEREAS, Council is prepared to make an appointment to fill the vacancy for the unexpired term that shall expire on June 30, 2013.

NOW, THEREFORE BE IT RESOLVED that the Town Council for the Town of Dumfries hereby appoints Kirk Copeland to serve out the remainder of this unexpired term on the Architectural Review Board.

Mayor Foreman made the motion, seconded by Ms. Washington, to appoint Mr. Toney as Vice Mayor. The motion carried and the following resolution was adopted by the following roll call vote: Mr. Brewer, yes; Mr. Foreman, yes; Ms. Forrester, absent; Mr. Praino, yes; Ms. Reynolds, yes; Mr. Toney, yes; Ms. Washington, yes.

APPOINTMENT OF A VICE MAYOR

WHEREAS, Section 3.04 of the Town Charter states that, “[a]t its first meeting in July of every even-numbered year the council shall select from its membership one member to serve as a vice-mayor.”; and

WHEREAS, the vice-mayor shall preside over meetings of council in the absence of the mayor; and

NOW, THEREFORE BE IT RESOLVED that the Town Council hereby appoint Willie J. Toney as Vice-Mayor to serve a term that shall expire on July 1, 2013.

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IN RE: ADJOURNMENT

Mayor Foreman adjourned the meeting.

Minutes submitted by

Approved by

Dawn Hobgood
Town Clerk

Gerald M. Foreman
Mayor