



DUMFRIES, VIRGINIA

Virginia's Oldest Continuously Chartered Town

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DUMFRIES TOWN COUNCIL WORK SESSION MINUTES MARCH 15, 2011, 7:00 PM

Present: Mayor Yohey, Vice-Mayor West, Councilors Barr, Foreman, Forrester, Jurgensen, Toney

Others Present: Kim Alexander, *Town Manager*; Cathy Holtzlander, *Asst. Town Manager*; Kristi Caturano, *Town Attorney*; Retta Ladd, *Treasurer*; Chief Taber, *Chief of Police*; Greg Tkac, *Dir. of Public Works*; Jatinder Khokhar, *Dir. of Community Development*; Debi Sandlin, *Dir. of Economic Development & Marketing*; Teresa Johnson, *IT Manager*; Catherine Koslicki, *Town Clerk* and 8 citizens.

PUBLIC HEARING

FY11 Amended Budget

Mayor Yohey called the hearing to order at 7:00 PM. Ms. Alexander stated there were two changes to the notice. The amended budget for Administration should be \$71250 and for Information Technology should be \$0. The total remains the same at \$355,029. Mayor Yohey opened the hearing for public comment. No comments were made for or against. The hearing was closed at 7:01 PM.

Mayor Yohey called the Council meeting to order at 7:01 PM.

There were no changes to the agenda.

CITIZEN COMMENTS

There were no citizen comments.

MAYOR COMMENTS

Mayor Yohey asked for a moment of silence for the people affected by the recent events in Japan.

BOARDS & COMMISSIONS

- a. **Planning Commission:** Report presented by Chris Padberg, Chairman of the PC. Mr. Padberg stated the last meeting of the PC was March 7th. The two applications listed on the agenda were not discussed because the representatives did not attend the meeting. He announced the joint meeting between the PC and Council is scheduled for March 21st.

- b. **Town Attorney:** Ms. Caturano submitted her report as provided. She stated the only unusual item on her report is the Warrants in Debt. These were filed for unpaid sanitation fees. A few individuals had defaulted on payment plans and the cases need to be filed prior to the expiration of the statute of limitations of two years.

Council Lady Barr asked what the circumstances were behind the Maiming, Killing or Poisoning (animals) charge. Ms. Caturano stated a son had killed a mother's fish and she filed charges. Councilman Toney asked about the disposition of the case. Ms. Caturano stated the defendant failed to appear at the last court date. The case was continued for the following month and Court Services has been involved.

- c. **Town Manager:** Ms. Alexander stated her only comment was to inform Council the Economic Development meeting scheduled for tomorrow (March 16th) in Richmond has been cancelled.

ACTION ITEMS

a. **Consider Adopting FY11 Amended Budget**

Mayor Yohey asked if the additional revenue as posted in the Public Hearing notice is from grants. Ms. Alexander affirmed. He asked her to state for the record which categories were affected. She stated additional revenues from grants were received for Administration, Public Works and the Police Department. He asked what amount was received for the grants. She stated approximately \$300,000.

Vice-Mayor West made a motion to adopt the FY11 Amended Budget with a second by Council Lady Barr. Ayes: Barr, Foreman, Jurgensen, Toney, West, Yohey; Nays: Forrester. Motion passed, 6-1.

b. **Consider Adopting Proposed Ordinance Amendment to Chapter 30 Relating Generally to Fire Prevention and Protection (1st Reading: 3/1/2011)**

Mayor Yohey asked Ms. Caturano to state the purpose of the proposed ordinance amendment. She stated the ordinance would appoint the County's Fire Marshal as the Town's Fire Marshal and give them the authority provided by State Code. She stated the services are currently being provided by the County.

Council Lady Forrester asked if there would be an MOU with PWC. Ms. Caturano stated an MOU would not be done for this service because it would give the County an opportunity to back out if they chose. She said an ordinance is what the County is asking for, it follows the State Code and it is better for all parties involved. Council Lady Forrester recalled a previous conversation with Mrs. Caddigan in which she explained the Town does not have a right to all PWC services. Ms. Caturano advised that may apply to some services, but it does not apply to fire. She said that would be the case for the Police Department and for Building Inspection. Council Lady Forrester asked how PWC knew they were supposed to provide the services without an MOU. The State Code dictates if appointed they are required to provide the services. Mayor Yohey asked which Ms. Caturano would rather have in court, the ordinance or an MOU. She stated she would rather have the State Code with the supporting Town Ordinance. Ms. Alexander stated the alternative would be to hire our own Fire Marshal or to contract the service out. Council Lady Forrester stated she felt it was important to have in writing that PWC will provide the services. Ms. Caturano stated the language is in the State Code and she will provide a copy for her.

Vice-Mayor West advised everyone of a meeting on Thursday (March 17th) at 7 PM with Delegate Torian, Delegate Anderson and Senator Puller in the Ferlazzo Building. They will be reviewing legislation passed in the last session of the General Assembly.

CLOSED SESSION

Vice-Mayor West made a motion to enter into closed session under Virginia Code § 2.2-3711A (1) Personnel regarding the nomination of BZA members and (6) Financial Interest regarding the DCJS grant. Councilman Toney seconded the motion. On roll call the vote was unanimous, motion passed. Council entered closed session at 8:12 PM.

Vice-Mayor West read the certification to end the closed session and to return to open session. The motion was seconded by Council Lady Forrester. On roll call the vote was unanimous, motion passed. The Council returned to open session at 9:25 PM.

Councilman Toney made a motion to recommend the BZA Nominees in the order as discussed in closed session with a second by Vice-Mayor West. On roll call the vote was unanimous, motion passed.

ADJOURN

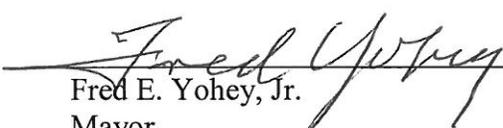
Councilman Toney made a motion to adjourn with a second by Council Lady Forrester. On roll call the vote was unanimous, motion passed. The meeting adjourned at 9:26 PM.

Minutes submitted by



Catherine H. Koslicki
Town Clerk

Approved by



Fred E. Yohey, Jr.
Mayor