

**AT A REGULAR MEETING OF THE DUMFRIES TOWN COUNCIL, HELD ON AUGUST 7, 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  
Christine Sanders, Town Attorney

**THERE WERE ABSENT:** Kristin Forrester  
Dan Taber, Town Manager

**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**

Mayor Foreman moved, seconded by Ms. Reynolds, to approve the minutes from the April 12, 2012 budget work session as presented. 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: ADOPTION OF THE AGENDA**

Mayor Foreman asked Council to consider amending the agenda to remove Item XI, D, Discussion/Decision on Selection of a Legislative Representative for the Town, Item XI, E, Adoption of a Resolution Commending the Service of and Congratulating Chief Charlie T. Deane of the Prince William County Police Department on his Retirement, and the Closed Session until the Town Manager is in attendance.

Mayor Foreman moved, seconded by Mr. Brewer, to adopt the agenda as amended. 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**

Mr. Brewer moved, seconded by Ms. Washington, that the Consent Agenda be adopted as presented. The motion carried and the following ordinance 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.

**AMEND THE CODE OF THE TOWN OF DUMFRIES, VIRGINIA,  
AS AMENDED, BY ADDING SECTION 15 TO CHAPTER 38, ARTICLE I  
RELATING GENERALLY TO NO TRESPASS ORDINANCE**

WHEREAS, a review of the Town Code shows there is no Town Ordinance to prohibit trespassing on property or after a person has been forbidden to do so by duly posted signs or other proper notice given not to trespass, and

WHEREAS, Town Council discussed the matter at their June 19, 2012 meeting and directed staff to move forward to a public hearing on an ordinance to prohibit trespass after having been forbidden to do so, and

WHEREAS, the Town Council held a duly advertised public hearing on July 24, 2012.

NOW, THEREFORE BE IT ORDAINED by the Council of the Town of Dumfries on this the 7th day of August, 2012, that the Code of Ordinances, Town of Dumfries, Virginia, as amended, is further amended by adding Section 15 to Chapter 38, Article 1 and is enacted as follows:

**Sec. 38-15 - Trespass after having been forbidden to do so.**

If any person without authority of law goes upon or remains upon the lands, buildings or premises of another, or any portion or area thereof, after having been forbidden to do so, either orally or in writing, by the owner, lessee, custodian, or the agent of any such person, or other person lawfully in charge thereof, or after having been forbidden to do so by a sign or signs posted by or at the direction of such persons or the agent of any such person or by the holder of any easement or other right-of-way authorized by the instrument creating such interest to post such signs on such lands, structures, premises or portion or area thereof at a place or places where it or they may be reasonably seen, or, if any person, whether he is the owner, tenant or otherwise entitled to the use of such land, building or premises, goes upon, or remains upon such land, building or premises after having been prohibited from doing so by a court of competent jurisdiction by an order issued pursuant to the Code of Virginia, 1950, as amended, §§ 16.1-253, 16.1-253.1, 16.1-253.4, 16.1-278.2 through 16.1-278.6, 16.1-278.8, 16.1-278.14, 16.1-278.15, 16.1-279.1, 19.2-152.8, 19.2-152.9 or § 19.2-152.10 or an ex parte order issued pursuant to § 20-103, and after having been served with such order, he shall be guilty of a Class 1 misdemeanor. This section shall not be construed to affect in any way the provisions of §§ 18.2-132 through 18.2-136.

This ordinance shall become effective on August 7, 2012.

**IN RE: CITIZEN COMMENT PERIOD**

There were no citizen comments.

**IN RE: MAYOR'S COMMENTS**

Mayor Foreman announced that there is a special election being held in November for two vacant seats on Council. The declaration of candidacy form is due by August 17 to Prince William

County. Letter of interest with a resume are being accepted for a vacancy on the Planning Commission and for two vacancies on the Board of Zoning Appeals until August 27. He congratulated Rob Clapper and the Prince William Chamber staff on their two-year anniversary. The Prince William Chamber is truly a vital part of the economic development for the County, as well as the Town. He went over the following dates.

- 8-8-12 National Night Out
- 9-8-12 11th Annual Fall Festival will be held from 10 a.m. to 5 p.m. at Garrison Park

He mentioned that the Weems-Botts Museum would be featured on the program “My Ghost Story” in the near future. It is believed that the Weems-Botts home is the second most haunted site in Virginia. He asked citizens for old photos of the Town that he could copy to have matted and framed to be hung in the Mayor’s office.

- 8-4-1790 U.S. Coast Guard was established
- 8-14-1945 Victory Over Japan Day
- 8-18-1920 the 19th amendment to the U.S. Constitution was ratified granting woman the right to vote.

**IN RE: PRESENTATIONS**

**A. VIRGINIA BOYS STATE OF THE AMERICAN LEGION – JASON KSANZNAK**

Mr. Ksanznak thanked Council for sponsoring his stay at the Boys State of Virginia. An experience he would never forget. During his week stay at Liberty University, he learned what it means to be both an American and a Virginian from some of the States experts in law, government, politics, and law enforcement. His experience was not limited to auditoriums and classrooms. His stay in Lynchburg consisted of many great opportunities such as arguing a court case in front of law students and seeing an American Flag retirement ceremony. At the conclusion, he was named a national finalist for the 2012 Samsung American Legion scholarship. An honor he could not have obtained without the support of Nancy West and Clyde Ferguson. He closed by thanking the Quantico American Legion Post 28 for sending him to this great program.

Nancy West shared the following accomplishments that Mr. Ksanznak has achieved.

- He is one of 97 finalists who will be competing for a \$20,000 scholarship in the 2012 Samsung American Legion scholarship.
- He attends Potomac Senior High School where he is a member of the National Honor Society, Tri M Music Honor Society, French Honor Society, VHSL Student Athletic Council, the Academic Team and Freshmen Mentor Program. He is Vice President of the

Key Club, Captain of the marching band, and the sectional leader of the symphonic band. He plays the flute. He is on the Principal's Honor Roll, is enrolled in the Cambridge Programme, Captain of the Varsity Boys Lacrosse Team, and earned an honorable mention on the Cardinal District Lacrosse Team.

- He just returned from governor's school.
- He is a member of Dumfries United Methodist Church.
- He plans to attend a four-year college pursuing a biology related major and eventually attend medical school.

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

It was noted the Town Manager was not present; however, Mayor Foreman noted that the Town received a letter from the Potomac Landfill (PL) on July 23, which was reviewed by the Town Attorney and Town Manager. Dennis Leake, and Sandra Crippen, contacted the Mayor to arrange a meeting while in Town. He met with them on August 1; however, just prior to meeting with them he was provided a copy of the letter and the Town Attorney advised that he was not to discuss the content of the letter because it was in legal review. The discussion had dealt with the economic summit that was being planned for November. In order to get to the economic summit a decision needs to be made on what is going to happen with the PL. He suggested that they come before Council on August 21 to discuss the options and intentions for the PL. This is the reason it is mentioned in the Town Manager's report and the letter included in the meeting packet.

Mr. Brewer asked if anybody on Council was contacted for a one-on-one meeting.

Mayor Foreman was asked during his meeting if the other Council Members could be contacted. He advised that the Council Members are elected officials and if they wanted to meet with them, they could.

Mr. Brewer was contacted yesterday by Burwin Reed to meet with him Thursday, which he agreed to.

Mayor Foreman encouraged Council Members to take a tour of the PL.

**B. CHIEF OF POLICE – ROBERT FORKER**

Chief Forker reported the following items.

- Officers attended "Fair and Impartial Policing" training that focused on not allowing preconceived ideas, notions, and biases to impact or cause one to feel different during an initial encounter.
- National Night Out is tomorrow and will be leaving from the Police Station at 6:00 p.m.

- Brian Saul, an intern from ECPI University, has started working on some brochures for the citizens dealing with crime reporting, business watch, and a few other community-policing initiatives.
- A National Night Out Poster Contest was held. The two winners of the contest are Diamond Anderson and Deandre Frith.

Mr. Toney asked the Chief to elaborate on the meeting with Mr. Carey, Chief of Enforcement, from the Northern Virginia Cigarette Tax Board (NVCTB).

Chief Forker noted that Mr. Carey came down and gave a presentation about the impact of illegal trafficking of cigarettes, the impact it has on Virginia, and where the money goes that is collected from fines.

**C. DIRECTOR OF PUBLIC WORKS – GREG TKAC**

Mr. Tkac reported the following items.

- The end of year reporting is being worked on for the MS-4 program
- The end of year reporting for the litter grant has been completed
- Work is being done on redefining the outfalls in the Knolls of Dumfries
- Work continues on Ginn Park – the basketball amenities were on back order and have come in so it is anticipated they will be in toward the end of next week
- 23 building permits have been issued
- Letters went out to all the residents of the Tripoli Boulevard corridor notifying them of the delay in schedule, residents are encouraged to come look at the plans, and explained what to anticipate next
- The survey has been completed on the Main Street Improvement Project, decisions need to be made on the storm drainage design, and meetings have been scheduled with all the major utilities

Mr. Brewer noted in the Tripoli Heights Project that relocation plans were received from Verizon. He asked what Verizon has buried.

Mr. Tkac explained there were overhead lines and several poles that need relocation.

Mr. Brewer pointed out that the letter that was sent out to residents along Tripoli Boulevard was the same letter that was sent out six months ago. He asked if the Tripoli Heights Project was projected to be complete by April 1, 2013.

Mr. Tkac advised the notice to proceed is scheduled for April 15, 2013 with completion by the end of the calendar year.

Ms. Washington wanted to know what was going on with the crosswalk to McDonald's.

Mr. Tkac explained, in regards to the intersection project, he has met with the Berkley Group to discuss options. He is meeting with the Virginia Department of Transportation (VDOT) to accelerate the schedule.

Ms. Washington wanted to make sure the two projects were separated, the traffic flow and the crosswalk. She was hearing that there was no way possible to have the crosswalk installed before the McDonald's opens.

Mr. Tkac did not have a definitive on the opening of McDonald's; however, he was going to be discussing how that could be worked out and would keep Council abreast of the progress.

Ms. Washington asked if there was any way to expedite the crosswalk and let Council know because that was going to be a real safety hazard. Once kids get in the habit of doing things a certain way it is hard to get them to change.

Ms. Reynolds asked if there was an update on the sidewalk at Fraley Boulevard and Route 1.

Mr. Tkac was working on the Multimodal Project with VDOT. The intent is to start with southbound Route 1, at the intersection of Route 234, to the existing sidewalk on Main Street. The pros and cons of a pedestrian bridge on the northbound portion are being looked at that would be adjacent to the existing Fraley Boulevard bridge over Quantico Creek. He did not want to delay the start of the Project.

Ms. Reynolds mentioned that Route 1 and Possum Point Road is a death trap. Safety has to be thought about first.

Mayor Foreman asked if staff could come to Council 30 days prior to the McDonald's opening and provide a plan as to how people are going to cross the street safely. Every time there is discussion about the northbound side of Route 1, Fraley Boulevard, it is brought up that the road is going to be widened. The most disheartening thing that was said over the past three weeks was when Prince William County (PWC) stood up and said that the Town is not in the next bond referendum. That means the Town defaults automatically to VDOT's plan and PWC's 2030 plan, which means the roads are not going to be widened until 2030. In the meantime, he asked two weeks ago for a crosswalk letter. He is meeting with elected officials over the next three months, two Delegates and two Senators. He wants to be able to tell them that the Town has reached out to VDOT and PWC about the crosswalk safety problem. He indicated the Town has to ask for a waiver or just do it and beg for forgiveness. The Town needs to put asphalt sidewalks on that side of the road for the citizens. Knowing that PWC is not going to get to the Town until 2030 or VDOT not having done anything for the past few years is the wrong answer, safety first.

Mr. Tkac noted he would have a letter prepared for his signature tomorrow.

Mr. Brewer asked if the crosswalk being talked about was from the 7-11 over to McDonald's on Fraley Boulevard.

Mr. Tkac agreed that was correct. He mentioned that a crosswalk was being looked into from the Sunoco Gas Station to the McDonald's too.

Mr. Brewer pointed out that there is a ravine that goes around the corner where the McDonald's is. He asked if McDonald's could put a double set of steps there with hand railing going up the hill.

Mr. Tkac noted staff could. He wanted to prepare something that was handicap accessible. He envisioned a walking bridge over the ravine.

Ms. Washington noted that McDonald's has built their business on being children friendly. She suggested contacting the corporate office of McDonald's to discuss the safety issues the Town has for the youth and maybe they would be willing to assist.

Mr. Tkac explained those issues were not overlooked as part of the site plan because it was a by-right use.

Mayor Foreman asked that when the letter is done for the crosswalks that there be a place for all seven members of Council to sign.

**D. DIRECTOR OF COMMUNITY & ECONOMIC DEVELOPMENT – DEBI SANDLIN**

Morgan Brim, Planner/Zoning Administrator, noted that Ms. Sandlin was unable to attend the meeting and would provide a brief overview on planning and zoning activities. As of today, there are 78 violations on record. An emphasis has been placed on trying to contact property owners in person and have voluntary compliance to keep the property owner from getting a legal letter, a notice of violation. The Planning Commission (PC) has been working on several text amendments. The first set is applicant driven and the PC will be holding a public hearing on August 13. The second set the PC is working on is the uses in the B-1, B-2, and FB/O-1 zoning districts. The developer of the Town Center Two project is getting ready to resubmit their conditional use permit. Staff asked that a FEMA Floodplain Study be done and an updated plan be submitted. An application for a conditional use permit will be coming in for a school for children with autism in the next couple of weeks to be located at the Pillar Church site.

**E. DIRECTOR OF COMMUNITY SERVICES – CYDNY NEVILLE**

Ms. Neville reported the following items.

- The Senior Luncheon will be held tomorrow, August 8, in conjunction with the Police Department's National Night Out at 6:00 p.m. at the Community Center.
- The Farmers Market hours are being extended starting this Saturday from 8:00 a.m. to 1:00 p.m.

- The English as a Second Language class had 10 students in attendance today.
- The Charter Newsletter has been mailed.
- The Fall Festival is September 8. Applications are being accepted until August 24 for food vendors and talent show participants.

Ms. Washington asked how the prices of the vendors at the Farmers Market compare to Dale City's market.

Ms. Neville indicated that most of the farmers vend at both markets and she has not noticed any difference.

**IN RE: COUNCIL REPORT ON MEETINGS WITH ELECTED OFFICIALS PERTAINING TO THE TOWN (NONE SCHEDULED)**

**IN RE: ACTION ITEMS**  
**A. DISCUSSION/DECISION ON APPROVING THE DEVELOPMENT OF A GINN MEMORIAL PARK FUNDRAISING POLICY – VICE-MAYOR TONEY**

Mr. Toney explained that as the development and building of Ginn Park moves forward the Ginn Park Committee entered into discussion about initiating some fundraising activities. It was brought to the Committee's attention that Council needed to authorize the development of a policy that will allow fundraising for Ginn Memorial Park to supplement existing designated revenues. The generated funds will be used to support programs and activities. The purchase of athletic equipment to support the activities generated through the interest of citizens using the park for field sports such as, Tennis, Basketball, Soccer, Field Hockey, Football, etc., and an equipment shed to store the equipment and to support infrastructure needs.

Ms. Sanders noted it is permissible to accept gifts and donations. It is appropriate that Council adopt a policy so there are guidelines on how those donations are accepted and applied. They can be tax deductible, dedicated to a qualified entity for a public purpose. A line item would have to be created in the budget to track and earmark the donations for the Park. A policy Council is comfortable with that outlines the parameters of the fundraising and what the money is to be used for.

Mr. Brewer asked if the Committee would be performing the fundraising.

Mr. Toney indicated the Committee would be creating the policy and engaging in fundraising activities.

Mr. Brewer asked what kind of fundraising activities would be done.

Mr. Toney had some ideas; however, there has not been any discussion on those yet.

Mayor Foreman liked the idea of creating a policy that deals with fundraising, gifting, or donations. He suggested writing a generic policy so that other donations can be accepted for other things besides the Park.

Mr. Toney thought there was a policy already in place since the Town has already accepted donations.

Ms. Sanders was not aware of a policy being in place. Since she has been the Town Attorney, computers were donated to the Community Services Department. The Town is able to accept donations under State code. She noted that a formal resolution acknowledging the donation was done and it is her recommendation that anytime the Town accepts a donation that a formal resolution of the acceptance of the donation be done. It was her understanding with Ginn Park that a policy be developed for charitable donations or fundraising activities that would then be a tax write-off.

Mr. Toney asked if it was feasible at this time to develop a generic policy as opposed to a policy for just Ginn Park.

Ms. Sanders indicated it could be a fluid policy. It can sort of spotlight Ginn Park for now since that is where the motivation is, but at the same time create a policy that would encompass more overall. If another project comes forward, that is specifically targeted, it may have different needs or goals, and the policy developed can certainly be added to or amended. She believed it was possible to do both.

Ms. Washington thought it would be good to make the policy a generic one, if a policy is necessary. She did not think the policy would take away from Ginn Park.

Mr. Praino asked if the Ginn Park Committee should be tasked with creating a fundraising policy or staff to develop and meet with the Committee to balance it out.

Ms. Sanders thought that would be something the Committee and staff would work through together for Ginn Park.

Mr. Praino noted that the Committee should theoretically start the ball rolling then meet with staff to smooth it out.

Ms. Sanders felt that working together made the most sense to her. She was not quite sure she appreciates the extent of the fundraising activities that are being envisioned or how the Committee wants to go about accepting donations and both seem to be appropriate. Somebody is going to have to lead the way on the fundraising activity and she was happy to help develop the policy to understand what the ground rules are moving forward.

Mr. Praino asked if a motion needed to be made.

Ms. Sanders thought the purpose of having the matter on the agenda tonight was to make sure this was a Council initiative as a body. She noted this has to be a decision made by the Council as a whole that this is what it wants to do.

Mayor Foreman noted that this cannot be the first time the Town has accepted donations.

Retta Ladd, Treasurer, noted that the Town gets donations for Christmas in Dumfries every year.

Mayor Foreman explained a line item was created for that purpose. He liked the idea of the Committee working it, then giving it to staff to round out the edges, and making it generic to fit all of the Town's efforts. He asked if someone came in and gave a check for \$250 for Ginn Park what would happen to the donation.

Ms. Ladd explained she would make a line item that says Ginn Park with a zero budgeted amount.

Ms. Sanders added that it would be appropriate to acknowledge that donation with a letter from the Town.

Mr. Toney made the motion, seconded by Mayor Foreman, that the Ginn Park Committee be tasked with developing a generic fundraising and donation policy for parks.

Mr. Brewer made a friendly amendment that the policy be developed and reviewed by the Town Attorney for validation.

Mr. Toney noted the policy would be developed with the Attorney.

Ms. Sanders explained the policy would ultimately come back to Council for approval.

Ms. Washington understood that the motion was not specific to parks

Mr. Toney agreed to remove, "for parks" from the motion.

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.

**B. TOWN COUNCIL ANNUAL AGENDA FY13 – MAYOR FOREMAN**

Mayor Foreman reminded Council the Annual Agenda concept was discussed at the July 10 & 24, 2012 meetings. He asked Ms. Reynolds if she submitted her items.

Ms. Reynolds noted she emailed them yesterday.

Mayor Foreman asked the Clerk if she received them.

Ms. Hobgood noted she did not receive the email.

Mayor Foreman noted that Ms. Hobgood made a spreadsheet. He asked that Ms. Reynolds's items be added to the spreadsheet and placed on the agenda for the next meeting. He wanted Council to look over the spreadsheet, prioritize the items, and then return it to Ms. Hobgood to be grouped in bunches of five. At the next meeting, Council can then say which the top priorities are.

**C. 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**

Mayor Foreman mentioned a letter was received from Prince William County (PWC) dated April 22, 2011, regarding stormwater management fees that were received. From 1998 to 2003, the Town received four transfers from PWC for the improvement of Mine Road/Quantico Creek. The Town took the money and placed it in the general fund. A resolution was passed recently to represent Quantico Creek, Quantico Bay, and the citizens. The citizens that live along Quantico Creek have lost up to 20 feet of their backyard. He has talked to Senator Puller, Chairman Stewart, Supervisor Caddigan, and has meetings to talk with the Town's Delegates and Senators about the Town wanting to restore the creek and tributaries. He pointed out the Town was given \$43,010 and this money was not used for the restoration of Quantico Creek and Mine Road. With the excess of \$350,000, he asked the Council to right a wrong by setting aside \$43,000 with a line item for Quantico Creek restoration. The money does not have to be spent until Council gets to a point that something can be done. Stepping in front of PWC today, he was told that the Town was given money that was not spent right. He can tell you that is a bad feeling to have.

Ms. Sanders understood the money was given to the Town for stormwater management, which may create the Town a little more flexibility for creating a line item within the Public Works Department. She explained that although the money can be used for Quantico Creek/Quantico Bay it does not limit the use to just that.

Mayor Foreman did not have a problem creating a line item within the stormwater management program for Quantico Creek. That money was provided because the community upstream changed the water velocity, the streambed, and created erosion down Quantico Creek. If the funds just get put in for stormwater management and somebody asks where the money went the Town is going to have to have traceability. No project has been done within that area to maintain or restructure that bed. The money is seed money, money that was given to the Town that will have to be built on. His plan is to continue asking for grants and adding additional funding to the \$43,000.

Ms. Sanders indicated that was helpful since a lot of grants do require matching funds.

Mayor Foreman explained nothing was budgeted under stormwater management and this would be the first step.

Mr. Tkac understood that the \$43,000 was a proffer made by the developer that was building off Van Buren Boulevard. He noted that Ms. Ladd would trace the deposit to make sure it was placed in the stormwater management fund.

Mayor Foreman explained he was talking about something for Quantico Creek. That money was proffered because the water flow was changed and a line item for Quantico Creek will set the tone with Council and lets the homeowners' know. He also recommended that \$40,000 be set aside for a police cruiser.

Mr. Brewer asked what Supervisor told Mayor Foreman that the Town was mismanaging money. Mayor Foreman noted it was Supervisor Caddigan.

Mr. Brewer asked if Supervisor Caddigan knew what the Town does with its stormwater management money.

Mayor Foreman explained the conversation was more along the lines of money was provided to the Town, we understand your concern with Quantico Creek, but we need to make sure that we have put ourselves in the right place to have the discussion.

Mr. Brewer noted a study was performed several years ago regarding the cost of restoring Quantico Creek that came out around seven million dollars in three phases. He pointed out that \$43,000 was nothing compared to the damage that has been done from the outer areas, meaning PWC, to Quantico Creek coming through the Town. He is in agreement with having a line item for that and knows the funds were put in the stormwater management portion of the budget. He asked if the request was to have a separate line item for Quantico Creek and the funds be used for that.

Mayor Foreman agreed.

Mr. Brewer asked if \$40,000 would cover the additional cost of a cruiser.

Chief Forker noted it would.

Mr. Toney was hearing that Council was looking at ways to spend the \$350,000 surplus. He asked that \$60,000 be set aside for Ginn Park to continue build out and purchase equipment.

Mayor Foreman was willing to entertain committing money to Ginn Park; however, the Committee would have to stand before Council and state what Phase I and II are and vote for them. He explained Council was just discussing the matter and no vote would be taken. He wanted the Town Manager to clarify the difference in the two figures provided. The request was to place \$125,000 in the Local Government Investment Pool and there appears to be a surplus of \$350,000.

Ms. Washington felt it was important that the Town not change the way it does business based on what County and State Officials say. Everyone can second-guess what goes on. She used the example of Route 1 widening jumping over Dumfries to Woodbridge rather than from Triangle to Dumfries to Woodbridge. She did not want Council to listen to the concerns and put downs that the Town gets from State and County Officials. She explained the Town definitely wants to work with them, but they do not

allow the Town to tell them how to spend County money and have to take that into consideration when the Town looks at spending its money.

Mr. Brewer moved, seconded by Mayor Foreman, to defer action until the next Council meeting.

Mr. Praino pointed out that the figure being discussed was unaudited and suggested waiting to discuss spending money until the audited figure is provided.

Mayor Foreman explained nothing would happen until the Town Manager has the audited figures in his hand. The key is a decision has been made then when it happens, everything falls into place.

The motion carried and was approved 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: INFORMATION ITEM**

**A. UNAUDITED FY12 BUDGET VS. ACTUAL REPORT – DAN TABER**

There was no discussion on this matter.

**B. TOWN ATTORNEY COUNCIL ORIENTATION – CHRISTINE SANDERS**

Ms. Sanders briefly explained that enabling legislation authorizes the position of Town Attorney. She mentioned that Council uses the Roberts Rules of Order Revised in Brief to conduct its meetings. She has talked to Council in the past about additional rules of procedures and is still open to work on that. She pointed out that closed sessions are permitted for limited reasons as authorized under the Virginia Freedom of Information Act (FOIA). She takes a strict view of what Council goes in a closed session for. Things discussed in closed session are privileged and should not be discussed outside the closed session with constituents or among Council Members. She noted the Conflict of Interest Act (COIA) that deals with gifts and the disclosure of. She noted that if a gift is received, it needs to be disclosed and if from a business, who has business with the Town, should perhaps be declined. She represents the Council as a whole.

**IN RE: DISCUSSION ITEMS (NONE SCHEDULED)**

**IN RE: COUNCIL MEMBER COMMENTS**

Ms. Reynolds thanked the citizens and the Town for allowing her to attend the Newly Elected Officials Conference in Richmond. She wished her husband a happy anniversary.

Ms. Washington thanked the Mayor for taking a firm stand on having the Town come up with a safety plan on how to access the new McDonald's and for planning to take a firm stand with State and County Officials about the dissatisfaction of the Town with the status of widening Route 1.

Mr. Brewer thanked the Mayor for the fantastic job he has done meeting with elected officials and projecting what the Town is looking for. He was happy to hear that the County voted to do away with the Supervisors discretionary funds. He wished Chief Deane a happy retirement.

Mr. Toney just wanted to take note of the passing of his family’s matriarch, Aunt Mae Williams. Another personal friend of his, Connie Tindall of the famed Wilmington 10, passed just recently. He commended Christy Hart, Dorothy Dye, and Joyce Stewart for a job well down with the Williamstown National Night Out celebration.

**IN RE:        ADJOURNMENT**

Mr. Brewer moved, seconded by Mayor Foreman, to adjourn the meeting. The motion carried by the following voice vote: Mr. Brewer, no; Mr. Foreman, yes; Ms. Forrester, absent; Mr. Praino, yes; Ms. Reynolds, yes; Mr. Toney, yes; Ms. Washington, yes.

Minutes submitted by

Approved by

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

\_\_\_\_\_  
Gerald M. Foreman  
Mayor