

November 21, 2011

**KILMARNOCK TOWN COUNCIL
Monday, November 21, 2011
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 Booth, Mayor
William L. Smith, Vice-Mayor
Denis Bouslough
Shawn Donahue

Paul S. Jones
Rebecca Nunn
Mae Umphlett

Staff Present:

Tom Saunders, Town Mgr.
Susan Cockrell, Asst. Town Mgr.
Paul C. Stamm, Jr., Town Attorney
Jackie Blencowe, Town Clerk
Cindy Balderson, Deputy Clerk
Joan N. Kent, Transcriber
Michael S. Bedell, Chief of Police

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

Councilmember Nunn advised that she had received an email from Dianne Saison from Northern Neck News saying that she would not be able to attend the Town Council meeting. According to Mrs. Nunn, Ms. Saison had to put her twelve year old sheltie named Lucky Dog down after it suffered a stroke and she needed to be with her children. Mrs. Nunn stated that Ms. Saison would contact everyone tomorrow or next week to check on what action was taken during the meeting.

2. Acceptance and Approval of Agenda

ACTION: Councilmember Nunn made a motion to approve the November 21, 2011 Town Council agenda as presented, seconded by Councilmember Bouslough; and carried unanimously.

3. Minutes: Approve, Correct, or Amend the Minutes of the Regular Town

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Council Meeting held October 17, 2011.

Councilmember Nunn commented that she thought the transcriber needed a big hand for taking down all of the information from the last meeting, which generated laughter.

ACTION: Councilmember Bouslough made a motion to approve the October 17, 2011 Town Council Meeting Minutes as presented, seconded by Vice-Mayor Smith; and carried unanimously.

4. Public Comments and Presentations:

A. Public Forum

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

Mr. Les Spivey from 58 East Church Street in Kilmarnock commented on how nice the Christmas lights looked in Town.

5. Planning Commission Report: Councilmember Bouslough, Council Liaison

There was no Planning Commission meeting held during the month of October.

6. Committee Reports:

A. Water/Sewer Committee: Councilmember Nunn, Chair

1) Report from November 2011 Meeting

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

Councilmember Nunn advised that Town Manager Saunders reported that the cost to build a security fence around the Radio Well Complex could be absorbed in this year's operating budget. Mrs. Nunn added that Mr. Saunders would work on getting the quotes for the fence as soon as he received the go-ahead from VDH and could discuss the matter with the adjacent property owner. Mrs. Nunn stated that the cost of replacing the generator at the Wiggins Avenue pump station in the amount of \$25K was too much to be absorbed into the operating budget, but Mr. Saunders hoped that when the bids came in for the Wiggins Avenue Force Main replacement there would be room within that project

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to include the generator purchase and installation. Mrs. Nunn continued by saying that Mr. Saunders had also reported that there had been significant progress on the Mary Ball Road water/sewer lateral installation contract and hoped that it might be finished by the end of the year. Mrs. Nunn stated that a little progress had been made in organizing the utility department's materials and fittings at the public works building but added that staff would work on this during the winter when bad weather kept them out of the field. Mrs. Nunn said that all of the meters in the Town had been surveyed but the radio read meter inventory still needed some work regarding the database before an RFP could be written.

Mayor Booth asked Town Manager Saunders for clarification regarding the replacement generator at the cost of \$25K.

Town Manager Saunders stated that the need for the replacement generator became evident during Hurricane Irene. Mr. Saunders said that the generator itself worked fine but it was not designed to handle the new larger pumps in that particular pump station. Mr. Saunders advised that it was something that the Town had not budgeted for. Mr. Saunders said that there was \$350,000 in the Capital Improvement Budget for the Wiggins Avenue force main and he was hoping that when those bids came in there would be room in that budget item to replace the generator.

Mayor Booth asked Mr. Saunders his feelings regarding how reliable the generator at Wiggins pump station was now. Mayor Booth stated that when this issue was discussed during the Admin/Finance Committee meeting there seemed to be some real concern that it needed to be addressed. Mayor Booth asked when the bids for the Wiggins Avenue project would be in.

Town Manager Saunders replied that he did not know when the bids would be in but noted that Mr. Rosenbaum was very close to having the documents finalized and thought that they were about 30 to 45 days away from putting it out to bid. Mr. Saunders said that in an extreme situation, such as a prolonged ice storm that left the Town without power for ten days, the generator would probably be outmatched. Town Manager Saunders advised that the generator could run one pump just fine but when it tried to handle two it would stall. Town Manager Saunders said that if Council wanted to move forward with replacing the generator it would still take three or four months because of the purchase and installation cycle.

Councilmember Nunn asked if the generator was thirty years old.

Town Manager Saunders said that he believed it was from the 1970's but he was not really sure.

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Councilmember Bouslough asked if the pumps could be controlled manually to keep them both from coming on or were they wired in together and it was what it was.

Town Manager Saunders replied that it was what it was because when something took place it would be at 2 am when the employees were not present. Mr. Saunders said that if the employees were there it could be manipulated manually, but when the power went out the generator kicked in and if there was 8 inches of rain then both pumps would roll.

2) Committee Recommendations to Council

There were no recommendations to Council.

B. Streets/Sidewalks/Playground Committee: Councilmember Donahue, Chair

1) Report from November, 2011 Meeting

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

Councilmember Donahue stated that everyone on the Committee was in attendance. Mr. Donahue said that they discussed the water runoff on Walnut Road and advised that VDOT felt that they had done all they could do to resolve the problem adding that no further action would be taken at this time. Mr. Donahue stated that Town Staff discussed having a street light at Mercer Place and Virginia Dominion Power would be installing it. Mr. Donahue reported that VDOT finished putting the markings on Church Street noting that it had been very challenging to get through there while the work was being done. Mr. Donahue commented that VDOT removed the painted lines and then repainted them. Mr. Donahue asked Town Manager Saunders if they had done anything different to the road.

Town Manager Saunders jokingly replied that it was so challenging that he did not even go down that street to look which generated laughter.

Councilmember Donahue commented that when the Main Street Project was done there were four parking spaces in front of the drug store on Church Street which were negotiated down to two. Mr. Donahue said that VDOT wanted to do away with those as well but the Committee was recommending that the drug store be allowed to keep the two parking places. Mr. Donahue advised that the VDOT hearing for "No Through Trucks" on Main Street was not very well attended but was needed to bring public awareness to the fact that trucks needed to use the bypass. Mr. Donahue said that the Committee confirmed keeping the

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Holiday Lighting Contest as per the 2010 model with the judging date set for Sunday, December 11th. Mr. Donahue stated that there was a new law on the books in the State of Virginia which would allow the Town to act more swiftly in condemning properties within its limits that were not up to code and unsafe. Mr. Donahue advised that the Committee discussed the tree issue between two private property owners on Irvington Road and decided that the Town should not get involved because it was a civil matter.

Assistant Town Manager, Susan Cockrell, advised that the Holiday Lighting Ceremony would take place on November 22nd at 5:30 pm at the Palmer Building with refreshments served inside. Ms. Cockrell added that the 33rd Annual Christmas Parade was scheduled for December 9th at 7 pm.

Councilmember Donahue reported that construction was underway to the Baylor Park entrance.

2) Committee Recommendations to Council

There were no recommendations made to Council.

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

1) Report from November Meeting.

A copy of the Committee meeting notes and the monthly statistics were included in each Councilmember's packet.

Councilmember Donahue advised that no significant crimes were reported. Mr. Donahue stated that there was a discussion regarding problems with the twenty-some year old crowd within our community going from one bar or restaurant to another being disruptive and the police not taking corrective action. Mr. Donahue said that a month ago there was a group of twenty-plus people who went from one place to another until they had to be thrown out of three different bars/restaurants and not one of them got arrested. Mr. Donahue stated that the Committee was asking the Police Chief to look into what could be done to discourage this type of behavior in Kilmarnock. Mr. Donahue said that right now these violators were only receiving a slap on the hand and it was time to take some corrective action. Mr. Donahue stated that Chief Bedell would be working with Lancaster County to see what could be done. Mr. Donahue advised that the Committee discussed an internal issue concerning an action that was taken by one of the Town Police Officers. Mr. Donahue said that he had tried to arrange a private meeting with everyone to discuss it; however, his daughter had emergency surgery which precluded him from getting it done before the Council meeting. Mr. Donahue said that he would like to defer this issue until the next meeting.

2) Committee Recommendations to Council

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There were no recommendations made to Council.

D. Emergency Preparedness Committee: Councilmember Umphlett, Chair

1) Report from November 2011 meeting

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

Councilmember Umphlett advised that the meeting was brief and there was nothing out of the ordinary to report.

2) Committee Recommendations to Council

There were no recommendations made to Council.

E. Town Centre Committee: Councilmember Jones, Chair

1) Report from November 2011 meeting

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

Councilmember Jones was absent from the meeting so Councilmember Nunn gave the report. Mrs. Nunn advised that the Committee reviewed a letter from the Lancaster Community Library requesting permission to examine the Town Centre lot for suitability, including engineering studies of soils, etc. Mrs. Nunn stated that the Committee authorized Town Manager Saunders to give the Library permission for those limited investigations. Mrs. Nunn said that Town Manager Saunders reported that the stucco repairs on the Town Hall had been completed and the building had received a complete coat of paint. Mrs. Nunn commented that it did not look like a third world country anymore. Mrs. Nunn stated she proposed that a war memorial be erected on the Town property honoring those from Kilmarnock who had lost their lives in service to their Country from WWII to present. Mrs. Nunn said that this would be done with donations and not taxpayer dollars. Mrs. Nunn said that most towns had this and added that it did not have to take up much space and could just be a cornerstone. Mrs. Nunn stated that if Council wanted to pursue this she would contact the American Legion, the VFW, the Retired Military Officer's Association, civic clubs and individual donors. Mrs. Nunn finalized by saying that she thought it would be a really nice addition to the community.

Mayor Booth asked Mrs. Nunn if she wanted to put that in the form of a motion.

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Councilmember Donahue asked Mrs. Nunn if she wanted to make her motion after the Committee meeting reports.

Mrs. Nunn said that she could wait until then.

F. Economic Development Committee: Vice-Mayor Smith, Chair

1) Report from November, 2011 Meeting.

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

Vice-Mayor Smith stated that Assistant Town Manager Cockrell reported that two businesses on Main Street were moving into vacant space across the street and their former location would be occupied by a new business moving to Kilmarnock from a nearby town. Mr. Smith stated that Town Manager Saunders recommended that the Committee consider rezoning the land purchased in 2009 located next to the Tech Park to M1 and begin subdivision planning. Mr. Smith advised that the Committee agreed to pursue rezoning. Mr. Smith stated that Town Manager Saunders reported that HUB zone designation for Lancaster County was scheduled to expire in 2014 due to information produced by the 2010 census. Mr. Smith said that Richmond and Northumberland Counties were losing their designations as well and Westmoreland had already lost theirs. Mr. Smith advised that the issue had been brought to the attention of all the local Congressmen and hopefully it could be changed. Mr. Smith stated that Assistant Town Manager Cockrell informed the Committee that one more public hearing and vote would be required before the end of the year to make the recent changes to the Enterprise Zone official. Mr. Smith said that Ms. Cockrell also informed the Committee that ads would soon be running on cable TV channels in Richmond promoting Christmas shopping at local businesses.

2) Committee Recommendations to Council

There were no recommendations made to Council.

G. Administration/Finance Committee: Vice-Mayor Smith, Chair

1) Report from November, 2011 meeting.

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

Vice-Mayor Smith stated that the Committee reviewed the accounting service's suggestion to commit water/sewer connection fees to capital accounts via formal motion. Mr. Smith said that the purpose of connection fees was to offset future capital needs and they were now being held in the general

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revenue accounts of the water/sewer fund. Mr. Smith advised that the Committee determined to keep the funds in the general revenue accounts for the water/sewer system at this point. Mr. Smith added that when this was initially brought to them they were led to believe it was a recommendation from the auditors. The Committee was then informed that it was not; therefore, they decided to leave it where it stood continued Mr. Smith. Mr. Smith then said that the Committee discussed the Capital Budget implications of the two water/sewer requests heard earlier during the meeting regarding the security fencing around the Radio Well site for \$7,000 to \$10,000 and the larger generator for Wiggins Avenue pump station at \$25,000. Mr. Smith advised that Radio Well was the only site on the Town's water/sewer system that was not fenced in and this posed a security risk. Mr. Smith stated that the Wiggins Avenue generator needed to be larger in order to accommodate both pumps running at that location. Mr. Smith said that both issues were identified during Hurricane Irene and added that the Committee took no action and agreed to review this again during the December Committee meeting and then make a recommendation to Council. Mr. Smith advised that the Committee discussed potential adjustments to the Town's reserve account characterization per GASB rules and noted that there would be further clarification and direction when the auditor's comments on fiscal year ending 6/30/11 were completed. Mr. Smith stated that the Committee was made aware of Governor McDonnell's "Local Government Mandate Review" and added that the Town would be drafting a response. Mr. Smith advised that an update was given on BPOL taxes and as of last week every merchant had paid. Mr. Smith stated that staff notified the Committee of Leland Corporation's request for payment of connection fees as per their agreement with the Town which was still under discussion and might require the Town Attorney's involvement. Mr. Smith advised that staff updated the Committee on potential changes as to how eminent domain was utilized and a constitutional amendment that was underway in the General Assembly. Mr. Smith said that the Committee recommended a formal holiday party for Town Councilmembers, Planning Commission Members, BZA Members, invited guests and employees including spouses with a budgetary amount of \$2,000. Mr. Smith finalized by saying that it was decided to have this event at an "in town" business.

Mayor Booth stated that he had been told previously by members of Town government that the recommendation to move the connection fees from the general operating budget to the reserve was made by the auditors. Mayor Booth asked if that turned out to be inaccurate information and wanted to know what the source of that information was.

Vice-Mayor Smith replied he thought that it was just inaccurate information stating that Town Manager Saunders talked about it at the last Admin/Finance Committee meeting saying that it was a misquote on his part from the very beginning.

Mayor Booth replied that he must have missed that at the meeting and thanked Vice-Mayor Smith for his clarification.

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2) Committee Recommendations to Council

A. Recommend that Council approve the disbursements from October 18, 2011 through November 21, 2011 totaling \$199,653.06

ACTION: Vice-Mayor Smith made a motion to approve the disbursements from October 18, 2011 through November 21, 2011 as presented, seconded by Councilmember Donahue; and carried unanimously.

B. Recommend that Council approve Budget Transfers as submitted.

Vice-Mayor Smith advised that the budget transfers were included in last month's packets but for some reason were overlooked. Mr. Smith said that the recommendations were from the auditing company and it was basically just housekeeping. Mr. Smith recommended that Council approve the Administrative Department, Public Safety Department, Capital Improvement General Fund, Water Fund and Sewer Fund transfers in the amounts listed noting that basically it was being moved from one bucket into another to align the budget.

Mayor Booth commented that he worried when stuff went from bucket to bucket asking if it wasn't necessary for Council to approve all of the bucket moving.

Town Manager Saunders advised that it was just the adjustment of entries after Council looked at spending items and decided that rather than an amount being in one department it should be in another. Mr. Saunders commented that it was like taking from the left to put back in the right. Mr. Saunders advised that the largest case dealt with water/sewer expenses on the Mary Ball Road Project and the timing in which the money was spent. Mr. Saunders commented that they hit the nail on the head eighteen months in advance regarding how much was spent towards water versus sewer. Mr. Saunders said they took some money from water and put it into sewer. Mr. Saunders advised that these adjustments were made every year but the auditors wanted to see that Council discussed it in open session and that it was recorded in the minutes so there was no sense it being done by the dark of night.

Mayor Booth commented that it was really just routine business.

Town Manager Saunders apologized and said that it was in Council's packets last month but it did not get brought up for discussion.

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Vice-Mayor Smith advised that part of this was just classification and gave the example of Council looking at something as a telephone expense when the auditors said that it should have been under maintenance/repair.

ACTION: Councilmember Nunn made a motion to approve the budget transfers from bucket to bucket, (as presented), seconded by Vice-Mayor Smith; and carried unanimously.

C. Recommend that Council host a Holiday Party for Council, Planning Commission, BZA, staff and invited guests, with a budget not to exceed \$2,000.

Councilmember Nunn stated that it was decided three years ago not to have a holiday party anymore because in these economic times they felt it was frivolous to spend taxpayer money on an event that was ill attended, with tons of food left over and thrown away. Mrs. Nunn advised that staff did not really want to hang out with Council and Council did not really want to hang out with each other; therefore, she asked why would they have a Christmas party.

Mayor Booth told Councilmember Nunn that he was just about to read her memo but since she had just said it all, he would not have to.

Councilmember Nunn stated that she was opposed to having a Christmas party unless the Mayor wanted to give them one.

Mayor Booth advised Councilmember Nunn that she hosted fine parties and everyone would be delighted to come to her house. Mayor Booth said he realized that due to the economy there was no party held last year adding that economic times might dictate no party this year as well but stated that there had been a holiday party held within the last three years because the previous Mayor had it at his house.

Councilmember Nunn interjected that the previous Mayor had money left over in his Mayor's Initiative Fund which he used for the party and did not take money out of the budget.

Mayor Booth stated that given all of the hoopla over having a party, he did not really care if they had one or not adding that he did not know how the other Councilmembers felt. Mayor Booth stated that it had become a bad issue during the past couple of weeks because it appeared that the party was authorized and then came objections because of the money. Mayor Booth said that he was fine with not having a party.

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Vice-Mayor Smith stated that he polled some of the employees on this issue because one of the reasons to have the party would be to celebrate their accomplishments and tell them "thank you". Mr. Smith advised that the few employees that he talked with said that if there was a party they would come out of obligation more so than celebration.

Councilmember Nunn stated that she polled the majority of employees and said that she would like to do something for them. Mrs. Nunn said that she asked them if they would like to have a Christmas party or a gift certificate to Tri-Star for instance. Mrs. Nunn advised that most preferred the gift certificate. Mrs. Nunn stated that she would like to propose that something be done for the employees whether it was a gift certificate to Tri-Star, Booth's Landscaping, or the Antique Gallery.

Councilmember Jones stated that they could just give the employees a Christmas bonus; therefore, they could spend it where they wanted to.

Councilmember Nunn replied that would be fine with her.

Mayor Booth stated that what he stressed in the Admin/Finance Committee meeting was that this was not for Councilmembers but something to thank the employees, Planning Commission Members and BZA Members who were not compensated, adding that it was just a little get together where they could bring their families. Mayor Booth said that it was never about having a party for the Councilmembers themselves but to reach out to others. Mayor Booth recognized Planning Commission Member Bonner who was in the audience and asked him if he would like a party, gift certificate, or turkey.

Commission Member Bonner replied that it did not matter but said that he did recall the Town having Christmas parties down at Indian Creek. Mr. Bonner stated that enough had been said and noted that now he would not want to go to one. Mr. Bonner commented that at the last Council meeting they spent \$82,000 and at this meeting they did not want to spend anything.

Councilmember Donahue said that the last 18 months had been a battle and all they did was fight. Mr. Donahue stated that Councilmembers did not talk to each other or see one another other than at meetings. Mr. Donahue said that they had one time a year where they could get together with co-workers and spouses and be on a level playing field that may mend some relationships and some problems that they have had. Mr. Donahue stated that in the spirit of the holiday it was appropriate for them to think about it. Mr. Donahue said that the statement made by Mr. Bonner that he did not want to go was the very problem that they were having in the community. Mr. Donahue advised that if anything was ever going to change then they could not just sit at the table and agree to disagree and fight once a month. Mr. Donahue said that they had to find a social ground to

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meet on and just talk without being adversaries. Mr. Donahue noted that when Ms. Sonja Headley came before Council that was the very thing that she had said. Mr. Donahue felt that if they all went to a social function they would be dignified and would not fight. Mr. Donahue stated that they would not be obnoxious to one another and would maybe even say "Merry Christmas" to each other. Mr. Donahue said that this might move them in the direction of finally being a community once again and he thought it was worth a try for a couple of hundred bucks. Councilmember Donahue finalized by saying that he was fine either way but just wanted to put his two cents in.

Mayor Booth said that since he involved Mr. Bonner in this conversation he would allow him to make another statement.

Mr. Bonner stated that what he meant was he would not come because there had been so much to do about it. Mr. Bonner said that the Christmas parties that the Town used to have were grand. Mr. Bonner advised that they were held down at Indian Creek, everyone brought their spouses and it was fun. Mr. Bonner stated that whatever made this fester up to become a big issue was what ruined it for him. Mr. Bonner thought it would be nice to have one but it should not be made to look like the Town was robbing the citizens to do so.

Councilmember Umphlett stated that she found it odd that they were all mature but had to have a Christmas party in order to get along. Mrs. Umphlett said that she thought they should be getting along at every meeting all the time.

Councilmember Donahue replied that the party was no different than the retreat that was suggested and added that maybe it would be a start.

Councilmember Umphlett commented that everyone must have known about her little speech that she had planned for the night. Mrs. Umphlett reiterated that they needed to get along all the time. Mrs. Umphlett said that it just so happened that she changed Doctor Tingle's party three times and it was now scheduled to be on the same date that the Town was planning to have theirs which generated laughter. Mrs. Umphlett stated that her two cents was that she would go along with whatever they decided to do but felt they should get along at Christmas, Easter and her birthday which fell on the same day as the next Council meeting.

Councilmember Bouslough stated that he had served in the Federal Government for the past 40 years and had attended a lot of parties, but it was his experience that he had to pay his own way. Mr. Bouslough stated that the parties were always pro-rated and never at taxpayer expense. Mr. Bouslough said that he was in favor of having a party but not at taxpayer expense.

Mayor Booth asked if there was any more discussion or if there was a motion.

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ACTION: Councilmember Nunn made a motion not to have a Town Christmas party at the taxpayers' expense, seconded by Councilmember Bouslough;

DISCUSSION:

Councilmember Bouslough stated that the operative words were "at the taxpayer's expense". Mr. Bouslough said that he was not against having a party otherwise.

Councilmember Donahue suggested then maybe the Town should not have a Christmas Parade because that was at the taxpayers' expense.

Councilmember Nunn replied that it was not.

Councilmember Donahue stated that it was the taxpayers who were paying for all of the police protection during the parade.

Councilmember Nunn told Councilmember Donahue that his business would be one of the bidders if the Town did have a Christmas party.

Councilmember Donahue countered that he would not be one of the bidders.

Councilmember Nunn told Councilmember Donahue not to put the Christmas Parade on the table because they were not discussing that.

Councilmember Donahue replied that they were discussing taxpayers' money.

Councilmember Bouslough stated that the Christmas Parade was for the whole Town and everyone benefited from it.

Councilmember Donahue agreed with Councilmember Bouslough's statement.

Vice-Mayor Smith asked if they were proposing that the Town invite the employees to the party but then tell them they had to pay their own way which generated laughter.

Councilmember Nunn replied that right now they were saying that they were not having a Christmas party at the taxpayers' expense and then someone else could put another suggestion on the table.

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Mayor Booth commented that he felt that Council had spent rather freely recently. Mayor Booth noted that Council approved salary increases which were supposed to be 3% but were really almost 5%. Mayor Booth continued by saying that Council approved an appropriation of \$82,000 for the Community College and, although he knew a lot of people came to the meeting in support of it, most of those folks did not live in the Town of Kilmarnock. Mayor Booth said that he only counted four people who did. Mayor Booth stated that everyone supported the college coming to Kilmarnock but the reality was that the majority of Town citizens did not support the appropriation of \$82,000. Mayor Booth said to spend money that freely and then take very small, meaningful things such as the award money for the Holiday Lights Contest or the Christmas party away was disingenuous. Mayor Booth commented that to hold the Christmas party hostage by saying it was wasteful spending of taxpayers' money was just a plan to do away with the party.

Councilmember Nunn said that the Christmas party was done away with three years ago and added that it was not something that they were just doing away with now. Mrs. Nunn advised that former Mayor Smith used his Mayor's Initiative Fund to host the last party that the Town had.

Mayor Booth advised that he gave his Mayor's Initiative Fund to the Boys and Girls Club and asked if that was not a worthy cause.

Councilmember Nunn replied that it absolutely was a worthy cause but told the Mayor that he had given all of his Initiative Fund away so he did not have any left to have a Christmas party with.

Mayor Booth said that he did not know if the money for the party had to come out of the Mayor's Initiative Fund or if it should but thought it was fine if the previous Mayor wanted to use his for a Christmas party. Mayor Booth added that was up to the former Mayor just as what he decided to do with his Initiative Fund was up to him. Mayor Booth said that their conversation really was not solving the problem and noted that there was a motion on the table with a second that needed to be resolved.

Councilmember Nunn stated that the motion was on the floor not the table.

Mayor Booth told Councilmember Nunn that she was exactly right and thanked her for correcting him.

Mayor Booth called for the vote which was 4 to 2 in favor of not having a Christmas party at the taxpayers' expense. (Councilmember Donahue and Vice-Mayor Smith were opposed.)

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Councilmember Nunn stated that she would like to do something for the employees in the form of a gift certificate or as Councilmember Jones had said a bonus in their checks.

Mayor Booth replied that he would be glad to entertain a motion if Councilmember Nunn would specify.

Councilmember Jones said that a gift certificate to one of the grocery stores would suit him.

Reporter Audrey Thomasson from the Rappahannock Record brought it to Council's attention that if they added a Christmas bonus to the employees' checks then it would be taxed.

ACTION: Councilmember Nunn made a motion to give each employee of the Town a gift certificate to a local grocery store for Christmas.

DISCUSSION:

Councilmember Jones asked how many employees the Town had.

Town Manager Saunders replied that there were twenty Town employees.

Councilmember Jones stated that since Council was going to spend \$2,000 on the party they could give each employee a \$50 gift certificate which would only amount to \$1,000.

Councilmember Nunn was in agreement.

Councilmember Donahue asked if the Council had not already given the employees a gift certificate this year which was a pretty substantial pay increase.

Councilmember Nunn advised Councilmember Donahue that this was different and in the spirit of Christmas as well as a "thank you" for all that the employees had done.

Mayor Booth said that he did not see a need to do anything else if they were not going to have a party and asked the rest of Council what they thought.

Councilmember Nunn advised Councilmember Jones that she had already made a motion and asked if he wanted to second that motion.

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Councilmember Jones seconded the motion.

Vice-Mayor Smith asked for clarification on the motion.

Councilmember Nunn replied that the Town would give a \$50 gift certificate to a local grocery store to the employees.

Vice-Mayor Smith asked about the BZA Members and the Planning Commission Members.

Councilmember Nunn replied that they were wonderful citizens who gave up their time for the Town but were not employees.

Councilmember Donahue asked Councilmember Nunn if she was saying that the BZA Members and Planning Commission Members should not be recognized.

Councilmember Nunn replied that she felt they should be recognized but did not feel that they needed a \$50 gift certificate and added that Councilmembers were not getting one either.

Mayor Booth said that he was going to ask Planning Commission Member Steve Bonner what his thoughts were about this because he felt it was relevant.

Mr. Bonner stated that he had served on the Planning Commission for 23 years without pay and did not want any. Mr. Bonner commented that Irvington and White Stone Town Council served without pay and suggested that if Kilmarnock Town Council wanted to save the taxpayers some money they could serve with no pay like the Planning Commission did.

Councilmember Umphlett said that she was not aware that Council got paid which generated laughter.

Mr. Bonner challenged Councilmembers to serve without pay since they wanted to save the taxpayers money.

Councilmember Umphlett asked how the discussion concerning the Christmas party turned into all that it had.

Councilmember Nunn replied because the Mayor was calling on people in the audience to speak out.

Ms. Pam Deihl spoke from the audience and advised that she had sat there for years without saying a word but since Mr. Bonner had been addressed and allowed to say something she also had something to say. Ms. Deihl stated that with the world at war, millions of kids starving, and people being victimized in every

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way this Council was sitting there debating on \$2,000 for a Christmas party for the amount of time that they had was absurd. Ms. Deihl urged Council to make a decision and get on with the meeting.

Mayor Booth thanked Ms. Deihl for her statement which received applause from the audience.

Mayor Booth called for the vote which was 4 to 2 in favor of giving Town employees a \$50 gift certificate to a local grocery store. (Vice-Mayor Smith and Councilmember Donahue were opposed)

7. Administrative Comments and Reports: Town Manager Saunders

A. Mary Ball Road CDBG Update

Town Manager Saunders advised that work on the water/sewer laterals was past the half-way point and with decent weather they would be finished in December. Mr. Saunders stated that there were a number of homes on Mary Ball Road that were now connected to water and sewer.

B. Baylor Park Entrance

Town Manager Saunders stated he was a little disappointed that the entrance to Baylor Park had not been completed but noted that they were waiting on the paving contractor to set up. Mr. Saunders advised that Zoning Administrator/Planning Director Sebra took a busload of children from the Boys and Girls Club to the park on Friday afternoon and gave them a tour. Mr. Saunders advised that there was a lot of interest from a Local Native Plant Society, Boy Scouts, and Boys and Girls Club who want to help make the park an attractive place to visit.

C. Retiring Town Clerk

Town Manager Saunders advised that it was his sad duty to announce that Town Clerk, Jackie Blencowe, who had served the Town with tremendous dedication and excellence for over 25 years had informed him that she would be retiring at the end of January.

Councilmember Nunn jokingly told Mrs. Blencowe that she would be getting a gift certificate which generated laughter.

Town Manager Saunders noted that while Deputy Clerk Cindy Balderson would assume all of Mrs. Blencowe's duties no one would ever take her place. Mr. Saunders said that through good times and bad, dozens of Councils, a number of Mayors and more Town Managers than she said she cared to think about, she had been a steady and dependable asset to the Town staff. Mr.

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Saunders stated that if she did not know the answer to a question she always knew where to go to find it. Mr. Saunders said that staff wished her well, adding that she and her husband Tommy probably had a lot of adventures planned, but most of all they wished she would not go. There was applause from Council and the audience.

Mayor Booth thanked Mrs. Blencowe for her dedicated service to the Town and wished her well.

8. Old Business

Councilmember Nunn asked Town Manager Saunders if he or Town Attorney Stamm had heard anything in regards to the petition filed for the Town to hold a special election.

Town Manager Saunders replied that he had not heard anything back on that.

Town Attorney Stamm replied that the petition was on the Circuit Court Judge's desk waiting to be signed.

Councilmember Nunn said that the Town needed to know something so they would have time to put the special election together.

Town Attorney Stamm replied that the Town should have their answer before then. Mr. Stamm advised that he had called twice about it and was advised that it was on the Judge's desk waiting for his signature. Mr. Stamm said that if he did not hear something soon he would make an appointment with the Judge to try to see it through.

Mayor Booth stated that he was at the Boys and Girls Club last Saturday night and they raised \$508,000. Mayor Booth said that Ms. Doris Buffett with the Sunshine Lady Foundation was there to match the funds raised with \$400,000. Mayor Booth advised that Ms. Buffett gave a very nice speech and added that she was a very fine lady and everyone appreciated what she had done for Kilmarnock and the Boys and Girls Club. Mayor Booth stated that he was recognized by those in attendance and Mrs. Anderson thanked him and the Town of Kilmarnock for what they had done to raise money for the club and they sent a letter. Mayor Booth advised that he just wanted to let the Town know that it was successful, even though most had probably read about it in the newspaper. Mayor Booth stated that they were very appreciative for the contribution that the Town of Kilmarnock gave which was his Mayor's Initiative Fund from last year and this year so that's the reason they were not having a Christmas party because he spent all of his initiative money, along with a personal contribution from him and his wife, to help them reach their goal.

9. New Business

There was no discussion.

10. Council Comments

Councilmember Umphlett advised that she had a comment which partway through the meeting she did not think she was going to have to make but then things changed again so now she was. Mrs. Umphlett said that, after their appointment to Council, she and Mr. Bouslough discussed and agreed that the decorum of the Town Council was in need of improvement. Mrs. Umphlett stated that letters, negative remarks, comments posted on Facebook and bashing of any kind was inappropriate and damaging to the well-being of the Council and a disgrace to the citizens of the Town. Mrs. Umphlett said that it distracted them from conducting legitimate Town business and made them appear foolish and incompetent. Mrs. Umphlett advised that citizens of surrounding counties had made comments that mock their ability to conduct Town business in a civil and respectful manner. Mrs. Umphlett said that the Town deserved better than this outlandish behavior and unprofessional conduct. Mrs. Umphlett wanted to make herself perfectly clear so that the citizens of Kilmarnock knew that the actions of a few did not mirror the opinions of all Councilmembers. Mrs. Umphlett said that she would not participate in the campaign and conspiracy to discredit the Town Manager. Mrs. Umphlett stated that she would not be part of false allegations directed against a fellow Councilmember. Mrs. Umphlett stated that she would work with the entire Council in an atmosphere of respect towards one another putting the Town first. Mrs. Umphlett advised that egos and pettiness had no place there. Mrs. Umphlett said that she would not compromise her integrity nor would she jeopardize her principles. Mrs. Umphlett said that she took her appointment to Council very seriously and realized that, while opinions would probably vary on any given issue, attacks and plotting were both childish and disrespectful to the citizens who trusted them to make decisions which impacted their daily lives. Mrs. Umphlett finalized by saying that it was her hope that they would begin that night in rebuilding the confidence, respect and trust of the citizens of Kilmarnock who deserved no less from them.

Mayor Booth thanked Councilmember Umphlett for her comments which received applause from the audience.

Vice-Mayor Smith stated that on December 1st he would be attending a VML training session on finance and budgeting for local government.

11. Adjournment

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

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Meeting adjourned at 8:02 pm

Prepared by:

Joan N. Kent

Raymond C Booth, Jr., Mayor

Jacqueline L. Blencowe, Clerk