



DUMFRIES, VIRGINIA

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DUMFRIES TOWN COUNCIL WORK SESSION MINUTES AUGUST 16, 2011, 7:00 PM

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

Others Present: Daniel Taber, *Interim Town Manager*; Christine Sanders, *Town Attorney*; Retta Ladd, *Treasurer/Deputy Clerk*; Greg Tkac, *Dir. of Public Works*; Robert Forker, *Acting Chief of Police*; Debi Sandlin, *Dir. of Community & Economic Development*; David Moss, *Planning/Zoning Administrator*; Teresa Johnson, *IT Manager*; and approximately 11 citizens

CALL TO ORDER

Mayor Yohey called the work session to order at 7:00 PM and asked if there were any changes to the agenda.

The following changes were asked to be made to the agenda:

Add **Action Items 7.b.** Temporary contract for Building & Residential Inspection Services; **7.c.** Accept Donation of Land; **Information Item 6.b.** Springsted contract (executive search for a Town Manager); **6.c.** Provision of County services; **Closed Session Item** Business opportunity.

Council Lady Forrester moved to add the changes to the agenda, seconded by Councilman Toney, ayes: Jurgensen, Barr, Foreman, Toney, West, Forrester, Yohey, motion carried.

CITIZEN COMMENTS

Jim Vinson, 4150 Nichols Court, stated he would like to commend the Chief of Police and Acting Chief of Police for the "Kid's Academy", it's a great program. Mr. Vinson stated the town has a top notch police force, professional and dedicated to public service.

Debra Burns, owner of commercial property at 1006 Williamstown Drive, stated she would ask that Council slow down and reconsider the proposed changes to the town zoning ordinances. Ms. Burns stated after many years of operating Stewart Mailing they had to close their doors when their largest client left and they are now trying to sell the property; however the changes to the zoning limits the type of business that can operate at the location.

CITIZEN COMMENTS (cont)

Mayor Yohey stated Stewart Mailing has been an exemplary business in the town for years and is sorry to hear they had to close.

Mayor Yohey advised Ms. Burns that the changes to the zoning ordinance are not a done deal and that a public hearing will be held September 6, 2011 on the proposed zoning changes and asked Ms. Burns to please come back to the public hearing and state her concerns again.

Cleveland Anderson, candidate for General Assembly, stated he has a AAA credit rating; good driving record; pays his bills before they are due and for some reason there is a poll going around that asks ... **"Would you vote for someone who is late on his business license for three years?"**.. Mr. Anderson stated he called the State, everything is current; he spoke with the Town Manager and Retta and was told he is current on his business license. Mr. Anderson stated he just wants the public to know the truth.

MAYOR'S COMMENTS

Mayor Yohey stated he and Vice-Mayor West attended the graduation today of the "Kid's Academy" and just wanted to say he thinks it is a great program. Mayor Yohey stated the children are all fifth graders and each "squad", as they are called, selected one from their squad to speak at graduation and it was a delight to hear all they had learned in the short, two day academy. Mayor Yohey stated this was the second academy graduation this summer.

BOARDS & COMMISSIONS

Planning Commission – Mr. Padberg stated the Planning Commission held two meetings and two hearings; **July 25, 2011** to review and discuss the proposed zoning ordinance changes drafted by staff; **August 8, 2011** held a hearing for the Hashimi rezoning request and a separate hearing on the proposed zoning ordinance changes; **August 8, 2011** (after hearings) meet to discuss the two public hearing items.

Mr. Padberg stated recommendations coming from the August 8, 2011 meeting were as follows: Planning Commission voted (5 to 1) to recommend that Town Council approve the rezoning application #11-63, Hashimi property, conditioned on a proffer; and recommend to Town Council that they accept and adopt the Planning Commissions draft version of ordinance revisions amending Chapter 70, Article 3, Sections 70-247, 70-281, 70-282, 70-482, 70-483 and 70-484 relating generally to use and intent regulations of the B-1 General Business, B-2 Neighborhood Business, and FB/O-1 Flex Business/Office Districts.

Mayor Yohey asked Mr. Padberg at their public hearing on August 8, 2011, was he aware of any unintended restrictions. Mr. Padberg stated no, there can be uses with a CUP. Mr. Padberg stated he did pick up on Ms. Burns' statement about non-profits.

BOARDS & COMMISSIONS (cont)

Planning Commission – Mayor Yohey asked Mr. Padberg to explain “CUP.” Mr. Padberg stated a “**Conditional Use Permit**” is when the town allows a use, that is not “by right”, with conditions.

Mayor Yohey asked what happens if someone doesn't follow the CUP. Mr. Padberg stated there is a renewal process and if the conditions aren't adhered to, the CUP may not be renewed.

Councilman Toney stated the Council will need to hold a public hearing on the proposed zoning ordinance amendments. Ms. Sandlin advised Councilman Toney that a public hearing has been scheduled for September 6, 2011 for that purpose.

Councilman Toney stated Mr. Padberg advised that their public hearing was sparsely attended. Mr. Padberg stated yes, one person who spoke. Councilman Toney stated he would like to invite all those wishing to speak to attend the September 6, 2011 public hearing.

Mayor Yohey advised the citizens that the proposed ordinance revisions are available in the front office at town hall.

Board of Zoning Appeals – Mr. Bob Price stated the BZA meet on July 20, 2011 for the first time in over a year. Mr. Price stated the Board approved the minutes of the last meeting; short BIO's were given; discussed education for those not certified and elected officers.

Councilman Toney asked who was elected. Mr. Price stated the officers remained the same, with Mrs. Begley as Chair. Councilman Toney stated he would encourage BZA members to attend the educational sessions and he congratulated Mr. Price and the other new member and the reappointed member.

Mr. Price stated he and Mr. Uson are schedule to attend some classes.

Mr. Price stated he knows “Citizen Comments” has passed but he would like to congratulate the Chief of Police and Mr. Forker, on behalf of South Cove Homeowners Assoc., on the National Night Out event.

Historic Dumfries, Virginia – Joann Barron provided her monthly report, reviewed it with Council, highlighting the following: thank you to town for safety strips on handicap ramp; financial report; number of visitors (broken down by admission); volunteer opportunities; and upcoming events.

BOARDS & COMMISSIONS (cont)

Historic Dumfries, Virginia – Councilman Toney stated with such a lively agenda of events, he can see why visitor attendance at the museum is increasing.

Vice-Mayor West stated she would like to congratulate Joann on the job she does at the museum, it is a job well done, and she would encourage everyone to attend any and/or all of the upcoming events. Vice-Mayor West stated last year she attended the spiritual songs and interpretations, and it was interesting to learn the meaning behind the songs, songs which she had sung but did not know their meanings.

Mayor Yohey asked Ms. Barron if the events have been well publicized. Ms. Barron stated yes.

STAFF REPORTS/COMMENTS

Treasurer's Report – The Treasurer's Report was provided to Council in their packets; which included the **Schedule of Receipts & Expenditures for July 2011; Town Bank Accounts as of July 31, 2011**; and the **Budget vs Actual ending July 31, 2011**.

Vice-Mayor West stated she noticed checks paid to New Jersey Family Support and asked what those were. Mrs. Ladd advised Vice-Mayor West that they were payroll deductions. Vice-Mayor West asked Mrs. Ladd to explain further. Mrs. Ladd stated the payroll deductions were garnishments.

Town Attorney Report – Ms. Sanders stated she provided a brief synopsis to Council and had nothing more to add.

Councilman Toney asked Ms. Sanders the number of juvenile cases she had.

Ms. Sanders stated there are four or five in Juvenile and Domestic Relations Court, but not sure all are juveniles, the cases could be other matters.

Chief Forker stated he would do some research.

Town Manager's Report – Mr. Taber stated the Town Clerk position has been advertised; the executive search for a Town Manger is underway and with a time line of around the first of December.

Council Lady Jurgensen opened a box containing a 12 inch round traffic mirror that she ordered on line from Security Products.

Council Lady Jurgensen stated this is the type of traffic mirror she would like to see installed at Mine Road and Van Buren and it did not cost \$600.00. Council Lady Jurgensen stated she will donate it to the County.

STAFF REPORTS/COMMENTS (cont)

Town Manager's Report – Mr. Taber stated the town has no control over that intersection; however he will make an effort to have it presented to the County and/or VDOT.

Councilman Foreman stated in talking with the interns about their work experience at town hall they all stated they would like to know about town government and how it works. Councilman Foreman stated next year maybe that can be worked in as part of their curriculum.

Councilman Toney stated the interns are an impressive group of kids and they have a very bright future ahead of them.

Mr. Taber stated letters of recommendation will be sent from the Mayor to the interns.

Ms. Sandlin stated the editorial that was in the Washington Post was written by one of the interns, Mary Padberg, and a copy is in the Council's mail boxes.

INFORMATION ITEMS

a. Massage technician license fees and taxes – Mr. Taber stated Council Lady Jurgensen will begin the discussion and then the Town Attorney will address the issue.

Council Lady Jurgensen stated the \$1000.00 annual fee for a massage technician license that is currently in the town code, she is hoping Council will reduce or eliminate.

Ms. Sanders reviewed her memo with Council stating she reviewed ordinances from other jurisdictions on massage technicians; all the localities have a background check requirement and fee, although not all fees are mentioned in their codes.

Ms. Sanders stated massage therapist are licensed by the State, through the Department of Nursing, so they are required to have a certification from the State. Ms. Sanders mentioned a case law Rogers v Miller which is relevant to this issue.

Council Lady Jurgensen asked how many massage therapists are in the town.

Mr. Taber stated there is currently one registered therapist.

Council Lady Jurgensen stated she would like Council to look at reducing the fee.

Council Lady Forrester stated case law from 1975 is pretty irrelevant as far as she's concerned; a higher fee doesn't make it easier to regulate a business. Council Lady Forrester moved to have the Town Attorney draft an ordinance, for first reading, to eliminate the fee.

INFORMATION ITEMS (cont)

a. Massage technician license fees and taxes – Vice-Mayor West stated the Town Manager advised there is currently one registered therapist; are there others that should be registered.

Mr. Taber stated there may be other establishments wherein massages may not be their sole function; however he would suggest to Council that they decide the way they want to go as far as the current ordinance is concerned and from that decision, the proper follow up will be done.

Councilman Foreman asked if it is possible to get a list of the other businesses that offer the services, but don't have their permits.

Mr. Taber stated it is possible, they may miss some, and of course others are obvious.

Council Lady Jurgensen stated she is for zero technician fee and would like to see massage therapist as professional service.

Council Lady Barr stated anyone who has been around for any length of time will remember certain activities in the past involving previous Council and Mayor; that is pretty much why she does not agree with the elimination of the \$50.00 background check fee, nor the periodic inspections; she does agree with eliminating the \$1000.00 fee.

Councilman Toney stated it pains him that it is brought up about past Council; past experience, is it relevant for this discussion?

Council Lady Barr stated she apologizes if Councilman Toney took offense, but the whole town felt the pain, and yes, it is relevant to the issue.

Mr. Taber asked the Mayor if it would be appropriate, before Council takes action, if he could comment on the background check fee.

Mayor Yohey stated of sure.

Mr. Taber stated the current \$50.00 background check fee was established many years ago, obviously salaries have gone up, the time required to do the checks have gone up, he would ask Council to consider, when making their motion, that the \$50.00 fee may be inadequate to cover the cost and maybe should be slightly higher.

Ms. Sanders stated all the localities required background checks.

Council Lady Jurgensen moved to eliminate the \$1000 fee; have background check stay as is, seconded by Council Lady Forrester.

INFORMATION ITEMS (cont)

a. Massage technician license fees and taxes – Mayor Yohey stated it has been made clear this ordinance has been on the books since 1990, it addresses “massage technician” not “massage therapist.” Mayor Yohey stated the ordinance is outdated; the report provided by the Town Attorney states there is one business in town. Mayor Yohey asked for the name of the business.

Mr. Taber stated Oasis. Mayor Yohey asked if they paid the \$1000.00. Mr. Taber stated yes.

Mr. Cleveland Anderson stated the ordinance was implemented because of “massage parlors” and Council needs to rescind the ridiculous ordinance. Mr. Anderson stated massage therapy involves a lot of schooling in which a license is received.

Mayor Yohey asked Mr. Anderson if his business is “grandfathered.” Mr. Anderson stated no. Mr. Anderson stated this ordinance has nothing to do with massage therapist, but massage parlors.

Ms. Kimberly Blanton stated there is one individual who has paid the \$1000; the business is next to the porn shop, put two and two together.

Council Lady Jurgensen asked Ms. Blanton if she has paid for her background check.

Ms. Blanton stated yes.

Ms. Sanders stated the background check is an annual fee.

Council Lady Jurgensen asked Ms. Blanton what her license says.

Ms. Blanton stated her license states “Certified Licensed Massage Therapist.”

Ms. Sanders stated the ordinance has outdated language; it needs to be updated to include “therapist” and “establishment.” Ms. Sanders stated Council can’t take action tonight.

Council Lady Jurgensen stated the ordinance is offensive.

Ms. Sanders stated the ordinance states what is allowed and/or prohibited.

Council Lady Barr asked the Town Attorney if Council can abate the fee.

Council Lady Forrester asked why Ms. Blanton can’t get a business license.

Ms. Sanders stated the town ordinance unfortunately applies to what she wants to do.

INFORMATION ITEMS (cont)

a. Massage technician license fees and taxes – Mayor Yohey stated they have to follow the law and he will not vote on anything he doesn't understand.

Vice-Mayor West stated there is a motion and second on the floor.

Council Lady Forrester asked if Council Lady Jurgensen would amend her motion to "look into the background check fee."

Amendment accepted by Council Lady Jurgensen, seconded by Vice-Mayor West.

Ms. Sanders stated she will prepare an ordinance for the September 6, 2011 meeting.

Ayes: Forrester, West, Toney, Foreman, Barr, Jurgensen, Yohey, motion carried.

b. Springsted Contract – Mr. Taber stated this item was discussed during the Town Manager's Time, the search is continuing with an amended time table of around the first of December.

c. Provision of County Services – Council Lady Forrester stated she wanted to thank her fellow Council Ladies for the presentation they made earlier.

Council Lady Barr stated she did not need to be thanked.

Council Lady Forrester stated taxpayer monies fund projects in the county and in the town.

Council Lady Forrester stated they have an item later on the agenda to contract for inspection services – the County should provide this service to the town; what options does the Town Council have to receive County services?

There were several items discussed by Council that needed to be addressed, such as building inspector; crosswalks; lighting; roads in the County; and inspections.

Councilman Foreman stated Council Lady Forrester has brought up some valid points and Council needs to schedule a quarterly meeting with the County to discuss the "lighting program" and other services the County should provide to the town.

Mayor Yohey stated the Town Council needs to work in a cooperative fashion with the County.

Council Lady Forrester stated the sign on the US Rt. 1 in Triangle regarding the improvements, says it is paid for by "County Supervisors" – it is being paid for by "taxpayers" – not "County Supervisors."

INFORMATION ITEMS (cont)

c. Provision of County Services – Mayor Yohey stated the US Rt. 1 improvements in Triangle were on a bond referendum.

Council Lady Forrester stated yes, a bond that will be paid back by taxpayers.

Council Lady Forrester stated it is the County's responsibility to provide services, the quarterly meetings with the County; recap – Mayor asks – Maureen says no. Council Lady Forrester asked what is the Council going to do to impress to the County the services the town taxpayers need.

Mr. Taber stated he is more than willing to speak to County officials and ask the hard questions. Mr. Taber stated he would like the opportunity, for the next thirty (30) days to talk with county department heads and then plan a strategy from there.

Council Lady Barr stated she would like to clear up one point, individuals hired from the County did not get town positions so the town would "have favor" with the County; they were hired because they were the most qualified for the position.

Council Lady Barr stated the comments made tonight by Council Lady Forrester regarding Supervisor Caddigan were offensive to her and should be offensive to the citizens of the town, they were rude and she would like to publicly apologize for those comments.

ACTION ITEMS

a. Consider revising Council meeting schedule for remainder of 2011 – Council Lady Jurgensen moved to revise the Council meeting schedule for the remainder of 2011, seconded by Council Lady Barr.

Councilman Toney asked what the purpose of the revising was.

Ms. Sanders advised Councilman Toney that the purpose of the revision was so Council could be more efficient on town issues that needed to be addressed.

Vote: ayes: Forrester, West, Toney, Foreman, Barr, Jurgensen, Yohey; motion carried.

b. Temporary Contract for Building & Residential Inspection Services - Mr. Taber stated the town does not have anyone on board right now to do these inspections and as Council just finished discussing there is a need to service their citizens.

Mr. Taber stated Mr. Tkac has managed to secure these services through a temporary contract, which should be at their table and Mr. Tkac is willing to give a couple brief comments.

ACTION ITEMS (cont)

b. Temporary Contract for Building & Residential Inspection Services - Mr. Tkac stated the town has just gone through a round of interviews for a Building Official that was unsuccessful.

Mr. Tkac wanted to point out that over the last four years the town has had five Building Officials, it is a tough position to keep filled, and many come using the town as a spring board to get to better things.

Mr. Tkac stated the County, as well as many other jurisdictions contract for "on call" services. Mr. Tkac stated the firm is a reputable firm, he was only able to find three firms in the northern Virginia area, and their prices are very competitive.

Mr. Tkac stated he would strongly urge Council to support Public Works with regard to this contract.

Council Lady Jurgensen asked if this was what the town was going to partner with the Town of Haymarket on. Mr. Tkac stated yes; however after the first round of interviews they could not find a suitable candidate. Mr. Tkac stated they are still in conversation with Haymarket.

Mr. Tkac talked about having a contract trial period to see how things go; in lieu of hiring a Building Official; even if the town hires a Building Official he would highly recommend having an "on call" contract so there is no interruption in service; and if things went well, name the firm as the Towns Building Official.

Mr. Taber stated the contract, for lack of a better word, is a temporary fix.

Council Lady Forrester stated just to clarify a point, the last Building Official left because of restructuring, not better job.

Councilman Toney stated he has a problem with a 14 page contract being placed in front of him the night of the meeting.

Mr. Taber stated he agrees with Councilman Toney and he certainly understands his comments; however there is a sense of urgency.

Mr. Tkac apologized to Council for getting the contract tonight and not having time to review it; however it was late Friday afternoon before they were able to come to an agreement with the firm.

Councilman Foreman stated if this doesn't go for a vote tonight, and is pushed back to the next session, do we have a stop gap in place for the citizens.

ACTION ITEMS (cont)

b. Temporary Contract for Building & Residential Inspection Services - Mr. Tkac stated what he would recommend to Council, is what he has recommended to the Town Manager, and that is he, as a department head, is allowed to approve up to \$500, the Town Manager is allowed to approve up to \$5000.

Mr. Tkac stated this contract could wait and he would not ask Council to vote on anything they have not had ample time to look at; and this is the way he would highly recommend proceeding in the interim, until they can get a contract in place.

Councilman Foreman stated, so they do have a "work around" for the next two weeks.

Mayor Yohey stated for clarification, for his benefit, this "work around" cited is that Mr. Tkac and the Town Manager has certain authority. Mayor Yohey asked Mr. Tkac to repeat what he stated.

Mr. Tkac stated in order for him to properly do his job and to insure the folks in the town have inspection services this is the way he is going to proceed up to his limit allowed by procurement and if need be, ask the Town Manger to approve up to his limit. Mr. Tkac stated it will not get near that amount.

Councilman Toney moved that Council authorize Mr. Tkac and the Town Manager to proceed as discussed until Council can review the contract, seconded by Council Lady Forrester.

Council Lady Forrester asked about the 90 day extension, with a 90 day extension with mutual agreement, is that mutual agreement between Mr. Tkac, the Town Manager and the contractor or Council and the contractor.

Mr. Tkac stated he would like to put out a request for proposal to the masses so they can properly review other firms that may or may not offer the services. Mr. Tkac stated he would love to be able to complete that within 90 days, but for some reason it can't be done he would like to have that extension so he would not have to come back to Council and ask for an extension.

Mr. Tkac stated the mutual agreement would be between the contract manager, which would be him, and the contracting firm; however he would discuss it with the Town Manager, the contract is intended to be very short in term.

Vice-Mayor West stated she wants to make clear the motion from Councilman Toney. Vice-Mayor West asked Councilman Toney if his motion was to proceed with the contract.

ACTION ITEMS (cont)

b. Temporary Contract for Building & Residential Inspection Services - Councilman Toney stated no, his motion was to allow Mr. Tkac and the Town Manager to proceed as discussed, up to a certain dollar amount, until Council can review the contract.

Vice-Mayor West stated if Council puts this off to study the contract, she hopes that is what they do, not take it home never to be seen again, she has seen Council do this time and again, when they come back in two weeks she hopes Council has studied the contract.

Mr. Tkac stated any contract he prepares for Council to review is a standard contract, there are just a couple of elements that vary and they are the scope of work and the definitions, which are normally found in the first four pages.

Council Lady Forrester stated if they are going to wait two weeks she would like to see an RFP, she knows people get busy, and six months can go by very quickly.

Mr. Tkac stated the RFP should be ready for Council's review when the packets go out and he would like the RFP to go out as soon as possible.

Vote: ayes: Foreman, Toney, Forrester, Yohey; nays: Jurgensen, Barr, West; motion carried.

c. Accept donation of land – Ms. Sanders stated the town taxes have been paid and according to the land owner's representative, Mr. Steve Bamburger, he has the funds to pay the County taxes as well.

Vice-Mayor West moved to accept the donation of land from the Walkers, seconded by Council Lady Jurgensen; ayes: Forrester, West, Toney, Foreman, Barr, Jurgensen, Yohey; motion carried.

COUNCIL COMMENTS

Council Lady Jurgensen stated it was a pleasure working with Ms. Sandlin on the Multi-Cultural Festival; she enjoyed the event very much.

Council Lady Barr stated she enjoyed National Night Out; it was the first one she has been able to participate in because in the past it was always on Tuesday night, which happened to be Council meeting night. Council Lady Barr stated she would like to thank everyone who participated in the Multi-Cultural Festival. Council Lady Barr welcomed the Interim Town Manager and Acting Chief of Police to their new roles.

Council Lady Barr stated she is anxious to hear comments from the citizens on the new town website and encouraged them to go on line and check it out.

COUNCIL COMMENTS (cont)

Council Lady Barr stated she would like to say "happy birthday" to her niece Samantha, who is in the next room and the reason she will not be attending Closed Session tonight.

Councilman Foreman stated he would like to thank Chief Forker for attending the whole meeting and he would like to thank Officer DeWitt, who came to pick him up for National Night Out; however he opted to stay in his neighborhood, but had he known it

Councilman Foreman stated he would like to thank Chief Forker for attending the whole meeting and he would like to thank Officer DeWitt, who came to pick him up for National Night Out; however he opted to stay in his neighborhood, but had he known it was her last few days on the force, he would have definitely changed his plans and participated. Councilman Foreman stated he would like to wish the best to Officer DeWitt.

Councilman Toney stated he would like to thank the two people (Council Lady Jurgensen and Debi Sandlin) for stepping up and working on the Multi-Cultural Festival. Councilman Toney stated he also appreciated the re-directing of National Night Out.

Councilman Toney stated he has spoken with Ms. Sandlin about the July 18, 2011 Planning Commission minutes, where he was not listed as being present. Ms. Sandlin stated she will correct those minutes to show Councilman Toney present. Councilman Toney stated a historical moment will happen next week in DC and that is the unveiling of the Martin Luther King memorial.

Vice-Mayor West stated she would like to give accolades to the summer interns and their slide show presentation, and to the intern, Mary Padberg, who wrote the press release on Mr. Taber. Vice-Mayor West stated she would also like to say thank you to the police department on the great job with the "Kid's Academy."

Council Lady Forrester stated she was glad everything went well and apologized for not being able to attend. Council Lady Forrester stated she has "agenda" issues, the Town Manager is to prepare the agenda; in the past the agenda has been amended at meetings by adding or deleting something and now Council has to make a motion to amend the agenda.

Council Lady Forrester stated every Councilor has the right to be heard and to have something on the agenda to discuss without having to be concerned that another Councilor can make a motion to have it removed. Council Lady Forrester stated she would like the "**agenda**" to be a discussion item on the next agenda.

Mr. Taber stated if a Council member request something be put on the agenda, he will put it on the agenda.

Ms. Sanders stated Council adopted a parliamentary procedure.

COUNCIL COMMENTS (cont)

Council Lady Forrester stated she wants to regain time to discuss issues and be heard and wants that as well for all Council members.

Ms. Sandlin stated she appreciated the help from Council Lady Jurgensen and Councilman Toney at the Multi-Cultural Festival and she would like to also give a much deserved "thank you" to Ray Lowry, Donald Howard and Cyndy Neville for all their help.

CLOSED SESSION

Mayor Yohey asked if there were any closed session items that could wait for two weeks. Mayor Yohey stated it is 10:20 pm and closed session could last forever.

Council did not want to remove any closed session items.

Mayor Yohey asked the Town Manager what staff would be needed in closed session.

Mr. Taber stated Town Attorney, Town Manager, and Debi Sandlin (for a portion).

Vice-Mayor West moved to enter closed session under Virginia Code 2.2-3711A(1) to discuss personnel and 2.2-3711A(5) to discuss potential business, seconded by Councilman Toney, ayes: Jurgensen, Foreman, Toney, West, Forrester, Yohey; abstain: Barr, motion carried.

Minutes submitted by



Retta Ladd
Deputy Town Clerk

Approved by



Fred Yohey
Mayor

Vice-Mayor West read certification coming out of closed session, seconded by Councilman Toney, ayes: Forrester, West, Toney, Foreman, Jurgensen, Yohey; absent: Barr, motion carried.

Council Lady Jurgensen moved to allow Debi Sandlin, Director of Economic and Community Development to proceed as instructed during closed session, seconded by Vice-Mayor West, ayes: Jurgensen, Foreman, Toney, West, Forrester, Yohey; absent: Barr, motion carried.

Council Lady Forrester moved to engage the services of the provider discussed in closed session; for amount discussed in closed session and for the number of hours indicated, with guarantee of finished product at the end of those hours, meeting the due date required, seconded by Council Lady Jurgensen, ayes: Forrester, West, Toney, Foreman, Jurgensen, Yohey; absent: Barr, motion carried.

Councilman Foreman moved to have Council perform the Town Manager's assessment for the period of July 1, 2010 to June 30, 2011, seconded by Council Lady Forrester.

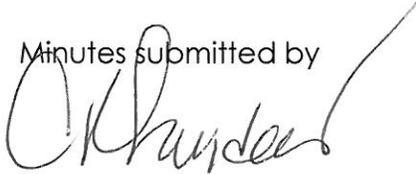
Councilman Foreman amended his motion to have Council vote at the next Council meeting, second by Vice-Mayor West.

Council Lady Forrester moved to advertise for a Director of Community Services, seconded by Council Lady Jurgensen, ayes: Jurgensen, Foreman, Toney, West, Forrester, Yohey; absent: Barr, motion carried.

ADJOURN

Vice-Mayor West moved to adjourn, seconded by Councilman Toney, ayes: Forrester, West, Toney, Foreman, Jurgensen, Yohey; absent: Barr, motion carried.

Minutes submitted by



Christine Sanders
Town Attorney

Approved by



Fred Yohey
Mayor