

July 19, 2010

**KILMARNOCK TOWN COUNCIL
Monday, July 19, 2010
Town Hall
Kilmarnock, VA**

Regular Meeting Minutes

1. Call to Order:

Mayor Booth called the Regular Meeting to order at 7:00 pm with the following Councilmembers present:

Raymond C. Booth, Jr., Mayor
William L. Smith, Vice-Mayor
Shawn Donahue
Paul S. Jones

Randy Moubray
Rebecca Nunn
John A. Smith

Staff Present:

Tom Saunders, Town Mgr.
Susan Cockrell, Asst. Town Mgr., Comm. Dev.
Marshall Sebra, Town Planning Director
Paul C. Stamm, Jr., Town Attorney
Jackie Blencowe, Town Clerk
Joan N. Kent, Transcriber
Michael S. Bedell, Chief of Police

Mayor Booth welcomed Kilmarnock residents, business owners, and guests. Mayor Booth led the recital of the Pledge of Allegiance.

2. Acceptance and Approval of Agenda

ACTION: Councilmember William Smith made a motion to accept the agenda for the July 19, 2010 Regular Town Council meeting as presented, seconded by Councilmember John A. Smith; and carried unanimously.

3. Minutes: Approve, Correct, or Amend Minutes of the Regular Town Council Meeting held June 21, 2010.

ACTION: Councilmember Nunn made a motion to approve the June 21, 2010 Regular Town

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**Council Meeting Minutes as presented,
seconded by Councilmember Moubray; and
carried unanimously.**

4. Opening Comments by Mayor Booth

Mayor Booth stated that the makeup of Council had changed with new terms and new people and he thanked former Councilmembers, Ms. Barbara Robertson and Mr. Howard Straughan, and former Mayor Curtis H. Smith for their past commitment of service. Mayor Booth also thanked those Councilmembers who had served on the past Council and were still serving on the current one. Mayor Booth stated he wanted to recognize them for their service and willingness to continue that service as well. Mayor Booth said that he applauded the new members of Council for their willingness to serve the community. Mayor Booth continued by saying that as the new Mayor he wanted to take a few minutes to thank the citizens of Kilmarnock for their confidence in him. Mayor Booth stated that he intended to meet their expectations by having an open government that they could be proud of. Mayor Booth encouraged Councilmembers to work with him in representing the people of Town without conflict, behind the scenes politics, and unnecessary closed sessions. Mayor Booth stated that the money spent or saved by the governing body of the Town was the people's money. Mayor Booth advised that in this economic climate he intended to make sure that money was not wasted but instead all possible alternatives would be examined to ensure that it was spent wisely. Mayor Booth felt that no one would disagree with this goal. Mayor Booth finalized by saying that the Town Charter did provide for a State of the Town Address to be made at the beginning of each year which he would do at a later date.

5. Election of Vice-Mayor

A. Mayor Booth asked for nominations.

Councilmember Shawn Donahue stated that he would like to nominate Councilmember William Smith. Mr. Donahue said that his justification for doing so was that he reviewed the voting record for Kilmarnock and found that Councilmember William Smith had received more votes than anyone else during a Town election in the past decade including the current Mayor. Mr. Donahue stated that Councilmember William Smith had experience in accounting, financial management, and business management which he thought was appropriate for the position and based upon what the voters had indicated that they wanted during the recent election, which was new blood in the Town of Kilmarnock. Therefore, Councilmember Donahue reiterated that he was nominating Councilmember William Smith as Vice-Mayor.

Councilmember Nunn stated that she would like to nominate Councilmember Paul Jones. Mrs. Nunn assured Councilmember Smith that it was

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nothing against him personally but stated that she was of the opinion that it would be prudent to keep Councilmember Jones as Vice-Mayor because he had served as such on the past Council. Mrs. Nunn stated that Councilmember Jones had experience chairing Council meetings when Mayor Smith was out of Town and did so quite proficiently. Mrs. Nunn advised that when Mayor Smith was visiting Scotland, Councilmember Jones handled the mayoral responsibilities quite proficiently as well. Mrs. Nunn added that Councilmember Jones was the longest continuous serving Councilmember and she felt that he would be a great help to the new Council because of his past service. Mrs. Nunn finalized by saying that having Councilmember Jones serve as Vice-Mayor would be an effective bridge between the past and current Council which was composed of a new Mayor and three newly elected Councilmembers.

B. Mayor Booth closed nominations.

C. Mayor Booth asked for Council's discussion and/or action.

Mayor Booth asked Town Clerk Blencowe to poll each Councilmember's vote. Councilmembers voted as noted below:

Councilmember Moubray for William Smith
Councilmember John A. Smith for William Smith
Councilmember Jones for Paul Jones
Councilmember Donahue for William Smith
Councilmember Nunn for Paul Jones.
Councilmember William Smith for William Smith

Councilmember William Smith was elected as Vice-Mayor with a 4 to 2 vote.

Mayor Booth congratulated newly elected Vice-Mayor, William Smith.

Mayor Booth told Councilmember Jones that his work on Council had been greatly appreciated.

Councilmember Jones thanked Councilmember Nunn for her support.

6. Appointments to fill vacant seats on the Planning Commission

A. Mayor Booth asked for nominations.

Councilmember John A. Smith, Council Liaison to the Planning Commission, nominated Mr. Denis Bouslough and Ms. Lindsay Gardner.

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Mayor Booth stated that both Ms. Gardner and Mr. Bouslough were recommended to Town Council by the Kilmarnock Planning Commission to fill the two vacant seats.

Councilmember Jones stated that he wanted to nominate Mr. Howard Straughan who had served on Town Council for a few years and was a tremendous asset in preparing the budget.

Councilmember Donahue asked for a point of clarification in regards to how the candidates were chosen and wanted to know if they were chosen by the Planning Commission.

Town Attorney Stamm replied that the Planning Commission had made a recommendation to Council regarding the candidates that they would like to see fill the vacancies. Mr. Stamm advised that the Planning Commission nominated Ms. Gardner and Mr. Bouslough, and Councilmember Jones had just nominated Mr. Straughan which he was entitled to do as a Councilmember. Mr. Stamm advised that Council could abide by the Planning Commission's recommendation or Council did not have to abide by the Planning Commission's recommendation. Basically, Mr. Stamm said that it was up to Council.

Mayor Booth stated that by being the Chairman of the Planning Commission for the past three years, he thought that great deference should be given to the nominees that were forwarded by them. Mayor Booth said that even though he was now sitting as the head of Town Council, it was clearly evident that if Council made their own appointments to the Planning Commission then Council had the potential of rendering them ineffective and essentially stacking the deck. Mayor Booth said that Council was not bound by the recommendations of the Planning Commission, but he reiterated that he felt their recommendations should be given great deference.

B. Mayor Booth closed the nominations.

Mayor Booth noted that all three nominees were in the audience. Mayor Booth asked each of them to introduce themselves and give a brief statement as to why they would like to serve on the Kilmarnock Planning Commission.

Ms. Lindsay Gardner introduced herself and stated that she was the Director of the Lancaster Community Library and had moved to Kilmarnock from Alabama three years ago to take that position. Prior to that, she served as the director of a municipal library where she attended city council meetings for five years which allowed her to become familiar with the same sort of procedures followed by the Planning Commission. Ms. Gardner said that she has enjoyed being a member of the community and was a volunteer with other non-profit organizations. Ms. Gardner stated that she would like to see the community grow

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in a responsible way and was honored to be considered for the Planning Commission.

Councilmember Donahue asked Ms. Gardner what her vision was in regards to growth in the community.

Ms. Gardner replied that she thought there was some type of industry that could be explored that would take advantage of the natural resources that were here and still protect and conserve. Ms. Gardner stated that she did not know right off hand what that could be but was certainly interested in exploring the possibilities. Ms. Gardner said that she was currently working with a group called Visions, which was the Dupont funded initiative to reduce poverty. Ms. Gardner stated that one thing the group had noticed was that while there were a lot of non-profits that could help build assets for people in need, there was no dedicated economic development organization. Ms. Gardner noted that there was some interest in bringing people to the table to start that discussion

Mr. Howard Straughan stated that he had been a resident of Kilmarnock for over 20 years. Mr. Straughan said that he wrote a series of letters and articles to the local newspaper during the recent election which he was sure everyone had all read and formed an opinion on. Mr. Straughan said he had a great interest in the Town of Kilmarnock and would like to see it grow, prosper and do well. Mr. Straughan felt that growth needed to be guided along but not dictated.

Mr. Denis Bouslough introduced himself and congratulated the newly-elected Councilmembers. Mr. Bouslough said that he had retired from government in the year 2000 after having spent 35 years with the CIA and 27 years with the air force reserves. After retirement, Mr. Bouslough stated that he went to work for Booz Allen as a consultant for the government. Mr. Bouslough advised that he also served as the president of a condo association for five years which consisted of approximately 100 families. When he first took the position, Mr. Bouslough stated that there were a lot of budget problems and conflicts of interest within the organization so it took some time to rectify the problems. However, by the time he had finished Mr. Bouslough said that they had established a good base to deal with long-term issues such as replacement of roofs and asphalt. Mr. Bouslough hoped to bring that experience along with him to the Planning Commission. Regarding the issue of growth, Mr. Bouslough stated that he was certainly a proponent of such but thought it should be done in a planned way. Mr. Bouslough said that it was certainly better to look into the future and plan goals rather than having to react to circumstances. Mr. Bouslough advised that he had submitted his name for the 2008 and 2009 Council vacancies. Mr. Bouslough finalized by saying that both he and his wife had chosen Kilmarnock as their retirement home and they planned to stay and wanted to see the Town grow and do well.

C. Mayor Booth asked for Council's discussion and/or action.

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Councilmember Nunn commented that Mr. Howard Straughan was invaluable to Council when he served on the Admin/Finance Committee and felt that he would be an asset to the Planning Commission. Mrs. Nunn stated that she recalled on one occasion when a new developer wanted to construct a project on Chase Street Mr. Straughan advised him on the financial aspect. Mrs. Nunn also said that since Mr. Straughan had served on Council he was familiar with how things operated between the Planning Commission and Council.

Newly elected Vice-Mayor Smith commented that the Planning Commission would be fortunate to have either one of the three nominees but stated that having served on the Planning Commission he felt that Council should abide by their recommendation.

Mayor Booth asked that each Councilmember vote for two of the three nominees and for the Town Clerk to poll the votes. Councilmembers voted as noted below:

Councilmember Moubray voted for Howard Straughan and Lindsay Gardner
Councilmember Smith voted for Denis Bouslough and Lindsay Gardner
Councilmember Jones voted for Howard Straughan and Lindsay Gardner
Councilmember Donahue voted for Denis Bouslough and Lindsay Gardner
Councilmember Nunn voted for Howard Straughan and Lindsay Gardner
Vice-Mayor Smith voted for Denis Bouslough and Lindsay Gardner

Mr. Howard Straughan and Mr. Denis Bouslough each received a total of 3 votes creating a tie. Ms. Lindsay Gardner received 6 votes. Mayor Booth voted for Mr. Denis Bouslough breaking the tie.

Ms. Lindsay Gardner and Mr. Denis Bouslough were elected to fill the vacancies on the Kilmarnock Planning Commission.

7. Committee Assignments: Mayor Booth

Budget and Finance

Vice-Mayor William Smith, Chair
Councilmember Paul Jones
Councilmember Shawn Donahue

Water & Sewer

Councilmember John A. Smith, Chair
Councilmember Randy Moubray
Mayor Raymond Booth

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Police

Councilmember Shawn Donahue, Chair/Police Commissioner
Councilmember Randy Moubray
Mayor Raymond Booth

Streets

Councilmember Shawn Donahue, Chair
Councilmember Rebecca Nunn
Vice-Mayor William Smith

Emergency Preparedness

Councilmember Randy Moubray, Chair
Councilmember Paul Jones
Councilmember John A. Smith

Economic Development

Vice-Mayor William Smith, Chair
Councilmember Rebecca Nunn
Mayor Raymond Booth

Town Centre

Councilmember John A. Smith, Chair
Councilmember Rebecca Nunn
Councilmember Paul Jones

Council Liaison to the Planning Commission

Councilmember John A. Smith

Mayor Booth stated that it was his intent to have at least three individuals to serve on each committee.

Councilmember Nunn advised Mr. Booth that as Mayor he was automatically on each committee.

Mayor Booth replied that he was aware of that but was appointing himself to several committees as a full voting member. Mayor Booth thanked Councilmember Nunn for pointing that out.

Councilmember Jones asked if three persons were assigned to each committee would that constitute an official meeting.

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Town Attorney Stamm advised that committee meetings were duly published and, therefore, it would not matter.

Vice-Mayor Smith stated that based on the VML training that he attended the way that the Freedom of Information Act was described to him was that if there were three or more members discussing business then it was considered to be a meeting. In subcommittees, it was a majority so if two of three of the members were together discussing business then it was considered to be a meeting.

Town Attorney Stamm reiterated that the committee meetings were duly advertised and there was no problem.

8. Public Comments and Presentations

Mayor Booth invited members of the audience to address Council with any issues or concerns that were not scheduled for public hearing or discussion on the agenda. Mayor Booth asked that comments be limited to 3 minutes per person.

A. Public Forum

1) Mr. Brian McArdle, Chairman of the Kilmarnock Wine Festival, informed Council that the wine tasting event held June 26th on the Town lot was successful. Mr. McArdle advised that the event pulled in first-time visitors to Kilmarnock from Chesapeake, Richmond and the mountains. Mr. McArdle stated that he appreciated the Town letting them use the lot, and he provided each Councilmember with a souvenir glass. Mr. McArdle thanked Kilmarnock Police Officer Kevin Dawson for his dedication in providing safety throughout the day. Mr. McArdle said that hopefully the influx of people who attended the event helped the local businesses. Mr. McArdle finalized by saying that he looked forward to next year's event and hoped that it proved to be even more successful.

Mayor Booth thanked Mr. McArdle for all of his hard work in the community and for the souvenir wine glass.

2) Mr. Les Spivey of 58 East Church Street, Kilmarnock, VA, stated that he just wanted to comment on the water/sewer fees. Mr. Spivey said that as a former Councilmember and Planning Commission Member, he was aware that the general fund was used to support water/sewer expenses. Mr. Spivey stated that while serving on Council and the Planning Commission, it was his opinion that the people who received water/sewer services should pay for those services and it not be funded by other parts of the Town budget. Mr. Spivey encouraged Council to work towards the goal of making water/sewer self sufficient through consumer fees. Secondly, Mr. Spivey said that he wanted to comment on the meals tax. Mr. Spivey recalled when the tax was first implemented it caused great trepidation that people would not to come to the restaurants to eat which did not happen. Mr.

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Spivey noted that other areas have a higher meals tax than Kilmarnock and he suggested that it be raised. Mr. Spivey finalized by saying that he knew the Town's budget had already been set for the fiscal year but noted that he just wanted to bring this to Council's attention.

3) Horace and Kathleen Mondy of 200 New South Road, Kilmarnock, VA, stated that they were before Council regarding Kilmarnock's property tax. Mrs. Mondy advised that their residence and private road was annexed into the Town limits in 2007. Mrs. Mondy advised that the Town's website said that taxes were used to pay for public services, streetlights and general maintenance which they do not receive. Mrs. Mondy stated that she and her husband have broached this subject with two former town managers, the present town manager, and former Mayor Curtis Smith. Mrs. Mondy asked what they received for the taxes they paid. Mrs. Mondy stated that they live on a dead-end road and had to pay to have a streetlight installed. She was told a while ago by the former mayor that the Town would reimburse them for what they had paid for that streetlight and would take it over. Mrs. Mondy stated that former Town Manager Burleson had said that she would send someone to investigate the location of the streetlight but sent them to the Moody residence on Black Stump Road instead. Mrs. Mondy said that recently they were told that taxes were a way of life and that they had to pay them.

Mayor Booth asked Mrs. Mondy for the copy of the letter that she received from Town Manager Saunders. Mayor Booth stated that he realized that this had been an ongoing situation and he would do everything that he could to have it resolved. Mayor Booth said that he had discussed the issue with the Town Manager and asked Mr. Saunders to comment.

Mrs. Mondy stated that she wanted to say one more thing which was that she received what was referred to as a courtesy call from the Town Office stating that the Town was going to learn from Lancaster County how to sell the property of delinquent taxpayers and to let her know that she was delinquent. Mrs. Mondy said that was when she contacted other people for guidance.

Town Manager Saunders stated that he had learned that Mr. and Mrs. Mondy have been to the Town on several occasions trying to get some resolution to their request and he had recently learned that they were told by former Mayor Curtis Smith sometime in the past that the Town would take over the expense of the streetlight. Mr. Saunders continued by saying that in the turnover and transition of town managers, it was dropped and did not come up on his radar until January when he received a letter from the Mondys asking what they received for their tax money and bringing up the matter of the streetlight. Mr. Saunders said that at that time he looked into it, discussed it internally, and made the determination that because it was on a private street there was nothing that could be done. Mr. Saunders said that since then he had done some research and found at least two other streetlights in Kilmarnock that were on private cul-de-sacs that

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the Town was paying for. Mr. Saunders apologized for not discovering the precedent earlier and noted that there was no problem with Council deciding to absorb the cost of the streetlight. Mr. Saunders added that property taxes were not optional for anyone whether they felt like they were getting the services they wanted or not. Mr. Saunders said that the call that the Mondys received was the call that came from the treasurer's office every year when taxes were delinquent. Mr. Saunders advised that to his knowledge the comment made about selling off property with delinquent taxes was in response to the question asked by Mrs. Mondy in regards to what the Town was going to do if they did not pay their taxes. Mr. Saunders stated that it was not a threat. Mr. Saunders said that the Town had never had to do that because it had a good record of being able to collect delinquent taxes but noted that it was an option.

Councilmember Nunn asked Mrs. Mondy how much the streetlight bill would be from the time their property was affected by the boundary line adjustment in 2007 until now.

Mrs. Mondy replied that it was \$487.04.

Mayor Booth asked for clarification from the Mondys. Mayor Booth wanted to know if the reason that they did not pay their property tax was because they felt they were owed money from the Town.

Mr. Mondy replied not at all. Mr. Mondy said that they were being taxed for amenities that they do not receive such as fire hydrants, sidewalks, street maintenance, etc. Mr. Mondy said that he knew they had to pay their taxes but they do not get the services that other Town residents receive.

Mrs. Mondy added that she was told by Planning Director Sebra that eventually they would get those services. Mrs. Mondy said that eventually she might not even be living here.

Mr. Mondy said that it had been three years and he felt that they had been very patient.

Councilmember Donahue asked Town Attorney Stamm for a legal point of view.

Town Attorney Stamm replied that Council could assume the cost of the streetlight if they wanted to and could appropriate any amount of money for under \$500 for a valid purpose that they saw fit. However, Council could not tell the Mondys that they do not have to pay their taxes.

Mayor Booth stated that the public presentation time limit was up on this subject and asked Council for their comments or action.

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Councilmember Moubray stated that he understood the issue regarding the streetlight but as far as the Mondy's road situation, that was a VDOT issue. Mr. Moubray advised that no one received snow plowing on privately maintained roads and advised the Mondys not to feel like they were missing anything because he lived on a private road as well. Mr. Moubray said that if the Town was paying for other privately owned streetlights then it should pay for theirs as well.

Councilmember Nunn reminded the Mondys that they do receive police protection.

Mr. Mondy said that he was sure the police would come but no opportunity had presented itself where it was necessary for him to call.

Councilmember Nunn recommended that maybe the Town should deduct the \$487.04 from what the Mondys owed on their property taxes.

Mayor Booth stated that he felt that would set a bad precedent and asked the Town Attorney for his opinion.

Town Attorney Stamm agreed with Mayor Booth.

Councilmember Jones asked if the Town still had the quarter of a mile that the state could take over annually.

Town Manager Saunders replied that the Town still had it but the road had to be built to state specifications and the Mondy's road was not.

Councilmember Jones stated that he was unaware that the Town was covering the bill for any private streetlights and felt that they should not be. Mr. Jones said that if the Town took over the Mondy's streetlight then others would surely follow wanting the same to be done for them.

Mr. Mondy spoke from the audience and said that his streetlight was his responsibility and he had no problem paying for it until the Town extended its boundaries to include his property.

Vice-Mayor Smith stated that his issue was that Council needed to do the right thing and it was his understanding that the former mayor, who was representing the Town at the time, had told the Mondys that the Town would pick up the bill for the streetlight.

Mayor Booth commented that he understood the Mondy's concerns about not receiving certain services as taxpayers but noted that part of that was existent because they lived on a private road as opposed to a public one. Mayor Booth continued by saying that it was not uncommon to be brought in as part of a

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boundary line adjustment and having a time period elapse before receiving all services. Mayor Booth used Chesterfield and Henrico as examples. Mayor Booth thought that it would not set a good precedent to take over the expense of streetlights on private roads but noted that what was important here was that the previous mayor had told the Mondys that the Town would pay for the expense of the streetlight once they were brought in by the boundary line adjustment. Mayor Booth said that former Mayor Smith may have done so in error by not realizing that the streetlight was on a private road. Mayor Booth felt that Council needed to honor what the previous mayor had expressed.

ACTION: Councilmember Donahue made a motion to accept the streetlight into the Town's grid and assume the prospective cost and retroactive cost at a sum of \$487.04, seconded by Councilmember Smith; and carried with a 5 to 1 vote in favor of. (Councilmember Jones was opposed)

B. Presentations

Planning Commission Report: Councilmember Smith, Council Liaison

Councilmember Smith reported that the Planning Commission Meeting was held on July 13th. Mr. Smith stated that the Planning Commission elected Claudia Williamson as Chair, Jane Ludwig as Vice-Chair, and Steve Bonner as Secretary. Mr. Smith stated that Planning Director Sebra provided Commission Members with a packet on groundwater and noted that Dr. Frank Fletcher would be giving a presentation on the subject at an upcoming Planning Commission meeting.

9. Committee Reports

A. Water/Sewer Committee: Councilmember Smith, Chair

1) Report from July 7, 2010 Meeting.

A copy of the Committee meeting notes was included in each Councilmember's packet.

Councilmember Smith reported that well #3 was finally up and going. Mr. Smith advised that the Town purchased a used backhoe for \$31,000 and a new utility tractor for the WWTP for \$16,700 and noted that both were already in service. Mr. Smith advised that there were several active water leaks in Town which were corrected by Field Supervisor James Seagle and Wayne Kent.

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Town Manager Saunders stated that the proposals for the Town's water tanks were discussed again. Mr. Saunders said that based on the analysis by Bill Rosenbaum the Committee was recommending that the proposal from Southern Corrosion of Roanoke Rapids, N.C., be accepted for the amount of \$34,427 per year for seven years.

2) Committee's Recommendations to Council.

Enter into contract with Southern Corrosion of Roanoke Rapids, N.C., for the amount of \$34,427 per year for a period of seven years for water tank maintenance.

ACTION: Councilmember Nunn made a motion to enter into contract with Southern Corrosion of Roanoke Rapids, N. C., for the amount of \$34,427 per year for seven years for water tank maintenance, seconded by Councilmember Smith;

DISCUSSION:

Councilmember Donahue wanted to know why the Town was entering into a quarter of a million dollar contract for seven years.

Town Manager Saunders stated that it amounted to about six years of major paint jobs and incidentals to be dealt with and noted that at the end of it the Town would probably be looking at having it done all over again.

Councilmember Donahue wanted to know if time was of the essence on this issue.

Town Manager Saunders replied that the Town had been directed by the VA Department of Health to take care of the rust spots on the Church Street tank. Mr. Saunders stated that, if Council preferred, the Town could just hire someone to do that job at this time.

Councilmember Donahue stated that he was new on Council and wondered if maybe they should take 30 days to go over the information regarding this issue before spending a quarter of a million dollars.

Councilmember Nunn asked Councilmember Smith if this recommendation was studied by the Water/Sewer Committee.

Councilmember Smith replied that it was studied for a period of three months before making the recommendation.

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Councilmember Donahue stated that he just wanted to be comfortable with spending a quarter of a million dollars.

Councilmember Nunn advised that at one time she served on the Water/Sewer Committee and stated that the tanks had to be taken care of and she was positive that the Committee would not make the recommendation if it was not deemed necessary.

Councilmember Moubray stated that Progress Engineers looked over both of the proposals and recommended that the Committee accept the proposal from Southern Corrosion. Mr. Moubray stated that the Committee did not make the decision on its own.

Mayor Booth stated that the Water/Sewer Committee had studied this for months and he did not feel that there was any reason not to adhere to their recommendation.

Mayor Booth called for the vote which was unanimous.

B. Streets/Sidewalks/Playground Committee: Councilmember Moubray
Chair

1) Report from June 10, 2010 Meeting.

A copy of the Committee meeting notes was included in each Councilmember's packet.

Councilmember Moubray stated that he did not have a report and noted that it was a very brief meeting.

2) Committee Recommendations to Council

There were no recommendations.

C. Police/Public Safety Committee: Councilmember Jones, Chair

1) Report from July 12, 2010 Meeting.

A copy of the Committee meeting notes and the monthly police report was included in each Councilmember's packet.

Councilmember Jones stated that he and Chief Bedell discussed the replacement of the 2004 Ford police car with a 2011 Ford Crown Victoria for the price of \$23,847, which was good if ordered before August 5th.

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2) Committee Recommendations to Council.

Purchase a 2011 Ford Crown Victoria at a cost of \$23,847 to replace the 2004 Ford police car.

ACTION: Councilmember Jones made a motion to purchase a 2011 Ford Crown Victoria at a cost of \$23,847 before August 5, 2010 to replace the 2004 Ford, seconded by Vice-Mayor Smith; and carried unanimously.

D. Emergency Preparedness Committee: Councilmember Smith, Chair

There was no meeting held.

E. Economic Development Committee: Councilmember Nunn, Chair

Councilmember Nunn reported that there was no meeting held but wanted to say that the Committee was sorry to hear that Curry & Curry Pottery was moving out of Town because Mr. Curry was unable to renew his lease. Mrs. Nunn stated that Mr. Curry was relocating his business to the former nursery located close to the entrance of the Church of the Nazarene.

F. Town Centre Committee: Councilmember Nunn, Chair

Councilmember Nunn stated that there was no meeting held but wanted to report on one of the projects that the Committee was working on which was a proposed dog park that was passed by Council some months back. Mrs. Nunn said that once \$5,000 was raised, Council agreed to loan the Committee the rest of the money to complete the dog park. Mrs. Nunn advised that she had sought ten corporate sponsors this week and noted that Roxy Moubray had agreed to make the signage for the park for free. Mrs. Nunn stated that the Committee intended to have a sign that read "This park is dedicated to the memory of our four legged friends" and the names of the corporate sponsors who donated \$500 each would be listed under that. Mrs. Nunn reported that Chesapeake Bank had already agreed to be a sponsor and she had meetings set up with other businesses in the upcoming week. Mrs. Nunn added that funds would also be solicited for bricks in memory or honor of a pet for the amount of \$100. Mrs. Nunn finalized by saying that Mrs. Moubray had gotten two bids for three quarters of an acre of fencing.

G. Administration/Finance Committee: Councilmember Jones

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1) Report from July 2, 2010 meeting.

A copy of the Committee meeting notes was included in each Councilmember's packet.

2) Committee Recommendations to Council

Recommend that Council approve the disbursements from June 22, 2010 to July 19, 2010

ACTION: Councilmember Jones made a motion to approve the disbursements from June 22, 2010 to July 19, 2010 as presented, seconded by Councilmember Moubray; and carried unanimously.

10. Administrative Comments and Reports: Town Manager Saunders

A. Mary Ball Road/Grace Hill Pump Station Update

Town Manager Saunders reported that the Mary Ball Road/Grace Hill Pump Station bids were received and would be opened this Thursday at 2:00 pm.

B. Mary Ball Road CDBG Project Update: Town Planning Director Sebra

Town Planning Director Sebra stated that the project was moving along very smoothly. Mr. Sebra advised that the Rehab Advisory Board had approved thirteen housing rehab applications. Mr. Sebra stated that the water/sewer infrastructure was ready to go and noted that as the process continued Council would see a lot more activity. Mr. Sebra finalized by saying that they were currently working on getting Lee's Barber Shop painted.

C. Water Quality Report and Cross Connection Questionnaire

Town Manager Saunders reported that citizens seemed to find the cross connection questionnaire very troubling and staff answered hundreds of phone calls in regards to it. Mr. Saunders said that by and large it was now going well and they had a good return rate. Mr. Saunders said that some items on the questionnaire were not as clear as they could have been and noted that this was a learning process for all.

D. VML Annual Conference

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Town Manager Saunders stated that the VML Conference would be held October 3-5 in the Hampton area and information regarding reservations was needed soon. Mr. Saunders encouraged everyone who could to attend.

E. Floodplain Maps Received

Town Manager Saunders reported that the Floodplain Maps had been received by the Town but he was still waiting for confirmation that Kilmarnock was in FEMA's database.

F. Kilmarnock Citizens with Weems Mailing Addresses

Town Manager Saunders reported that there were some Kilmarnock residents who actually had a Weems address which was an issue and noted that staff was checking with the Post Office to see what could be done to get this resolved.

G. Committee Schedules

Town Manager Saunders stated that if any Committee Chairman needed to change the dates or times of their committee meetings they could let him know and he would do so.

H. Tour of Town Facilities

Town Manager Saunders extended an offer to take new Councilmembers on a tour of the Town's facilities.

11. Old Business

A. Contributions to Non-profits

Town Manager Saunders advised that included in each Councilmember's packet was a single sheet from the budget highlighting the Admin/Finance Committee's recommendation for contributions to five or six non-profit organizations. Mr. Saunders stated that the past Council deferred decision on this issue until this meeting.

Mayor Booth asked if there had been a specific amount of money allocated for contributions overall.

Town Manager Saunders replied that \$14,000 to \$15,000 was what had been set aside.

Mayor Booth asked if Council could only use what was appropriated.

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Town Manager Saunders replied that Council could change the allocations by 1% of the total operating budget without having a public hearing.

Mayor Booth said that he felt that the Town had been remiss in donating to two of the Town's most essential services which were fire and rescue. Mayor Booth continued by saying that he felt that they were underfunding the mere existence of the volunteer fire department which provided a significant break on insurance coverage for those who lived within a certain radius. Mayor Booth said that he would like to see Council fund the fire department and rescue squad in excess of what had been the norm. Mayor Booth suggested that the allocations be deferred for another 30 days instead of making a hasty decision.

Councilmember Moubray and Councilmember Smith agreed with Mayor Booth that the fire department and rescue squad should receive additional funds.

Mayor Booth referred the matter to the Admin/Finance Committee for reevaluation.

B. Consideration of request to have Main Street designated as "No Through Trucks" between James B. Jones Memorial Highway and Harris Road.

Town Manager Saunders stated that tractor trailers going through Town were a safety issue and contributed to some of the dirt on Main Street. Mr. Saunders advised that he conducted research and talked to County Administrator Bill Pennell and found that, if Council requested it, the County Board of Supervisors would consider making the request to VDOT to declare that area a "No Through Truck" zone. Mr. Saunders said that it would be a long, drawn-out process but felt that it was worth looking into. Mr. Saunders advised that it would only apply to those trucks that were going all the way through and not to those who had to make deliveries to businesses on Main Street or going to deliver grain down Waverly.

Mayor Booth stated that he would like to refer the matter ~~*back~~ to the Streets Committee so Council can make an informed decision. **Corrected by Council 8/16/10*

C. 1993 Resolution passed by Council

Councilmember Nunn read a resolution that was passed by Town Council in 1993 regarding the Town Manager's authority and responsibilities for the benefit of new Councilmembers. (See Attachment)

Mayor Booth advised Councilmember Nunn that he was sorry that she had to read the whole resolution and stated that she could have just introduced it into the record by reference.

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Councilmember Nunn replied that she felt the need to read it out loud because not everyone read all of the material passed out to them since there was so much of it at times.

12. New Business

A. Resolution in recognition and support of Kilmarnock Volunteer Fire Department's 75th Annual Carnival.

A copy of the proposed resolution was included in each Councilmember's packet.

Town Manager Saunders read the resolution to Council. (See Attachment)

ACTION: Councilmember Nunn made a motion to adopt the Resolution in recognition and support of the Kilmarnock Volunteer Fire Department's 75th Annual Carnival, seconded by Councilmember Donahue; and carried unanimously.

B. Annual Banking Resolution

A copy of the proposed resolution was included in each Councilmember's packet.

Town Manager Saunders advised that the Annual Banking Resolution needed to be renewed and two additional Councilmembers needed to be added as signatories.

It was the general consensus of Council that Vice-Mayor Smith and Councilmember Moubray be added as signatories.

ACTION: Councilmember Smith made the motion to adopt the Annual Banking Resolution and to add Vice-Mayor Smith and Councilmember Moubray as signatories, seconded by Councilmember Moubray; and carried unanimously.

13. Council Comments

Councilmember Donahue stated that he attended the VA Department of Tourism Conference in Richmond and advised they printed over seven hundred thousand brochures listing where to visit in the State of VA. Mr. Donahue said that he found it quite disturbing that the Town of Kilmarnock was not one of those

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locations. Mr. Donahue said that Hague, Irvington, Deltaville and Saluda were listed but not Kilmarnock. Mr. Donahue stated that the Town needed to do something in order to promote tourism. Mr. Donahue said that he was shocked to find that many of the conference attendees did not even know where Kilmarnock was.

Mayor Booth said that he and Vice-Mayor Smith had talked about raising the Town's profile and exposure. Mayor Booth said that the Town was fortunate to have a very talented individual who could help with this, Assistant Town Manager Cockrell.

14. Adjournment

ACTION: Councilmember Smith made a motion to adjourn, seconded by Councilmember Moubray; and carried unanimously.

Meeting adjourned at 8:55 pm

Prepared by:

Joan N. Kent

Raymond C. Booth, Jr., Mayor

Jacqueline L. Blencowe, Clerk