

**AT A REGULAR MEETING OF THE DUMFRIES TOWN COUNCIL, HELD ON AUGUST 21, 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  
Kristin Forrester  
Louis Praino  
Helen Reynolds  
Gwen Washington  
Dan Taber, Town Manager  
Christine Sanders, Town Attorney

**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**

An amended agenda was presented to Council prior to the start of the meeting that added Item XV, D, Request a Briefing to Phases I, II, III, and IV of Ginn Memorial Park – Mayor Foreman.

Mr. Taber requested that Item XIII, A, Town Council Annual Agenda FY13 be removed from the agenda to be worked on and brought back to Council.

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

**IN RE: APPROVAL OF THE CONSENT AGENDA**

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

**RESOLUTION TO ADOPT TOWN OF DUMFRIES POLICE DEPARTMENT  
GENERAL ORDERS, CHAPTERS 16-20**

WHEREAS, in 2010 Acting Town of Dumfries Police Chief Colgan (“Chief Colgan”) was appointed and upon his appointment became aware that the Town of Dumfries Police

Department (“the Department”) had a set of general orders (“General Orders”) that were not appropriate for use by the Department; and

WHEREAS, Chief Colgan contracted to have the General Orders updated for appropriateness and relevance for the Department; and

WHEREAS, Section 34-21 of the Code of the Town of Dumfries Virginia, (“the Town Code”) provides, *inter alia*, that the Chief shall prepare general orders for the police force of the town not inconsistent with state law, the Town Charter, this Code or other ordinances of the town and shall submit them to the Town Council for approval. When any such general orders, so prepared, have been approved by the Council, such general order(s) shall be in full force and effect; and

WHEREAS, Police Chief Forker has completed Chapters 16-20 of the General Orders, and submitted them to the Town Manager, the Town Attorney, and Town Council for review and comment; and

WHEREAS, in accordance with the foregoing, Chief Forker requests that the Town Council approve and adopt Chapters 16-20 of the General Orders.

NOW, THEREFORE BE IT RESOLVED by the Dumfries Town Council on this 21<sup>st</sup> day of August, 2012 that Chapters 16-20 of the General Orders are approved and adopted.

**IN RE: CITIZEN COMMENT PERIOD**

Nancy West was requesting that Council adopt a line item in the budget to receive donations for a memorial for Fred Yohey, former Mayor, who passed away on November 6, 2011 to be placed in Ginn Memorial Park. She heard from three friends of his from Pennsylvania, Tim Cain, Wes Shields, Dave Minnier, and his sister who would like to contribute to a lasting memorial that would benefit the citizens of Dumfries in perpetuity.

**IN RE: MAYOR’S COMMENTS**

Mayor Foreman announced that there are two Council seats available. Ms. Washington is the only individual how has provided a Declaration of Candidacy with the required signatures by August 17. This means that there will be write-in votes on the November ballot. The write-in has to be a registered voter and live within Town limits. There is a seat available on the Planning Commission and two seats available on the Board of Zoning Appeals. A cover letter and resume will be accepted until August 27. The 11th Annual Fall Festival will be held September 8, Saturday, from 10:00 a.m. to 5:00 p.m. On August 17, the Summer Youth Employment Program held their graduation at the Community Center. He congratulated Carson Hill, Matthew Critchley, Fernando Ruiz, and Isaiah Claggett for participating and doing an outstanding job with the Police Department, Community Service, Public Works, and Economic Development. He noted their efforts have not gone unnoticed and he is proud of everything they did for the Town. On August 18, Grace Church had their men’s BBQ Cook-off. It was an outstanding event and

he thanked them for allowing him to participate as a judge. Tonight, the Council hosted a social at 6:00 p.m. with the Town of Quantico's Mayor and Council. It was nice and something that should have been done a long time ago. He encourages these events. As elected officials, the Council needs to socialize with fellow politicians and talk about common goals, themes, and leverage efforts for the taxpayers benefit. He thanked Mayor Brown, Quantico Town Council, and Delegate Dudenhefer who attended.

**IN RE: PRESENTATIONS****A. POTOMAC LANDFILL – DENNIS LEAKE**

Mr. Taber explained the Potomac Landfill (PL) is in the process of making some business decisions about whether to expand laterally or vertically. Mr. Leake is before Council to present information.

Mayor Foreman noted this is the first step of getting the right people to the economic summit to develop the Town's future. This is a big step for the PL to ask Council to participate in making the decision. He thinks it is the right thing to do and applauds Mr. Leake. The process tonight is to listen. After the presentation, he encouraged the citizens to contact Council and express how they feel. Council will discuss at the next meeting what has been presented and the options available.

Mr. Leake explained this started over a year ago while looking at the next logical steps for the landfill. Two things guide the PL's relationship with the Town and those are a 1987 stipulation order by the Prince William County (PWC) Circuit Court and a grading plan. These two documents guide the how and what can be done at the PL. There are permitting requirements that are governed by the Department of Environmental Quality (DEQ). The stipulation order allows 58.4162 acres to be used for debris, of which, approximately 40 acres are currently used, and is allowed to reach an elevation of 195 feet at closure. He explained that the PL is in the process of being permitted through DEQ to use that acreage, which does not require the Town's involvement since it has already been agreed upon. The PL consists of about 86 acres and if you include surrounding acreage owned there is a total of 101 acres. He did not know of another piece of land from Washington D.C. to Dumfries that has 2400 linear feet of frontage along Highway 95 plus frontage on Route 234. He noted that it is a very desirable piece of land within the boundaries of Dumfries. This alone opens up discussions to what development can occur after the landfill closes down. He mentioned there have been many discussions along the way and one of those included taking the frontage along Route 234 and Highway 95 and making it an enterprise zone. He noted that the PL plans to be an active participant at the economic business summit that was being planned. In the next few months, discussions will be held as to whether to go vertical rather than going lateral. He mentioned that Fairfax County allowed Lorton Landfill, through a special use permit, to go

up to 412 feet. He explained that the PL submitted a letter tonight to allow the Town the opportunity to look at the option of going vertical versus lateral so that discussions can start.

Mayor Foreman asked that the letter submitted be posted to the Town's website.

Mr. Taber noted it would be.

Mayor Foreman noted the main intent of the presentation tonight was to get Mr. Leake's vision and the options. Option A, continue doing business the same way or Option B, do some economic development on the undeveloped property with the concession of being allowed to go up to 310 feet with the PL closing in 15 years.

Mr. Leake explained they came up with the 310 feet. Walls would be built around the parameters with a three to one ratio being set and where those two points meet is the apex, which is 310 feet. He noted that where they are mining they are allowed to have temporary storage while sorting, which is around 225 feet now. He invited Council to come and get a visual perspective. He noted this was an offer that was being made and a tremendous opportunity for Dumfries.

Ms. Washington asked for information on what going up would mean to the people in the Town who already are having problems with odors, debris, and drainage problems.

Mr. Leake noted when you go out is when more problems occur since your working in virgin territory. When you go up you already have the area below captured and a system is set up.

Ms. Washington felt that image was another important factor to consider. She suggested allowing citizens the opportunity to contact Council with their concerns. Council can then compile a series of questions and provide those to the PL.

Mayor Foreman wanted to get the Council's questions compiled and vetted through the Town Attorney and Town Manager to be provided to the PL. He was looking at October before getting everything vetted fully and thought that maybe a public meeting could be held too.

Mr. Toney felt it was important to find some other independent engineers to provide advice to the Town. He was hoping if Council found it appropriate that a public hearing would be held.

Ms. Washington suggested getting in touch with the different Homeowners' Associations to spread the word to the citizens.

Mr. Leake indicated the PL has reached out to Tripoli Heights and Grayson Village.

Mr. Praino asked what the height of the base of the water tower is now.

Mr. Leake noted it was 164 feet.

Mr. Praino asked how high the water tower is.

Mr. Leake noted the elevation was 310.

**IN RE:       BOARDS & COMMISSIONS**

**A. ARCHITECTURAL REVIEW BOARD**

Jennifer Stringfellow, Chair, reported the following items

- Kirk Copeland, architect, was welcomed as a new Board member. He also sits on the Prince William County Architectural Review Board.
- The Board decided and voted to have Tim Jabs take unofficial minutes. It is the hope that this will help the Town Clerk. She understood from Debi Sandlin that the Town Clerks priority is to do Council meeting minutes with the other Boards and Commissions coming after that.
- Two applications for a Certificate of Appropriateness were reviewed. One was approved for Fraley Furniture Store to change the graphics on a sign and paint the exterior of the building. One was for a split rail fence on Colonial Street that the Board needed more information on in order to make a decision.
- She thanked Council for approving the \$7,500 to hire a consultant to assist with drafting the design guidelines for the Historic District. She received an email earlier in the day that the Berkley Group would be the consultant working on the project.
- She asked for clarification on a memo received regarding providing the Town Clerk with a report the week before the Council meeting since their meeting fell after the deadline. She asked if the report would be a month behind and whether unofficial minutes would be sufficient.

Mr. Taber noted that rather than ask for the meetings to be changed there was not a problem with the Boards and Commissions providing the information for inclusion in Council's packet for the following meeting.

Ms. Stringfellow asked if Council was looking for a separate report from the minutes. She is new to being the Chair; however, previously she was the Secretary and would provide the draft meeting minutes to the Chair prior to the Council meeting to read from.

Mayor Foreman explained that he has seen reports given several ways. He has seen a report that just highlighted a few of the things being worked on. He noted that this is the ARB's time to present whatever they want. He suggested in the case of meeting after the packet is compiled to send the highlights of what the ARB is going to be reporting to the Town Manager. He explained that the ARB is reporting to Council what has been done and if any assistance is needed.

**B. BOARD OF ZONING APPEALS**

There was no report.

**C. HISTORIC DUMFRIES**

Joann Barron reported the following items.

- There were 2,021 visitors at this time last year and this year there has been 3,588.

- The museum continues holding “Children’s Day with the Museum.”
- On September 29 and 30, the Stonewall Brigade will be doing a living history program on the Blockade of the Potomac.
- A crew came in and filmed the Traveling Trunk, an endangered artifact, to be on the History Channel.
- Two days are set aside every month for home schooled children.
- Nine children attended the Colonial Camp with five of those being scholarships recipients. She thanked the Town for sharing the Student Interns who assisted with creating a Colonial meal for the summer camp.
- My Ghost Story videotaped the Museum and will air in October on the Biography Network.
- A silent auction will be held in November at the Dumfries-Triangle Rescue Squad.
- Haunted walks will occur Friday and Saturday nights in October. There will also be some lock-ins this year.

The Mayor requested that Council get an email when Historic Dumfries Virginia schedules a meeting.

**D. PLANNING COMMISSION (PC)**

There was no report.

**IN RE: COUNCIL REPORTS**

**A. GINN PARK COMMITTEE**

Mr. Toney noted the Committee discussed the CDBG grant application process. There was discussion on surplus funds that were available. If Council decides to support the grant surplus funds would be used to match the grant for a pavilion. The fundraising policy was discussed and the Committee asked the Town Attorney to look into options. The next meeting is scheduled for September 12.

**B. EVENTS COMMITTEE**

There was no report.

**C. NORTHERN VIRGINIA REGIONAL COMMISSION (NVRC)**

There was no report.

**D. NORTHERN VIRGINIA CIGARETTE TAX BOARD (NVCTB)**

There was no report.

**IN RE: COUNCIL REPORT ON MEETINGS WITH ELECTED OFFICIALS PERTAINING TO THE TOWN**

Mayor Foreman met with Mark Dudenhefer on August 17 and discussed the following matters. Ms. Reynolds was also present at this meeting.

- ✓ Interstate 95 and Route 1
- ✓ Route -1 widening efforts
- ✓ Crosswalk installation and safety
- ✓ Quantico Creek, Quantico Bay and its Tributaries
- ✓ Tourism and Preservation of Historic Sites
- ✓ Our efforts should fit into State plans

**IN RE: STAFF COMMENTS**  
**A. TREASURER – RETTA LADD**

Ms. Ladd was ready to answer any questions that Council may have regarding the monthly financials for July 2012.

Mr. Brewer asked what the \$10,000 paid to Prince William County (PWC) was for.

Mr. Taber explained this fee is \$1,000 per sworn officer for training that is paid once a year.

Mr. Brewer asked what the two checks written to Olde Towne Landscaping for \$18,243.00 and \$666.00, check numbers 23753 and 23732, was for.

Ms. Ladd was going to look the information up and provide it to Council in an email.

Mr. Taber asked, if possible, that Council let staff know in advance any questions like this to allow time to prepare.

**B. TOWN ATTORNEY – CHRISTINE SANDERS**

There was no report.

**IN RE: ACTION ITEMS**  
**A. DISCUSSION/DECISION TO AUTHORIZE THE TOWN MANAGER TO PREPARE A RESOLUTION TO TRANSFER \$125,000 FROM THE GENERAL FUND TO THE LOCAL GOVERNMENT INVESTMENT POOL – DAN TABER**

Mr. Taber explained there is an opportunity, because of a projected unaudited surplus, to maintain the financial health of the Town, which Council has expressed the desire to do. Even though it is unaudited, there will be more than a \$125,000 surplus. He understood that there was discussion on ways to spend the remaining money from that surplus. He suggested waiting until the audited figure was available to have an exact figure to work with. He asked that Council provide him with items, other than the three that were previously discussed, to assist him with looking at the other needs of the Town to put forth suggestions for Council to decide on.

Mayor Foreman asked when the audited review would be received.

Mr. Taber indicated it could be at anytime. Presently the auditors are working on the charges for work performed in FY12 that have not been billed and additional revenues that came in. He expects to have the audited figure in the next 30 days.

Mr. Brewer moved, seconded by Mr. Toney, to authorize the Town Manager to transfer the \$125,000 into the Local Government Investment Pool. The motion carried by the following roll call vote: Mr. Brewer, yes; Mr. Foreman, yes; Ms. Forrester, yes; Mr. Praino, yes; Ms. Reynolds, yes; Mr. Toney, yes; Ms. Washington, yes.

**B. ADOPT A RESOLUTION COMMENDING THE SERVICE OF AND CONGRATULATING CHIEF CHARLIE T. DEANE OF THE PRINCE WILLIAM COUNTY POLICE DEPARTMENT ON HIS RETIREMENT – MAYOR FOREMAN**

Mr. Brewer moved, seconded by Mr. Praino, to adopt the resolution commending the service of and congratulating Chief Charlie Deane. The motion carried and the following resolution was adopted by the following roll call vote: Mr. Brewer, yes; Mr. Foreman, yes; Ms. Forrester, yes; Mr. Praino, yes; Ms. Reynolds, yes; Mr. Toney, yes; Ms. Washington, yes.

**RESOLUTION HONORING POLICE CHIEF CHARLIE T. DEANE UPON HIS RETIREMENT**

WHEREAS, Chief Charlie T. Deane was hired as Police Chief for Prince William County on July 29, 1988; and

WHEREAS, prior to joining the Prince William County Police Department in 1970, Chief Deane served as a Virginia State Trooper; and

WHEREAS, Chief Deane expanded his educational horizons by receiving his Masters in Public Administration from George Mason University, a bachelor's degree in Administration of Justice from American University, and graduated from the FBI National Academy; and

WHEREAS, Chief Deane has been involved in many law enforcement and community organizations, is a Member of the Virginia Association of Chiefs of Police, where he served as past President, the current Vice President of the Police Executive Research Forum, and the International Association of Chiefs of Police; and

WHEREAS, Chief Deane has supported professional law enforcement efforts for many years with cooperation, team unity, and an unselfish devotion to duty and this has been no more evident than in his willingness to provide day in and day out support to the Dumfries Police Department, its Officers, and the citizens of the Town of Dumfries.

NOW, THEREFORE, BE IT RESOLVED that the Town Council does hereby commend and thank Chief Charlie T. Deane for many years of dedicated law enforcement service, and especially for his support to the Town of Dumfries, and wishes him and his family a well deserved healthy and enjoyable retirement.

**C. APPOINTMENT OF VOTING DELEGATE AND ALTERNATE VOTING DELEGATE FOR THE VIRGINIA MUNICIPAL LEAGUE (VML) BUSINESS MEETING – DAN TABER**

Mr. Toney moved, seconded by Ms. Forrester, to appoint the Mayor as the voting delegate and Helen Reynolds as the alternate voting delegate for the VML Business Meeting. The motion carried by the following roll call vote: Mr. Brewer, yes; Mr. Foreman, yes; Ms. Forrester, yes; Mr. Praino, yes; Ms. Reynolds, yes; Mr. Toney, yes; Ms. Washington, yes.

**D. DISCUSSION/DECISION TO MOVE FORWARD WITH A PUBLIC HEARING ON TEXT AMENDMENTS – MORGAN BRIM**

Mr. Brim noted the Planning Commission (PC) has held several work sessions and held a public hearing on August 13 for text amendments that were applicant driven.

Ms. Forrester asked for an explanation on the text amendment to Section 70-542, procedures relating to the process and responsible agents for approval of site plans.

Mr. Brim explained this would be for a site plan review for a by-right use. This would be for a use that meets the ordinance and cannot have conditions placed on them. It would allow the application process to be easier and more streamlined. This would allow the site plan to be approved without having to go to the PC and Town Council, which could take several months. This would allow for site plans to be approved administratively by the Zoning Administrator and the Director of Public Works.

Ms. Forrester asked if in 70-542 or somewhere else it states that it applies specifically to a by-right use.

Mr. Brim explained there is a section in the ordinance where a conditional use permit is required that states it has to go before the PC and the Town Council.

Ms. Forrester wanted it to state specifically “by-right use” in that section. There have been incidences where it states one thing, that is unclear and in another section, it is a little clearer. She did not want room for misunderstanding.

Mr. Brewer asked what the current setback is in regards to the proposed text amendment to Section 70-287, which relates to allowable heights in the B-2 zoning district.

Mr. Brim noted the current setback adjacent to residential property is 25 feet. The front setback is five feet minimum with a maximum of 25 feet. The text amendment would provide flexibility through a conditional use permit, which would come before Council for approval, to allow a building height to go above 55 feet to 80 feet. It is set that for every foot you go above 55 feet your setback increases by a foot.

Mr. Toney understood the change to Section 70-542 was to streamline the process. He felt there are other ways to streamline the process like placing a timeframe on the approval process. He felt that all land use applications whether by-right or not should go through the PC and Council to be approved. He felt the Council was ultimately the ones the citizens are going to hold responsible. Generally, the people who make the decisions like that do not reside in the Town, are staff, and do not have a vested interest. He suggested making it a 30-day process. That means that at the next PC meeting a decision is made, then at the next Council meeting a decision is made.

Mr. Brim tried to explain that a by-right use is similar to a building permit. If the person meets setback and height requirements, the Town cannot legally deny the permit. He suggested considering allowing the PC to consult on the application and provide some oversight.

Mr. Toney reiterated he wanted to have the oversight remain in place with the PC and Council. He recalled there was a time when there was no oversight and some decisions were made that are still reverberating the Town.

Mr. Brewer asked how the ability for the PC and Council to review site plans has been removed.

Mr. Brim explained that the language was being removed for the ordinance that had the PC and then Council review by-right site plans giving staff the authority to approve them as long as they meet the ordinance.

Mr. Brewer noted the requested action is to take the proposed changes to a public hearing where citizens will be given the opportunity to provide feedback.

Mayor Foreman noted that under Section 70-22 under k it reads, no roadside sale of food is permitted, except as stated in Section 70-22(3) of this code. Section 70-22(3) reads, vendors selling food products shall be permitted only in conjunction with a temporary activity listed in Section 70-22(2) of this Chapter. Section 70-22(2) reads, carnivals, circuses, craft fairs, concerts, flea markets, car shows, meetings, religious activities not held on church property, business catered events, and similar outdoor activities, for a period not to exceed 14 days provided... If he had a barbeque business, he could participate in Town sponsored events; however, he could not set up in a parking lot. This only takes care of one portion of the matter. He is expecting to see a business license section come up later. It has not been stated business license and health permit. He mentioned that PWC charges a flat fee of \$1,500. There was discussion about a \$500 flat fee and asked if the fee schedule was going to address that. He noted that the ordinance states a business license is obtained, all applicable standards of chapter 18 of this code are met, and within seven days of the conclusion of the event, all gross receipts are provided to the Town for tax verification purposes. He indicated that was not what was being done. Vendors are paying for a space at the event and that is all. This does not apply to roadside vendors.

Mr. Brim explained this was set up for just events. There has been some discussion about amending the fee schedule and charging a flat fee to do away with providing the gross receipts.

Mayor Foreman asked if the line referring to gross receipts needed to be changed to refer to the fee schedule. He is specifically talking about food vendors. He asked if the sentence applied to more than just food vendors.

Ms. Sanders recommended going with a flat \$500 fee through the fee schedule.

It was noted that changes would be made in the ordinance to refer to the fee schedule and the fee schedule would be addressed separately.

Ms. Forrester was dissatisfied with the resolution to this particular matter. Roadside vendors have not been addressed except to say that they are still not welcome. The original intent was to allow food vendors. She questioned why she would pay \$1,500 to PWC and an additional \$500 to come to Dumfries. She indicated it was the same result. She mentioned that no other business has to show their receipts. Businesses state what they have sold for the year. This discussion has been had numerous times about how the Town knows the actual amount of income. If she was incorrect, she was incorrect, but this has been discussed ad nauseam. This is not what council asked to be resolved.

Mr. Brim noted this was the recommendation from the PC and they were not in favor of food vendors in a roadside setting.

Ms. Washington asked how this would apply to the Fall Festival.

Mr. Brim explained this clarifies what is already taking place. The practice of the Town has to not allow food vendors in a roadside setting, but to allow them at events. A food vendor could sign up for the Fall Festival through the Community Services Director and would be required to have the appropriate business license and health department approvals.

Ms. Washington asked what the fee was now.

Mr. Brim explained that the fee is not addressed at this time. At the last Council meeting staff was directed to look at the fee schedule for temporary signs and that would be the time to discuss and look at what the fee would be.

Mayor Foreman clarified that PWC does not authorize the roaming eateries. Barbeque vendors are not authorized and are illegal. The only type of food vendors authorized in PWC on a roving basis is ice cream trucks, shrimp in an authorized zone, and gut trucks that show up at construction sites. If a food vendor wants to participate in any event in PWC, they have to apply for an application. PWC requires six things be done and a \$1,500 fee is charged with no collection of receipts. He is all for the barbeque places operating in the Town and at the planned events. Presently there are no rules. There are

traffic concerns. He explained that if the Council is going to move forward with allowing this type of food vending then there has to be defined terms of how it will operate.

Ms. Forrester understood the PC did not like the idea of food vendors, but she wanted the PC to do what Council asked them to do. She noted that very clear instructions were provided on what Council wanted to happen. The PC's role is to advise Council on what they think but ultimately it is to do what Council asks them to do and not just to work with staff and do whatever they want to do in the first place. She knows the PC has a good understanding of that. She wanted to see some version of what Council actually asked for before a decision is made on the matter.

Mayor Foreman asked if the proposed text amendments for Section 70-22 and 70-23 could be sent back to the PC. He explained Option 1 and Option 2 could be presented if food vendors were going to be allowed to operate in the Town on a regular basis. This will allow Council to look at both options and if the PC wants to attach a statement that addresses their concerns like traffic and permission from property owners it would allow Council to move forward. He noted that most of these barbeque vendors have a business license to operate a catering business out of their homes and are not for being a roadside food vendor.

Ms. Washington felt that Council was talking about two separate items. She was hearing that the discussion was around Town sponsored events and should be handled in a different way. You cannot charge an individual \$1,500 to set up at a festival the Town is trying to provide entertainment.

Mr. Taber noted that staff would work on the wording that would differentiate the two types of vending. He noted that staff would take the two options back to the PC with the understanding that they will provide opinions on both those options, the pros and cons.

Ms. Forrester wanted to make sure that the health permit is still being provided for the Town events as well.

Mr. Brewer wanted to know if the fee schedule was going to be modified at the same time the other changes would be made.

Mr. Brim indicated that the PC is working through the process for the sign ordinance and the idea is to have the fee schedule done at the same time. He noted that the two could be brought back at the same time.

Mr. Toney moved, seconded by Ms. Forrester, that the proposed language for Section 70-542 be returned to the existing language that was stricken with item f being changed from 60 days to 30 days and item g changed to include verbiage "at the next scheduled meeting" at the end of the sentence.

Ms. Reynolds asked for clarification on the changes that were being made to the parking.

Mr. Brim noted the Town's parking standards are higher than most municipalities. He explained the method would be the same as what PWC uses. It takes the core factor of .75 multiplied by the gross square footage of the building and that figure is used to determine the floor area to base the parking requirements on. It removes the areas of a building that are common areas, stairwells, mechanical areas, and other areas that do not actually create a demand for parking. The PC recommended using .80 instead of .75, which would take out 20 percent of the area of a building. The other proposed change would be used when there is a unique parking situation. For example, a shopping center, which have different types of uses and demands, to share parking rather than basing the parking on each individual business. He used the example of a church using the facility mainly during the week at night and on Sunday and having a school using the facility during the day with no overlapping. As the ordinance reads now they would both have to have enough parking for both businesses even though they are being run in the same building at separate times. The change would allow for a shared parking credit. An analysis would be done showing the hours of operation, the number of parking spaces each use would need, and a parking study. This would allow the Public Works Department and the Zoning Administrator to review and approve the request. It allows up to 30 percent and anything above 30 percent would come before Council as a Conditional Use Permit.

Mr. Brewer asked if 30 days would be adequate time.

Mr. Brim noted the 30 days would provide the PC with one meeting to review and depending on how complex the site plan is there may be a need for additional time.

Mr. Toney noted that a special meeting could be called.

Mayor Foreman read the ordinance that once the PC makes a recommendation for approval or denial the 30 days begins whether it takes them one or two meetings to make that decision.

Mr. Brim read the following as it would be in the ordinance, "The planning commission shall recommend approval, approval subject to conditions, or disapproval to the town council within 30 days upon their receipt of the final site plan." He was reading it as once the PC receives the staff report the time would start.

Mr. Toney explained that when a site plan comes in staff reviews it, if there are needed changes it is kicked back, is resubmitted and re-reviewed. If no additional changes are needed then you have the final site plan, which is when the 30 days begins.

Ms. Washington asked what the reasoning was for removing f and g. Whether that was to speed up the process or leave the Council out of the process.

Mr. Brim pointed out it left the PC out of the process as well. It was with the idea that it would save time for the PC and Council since there will not be a lot of input because it is a by-right use.

Ms. Washington was hearing that Council wanted to be a part of it.

The motion on the floor to return the proposed language for Section 70-542 to the existing language that was stricken with item f being changed from 60 days to 30 days and under item g include the verbiage “at the next scheduled meeting” at the end of the sentence carried by the following roll call vote: Mr. Brewer, no; Mr. Foreman, yes; Ms. Forrester, yes; Mr. Praino, yes; Ms. Reynolds, yes; Mr. Toney, yes; Ms. Washington, yes.

Mayor Foreman moved, seconded by Mr. Brewer, to strike in Section 70-22, 3, b, the recommended language and put in the language “refer to fee schedule” and in Section 70-23 direct the PC to review and provide language to Council on an alternative text amendment that will allow food vendors to operate independently. The motion carried by the following roll call vote: Mr. Brewer, yes; Mr. Foreman, yes; Ms. Forrester, yes; Mr. Praino, yes; Ms. Reynolds, yes; Mr. Toney, yes; Ms. Washington, yes.

Mayor Foreman moved, seconded by Brewer, to introduce and move to a public hearing the proposed text amendments to Sections 70-13, 70-282, 70-287, and 70-679. The motion carried by the following roll call vote: Mr. Brewer, yes; Mr. Foreman, yes; Ms. Forrester, yes; Mr. Praino, yes; Ms. Reynolds, yes; Mr. Toney, yes; Ms. Washington, yes.

**IN RE:           DISCUSSION ITEMS**  
**A. APPROVAL TO AUTHORIZE THE TOWN MANAGER TO ACCEPT**  
**CONVEYANCES OF REAL PROPERTY – CHRISTINE SANDERS**

Ms. Sanders explained that most jurisdictions, moving through development projects that frequently require conveyances of stormwater easements, would authorize the Town Manager or County Administrator to accept these. These have to be done in accordance with certain statutes and the Town accepts maintenance along with them as well. She noted that if the project is a large project and not a by-right project Council will see it either through a rezoning or conditional use permit process. She was surprised that the Town Manager did not already have this authority.

Ms. Forrester was not interested in relinquishing any Council oversight on any item. In the two years that she has been on Council, she has only reviewed one and that was the property for Ginn Park. She did not think this was something that the Council was being bogged down with. She felt that if there was a maintenance cost involved that the Council should be aware of it.

Ms. Sanders noted a site plan for Grace Church that has a stormwater easement on it was submitted today.

Mayor Foreman did not believe the Council would lose any authority or oversight through the process.

Mr. Brewer moved, seconded by Mayor Foreman, that a resolution to authorize the Town Manager accept conveyances of real estate on behalf of the Town be drafted. The motion carried by the following roll call vote: Mr. Brewer, yes; Mr. Foreman, yes; Ms. Forrester, no; Mr. Praino, yes; Ms. Reynolds, no; Mr. Toney, no; Ms. Washington, yes.

**B. ON DIRECTING STAFF TO PROVIDE A ZONING DETERMINATION – MAYOR FOREMAN**

Mayor Foreman noted that Town precedent/determination has required yard sales to obtain temporary use permits. The code makes no determination as to whether this event is for a homeowner or a larger event (outdoor events such as a flea market, auction house, consignment, etc). Current interpretation and/or practice are to require all yard sales to receive permits. The permitting process requires a temporary use application, a fee of \$25 with a \$50 deposit, submit a site plan, and provide a signed notarized letter from the property owner stating permission is granted for a yard sale to be held on the property. The request is for Council to direct staff to provide a zoning determination and interpret the code to require larger outdoor sale events such as yard sales on business properties, flea markets, auction houses, consignments, etc. obtain a permit. A suggestion is to permit single property owners, Homeowners' Associations, and religious institutions to have no more than six yard sale events during a calendar year and be required to obtain a permit and pay a \$5 fee per event. The reason for the fee was to allow the code enforcer to go out and check the property after the yard sale was held to make sure the area was clean etc. In his opinion, there should be no yard sales permitted in the areas of Main Street, Fraley Boulevard, and Graham Park Road since the Town has been trying to keep these areas clean and there are traffic issues.

Mr. Brewer did not think it was necessary to track homeowners on their yard sales. He did object to yard sales along Main Street and Fraley Boulevard because of the traffic.

Mr. Toney agreed with Main Street and Fraley Boulevard. He did not agree with Graham Park Road. He has seen yard sales set up in the parking lot of the rescue squad station and in front of the Port of Dumfries.

Mayor Foreman moved, seconded by Mr. Brewer, to direct staff to look at the ordinance and address allowing homeowners the ability to have yard sales and eliminate the ability to hold any on Main Street or Fraley Boulevard. The motion carried by the following roll call vote: Mr. Brewer, yes; Mr. Foreman, yes; Ms. Forrester, yes; Mr. Praino, yes; Ms. Reynolds, yes; Mr. Toney, yes; Ms. Washington, yes.

**C. CHANGE THE SECOND COUNCIL MEETING OF THE MONTH TO A WORK SESSION – MAYOR FOREMAN**

Mayor Foreman explained that several Council Members have expressed the desire to go back to having the second meeting of the month be a work session with no formal actions taken (no motions/votes taken). These meetings will be recorded for purposes of minutes and will not be broadcasted.

Ms. Forrester was fine with changing this if that is what Council wants to do. She pointed out the other Boards and Commissions asked that their meetings not be broadcast so they could have a work session atmosphere and staff was adamant that Council could not make that decision. She felt it was a little odd that they were going to turn around and reserve that right for themselves.

Ms. Washington was looking at it in a different way. She felt it would save the citizens a lot of time. The attention span of most people is about two hours max and the Council meetings are running much longer than that. She felt that if the Council could brainstorm and get a consensus on what they were going to be voting on in a work session it would make the meetings shorter and more precise when it came time to the business of the Town at a regular meeting. She pointed out most people in the Town work in D.C. and are going to bed at 9:00 or 10:00 o'clock.

Mayor Foreman noted that some of the Boards and Commissions have gone to work sessions that are not being broadcast.

Ms. Forrester understood that all meetings were being broadcast.

Ms. Sanders indicated the Planning Commission (PC) has had one or two work sessions in advance of their meetings, minutes are kept and are open to the public. It is not broadcasted until the meeting commences.

Mr. Brewer noted the Town conducted business previously this way and it was very productive. It seemed that more was accomplished by doing it that way because it was a very open discussion. He was in favor of going to a work session.

Mr. Praino mentioned he was on the PC and was adamantly against televising for a number of reasons. In a televised atmosphere, you have to watch your p's and q's, are more regimented, and citizens tend to participate less. With work sessions you can suspend Robert's Rules, people are more expressive, relaxed, citizens participate more and more work is done. He was in favor of having an untelevised work session once a month.

Mr. Brewer moved, seconded by Ms. Washington, to change the second meeting of the month to a work session that will be recorded but not broadcast for the Town Clerk with no formal action taken, and no motions or votes taken. The motion carried by the following roll call vote: Mr. Brewer, yes; Mr. Foreman, yes; Ms. Forrester, yes; Mr. Praino, yes; Ms. Reynolds, yes; Mr. Toney, absent; Ms. Washington, yes.

**D. REQUEST A BRIEFING TO PHASES I, II, III, AND IV OF GINN MEMORIAL PARK – MAYOR FOREMAN**

Mayor Foreman reminded Council that the creation of Ginn Park was approved. Council formed a Committee for the oversight of monies, planning and the execution of development for Ginn Memorial Park within the approved budget. Phases were approved that were conceptual with the idea that as the phases began they would get clarity. Progress briefings are being provided; however, a briefing should be held annually during the budget cycle when the budget is being built, the February/March timeframe, on where the development is at, what phase it is in, because only Phase I has been approved to date. There has not been a total briefing on Ginn Park that includes phase completion, funding expenditures against requirements, and possible grants. He is requesting the Chair of the Ginn Park Committee provide Council with a briefing of total expenditures to date for Phase I, progress of Phase I (development) to include anticipated completion, a brief on Phases II, III & IV, and a timeline identifying key events, budgetary requirements, and potential grant requirements. He asked that this be provided at the second meeting in September.

Ms. Forrester felt briefs on progress were fine but thought staff should provide the report. She noted that Council sits on these Committees to represent the interest of citizens and advocate for what is going to be advantageous to get projects complete. Council is not here to regulate each other and each other's work or to hold off if it was not submitted in the right timeframe and all that. This type of accountability belongs to staff. Council is only there to advise and make sure that staff is carrying out the Council's wishes on behalf of the citizens. She could not support putting a Committee member in a staff's role.

Mr. Toney pointed out the Committee was not formed for the oversight of monies and was formed for the planning and execution of development for the Ginn Park. He noted that the oversight of monies was never a part of any discussions that were held. He was certain that no one on the Committee had that understanding because money was already in place. The Committee was coming up with a plan of execution and how it would be developed. He did not mind staff developing a report and him presenting it as the Chair. He mentioned when the budget was proposed by the previous Town Manager there was \$50,000 budgeted for development of the Park that ended up being passed at \$37,500 for Phase I. In designing the Park after getting all the public input it was decided that in order to accomplish everything it would be best if it were done in phases. He felt it was in the best interest of Council and the citizens that Phase I be completed before moving forward on anything else. He does have the information available and will make a presentation at the second meeting in September.

Mr. Brewer is not against parks, but when the Park came about, he asked the previous Town Manger what the plan was. The answer he got was, "We'll figure that out." That told him there was no plan. The request for a briefing on the four phases should have already been done at the outset and not necessarily by the Committee. He asked if there was a date the Park was going to be open or a date when it will be completed.

Mr. Taber noted there was a delay because of a backorder on basketball equipment and the weather has played a factor. Seeding of the back lot needs to occur.

Mr. Brewer asked when the Park was going to be 100 percent complete.

Mr. Taber noted that was totally unknown based on available funding.

Mr. Brewer indicated these are the type of things that really aggravate him. This should have been planned out prior to purchasing the property. The property was purchased with buildings on it. Those buildings had to come down and he did not understand why that was not negotiated during the purchase. Money keeps being spent and no one knows where it is going. He asked that a plan be developed before another dime is put into the Park so that Council and the citizens know exactly when it is going to open. When he starts a project he goes from the beginning to the end. He can tell you when it is going to start and when it is going to finish. He can tell you what it is going to cost. He wants to know when the Park is going to open and how much money is needed.

Mr. Taber explained that one of the issues that this brings forth is the damage that can be created by the lack of a Capital Improvement Plan (CIP) that properly selects projects and forces tracking them on a timeline financially and what to expect to occur at a particular time. He recommended that until Phase I is completed that all spending activity be frozen moving forward. Staff has not done as good a job as should have been done in explaining to Council on a more regular basis what was going on. There were septic systems, a well was found, and as a result of that another well was found on the property that are expenses that were not anticipated. The Singh money set aside for the Park, with the concept of replacing the amenities that were removed from Garrison Park, could not be used until the site was ready. The decision to concentrate on three issues, the basketball court, the field in the rear, and the parking he felt was a wise decision. For some reason things are being pushed ahead and again he recommended collectively going backwards and finish Phase I. He wanted to provide accurate information on cost overruns, more accurate information on timelines, when it is going to be completed, and then and only then should Council begin to entertain Phase II. The CIP is going to be developed around the mid-year budget review time with all the information put together for Phase II and will allow Council to better move forward. Many people bought into the belief that there would be more things out there ready to go sooner then they will be. Maybe it is because people were misled. He cannot look and

determine what those reasons were. He felt it is in the best interest of the project and Town government to finish out Phase I and get all of this into the CIP. Much of what is being suggested in Phases II, III, and IV will fit in with the five-year CIP. He felt it would be in the best interest of his time, staffs time, and the Councils time to focus on getting Phase I finished, getting the Park in the CIP, and moving forward from there.

Mr. Brewer noted that in Phase I you know how much money you have available. He asked if Council could be advised as to whether there is enough money to finish Phase I.

Mr. Taber noted he would let Council know before the next meeting.

Mayor Foreman noted that the discussion being held was not what he wanted to do tonight. He specifically asked to have Ginn Memorial Park discussed at the second meeting in September. Everything discussed is valid. He wanted to add to the discussion the role of the Chair. He asked if the Chair is not going to give a brief and the Chair is not going to make the decisions and staff is why there is any Council member on a Committee. He asked that this be added to the discussion at the September meeting. He is asking Council to direct staff to prepare a report. He asked if there were specific questions to forward them to the Town Manager. He explained that the clarity of the phases, funding to date, and where the Council is going moving forward can be discussed then.

Mayor Foreman moved, seconded by Mr. Brewer, that staff prepare a Ginn Park report for the second meeting in September.

Ms. Forrester did not think that there was a need to schedule answering questions when they could be answered now. The Councils role is oversight and input. She thinks the big issue is the same issue that Council has on most large projects. Staff still refuses to understand that their obligation is to carry out the wishes and directions of Council. She noted that Council does not want an explanation. Council wants staff to do what has been asked of them to do.

Mr. Taber indicated there has been a period where a disconnect between what Council has asked staff to do and what has been delivered has occurred. He did not know where the miscommunication has occurred. All he can do to try to correct that is get a better understanding of what Council wants and operate within those parameters. One of the things that would be beneficial to him would be to get from Council what the direction is. He can get together where the project is now and how it has gotten to this point. He asked that Council get with him to tell him what exactly they wish to see. He agreed it is not staffs position to make arbitrary decisions. It is staffs role to implement policy decisions, in most cases driven by money, to accomplish a set goal. He needs more clarification on what those goals are, what the expectations are, and he will do his best to try to deliver those.

Ms. Forrester did not see it being unreasonable to ask for a recommended timeline that the Council can commit to, an idea of the financial cost, and a firm figure on what it will cost to finish Phase I. Council may need to vote for additional funds if they are available.

Mr. Toney felt the sad thing was that it was quite clear the Committee, which consisted of the Captain and Chief of Police, Director of Economic Development, Zoning Administrator, Chief of Rescue Squad and himself, gave specific directions. He was hearing that out of all the meetings and plans that the Committee has had that nothing came out of them. He has spoken with the Town Manager on the items that were planned that were not moving forward. The Committee has done its due diligence. He is not in to micromanaging and it is not his responsibility. He noted that ultimately it is the administrations job to move things forward. He stated at the last meeting how disappointed he was.

Mayor Foreman did not think there was a single Council Member that did not want to support Ginn Park. He did not think there was any member on staff that did not want to do the best for Ginn Park. He thought that after a year of development, working as a Committee, and throwing money into the project there comes a point where any governmental body that is funding the project should receive an annual report on the status of where the project is. It is okay not to be where it should be, that happens. That is what timelines are made for and why there are milestones. It is okay to come back to request more money and the reason why. This happens in the budgetary process all the time. He is just saying that it is now time. Part of the now time is there is an unaudited amount of surplus funds in the general budget. He cannot vote yes on something until he sees as a Council Member how the Town sits. There is no finger-pointing going on and is just a matter of seeing where everything sits.

Mr. Toney explained the thing that bothers him the most is some of the terms being used. He has heard there is been money thrown in a hole, that has not occurred. This will all be cleared up during the report. The money has not been the problem. It has been the timeframe. This is the first time this municipality has built a park.

Ms. Washington felt the problem that exists is the project was approved under another Town Manager. Just like some other issues that have come up where the ball has been dropped, she felt was because of the two different staff members. She agrees with Ms. Forrester that this needs to be a problem for staff. She felt it was good to have Council Members as part of committees but thought that maybe Council should consider Council Members not serve as the Chair to a committee. She felt that was a conflict of interest in some respect because Council is there to hold staff accountable for the things Council is asking them to do on behalf of the citizens. She was asking herself who is in charge of the project because that is the person who has to be held accountable. When she takes on a project at work, she is held accountable for it. She noted that Council is looking at Mr. Toney because he is the Chair,

but he is not the accountable person. Council needs to know who the accountable person is for the project in order to know who to ask for the report.

Mayor Foreman noted that was why he asked what the role of the Chair is on the Committee. The Council has not done a good job. He has seen Council Members who have served as the Chair take on all the responsibilities of direction, insight, accountability, and have come back and reported. There have been other ones that take on the opposite role as Chair. This is a growing phase on where the Council needs to be. He did not want anyone to think that he submitted the agenda item because he saw something wrong. It is just time for the Committee to come forward and report to Council where the project is at, especially when there is additional money being required. The Committee or the Chair can present it. These things have to be defined in order to move forward. This is one of those housekeeping things that Mr. Toney says happens between administrations. Let us clean it up this one time and move forward.

Ms. Forrester noted there is one person in the Town that is responsible for things being done and that is the Town Manager. The Council should not spend any time discussing whose responsibility it is because it is the Town Managers.

Mr. Taber agreed.

Mayor Foreman asked Ms. Washington if she wanted to discuss whether there needs to be a Chair on the Committee.

Ms. Washington agreed with Ms. Forrester. The Chair should be the Town Manager and everyone else under him. She did not think that the Town Manager was confused about that; however, she thought Council was getting ready to get confused. She thinks the Town has done this before numerous times. She thinks that Council gets confused on what its role is. She wanted one of the conversations in the next closed session to be on what the role of a Council Member is. She did not think their role was to tell Mr. Taber what to do. What Council wants from him, yes.

The motion on the floor that staff prepare a Ginn Park report for the second meeting in September carried by the following roll call vote: Mr. Brewer, yes; Mr. Foreman, yes; Ms. Forrester, yes; Mr. Praino, yes; Ms. Reynolds, yes; Mr. Toney, yes; Ms. Washington, yes.

Mayor Foreman was still confused on what the role of the Chair is on the Committee. Is he the Chair or a member of the Committee? Is Council selecting a member of the Committee because a Chair was selected.

Mr. Toney noted as the Chair of the Committee he is to direct the discussions, moving the Committee forward. He gets information from the various members and develops an agenda. There is a plan. Phase I elements were identified relying on the expertise of staff. The Committee looked to Mr.

Tkac, Public Works Director, to execute the plans that were devised. He mentioned that Mr. O'Kelly Russell, Chair to the Planning Commission, developed the site plans taking into consideration all the information gathered from the public meetings and discussions of Council. The Chief of Police came in and looked at things from a safety perspective. The Chief subcontracted with the Prince William County Crime Prevention to assess the entire project. A four-page document was presented and incorporated into the development of the Park. The Chief of the Rescue Squad, who has the adjacent property from the Park, was supportive and is willing to lend the parking lot to the Town for use or any other amenities that he can provide to assist with the project. The zoning and planning folks were involved to make sure the Committee stayed within the zoning regulations. The \$270,000 that came from the County carried stipulations on how the funding could be used. The Town Attorney attended meetings to cover issues that came up, in particularly fundraising. His job was to coordinate all those pieces, accomplish things, and come to a policy decisions in a timely fashion as moving forward to complete the various phases. Discussions were held about the availability of funds. Every activity designated or pursued the Committee was informed by staff that the funds were available and there was never a question. At the end of this fiscal year there were funds left over because of how well the money was managed. He mentioned to staff that timeframes were not being met. He spoke with the Town Manager concerning things not moving along. He could make suggestions to staff but he could not direct staff.

Ms. Forrester felt Council was being tied up on the title whether that is Chair or member. The Council Member is there to provide the oversight and input.

Mayor Foreman noted the whole point was this, the Town Manager is not even part of the Committee, but he was sure he would be now. He who sets the agenda is in charge of the meeting. He who makes things happen, reinforcing, is in charge of the project. If the Town Manager is in charge of the project then the Council needs to watch titles. If it is Chair, that means the Chair holds the meeting right on down the line.

**IN RE: COUNCIL MEMBER COMMENTS**

Mr. Brewer asked the citizens that have a question or want to make a statement about the Potomac Landfill to give him a call.

Mr. Toney explained that working and conducting the people's business is a challenging affair. He holds himself to high expectations. He thanked everyone for the support he has been given during the project. He is in support of Ms. West's request to have a memorial for the late Fred Yohey and would be an honor to have it in the Park. He got that she was asking that a line item be established in the budget in order to start receiving money. He suggested having it placed on the next agenda for a decision. He wanted to have a public hearing regarding the matter that was brought forward by the Potomac Landfill.

**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, yes; 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 August 21, 2012; and**

**WHEREAS, the nature of the subject is the discussion of personnel matters. The discussion of same in Closed Meeting 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 Ms. Forrester, to reconvene into open session. The motion carried and the following resolution was adopted by the following roll call vote: Mr. Brewer, yes; Mr. Foreman, yes; Ms. Forrester, yes; 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 August 21, 2012 and certifies the matters set forth in Section 2.2-3712(D) of the Code of Virginia, 1950, as amended.**

**IN RE: ADJOURNMENT**

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

Minutes submitted by

Approved by

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**AUGUST 21, 2012 COUNCIL MEETING MINUTES**

**-24-**

Dawn Hobgood  
Town Clerk

Gerald M. Foreman  
Mayor